Police and Roma and Sinti: Good Practices in Building Trust and Understanding

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Abbreviations and Acronyms

CAG	Citizens Advisory Group
CPRSI	Contact Point for Roma and Sinti Issues
CSAT	Community Safety Action Team
CSCE	Conference for Security and Co-operation in Europe
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECRI	European Commission against Racism and Intolerance
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EPPHR	European Platform for Policing and Human Rights
ERPC	European Roma Policy Coalition
ERRC	European Roma Rights Centre
EU	European Union
EU-MIDIS	European Union Minorities and Discrimination Survey
FAERLEO	Fraternal Association of European Roma Law Enforcement Officers
FRA	Fundamental Rights Agency
HCNM	High Commissioner on National Minorities
ICITAP	International Criminal Investigations Assistance Training Program
IDP	Internally Displaced Person
MIA	Ministry of Interior and Administration
MoI	Ministry of the Interior
MoU	Memorandum of Understanding
NGO	Non-Governmental Organization
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
PER	Project on Ethnic Relations
SARA	Scanning, Analysis, Response, Assessment
SPMU	Strategic Police Matters Unit
STEPSS	Strategies for Effective Police Stop and Search
UN	United Nations

Glossary / Clarification of Terms

Roma and Sinti: In line with OSCE practice, this book uses the term "Roma and Sinti". The Council of Europe uses the term "Roma and Travellers", whereas the European Union uses "Roma". These terms are all-encompassing for other generic terms with which Roma and Sinti are often associated with, such as "Gypsies" and derivations of the term "Tsigane". Where country specific examples are given, the terms used are those particular to the group's preferred term in the respective country.

Ethnic profiling: "Ethnic profiling" is defined as when police officers, with no objective and reasonable justification, use the characteristics of race, ethnicity, religion, or national origin rather than behaviour as the basis for making decisions about who has been or may be involved in criminal activity when they conduct search and control, surveillance or investigation activities. (Cf. Open Society Institute, Addressing Ethnic Profiling by Police. A Report on the Strategies for Effective Police Stop and Search Project, New York 2009, p. 9; and European Commission against Racism and Intolerance (ECRI), ECRI General Policy Recommendation No. 11 on Combating Racism and Racial Discrimination in Policing, CRI(2007)39, Strasbourg 2007, Para. 1).

Hate crime: This is a criminal offence committed with a bias motive. This means that the perpetrator intentionally chose the target of the crime because of some protected characteristic. The target may be one or more people, or it may be property associated with a group that shares a particular characteristic. A protected characteristic is a characteristic shared by a group, such as "race", language, religion, ethnicity, nationality, or any other similar common factor. (Source: OSCE Office for Democratic Institutions and Human Rights, Hate Crime Laws: A Practical Guide, Warsaw 2009, p.16).

Hate-motivated incidents: These are defined as "[i]ncidents, acts or manifestations of intolerance committed with a bias motive that may not reach the threshold of hate crimes, either because criminal offense was not proven or because the act may not have been criminal offense under a particular state's legislation." (Source: OSCE Office for Democratic Institutions and Human Rights, Hate Crime Report 2008, Warsaw 2009, p. 11).

Over-policing: "Over-policing" occurs when greater attention is given to crimes allegedly committed by members of particular minority communities or ethnic groups, or when powers are used more harshly against such persons. (Cf. Oakley, Robin, "Police Training Concerning Migrants and National Minorities", in: Council of Europe, Human Rights and the Police, Strasbourg, 1997, pp. 74f.).

Under-policing: "Under-policing" is defined as when the police are less willing to provide sufficient services and help to members of minority communities when they are victims of crime. (Cf. Oakley, Robin, "Police Training Concerning Migrants and National Minorities", in: Council of Europe, Human Rights and the Police, Strasbourg, 1997, pp. 74f.).

Preface

The relation between the police and Roma and Sinti communities is crucial in many ways. Roma and Sinti are often targets of racially motivated discrimination and violence. They need to be able to fully rely on the police for protection against – and the full investigation of – hate-motivated crimes. At the same time, the police face the challenge of effectively policing Roma and Sinti communities that often view such efforts with suspicion and mistrust, fed by a long history of abuse and discrimination at the hands of various state authorities.

In the 2003 OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, participating States recognized the importance of good relations between the police and Roma and Sinti communities for the overall goal of combating discrimination and racial violence, and for ensuring that Roma and Sinti people are able to play a full and equal part in society. Participating States committed themselves to a number of measures aimed at closing the gap between international standards on police and existing national practices.

Seven years after the adoption of the Action Plan, a number of initiatives of good practice have been developed regarding policing and Roma and Sinti. At the same time, much remains to be done to fully implement the commitments contained in the Action Plan. Sadly, cases of police misconduct and tensions between law enforcement agencies and Roma and Sinti communities continue to be widely reported from many participating States.

This publication aims to assist participating States in implementing their commitments under the Action Plan by identifying principles and good practices that can be used in efforts to improve relations between the police and Roma and Sinti communities.

Better co-operation and increased trust in relations with the police can lead to more effective policing and in turn improved security for Roma and Sinti communities. In addition, the police are also poised to benefit from better relations. The effective prevention and investigation of hate-motivated crimes is part of good policing, and higher success rates will reflect positively on overall police performance. Professional conduct in line with existing standards will result in increased support by, and better access to, local communities. In addition, better relations with

Roma and Sinti communities will improve the level of security for police officers themselves.

It is hoped that the examples of good practices for improving the relationship between the police and Roma and Sinti communities that have been compiled in this book will be broadly disseminated and widely used by policymakers, representatives of ministries of the interior and administration, police authorities and officers at all levels, and representatives of civil society.

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Executive Summary

Roma and Sinti communities live throughout the OSCE region and constitute the biggest ethnic minority in Europe. Despite their rich cultural, linguistic and historical diversity, a large number of these Roma and Sinti groups share a common problem: they are subject to sometimes overwhelming discrimination and marginalization in many spheres of public life, such as access to public services, housing, health care, education and employment. Roma and Sinti also are vulnerable to racially motivated violence, which sometimes results in severe injuries and even death.

Challenges faced by Roma and Sinti in their relations with the police range from ethnic profiling, disproportionate or excessive use of force by police against Roma to failure by the police to respond effectively to Roma victims of crime and racist violence. Furthermore, Roma and Sinti often face a lack of means and knowledge to challenge and obtain redress for police misconduct.

Although many participating States have developed their own anti-discrimination and integration policies with regard to Roma and Sinti communities, they are rarely implemented in practice and, moreover, often neglect the policing aspect or fall short of identifying the policing issues specific to Roma and Sinti.

This publication benefits from previous OSCE projects and initiatives undertaken to improve relations between the police and Roma and Sinti in several participating States. These activities corresponded closely to the recommendations on policing of the *OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area,* the *ECRI General Policy Recommendations No. 3 and 11*; the *HCNM Recommendations on Policing in Multi-Ethnic Societies*, and the general principles of democratic policing, identified in the Strategic Police Matters Unit's publications *Guidebook on Democratic Policing*, and the *Good Practices in Building Police-Public Partnerships*.

The publication will be structured along major issues that are relevant for improving relations between the police and Roma and Sinti:

- assessment of policing policy and practice relating to Roma and Sinti;

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- development of legislation, policies, codes of ethics and conduct; and standard operating procedures;
- human resource management;
- training and professional development; and
- engagement with Roma and Sinti communities: building partnerships and conducting operations.

Systematic Assessment of Policing Policy and Practices relating to Roma and Sinti

Taking international standards of democratic policing as a point of reference, the assessment aims at identifying the shortcomings in both the country-specific national legislation and policies and in the application of the policies in practice.

The systematic assessment of Roma and Sinti-related policing practices should be undertaken within a clear policy framework and with appropriate organizational arrangements for carrying out the task. It would allow to determine the strengths and weaknesses of the current organizational performance and would result in the elaboration of a strategic action plan to remedy the gaps identified. Moreover, institutional mechanisms should be established to ensure that these standards will be sustained in the future.

The different steps of the assessment focus on establishing the framework, identifying the scope of the assessment, identifying the policing standards, obtaining the evidence, assessing the gaps, and developing action plans.

Development of Legislation, Policies, Codes of Ethics and Conduct, and Standard Operating Procedures

A comprehensive review and elaboration of national legislation, policies, codes and procedures should follow the assessment stage and be aimed at filling the gaps identified. These gaps should be acknowledged by the political and police leadership, leading to a firm commitment to take appropriate measures to address these problems in close consultations with representatives of Roma and Sinti communities.

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National anti-discrimination legislation should be brought in line with international standards, where this has not been done yet, and anti-discrimination bodies should be set up to investigate violations of existing legislation, including violations relating to Roma and Sinti committed by law enforcement officers.

Policies recognizing the importance of policing in multi-ethnic societies should be put into place. In order for policies to have maximum impact, policing issues should not be addressed in isolation, but as integral element of policies for Roma integration in general, as part of a wider strategy to combat systematic discrimination and to promote Roma and Sinti inclusion.

Furthermore, where necessary, Roma issues need to be linked to strategies for more general police reform, to ensure that policing is human rights-based and service-oriented in approach, and is responsive to the requirements of a multi-ethnic society.

Codes of ethics and conduct, and standard operating procedures should be revised or elaborated based on the policies. They may set out the general ethical principles of democratic policing as well as specific actions that should be taken when carrying out specific policing tasks, such as evictions, investigations of racially motivated crimes or checks and stops.

In addition, effective organizational structures and adequate resources need to be provided for the implementation of the policies, and the effectiveness of the implementation needs to be monitored and periodically evaluated in order to identify opportunities for improving police performance.

Human Resource Management

The police must be fair, impartial and representative of society as a whole in order to enjoy the confidence and trust of the different communities in a country, particularly those who have experienced biased and repressive attitudes by the police.

As other communities, Roma and Sinti should be fairly represented in state structures. Roma and Sinti are traditionally underrepresented in state structures, including in the police, mainly due to a long history of discrimination and a reluctance of more traditional Roma and Sinti to join the police and other state agencies.

While the application process, selection and future career development must be transparent, open to all parts of the society and not targeted at minority communities, some specific initiatives can be put into place to encourage Roma and Sinti to join the police, such as information and awareness-raising campaigns or measures addressing educational shortcomings. The co-operation of schools and invitations of pupils by the police to their training facilities have proven particularly successful in raising awareness of police careers. Measures for addressing educational shortcomings may include, for instance, pre-application training and the consideration of specific skills such as the knowledge of the Roma culture and language as an asset. Targets can be set for increasing the representation of Roma and Sinti, and in extraordinary circumstances and for a limited time only, special recruitment measures might be considered to quickly redress any imbalance.

In order to encourage Roma and Sinti to stay in the police, a neutral, multi-ethnic and discrimination-free working environment must be established in which Roma and Sinti feel comfortable and have equal opportunities for promotion.

Training and Professional Development

Police officers need to be provided with the basic knowledge, awareness, including self-awareness, and skills to carry out their roles in diverse societies. This should ensure that, in addition to the provision of basic knowledge and skills about community and partnership-based problem-solving approaches, they are also made aware of the specific vulnerability of Roma and Sinti to racially motivated violence and racist discrimination. This should also ensure that they are able to treat members of the Roma and Sinti communities appropriately and fairly, and that they respond sensitively to cultural differences in matters such as Roma and Sinti family structures, gender roles, child-care, and general lifestyles.

It is essential that training address the issue of prejudice and stereotyping of ethnic groups as a potential obstacle to fair and professional treatment of Roma and Sinti. The main emphasis in training and professional development should be on helping police officers in a practical way to carry out their everyday work in Roma and Sinti communities in a manner that complies with professional policing standards and international human rights commitments. Furthermore police officers must be made aware of the benefits from improved relations with the Roma and Sinti for the effectiveness of their work.

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Issues concerning Roma and Sinti communities should be addressed during both basic police training and the cyclical in-service training as part of the officers' continuous learning process. Roma and Sinti-related training should be provided to front-line officers as well as to police managers, yet with different focuses according to the respective, relevant operational and managerial issues.

Police managers must also keep in mind that training alone will not be sufficient to change attitudes and that it cannot replace structural, organizational and managerial measures to facilitate the development of changes. Training must therefore be complemented in the workplace by professional development tools such as mentoring, encouragement and positive rewards of appropriate behaviour as well as disciplinary sanctions in the case of misconduct. Moreover, police managers must exercise ethical leadership that sets and adheres to professional standards.

The effectiveness of training and professional development should be evaluated periodically to ensure that objectives are achieved.

Engagement with Roma and Sinti Communities: Gaining Trust and Building Partnerships

In order to fulfil their obligations to deliver their services promptly, and in an equal and unbiased manner to all members of society, the police must also be responsive to the needs of the Roma and Sinti communities. In order to learn about the needs and concerns of Roma and Sinti, and to have their support in crime prevention, the police should strive to gain their trust and establish partnerships with these communities based on accountability, mutual respect and communication on an equal footing.

Therefore, both the police and the Roma and Sinti communities and other representatives of civil society need to be trained in communication and understanding their roles, rights and duties in the partnership approach. Examples of formal or informal interactive forums for communication are community advisory boards, joint police-community workshops, public meetings, or open police days. In order to elicit a broad range of views and to reach as many community members as possible, these public forums should be open to all segments of the community. Members of Roma and Sinti communities should be empowered to make the most effective and efficient use of these forums with regard to the joint identification and solving of problems.

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Since Roma and Sinti have had negative encounters with the police in many parts of the OSCE area, the police may need to invest special efforts in building up relations of trust and partnership with Roma and Sinti communities. In order to win and maintain the support of the Roma and Sinti in the partnership structures, the projects developed by the public forum structures must have real and sustainable positive impact on the situation of the Roma and Sinti. Moreover, the police and other government agencies involved should pursue the institutionalization of such structures and long-term partnership with Roma and Sinti communities.

In the end, however, Roma and Sinti communities will only develop trust in the police if the police demonstrate, on a daily basis, their willingness and capacity to deliver professional, human rights and quality-based service, particularly in those fields of activities with potential for conflict and tensions between the police and Roma and Sinti. This would include areas such as police searches, raids, stops and evictions, the management of tensions and conflict between different communities, and the fight against racially motivated incidents and crimes.

In these activities, the police must demonstrate their commitment and ability to treat Roma and Sinti fairly, to mediate impartially between the interests of different communities, and to respond swiftly and seriously to racially motivated violence.

This requires, however, that the police are provided with the appropriate policies and codes of conduct as well as the proper training and equipment for professionally implementing these policies and codes of conduct.

Finally, the level of confidence of the Roma and Sinti in the police will also depend to a large extent on the degree of accountability of the police for their actions. Internal and external complaint and oversight mechanisms must therefore be in place, which are both able to effectively and transparently deal with complaints against police misconduct during police operations, and have the capacity and authority to analyse and evaluate police actions in order to identify patterns or trends of police misconduct and develop strategies to address the shortcomings.

General Recommendations

Since policing is so crucial for ensuring safety and stability for all segments of societies, it needs to be a key focus of Roma and Sinti-related policies, together with other areas that are more commonly highlighted. However, policing issues should not be addressed in isolation, but as integral elements of policies for Roma integration which also require the involvement of other public and private agencies.

All strategic steps for improving the relations between the police and Roma and Sinti communities, from the legislative and policy level to the managerial and operational level, must be taken in close co-operation with all stakeholders involved including, in particular, representatives of the Roma and Sinti communities, but also other relevant government bodies (e.g. education, housing and health), representatives of civil society and of the private sector.

As a result of their first-hand knowledge of the culture, customs, needs and concerns of the Roma and Sinti communities, their representatives should actively participate in the development of policies, the recruitment of Roma and Sinti police officers, the development and provision of Roma and Sinti-related police training, the establishment of partnerships between the police and Roma and Sinti communities, and the facilitation of police accountability. Furthermore, the representation of Roma and Sinti communities in these structures and activities would significantly increase the legitimacy of these structures and activities within the communities.

Political and police leadership must be committed and deliver clear statements regarding needs to improve the policing situation of Roma and Sinti, and to implement the required changes at the organizational, managerial and operational levels within the police agencies. These statements need to be communicated to all relevant stakeholders within and outside the police, including Roma and Sinti communities.

The commitment for change must be expressed in practice by establishing and maintaining long-term partnerships between the police and Roma and Sinti communities. Successful examples of partnership-based initiatives should be disseminated by the authorities as good practices. Since Roma and Sinti live in many different countries of the OSCE area, but face similar problems in a number of participating States, a transnational approach of governments, police agencies and civil society would be helpful to share good practices in implementing

the OSCE *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*.

The OSCE institutions, field operations and thematic units, with their unique competencies and resources, stand ready to support the participating States in implementing all the strategic stages of improving the relationship between the police and the Roma and Sinti communities, as described in this book.

I.   Introduction

Roma and Sinti[1] live throughout the OSCE region and, with a population of around 10 to 12 million,[2] they form the largest ethnic minority in Europe. Despite the rich cultural, linguistic and historical diversity of the various groups living in different geographical regions of the OSCE, a large number of these Roma groups share a common problem; they are subject to discrimination and marginalization in all spheres of public life, such as access to public services, housing, health care, education and employment. Roma are especially vulnerable to racially-motivated violence and at the same time the possible bias motivation of attacks is often not investigated.[3]

As early as 1990, the OSCE (then the Conference on Security and Co-operation in Europe) recognized the specific human dimension challenges faced by Roma and Sinti communities throughout the region.[4] Since then, Roma and Sinti issues have continued to figure prominently on the OSCE agenda, exemplified by the creation of the Contact Point for Roma and Sinti Issues (CPRSI) within the Office for Democratic Institution and Human Rights (ODIHR) in 1994, and the establishment of the position of Adviser on Roma and Sinti issues in 1998.

At the 1999 Istanbul Summit, participating States stated that they "deplore violence and other manifestations of racism and discrimination against minorities, including the Roma and Sinti" and they committed themselves "to ensure that laws and policies fully respect the rights of Roma and Sinti and, where necessary, to promote anti-discrimination legislation to this effect".[5]

In the Charter for European Security adopted on the same occasion, participating States "recognize[d] the particular difficulties faced by Roma and Sinti and the need to undertake effective measures in order to achieve full equality of opportunity, consistent with OSCE commitments, for persons belonging to Roma and Sinti." The

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[1]   See Glossary/Clarification of terms.
[2]   Cf. Council of Europe, Roma and Travellers Division, at:
       http://www.coe.int/t/dg3/romatravellers/documentation/default_en.asp.
[3]   OSCE Office for Democratic Institutions and Human Rights, *Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*. Status Report 2008, Warsaw 2008.
[4]   Conference on Security and Co-operation in Europe, *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE*, Copenhagen 1990
[5]   OSCE, "Istanbul Summit Declaration", in: Istanbul Document, Istanbul 1999, p. 52.

participating States further declared to "reinforce our efforts to ensure that Roma and Sinti are able to play a full and equal part in our societies, and to eradicate discrimination against them."[6]

The High Commissioner on National Minorities' (HCNM) reports of 1993 and 2000 played an important role in bringing the issue of policing with respect to Roma and Sinti on the OSCE's agenda. The 1993 report highlighted the persistent discrimination and racism against the Roma and Sinti.[7] Subsequently, the HCNM issued recommendations to the OSCE and its participating States in 1993, which addressed the implementation by participating States of the OSCE commitments relevant to the situation of Roma and enhancing the OSCE resources for Roma-related affairs. The High Commissioner continued to follow Roma issues in several countries where he was active. In 2000, the HCNM issued a new report on the *Situation of Roma in the OSCE Area*, which devoted special attention to the issue of discrimination and racial violence against Roma and Sinti communities, and included recommendations for combating discrimination and racial violence.[8]

At the Maastricht Ministerial Council in 2003, the participating States adopted the *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area* (hereinafter *Action Plan*).[9] The decision to adopt the *Action Plan* was taken in the context of an increased awareness among OSCE participating States of significant disparities between the majority and Roma and Sinti populations in all aspects of life. The Action Plan provides specific recommendations on how the participating States could improve the situation of the Roma and Sinti to ensure that they are able to play a full and equal part in the societies of the participating States. Accordingly, it not only focuses on the socio-economic aspects such as housing, health, employment and education but also on the relations between the police and Roma and Sinti communities, acknowledging the general importance of these particular relations for the socio-economic well-being of Roma and Sinti communities.

The Action Plan's seven recommendations on policing, which are set out in the box below, were intended to identify an integral set of actions

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[6]   OSCE, "Charter for European Security", in: Istanbul Document, Istanbul 1999, p. 6.

[7]   Cf. OSCE High Commissioner on National Minorities, *Roma (Gypsies) in the CSCE Region. Report of the High Commissioner on National Minorities,* Vienna 1993.

[8]   Cf. OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area*, The Hague 2000, paricularly, pp. 25-62.

[9]   Cf. OSCE, Decision No. 3/03, *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, MC.DEC/3/03, Maastricht 2003.

that States need to undertake in order to ensure that policing plays its part in the integration of Roma and Sinti across the OSCE Area.

The Action Plan's recommendations on policing

Recommendation 26 – "Develop policies that promote awareness among law-enforcement institutions regarding the situation of Roma and Sinti people and that counter prejudice and negative stereotypes".

Recommendation 27 – "Develop training programmes to prevent excessive use of force and to promote awareness of and respect for human rights".

Recommendation 28 – "Develop policies to improve relations between Roma and Sinti communities and the police, so as to prevent police abuse and violence against Roma and Sinti people; and to improve trust and confidence in the police among Roma and Sinti people".

Recommendation 29 – "Develop policies and procedures to ensure an effective police response to racially motivated violence against Roma and Sinti people".

Recommendation 30 – "Assess the gap between international standards on police and currently existing national practices in consultation with national police forces, NGOs and representatives of Roma and Sinti communities".

Recommendation 31 – "Elaborate, where appropriate and in close partnership with international organizations and Roma NGOs, policy statements, codes of conduct, practical guidance manuals and training programmes".

Recommendation 32 – "Encourage Roma and Sinti people to work in law-enforcement institutions as a sustainable means of promoting tolerance and diversity".

Since 2003, the OSCE executive structures have initiated a number of activities to promote the implementation of these recommendations. They are summarized in Appendix 1 of this book together with relevant initiatives of other international and national governmental and non-governmental organizations.

Re-emphasizing the need to improve the situation of the Roma and Sinti communities, the participating States, at the 2008 Ministerial Council in Helsinki, adopted a decision on *Enhancing OSCE efforts to implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*.[10] One year later, the Ministerial Council in Athens adopted another decision, on enhancing OSCE efforts to ensure sustainable integration of Roma and Sinti.[11]

Although many participating States have lately developed national strategies and policies to prevent discrimination and foster the integration of Roma and Sinti, limited progress has been achieved in implementing them. Moreover, policies often focus on health, housing, employment and education issues, but neglect the policing aspect. Since Roma and Sinti are particularly exposed to hate crimes, and also to discriminatory treatment by the police, there is a major need for specific policies addressing police-Roma relations. The challenge is to build on recommendations and good practices and implement them in routine operational policing at all levels.

Closely corresponding to the relevant recommendations of the OSCE *Action Plan*, this publication aims at providing references to good practices in developing and implementing policies, strategies and projects to improve the relations between the police and Roma and Sinti communities and tackling racially-motivated crimes against Roma. It addresses policymakers, representatives of ministries of the interior and administration, police authorities and officers at all levels, and representatives of civil society involved in the entire process ranging from policy development to actual implementation.

Following the introductory chapter, Chapter II describes the difficult security situation of Roma and Sinti in the OSCE region, arguing for improved policing of Roma and Sinti communities.

Chapter III, the core chapter of this book, elaborates on a variety of specific initiatives and good practices on improving the relations between the police and Roma and Sinti communities. Referring to the respective recommendations stated in the OSCE *Action Plan* and in other relevant policy documents, Chapter III focuses on the following key areas of concern:

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[10]   Cf. OSCE 2008, MC.DEC/6/08, *Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, Helsinki 2008.

[11]   OSCE, MC. DEC/8/09, *Enhancing OSCE efforts to ensure Roma and Sinti sustainable integration, Athens 2009.*

- the state of the relationship between the police and Roma and Sinti in OSCE participating States; and
- relevant Roma and Sinti-related:
    - legislation,
    - codes of conducts and ethics;
    - human resource management issues;
    - training and development; and
- the proper engagement of the police with Roma and Sinti communities.

Chapter IV draws a number of conclusions with respect to key challenges and further recommendations for improving the relations between the police and Roma and Sinti communities.

All referenced documents are available on a CD-ROM, which is enclosed in this book. With respect to academic articles, the CD-ROM includes only those for which the publishers provided copyright authorization.

II. The Safety and Security Situation of Roma and Sinti in the OSCE Area

This Chapter describes the difficult security situation faced by Roma and Sinti in many parts of the OSCE region. It highlights the significant patterns of discrimination, harassment and hate crimes that Roma and Sinti are exposed to, as well as the lack of support from the police that they often experience. It argues for improved policing of Roma and Sinti communities.

II.1 Racial Discrimination, Hate-Motivated Incidents and Hate Crime

Minority communities are often disproportionately subjected to racially and ethnically motivated hate crimes and discrimination. A lack of appropriate responses by the authorities may create a climate of impunity, which in turn may contribute to deepening a perception of marginalization and social exclusion among these minorities.

Roma and Sinti are among those minority groups that experienced a long history of prejudices and even systematic persecution. Since the early 1990s, they have again become the target of racially motivated violence in a number of European states, particularly in Central and Eastern European countries undergoing transition after the fall of communism. This has been extensively documented by human rights organizations and intergovernmental organizations.[12] Several HCNM

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[12] Cf. Amnesty International, Europe*: Discrimination against Roma*, Media Briefing, News service No. 205, 25 October 2007;

European Roma Rights Centre; *Police Violence against Roma*, Country Reports Series, issue No 12 / 2003;

European Roma Rights Centre, *Summary of ERRC concerns related to violence against Roma in Hungary* (2009)*; Anti-Roma Racism in Former Czechoslovakia* (2009); *Divide and Deport: Roma and Sinti in Austria* (1996); *Sudden Rage and Dawn: Violence Against Roma in Romania* (1996); and *Time of Skinheads: Denial and Excusion of Roma in Slovakia* (1997);

European Roma Rights Centre/Hungarian Civil Liberties Union, *Report on the circumstances of the double murder committed at Tatárszentgyörgy on 23 February 2009 and conduct of the acting authorities (the police, ambulance and fire services),* Budapest, 7 May 2009;

Halász, Katalin, *The Situation of Roma in Europe*, European Network Against Racism (ENAR) Shadow Report 2007;

Human Rights First, *Violence Against Roma*. 2008 Hate Crime Survey, New York 2008;

Human Rights Watch, *Kosovo: Investigate Attacks on Roma,* News, Brussels, September 7, 2007;

reports on Roma and Sinti and the ODIHR hate crimes reports directly addressed the issue of Roma and Sinti being targets of hate crimes[13]

In recent years, a number of high-profile cases of hate-motivated incidents of violence against Roma and Sinti have been reported in a number of participating States. Examples of hate speech centring on "gypsy criminality" featured in the mainstream media and in public discourse. Populist, extreme-right or neo-Nazi groups are especially prone to exploit anti-Roma prejudice and sometimes instigate hostility or violence against the Roma and Sinti.[14]

In a number of participating States, Roma and Sinti communities have been subject to collective retribution in retaliation for the apparent delinquencies of individuals. Majority population groups have sometimes forcibly expelled (or tried to expel) entire Roma families or communities from their residential locations and forestalled their return.

Human Rights Watch/Helsinki Watch, *The Persecution of Roma in Romania*, 1991; *Destoying Ethnic Identity: The Gypsies of Bulgaria*, 1991; *Struggling for Ethnic Identity: Czechoslovakia's Endangered Gypsies*, 1992; and *Stryggling for Ethnic Identity: The Gypsies of Hungary*, 1993;

United Nations, General Assembly, *Report of the Committee on the Elimination of Racial Discrimination*, Seventy-second session (18 February–7 March 2008), Seventy-third session (28 July–15 August 2008); and

Oakley, Robin, "Practical Measures for Improving Relations between Ethnic Minorities and the Police", in: OSCE ODIHR/European Dialogue, *Policing and Roma: A Resource Manual. A Compilation of Documents to Support Implementation of the OSCE Action Plan for Roma and Sinti.* Unpublished draft document produced for the ODIHR CPRSI, pp. 85-96, here p. 89;

Project on Ethnic Relations (PER), The Romanies in Central and Eastern Europe: Illusions and Reality (1992); Countering Anti-Roma Violence in Eastern Europe: The Snagov Conference and Related Efforts (1994).

[13] OSCE High Commissioner on National Minorities, *Roma (Gypsies) in the CSCE Region. Report of the High Commissioner on National Minorities* (op.cit. note 8);

OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8);

OSCE Office for Democratic Institutions and Human Rights, *Challenges and Responses to Hate-Motivated Incidents in the OSCE Region*, Warsaw 2006;

OSCE Office for Democratic Institutions and Human Rights*, Status Report* (op.cit. note 3);

OSCE Office for Democratic Institutions and Human Rights, *Hate Crimes in the OSCE Region – Incidents and Responses. Annual Report 2007*, Warsaw 2008;

OSCE Office for Democratic Institutions and Human Rights, *Hate Crimes in the OSCE Region – Incidents and Responses. Annual Report 2008*, Warsaw 2009;

OSCE Office for Democratic Institutions and Human Rights/High Commissioner in National Minorities 2008, *Assessment of the Human Rights Situation of Roma and Sinti in Italy. Report of a fact-finding mission to Milan, Naples and Rome on 20-26 July 2008.*

[14] Cf. OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), pp. 43ff;

OSCE Office for Democratic Institutions and Human Rights*, Status Report* (op.cit. note 3), pp.27-28*;*

Halász, Katalin, *The Situation of Roma in Europe* (op.cit. note 12), p.24; and

Human Rights First 2008, *Violence Against Roma. 2008 Hate Crime Survey* (op.cit. note 12)*,* p. 2f.

At times, tensions between Roma and local majority populations have escalated into collective violence or attacks, including cases of killings.[15]

In 2008, 18 percent of all Roma interviewed in the European Union Minorities and Discrimination Survey (EU-MIDIS) by the European Union Agency for Fundamental Rights claimed that they had been a victim of racially motivated assault, threat or serious harassment in the last 12 months.[16] "Given that the overwhelming majority of Roma respondents indicated that they did not report their victimization, one can assume that the level of officially recorded racist crime significantly undercounts the real extent of the problem."[17]

Furthermore, victims have often faced significant obstacles in securing justice and legal redress for these attacks. Many have been denied effective protection.[18] The most immediate concern for many Roma and Sinti is therefore their lack of personal security and full and fair access to justice.

II.2   Challenging Relations between the Police and Roma and Sinti

Historically, the police were usually the first state body to deal with Roma and Sinti, both due to their status – migrating foreigners or strangers – and to their way of life – itinerant or nomadic. During their history in Europe, majority populations often perceived them as criminal groups, and the police have treated them as such. The perception that Roma are inherently criminal materialized under the Nazi regime in measures declaring Roma and Sinti as being "asocial" and subjecting them to racial extermination.[19] Due to this long experience of

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[15]   Cf. OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), p. 42; and
        Human Rights First, *Violence Against Roma* (op. cit. note 12), p. 1 and 5f.

[16]   Cf. European Union Agency for Fundamental Rights, *The Roma. Data in Focus Report* European Union Minorities and Discrimination Survey (EU-MIDIS), 2009, p. 9.

[17]   European Union Agency for Fundamental Rights, *The Roma. Data in Focus Report* (op.cit. note 16), p. 9.

[18]   Cf. OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), p. 38; and
        OSCE Office for Democratic Institutions and Human Rights, *Status Report* (op.cit. note 3), pp. 24-25.

[19]   Kenrick, Donald/Paxon, Grattan, Destiny of Europe's Gypsies, Basic Books, New York, 1972. Useful links related to the genocide against Roma and Sinti:

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oppression and abuse of force by the police, Roma and Sinti have developed an attitude of deep distrust towards the police. Thus, their co-operation with the police, and attempts by individuals to join the police often have been rejected, especially by traditional groups.

Police officers, just as society at large, are not free from racist views and prejudices.[20] Such attitudes and perceptions are sometimes manifested in under-policing, i.e. not providing sufficient support and protection; or by over-policing, i.e. giving excessive attention to crimes allegedly committed by members of Roma and Sinti communities, or using excessive force against such persons. In the latter instance, over-policing may result not only in abuse of power, but in death. [21]

II.2.1   Examples of Under-policing

There is extensive evidence from across Europe that Roma and Sinti have not received sufficient protection from the police with regard to crimes and violence targeting them.[22]

Moreover, violent crimes committed against Roma have often not been promptly and properly investigated.[23] Roma victims continue to be affected by a lack of effective access to justice and means to challenge and obtain redress for police misconduct.[24]

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www.geocities.com/~Patrin/genocide.htm; www.sintiundroma.de; www.rommuz.cz; www.ushmm.org.

[20]   Cf. OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), p. 38; and
Coxhead, John. D., *The Last Bastion of Racism? Gypsies, Travellers and Policing*, Trentham 2007.

[21]   Cf. European Court of Human Rights*, Case of Velikova v. Bulgaria*, Application no. 41488/98, Judgment, Strasbourg, 18 May 2000; and
European Court of Human Rights, *Case of Anguelova v. Bulgaria*, Application no. 38361/97, Judgment, Strasbourg, 13 June 2002.

[22]   Cf. OSCE Office for Democratic Institutions and Human Rights, *Status Report* (op.cit. note 3), p. 24; and
Human Rights First, *Violence against Roma* (op.cit. note 12), p. 5ff.

[23]   Cf. European Court of Human Rights, *Case of Nachova and Others v. Bulgaria*, Applications nos. 43577/98 and 43579/98, Judgement, Strasbourg, 6 July 2005; *Case of Secic v. Croatia*, Application no. 40116/02, Judgment, Strasbourg, 22 June 2000*; Case of Cobzaru v. Romania*, Application no. 48254/99; and *Case of Angelov and Iliev v. Bulgaria*, Application no. 55523/00, Judgments, Strasbourg, 26 July 2007.
European Roma Rights Centre/ Hungarian Civil Liberties Union, Report on the circumstances of the double murder committed at Tatárszentgyörgy on 23 February 2009 and conduct of the acting authorities (the police, ambulance and fire services), Budapest, 7 May 2009, pp. 7-9 and 10f.

[24]   Cf. OSCE ODIHR Contact Point for Roma and Sinti Issues/European Dialogue, *Policing and Roma: A Resource Manual. A Compilation of Documents to Support Implementation*

II.2.2 Examples of Over-policing

In many participating States, Roma and Sinti have been subject to ethnic/racial profiling and criminalization. "Ethnic profiling" is defined as when police officers, with no objective and reasonable justification, use the characteristics of race, ethnicity, religion, or national origin rather than behaviour as the basis for making decisions about who has been or may be involved in criminal activity when they conduct search and control, surveillance or investigation activities.[25] Ethnic profiling may be based on intentional racism of individual police officers, but "is frequently the cumulative result of unconscious and unchecked ethnic stereotypes".[26]

Ethnic profiling appears most frequently in police officers' decisions about whom to stop and ask for identity papers, question, search and even arrest.[27] This clearly constitutes discriminatory behaviour. The discriminatory practice of "profiling of Roma and Traveller groups tends to be Europe-wide".[28]

According to the EU-MIDI survey, on average, every second Roma, interviewed in seven EU member states, believed that they had been stopped by the police on the basis of their ethnicity.[29]

Moreover, Roma and Sinti are not only subject to a disproportionate use of stop-and-search procedures, but also to excessive use of force during these procedures. Raids on Roma and Sinti settlements, executions of warrants, and forced evictions by court orders have frequently been conducted in a heavy-handed manner, leading to threats to inhabitants, particularly women and children, destruction of

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of the OSCE Action Plan for Roma and Sinti. Unpublished draft document produced for the ODIHR CPRSI, p. 297.

[25] Cf. Open Society Institute, *Addressing Ethnic Profiling by Police. A Report on the Strategies for Effective Police Stop and Search Project*, New York 2009, p. 9; see also European Commission against Racism and Intolerance (ECRI), ECRI General Policy Recommendation No. 11 on *Combating Racism and Racial Discrimination in Policing*, CRI(2007)39, adopted on 29 June 2007, Strasbourg 2007, para 1.

[26] Open Society Institute, *Addressing Ethnic Profiling by Police* (op.cit. note 25), p. 9.

[27] Cf. Open Society Institute, *Addressing Ethnic Profiling by Police* (op.cit. note 25), p. 9.

[28] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies*, The Hague 2006, Rec. 16, p. 24; and OSCE Office for Democratic Institutions and Human Rights, *Challenges and Responses to Hate-Motivated Incidents in the OSCE Region* (op.cit. note 13), p. 14.

[29] Cf. European Union Agency for Fundamental Rights, *The Roma. Data in Focus Report* (op.cit. note 16), p. 10.

property, even including setting houses on fire, as well as physical attacks.[30]

Arrested Roma and Sinti have also repeatedly been subject to humiliating treatment and physical abuse, and have frequently been denied their fundamental rights following arrest and custody. Personal abuse also included the exploitation of Roma and Sinti by police officers, for instance by demanding bribes.

As with assaults by private individuals, alleged instances of police abuse have frequently gone unpunished and not even seriously investigated.[31]

Evidence also suggests that "[...] in several countries, Roma and Sinti believed to have committed a crime are more likely than members of the majority suspected of similar crimes to be arrested, detained, prosecuted and, if convicted, sentenced harshly".[32] This biased treatment by the criminal justice system as well as the violence by private citizens and police officers, and the inadequate responses of government agencies are manifestations of a broader framework of anti-Roma discrimination.[33]

II.3 The Quest for Improved Policing of Roma and Sinti Communities

In a democracy, policing is a public service provided equally for all members of society, based on clear professional standards, which in turn are based on the rule of law and, international standards and principles of human rights. The role of the police is crucial for protecting the rights and freedoms of all individuals and for ensuring protection and access to justice for minorities, thus contributing to their successful integration into society as a whole. This role is of particular importance in multi-ethnic societies. In the Charter for European Security, the OSCE participating States clearly stated that "the protection and promotion of the rights of persons belonging to national minorities are

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[30]   Cf. OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), p. 44.

[31]   OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), p. 38.

[32]   OSCE High Commissioner on National Minorities 2000, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8) p. 37.

[33]   Cf. Human Righst First, *Violence against Roma* (op.cit. note 12), p. 1.

essential factors for democracy, peace, justice and stability within, and between, participating States."[34]

The police "can be considered the gatekeepers of equality, integration and cohesion in a rapidly changing society. Especially in situations where physical force is needed, the police are an instrument for control and repression. It is therefore necessary that the police are active and reliable in carrying out their role as guardians of the anti-discrimination legislation."[35] The police are obliged to protect all citizens equally without discrimination and without distinction as to sex, race, colour, language, religion, opinion, social, national or ethic origin, property, birth or other status.[36] At the same time, they are also prohibited from discriminating against any person on the basis of race, gender, religion, language, colour, political opinion, national origin, property, birth or other status.[37]

Relations between the police and Roma and Sinti communities have frequently been constrained by the fact that the police may be responsible for the implementation of laws that affect minorities in specific ways, such as immigration laws or the rights of residence of traveller groups.[38] Conflicts often occur with regard to the lack of land and house property documents and the unregulated status of settlements inhabited by Roma. Particularly in the cases of unauthorized settlements and/or encampments, the police is often requested by the competent authorities to enforce orders, and may be caught in the middle of tense relations between land owners (belonging to the majority population) and Roma and Sinti groups who wished to temporarily or permanently settle on private or public property that they do not own.

Here, a crucial role of the police is to mediate between the interests of the local authorities, the majority population and Roma, and to balance the rights of individuals and groups, minorities and majorities. When intervening in conflicts, the police must be guided by the principle that "everyone shall be subject to such limitations as are determined by law

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[34] OSCE, *Guidebook on Democratic Policing by the Senior Police Adviser to the OSCE Secretary General*, SPMU Publication Series Vol. 1, 2nd Edition, Vienna, May 2008, p. 26; OSCE, *Charter for European Security* (op.cit. note 6), Art. 19.

[35] Foundation 'Policing for a Multi-Ethnic Society' 1996, *Rotterdam Charter: Policing for a Multi-Ethnic Society*, Rotterdam 1996.

[36] OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 25; and United Nations General Assembly, Res. 2106(XX), *International Convention on the Elimination of All Forms of Racial Discrimination* (1965), Art. 5(b).

[37] OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 26.

[38] Oakley, "Practical Measures for Improving Relations between Ethnic Minorities and the Police" (op. cit. note 12), p. 87.

solely for the purpose of securing due recognition and respect for the right and freedom of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."[39]

As the police's "actions are not separate from or 'outside' the dynamics of inter-ethnic relations: they are an integral part of an ongoing social and political process in a democratic State, […] their actions may—at least in the short or medium term—have a crucial effect on the development of inter-ethnic relations and the future of the state generally. For these reasons their ability to maintain the confidence of all ethnic groups whilst managing conflicts and restoring public order is of fundamental importance."[40] While dealing with these conflicts of interest, the police, in general, can only avoid accusations of biased and discriminatory attitudes from the different interest groups if they act professionally in accordance with the law and international standards of democratic policing.

Since policing is so crucial for ensuring safety and stability for all segments of societies, it needs to be a key focus of Roma-related policies, together with other areas that are more commonly highlighted. However, policing issues should not be addressed in isolation, but as an integral element of policies for Roma integration. They also require the involvement of other public and private agencies. In some countries racial discrimination in fields such as employment or the provision of services is a civil offence, and not a responsibility of police. However, where police have powers to tackle discrimination, they must be used systematically and to the fullest extent. Registration and monitoring of incidents is essential, both to analyse patterns and causes, and to ensure they are being dealt with effectively. If police do not carry out this role, discrimination will continue unchecked.[41]

To develop policies, the specific needs, concerns and injustices relating to Roma with regard to policing need to be identified. In addition, effective organizational structures must be established and adequate resources provided for their implementation. The effectiveness of the implementation needs to be monitored and evaluated regularly.

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[39] United Nations General Assembly, Res. 217 A(111), *Universal Declaration of Human Rights* (1948), Art. 29 (2).

[40] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28) Rec. 22, p. 41.

[41] Cf. Oakley, "Practical Measures for Improving Relations between Ethnic Minorities and the Police" (op.cit. note 12), p. 89; and
OSCE, Office for Democratic Institutions and Human Rights, *Status Report* (op.cit. note 3), pp. 26f.

Moreover, in all steps from policy development to implementation, Roma and Sinti communities and civil society need to be involved as partners.

Closely corresponding to international standards and conventions on democratic policing, several key publications of the OSCE Strategic Police Matters Unit and the High Commissioner on National Minorities have identified the key principles of democratic policing to be pursued through police reform. They are immediately relevant for the relationship between the police and Roma and Sinti communities. A summary of these key principles is provided in the following box.[42]

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[42] For a detailed elaboration on these principles see OSCE, *Guidebook on Democratic Policing* (op.cit.note 34), pp. 12f.

I.   Objectives of Democratic Policing

The police are the most visible manifestation of government authority. Their main duties are to:
- maintain public tranquillity and law and order;
- protect and respect the individual's fundamental rights and freedoms;
- prevent and combat crime; and
- provide assistance and services to the public.

Police officers will enhance the legitimacy of the State and people's trust in the police, if they demonstrate in their daily work that they are:
- responsive to public needs and expectations; and
- use the authority of the State in the people's interest.

II.   Upholding the Rule of Law

While pursuing these objectives, the police must:
- operate in accordance with the domestic law and the international law enforcement standards and commitments accepted by the OSCE participating States; and
- demonstrate commitment to the rule of law in practice.

Legislation and written policies governing the police should be:
- clear and precise;
- human rights-based; and
- accessible to the public.

III.   Police Ethics and Human Rights

In order to live up to the public's trust, the police must adhere to a code of professional conduct and demonstrate:
- professionalism; and
- integrity.

This code should reflect the highest ethical values, expressed in:
- prohibitions; and
- imperatives of police work.

The police have particular powers to:
- temporarily deprive people of their freedom;
- limit the full enjoyment of their rights; and, in extreme circumstances,
- to use even lethal force.

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Therefore, police officers must perform their duties in accordance with:
- universally agreed standards of human rights; and
- civil and political rights.

Protection and preservation of life must be their highest priority.

IV.   Police Accountability and Transparency

Democratic policing requires that the police be and consider themselves to be accountable to:
- the citizens;
- their representatives;
- the State; and
- the law.

Therefore, their activities – ranging from
- the behaviour of individual police officers to
- the strategies for police operations to
- appointment procedures or to
- budget management –

must be open to scrutiny by a variety of oversight institutions.

Furthermore, a central feature of democratic policing is the understanding that the consent of the people is required for the work of the police. Prerequisites for gaining public support are:
- providing transparency in police operations; and
- cultivating communication and mutual understanding with the public that the police serve and protect.

V.   Police Organization and Management Issues

States are obliged to create a structural and managerial environment that will enable the police to effectively and efficiently implement the provisions of the rule of law, domestic and international law, and accepted human rights standards.

This includes issues such as:
- the chain of command;
- regulations on supervision;
- the composition of the police;
- the rights of police personnel; and
- the provision of adequate resources, training and professional development.

III. Good Practices in Building Trust and Understanding between the Police and Roma and Sinti

The good practices listed in this chapter were identified in the course of activities conducted between 1999 and 2009 by ODIHR and the SPMU and a comprehensive analysis of available literature.

Addressing the specific policing challenges faced by Roma and Sinti, these good practices correspond to the basic principles of democratic policing, described in Chapter II.3 and are cross-referenced to the respective recommendations on policing included in:

- the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area (Recommendations 26-32);
- ECRI General Policy Recommendation No. 3 and 11; and
- HCNM Recommendations on Policing in Multi-Ethnic Societies.

In accordance with the strategic approach to improving relations between the police and Roma and Sinti communities the order of examples of good practices is structured as follows:

1. Systematic assessment of policing policy and practices relating to Roma and Sinti
2. Development of legislation, policies, codes of ethics and conduct, and standard operating procedures
3. Management of human resource issues, including recruitment and promotion of officers
4. Training of police officers
5. Establishment of police-public partnerships with Roma and Sinti communities, and the conduct of police operations in these communities.

III.1 Systematic Assessment of Policing Policy and Practice Relating to Roma and Sinti

The OSCE Action Plan requests participating States to "[a]ssess the gap between international standards on police and currently existing national practices in consultation with national police forces, NGOs and representatives of Roma and Sinti communities".[43]

In general, a "systematic assessment" is an investigation that enables the identification of strengths and weaknesses of current organizational performance in relation to a set of standards to be measured on the basis of evidence, so that appropriate action can subsequently be taken to ensure the standards are achieved.[44]

The assessment should be undertaken within a clear policy framework and with appropriate organizational arrangements for carrying out the task. It should result in the elaboration of a strategic action plan to fill the gaps identified and establish institutional mechanisms to ensure that these standards can be sustained in the future.

The assessment steps should focus on:[45]

1. Establishing the framework
2. Identifying the scope
3. Identifying the standards
4. Obtaining the evidence
5. Assessing the gaps
6. Developing an action plan.

The six steps are described very briefly below.[46]

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[43] OSCE, *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area* (op.cit. note 9), Rec. 30.

[44] Oakley, Robin/Slater, John/Taylor,Chris, *Systematic Assessment of Policing Policy and Practice relating to Roma: Guidance for Use in OSCE Participating States*, A Practical Guidance Document to Support Implementation of the Recommendations on Policing in the OSCE Action plan for Roma and Sinti, Produced for OSCE/ODIHR by European Dialogue, London 2007, p. 9.

[45] Oakley/Slater/Taylor, *Systematic Assessment of Policing Policy and Practice relating to Roma* (op.cit. note 44), p. 9.

[46] More detailed information can be obtained from: Oakley/Slater/Taylor, *Systematic Assessment of Policing Policy and Practice relating to Roma* (op.cit. note 44) pp. 11-31.
In addition, an excellent tool for assessing the police sector in general is the UNODC *Criminal Justice Assessment Toolkit*, New York 2006.
OSCE, *Good Practices in Building Police-Public Partnerships by the Senior Police Adviser to the OSCE Secretary General*, SPMU Publication Series, Vol. 4, Vienna, May 2008, pp. 36-39; and

III.1.1 Establishing the Policy Framework

This framework should include provisions for the following:

- a clear statement of commitment from political and police leadership, which should be communicated as widely as possible to police staff, especially police unions, Roma and Sinti activists and NGOs, as well as other NGOs and specialized bodies focusing on minority/human rights issues. Such a clear statement is necessary to achieve support for the assessment throughout the entire police agency and among NGOs and activists;

- a formal agreement with NGOs and other partners involved in the initiative, setting out: the willingness of all parties to co-operate; the agreed purpose, activities, outputs, and envisaged outcomes and follow-ups; the respective roles and responsi-bilities of the partners; and the arrangements for the manage-ment of the project. NGOs that are critical of police work should not be avoided but be considered as "critical friends". In order to obtain a variety of relevant views, invitations to NGOs should be broadly disseminated in a transparent way. Care should be taken to select NGOs with a clear democratic and human rights agenda and record. The challenge of choosing the most appropriate NGOs can be met by using selection criteria such as the NGOs' statutes, activity reports, stability, accountability and authentic representation of their constituencies;[47]

- the establishment of a steering group to oversee the exercise having tasks including: agreeing on the precise methodology to be used; facilitating the implementation of the methodology; agreeing and monitoring a timed action plan for undertaking the work; ensuring that sufficient resources are available to carry out the work; approving the report of the results of the assessment; and assisting in formulating and implementing an action plan in response to the results of the assessment;

- a steering group consisting of representatives of all relevant departments of the police; Roma and Sinti NGOs; and independent experts engaged as advisers for the systematic

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OSCE, *Implementation of Police-Related Programmes. Lessons Learned in South-Eastern Europe*, SPMU Publication Series Vol. 7, Vienna, December 2008, pp. 18-20.

[47] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p. 50.

assessment. The group should also exchange experiences and knowledge with bodies in other countries with experience in conducting assessments in a professional manner;

- the selection and tasking of staff responsible for undertaking the assessment. The role of the assessors would be to: identify relevant national and international standards against which policy and practice are to be assessed; collate all relevant documentation and other evidence relating to current policing policy and practice; check written policy for compliance with the European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR) rulings and juris-prudence, and other relevant standards; assess all other evi-dence relating to policy and practice against ECHR and other relevant standards; and prepare a written assessment identi-fying any gaps between current policy and practice and the relevant standards, including, as far as possible, the reasons for these gaps. The assessment would not necessarily need to be conducted by the steering group, but could be outsourced to a qualified research institution;

- the provision of specialist training to equip staff with necessary skills, including knowledge of relevant national and international standards; general understanding of policing practice in the specific area to be investigated; awareness of specific issues relating to and of concern to Roma and Sinti; awareness of relevant documentation/other evidence needed and how to obtain it; and the ability to make an objective assessment of policy/practice in relation to standards, on the basis of evidence obtained;

- a mechanism for securing external specialist advice if needed;

- an action plan with timescales for undertaking the exercise; and

- the allocation of human and administrative resources required for undertaking the exercise.

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Example of a formal agreement

In 2004–2006, the Romanian Police undertook a systematic assessment of policing policy and practice relating to Roma, with the assistance of the OSCE/ODIHR. An official Memorandum of Understanding was drawn up to reflect the agreement between the Ministry of Interior and Administration (MIA), the NGO Romani Center for Social Intervention and Studies (CRISS), and the OSCE/ODIHR Contact Point for Roma and Sinti Issues to co-operate on the project. The Memorandum was based on a draft protocol that had been prepared following a preliminary workshop, at which representatives of the partners came together to explore what would be involved in conducting a systematic assessment, and how they could co-operate for this purpose. The Memorandum set out the lead responsibility of the MIA, the role of Romani CRISS in co-ordinating Roma input, and the role of the OSCE/ODIHR in making advice from external experts available for the project. It also provided that, in addition to the actual assessment exercise, there should be a capacity-building programme for Roma NGOs, and a local-level training programme on Roma-related issues for the police. Finally, it set out provisions for a steering group to supervise the progress of the project.[48]

III.1.2 Identifying the Scope of the Assessment

The assessment should cover all aspects of policing that have a significant impact on Roma and Sinti communities and on their relations with the police, and that have been identified in the recommendations on policing of the OSCE Action Plan. A template for assessing these aspects is included in Appendix 2.

The scope of the assessment could include for example:

- compliance of domestic legislation on human rights with international legislation, especially the European Convention of Human Rights;
- compliance of police operational procedures and practice with international standards on human rights and with commitments on democratic policing and policing in multi-ethnic societies;

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[48]   Cf. Oakley/Slater/Taylor, *Systematic Assessment of Policing Policy and Practice relating to Roma* (op.cit. note 44) p. 12; and
Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania,* Bucharest 2007, p. 5.

- compliance of police operational procedures and practice with international conventions and standards regarding the police use of firearms;
- partnerships with governmental and non-governmental agencies;
- human resources policies with regard to the participation and inclusion of members of ethnic minorities into the police service.[49]

III.1.3 Identifying the Standards

The assessment of legal instruments and professional standards at the national level should be carried out in light of relevant standards and recommendations at the international level, including key documents on human rights issues and guidelines on democratic policing. Such standards have been defined, for instance, in various United Nations conventions and codes of conduct, policing guideline documents by the Council of Europe and the OSCE, and ECtHR decisions.[50] Some key principles of democratic policing have been highlighted in Chapter II.3.

III.1.4 Obtaining the Evidence

The validity and credibility of the results of a systematic assessment will depend on the quality of the evidence on which it is based.

The evidence should be:
- relevant to the policing policies and practices that are being assessed;
- based on inspection of all available documentary sources;
- supplemented by additional (non-registered) evidence where necessary and feasible;
- collected as far as possible in accordance with scientific principles;
- collected using a variety of methods that are appropriate for the purpose; and

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[49]   Cf. Scope of assessment in Romania, in: Oakley/Slater/Taylor, *Systematic Assessment of Policing Policy and Practice relating to Roma* (op.cit. note 44) p. 17.
[50]   For a selection of such documents, see Appendix 1.

- made publicly available in due course, if necessary in aggregated and disaggregated or anonymized form.

The methods and instruments that can be used for data collection include the following:
- document analysis (such as national codes of ethics and conduct, training curricula, police annual reports, media or public oversight reports, victimization studies etc.);
- observational studies (such as monitoring police officers on patrols or on police stops);
- personal interviews;
- questionnaire surveys;
- focus groups; and
- jurisprudence and case material (from cases before national courts and the ECtHR, since they include documentary evidence relating to incidents and information about perceptions and experiences of participants and observers of the incidents, both the police and Roma and Sinti).

Members of public community forums such as "Citizen Advisory Groups" (see also Chapter III.5.1) where a variety of organizations and individuals are represented could be excellent sources for interviews and surveys.

Examples of policies and practices in the assessment focus

Based on interviews and case analyses in the Romanian Police assessment, the assessment team was able to identify situations in which the behaviour of the police officers towards Roma was most frequently questioned. These were:

- police intervention while arresting suspects;
- police intervention upon legal request by public authorities *or* for executing warrants issued by magistrates (prosecutors or judges);
- police behaviour towards suspects during investigations;
- communication of the results of investigations carried out upon complaints formulated by Roma.[51]

Evidence with respect to policies and legislation will need to be drawn primarily from the relevant policy or legal documents. The first task of the assessment team would therefore be to compile a complete set of

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[51] Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), p. 10.

legislation, policy and other documents relevant to the particular field or aspect of policing that is under assessment.

However, policies may not always be expressed in written documents: they may be articulated orally by police leaders or managers, or implicit in collective police understandings of "this is how things are done". Personal interviews (or other appropriate methods) may therefore need to be used to elicit policy when it is not formalized officially in written form.

Evidence about actual practices will need to be drawn from a variety of sources. In states where the gathering and processing of ethnic data in relation with certain police actions (e.g. stops and searches, arrests) are carried out officially and routinely, and where the category "Roma" (or a related term) is used in data classification, a potentially important data source will be already available. Also, in some circumstances, relevant data may have already been collected by other organizations, e.g. by NGOs or as part of academic research. The gathering and processing of ethnic data is a sensitive topic which requires close scrutiny of the relevant legal framework, the data collection process, safeguard and access practice in order to prevent any possible misuse.[52] Personal data revealing ethnic origin should be "[…] collected in a form in which the data subjects are not identifiable".[53]

III.1.5 Assessing the Gaps

Once collected, the data needs to be analysed and assessed for compliance with the international standards, identified in international conventions and guidelines (see also Chapter III.1.3). Afterwards, a report should be prepared that presents the results of this analysis together with recommendations based on it.
The analysis should be undertaken according to the following principles:
- All fields of police activity covered by the assessment should be included.
- The standards of reference should be clearly identified;

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[52]   Cf. Open Society Institute, *Ethnic Profiling in the European Union: Pervasive, Ineffective, and Discriminatory*, New York 2009, pp. 120f; see also
Barton, Sasha, "Ethnic Monitoring, Gypsies and Travellers", in: Roma Rights Quarterly, Issue: 1 / 2004, pp. 24-29, here 28 and 29.
[53]   Council of Europe Committee of Ministers, Recommendation No. R (97) 18 of the Committee of Ministers to Member States concerning the *Protection of Personal Data Collected and Processed for Statistical Purposes* (1997), para 4.8, p. 4.

- The evidence relating to each field of activity should be clearly set out.
- Any particular strengths or weaknesses in the evidence should be indicated.
- Gaps between standards and current practice should be clearly identified.
- Reasons for the gaps identified should be explored and established where possible. This is particularly important in order to determine appropriate remedies. In this context it is essential to analyse whether the causes of problems lie with individual officers, with the structure and management of the police organization, or with the lack of clarity of relevant rules. Assessment questions would therefore try to identify a lack of clear guidance or codes of conduct; a lack of appropriate training and equipment; a failure of police managers to enforce standards; or the failure of individual police officers to act professionally.

For assessing policies, a generic policy screening framework, attached in Appendix 3, may be used as a tool.

Once the gaps between standards and existing policy and practice, and where possible, the reasons for them, have been identified, then clear logical conclusions need to be drawn from the evidence on the extent of compliance of policy and practice, and also the risk of lack of compliance. Recommendations for appropriate action to address the issues raised need to be drawn up. This needs to be done for each of the aspects of policing being assessed.

III.1.6 Developing an Action Plan

The commitment in principle of taking follow-up action to address the gaps between actual practice and international standards should have been agreed and publicly stated at the outset of the initiative. Where the assessment exercise forms part of an existing strategy to address Roma or policing issues, a strategic framework for implementing the recommendations should already be in place.

How to proceed in practice will need to be decided by the relevant authorities in the light of the precise findings and recommendations arising from the assessment exercise, and the wider policy and

organizational context. However, their response should be based on the following considerations:

- An action plan will need to be formulated to respond to the identified gaps between existing national legislation, policies and practice and the international standards identified in the assessment.
- This action plan should be strategic in nature, with clear objectives, targets and timeframes.
- The objectives should be directly related to the conclusions and recommendations of the strategic assessment.
- Those responsible for achieving the objectives will need to be clearly identified, and provided with sufficient authority and resources to carry out the necessary tasks.
- A supervisory body will need to be established to oversee the implementation of the action plan, and to evaluate the effectiveness of the measures introduced.
- Roma and Sinti communities should be directly involved in the preparation, implementation and monitoring of the action plan.

III.2. Development of Legislation, Policies, Codes of Ethics and Conduct, and Standard Operating Procedures

Based on the assessment of gaps between international standards (see Chapter III.1.3) and national legislation, policies, codes of ethics and conduct and standard operating procedures (SOPs) with regard to the treatment of Roma and Sinti communities by national law enforcement agencies, these gaps must be filled through a comprehensive review and elaboration of national legislation, policies, codes and procedures. Where such frameworks exist at the national level, but the assessment indicates there is a lack of implementation concerning Roma, the competent police bodies should take appropriate measures to enforce them.

Before legislation and policies are reviewed or developed, the political and the police leadership should acknowledge the existence of the gaps identified that there are problems, for instance, of discrimination with regard to Roma and Sinti within the police. This acknowledgement should be combined with a firm commitment to take appropriate measures to tackle these problems and fill the gaps.

The process of review and development of legislation and policies relevant to police and Roma and Sinti relations should be undertaken in close consultations with representatives of these communities.

III.2.1 Development of Legislation

National anti-discrimination legislation should be brought in line with international standards, where this has not been done, and anti-discrimination bodies should be set up to investigate violations against the legislation, including violations relating to Roma and Sinti and in particular those committed by law enforcement officers.[54] Any discrimination on the part of public authorities in the exercise of their duties should explicitly be rendered illegal.[55] "In addition to providing civil remedies that victims of discrimination can invoke, the law should

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[54] Cf. Council of the European Union, *Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin,* Official Journal L 180, 19/07/2000 P. 0022 – 0026, Art. 13 and 14.

[55] Cf. European Commission against Racism and Intolerance (ECRI), *ECRI General Policy Recommendation No. 3 on Combating Racism and Intolerance against Roma/Gypsies*, CRI(98)29 rev., adopted on 6 March 1998, Strasbourg 1998, p. 4.

establish procedures pursuant to which State authorities can act to nullify discriminatory practices by government officials and organs at all levels. […] it is also important that anti-discrimination laws provide clear definitions of the proscribed conduct."[56]

In the 1990 Copenhagen Document, the OSCE participating States "clearly and unequivocally condemn […] racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone […]. In this context, they also recognize the particular problems of Roma (gypsies). They declare their firm intention to intensify the efforts to combat these phenomena in all their forms and therefore will take effective measures, including the adoption, in conformity with their constitutional systems and their international obligations, of such laws as may be necessary, to provide protection against any acts that constitute incitement to violence against persons or groups based on national, racial, ethnic or religious discrimination, hostility or hatred […]."[57]

States should also enact legislation mandating sentencing enhancements for offences that are racially-motivated.[58]

III.2.2 Development of Policies

The OSCE participating States "[…] should adopt policies which clearly recognize the importance of policing for inter-ethnic relations."[59] These policies should form part of a wider policy to promote the integration of Roma and Sinti at national and local levels.

In accordance with appropriate legislation, the participating States should:

- "Develop policies that promote awareness among law-enforcement institutions regarding the situation of Roma and Sinti people and that counter prejudice and negative stereotypes" (Rec. 26 of the OSCE Action Plan).

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[56] OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8) p. 55.
[57] CSCE, *Document of the Copenhagen Meeting* (op.cit. note 4), para (40.1), p. 21.
[58] OSCE High Commissioner on National Minorities, *Report on the Situation of Roma and Sinti in the OSCE Area* (op.cit. note 8), p. 55; and
OSCE, *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area* (op.cit. note 9), Art. 9, p. 4.
[59] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 1, p. 5.

Like members of any other professional group, police officers "bring to their work knowledge and attitudes based on their upbringing and experiences in society generally. Where there is ethnic diversity in society, there tends to be ignorance about other ethnic groups, and some degree of negative attitude towards them. It is only normal to expect that police officers may reflect this general tendency towards 'ethnocentrism', especially when few are drawn from minority ethnic groups."[60]

Therefore, policies should request that police officers and administrative police staff receive basic and in-service training that provides them with the basic knowledge, awareness (including self-awareness) and skills to enable them to carry out their roles in diverse societies. "Ideally, this should ensure that they are able to treat members of all ethnic groups appropriately and fairly, and to respond sensitively to cultural differences with regard to such matters as religion, traditions, family structure, gender roles, child-care, and life-styles generally."[61] (For more details, see Chapter III.4.)

Policies should furthermore demand that police supervisors, through mentoring, encouragement, rewards and disciplinary action enhance and sustain such awareness among police staff and ensure appropriate behaviour.

- "Develop policies to improve relations between Roma and Sinti communities and the police, so as to prevent police abuse and violence against Roma and Sinti people; and to improve trust and confidence in the police among Roma and Sinti people". (Rec. 28 of the OSCE Action Plan). These policies should also encourage the development of appropriate arrangements for dialogue between the police, local authorities and Roma/Gypsy communities" (ECRI Policy Rec. 3).[62]

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[60]   Oakley, Robin, "Police Training Concerning Migrants and National Minorities", in: Council of Europe, *Human Rights and the Police*, Strasbourg, 1997, pp. 74f.

[61]   Oakley, "Police Training Concerning Migrants and National Minorities" (op.cit. note 60), p. 75; see also
OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 5;
OSCE, *Good Practices in Basic Police Training – Curricula Aspects by the Senior Police Adviser to the OSCE Secretary General*, SPMU Publication Series Vol. 5, May 2009, p. 17f; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 8, p. 19.

[62]   OSCE, Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area (op.cit. note 9).
ECRI, *ECRI General Policy Recommendation No. 3* (op.cit. note 55), p. 5.

Without a partnership-based problem-solving approach, the police will have difficulty in legitimizing the state's monopoly of force and gaining the confidence of the communities in which they work. It will also be difficult to receive support from the public in effectively fighting crime (see Chapter III.5.1).

In view of the often challenging relations between the police and Roma and Sinti communities, policies must acknowledge that confidence-building activities will require commitment and genuine involvement, transparency, time, creativity and adequate resources.

- "Develop policies and procedures to ensure an effective police response to racially motivated violence against Roma and Sinti people" (Rec. 29 of the OSCE Action Plan and ECRI Policy Rec. No. 11).

"Acts of physical violence motivated by ethnic hatred are the most serious forms of crimes and the most serious threat to the stability and well-being of multi-ethnic democracies generally. Such acts not only do serious harm to individuals, but – because they target individuals as members of ethnic groups – also threaten whole communities and thus the fabric of society generally. It is essential that police understand the importance of their role in tackling this form of crime […], and that they appreciate the dependence of the whole society on their dealing with it effectively."[63]

In a number of judgments, the ECtHR declared that when investigating violent crimes, authorities must take all reasonable steps to identify potentially racist motives and to determine whether hate or prejudice based on ethnic discrimination played a role in perpetration of the crime.[64] In the Maastricht Ministerial Council Decision 4/03, the Sofia Ministerial Council Decision 12/04 and the Cordoba Declaration of 2005, the OSCE participating States also underlined their obligation to prepare and implement methodologies and data-gathering and

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[63]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 19, p. 36.

[64]   Cf. European Court of Human Rights, *Nachova and others v. Bulgaria*, No. 43577/98; *Secic v. Croatia*, No. 40116/02; and *Cobzaru v. Romania*, No. 48254/99 (op.cit. note 23).

monitoring systems that comply with international standards in order to effectively investigate hate crimes.[65]

Since entire communities, rather than just individuals, may experience victimization when crimes motivated by ethnic hatred occur, policies should include the provision of police support for the entire communities affected by the crime.

- Develop accountability procedures and mechanisms and establish an independent monitoring and reviewing body of police policies and practices, and compliance with international standards on policing (as per Recs. 26 and 28 of the OSCE Action Plan).

  Police officers and agencies need to be accountable for their actions in relation to Roma and Sinti communities (see also Chapter II.3). One way to respond to perceptions among Roma and Sinti of being over-policed and under-protected would be to publish statistics on the number, nature and outcomes of encounters between the police and these minority groups. However, due to a lack of ethnic data management in which the police keep records of the ethnicity/nationality of the individuals that they deal with as well as the reasons for and the outcome of their encounter, there are hardly any statistics available.

  Accountability may therefore be best achieved and demonstrated if internal and external mechanisms for complaints and of oversight and scrutiny are established that are effective in investigating alleged police misconduct against Roma and Sinti. These oversight bodies should also have the capacity to analyse the causes for misconduct in order to develop strategies for addressing them.

  One result from introducing effective complaints and oversight mechanisms will be that Roma and Sinti will gain more confidence in the police. Furthermore, there will be improved quality of police performance in general, which should be in the interest of all police managers. For a detailed description of

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[65]   Cf. OSCE, Decision No. 4/03, *Tolerance and Non-Discrimination*, MC.DEC/4/03, Maastricht 2003, p. 2;
OSCE, Decision No. 12/04, *Tolerance and Non-Discrimination*, MC.DEC/12/04, Annex, Sofia 2004, p.1; and
OSCE, *Cordoba Declaration by the Chairman-in-Office*, FINAL CIO.GAL/76/05/Rev.2, Cordoba 2005, pp. 2f.

complaint mechanisms and internal and external oversight structures, see the *Guidebook on Democratic Policing*.[66]
Furthermore, governments should promulgate and enforce internal disciplinary standards to ensure that public officials, who discriminate, and are guilty of misconduct, including the police, are sanctioned appropriately.[67]

III.2.3 Development of Codes of Ethics and Conduct and Standard Operating Procedures

In order to translate legislation and policies into action/practical work, the participating States should also

- "[e]laborate, where appropriate and in close partnership with international organizations and Roma NGOs, […], codes of conduct, practical guidance manuals and training programmes". (Rec. 31 of the OSCE Action Plan).

The codes of ethics and conduct and SOPs should include professional standards for policing in multi-ethnic societies. They may set out the general ethical principles of democratic policing as well as specific actions that should be taken when carrying out specific policing tasks. Examples of potentially challenging policing tasks with regard to Roma and Sinti that would require specific codes of conduct are, for instance: checks and stops, questionings, searches, raids, forced evictions, the management of inter-ethnic tensions, and investigations of racially motivated crimes.[68]

Appropriate training programmes, designed to support the implementation of these codes of conduct and SOPs, are described in Chapter III.4.

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[66] OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), pp. 39-42; see also Council of Europe/Commissioner for Human Rights, *Opinion of the Commissioner for Human Rights Concerning Independent and Effective Determination of Complaints Against the Police*, CommDH(2009)4, 12 March 2009.

[67] Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 10, p. 22;
European Commission against Racism and Intolerance (ECRI) 2001, *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies*, CRI (2001) 28, Strasbourg 2001, p. 63; and
OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 21.

[68] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 10, p. 22.

Guidelines for dealing with unauthorized encampments

In the United Kingdom, the *Association of Chief Police Officers of England, Wales & Northern Ireland* (ACPO) developed specific guidelines for dealing with unauthorized encampments.[69] The aim of the guidelines is to help police officers respond to unauthorized encampments in a consistent way, balancing the human rights of Roma and Sinti with the rights of landowners and the wider public.

The guidelines emphasize that the use of police powers to end unauthorized encampments would remain at the discretion of the police officers present. Further, the police response should take into account behavioural issues, whether criminal or anti-social, combined with the impact on landowners and settled communities, instead of taking action simply because encampments are present at a specific location. Furthermore, the guidelines state that a decision to evict or not must be balanced and compliant with the terms of human rights legislation, demonstrating legality, necessity and proportionality as well as principles of common humanity. By explicitly describing the characteristics of unauthorized encampments that will not be tolerated, a code of conduct may imply that some situations may be tolerated, allowing leniency agreements. Police officers are also encouraged to be sensitive to a possible lack of alternative authorized sites, making it difficult or even impossible for people to avoid setting unauthorized pitches.

The guidelines describe specific steps to be taken by the police in managing unauthorized encampments, including:
- the initial contact with the people involved;
- the assessment of the situations;
- co-operation with other (governmental) agencies; and
- the eviction process itself.

(For the specific steps of "good eviction practice", which should be elaborated in the Codes of Conduct, see Chapter III.5.2.)

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[69]   Cf. Association of Chief Police Officers of England, Wales and Northern Ireland, *Guidance on Unauthorized Encampments*, London 2008.

Guidelines concerning the prohibition of ethnic profiling

In addition to being unacceptable because of its discriminatory character, ethnic profiling is also counterproductive since it does not lead to more hits in detecting criminals[70] but alienates entire communities whose co-operation is necessary for effective crime detection and prevention.

Codes of conduct should "establish clear and precise standards for initiating and conducting stops, identity checks and searches, including their function and grounds for carrying them out […]. They should clarify the nature of "suspicion" and state categorically that ethnicity and other personal characteristics may not constitute the reason for a stop in the absence of a specific suspect description."[71]

Since legislation and regulations regarding police powers and reasons for stop and search actions differ significantly among participating States, a general tool to fight ethnic profiling would be to introduce codes of conduct, which would require officers to gather stop data and record grounds for stops. This would reduce the discretion of officers but increase the effectiveness of the use of stops. Studies have shown that when officers focus on developing clear and individualized grounds for stops, and are held accountable by supervisors, they are more effective. This approach has been successfully implemented in pilot projects in Hungary and Spain.[72]

Furthermore, improved intelligence gathering based on trustful relationship between the police and the community should be promoted as an alternative policing practice.

(For the specific steps of "good stop and search practices", which should be elaborated in the Codes of Conduct, see Chapter. III.5.2.)

Guidelines for investigating racially motivated crimes

First, guidelines for investigating racially motivated crimes need to correspond to definitions of such crimes, which should be provided by national law. Examples of definitions that could be used in national law are:

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[70]   See a number of studies showing that Roma and Sinti were no more likely to be found to be offending than the majority population, in: Open Society Institute, *Addressing Ethnic Profiling by Police* (op. cit. note 25), pp. 27 and 51f.

[71]   Open Society Institute, *Addressing Ethnic Profiling by Police* (op.cit. note 25), p. 14.

[72]   Cf. Open Society Institute, *Addressing Ethnic Profiling by Police* (op. cit. note 25), pp. 11 and 34.

ODIHR: A criminal offence committed with a bias motive. This means that the perpetrator intentionally chose the target of the crime because of some protected characteristic. The target may be one or more people, or it may be property associated with a group that shares a particular characteristic. A protected characteristic is a characteristic shared by a group, such as "race", language, religion, ethnicity, nationality, or any other similar common factor.[73]

ECRI: "Any incident which is perceived to be racist by the victim or any other person".[74]

Procedures for investigating ethnically motivated crime need to ensure that evidence of the element of ethnic motivation is properly collected so that it can be presented and admitted at court. While all front-line police officers should be able to conduct initial investigations, the guidelines may foresee that they refer the cases to special investigation staff, according to the scale or seriousness of the crime.

As the perception of a racial background to an incident may trigger a hate crime investigation, operational procedures for such investigations should also make sure that the perception of a racial background is well founded to avoid unjustified accusations against alleged perpetrators.

Procedures should also describe the methodology for aggregating anonymized statistical information about racially motivated crimes, needed for the analysis of crime trends and the evaluation of the effectiveness of the police response.

The guidelines for investigating racially motivated crimes should also cover the provision of support to the victims of racially motivated crime, including the entire communities. This support would also include the timely provision of information regarding the progress of investigations.

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[73]   OSCE Office for Democratic Institutions and Human Rights, *Hate Crime Laws: A Practical Guide,* Warsaw 2009, p.16. The working definition acknowledges the differences in legislation and data collected across the OSCE region and thus allows each state to amend it as it sees fit.

[74]   ECRI, ECRI General Policy Recommendation No. 11 (op.cit. note 25), p. 5.

III.2.4 Implementation of Policies, Codes of Conduct and Standard Operating Procedures

Participating States should ensure that legislation, policies and codes of conduct and ethics are not formulated in a vacuum, but rather are viewed as integral elements of national strategies for Roma and Sinti integration, and where possible, linked to strategies for more general police reform.

Furthermore, "[…] the policies and the measures required to implement them need to be expressed in clear formal 'policy statements', which are publicly supported by political leaders […]"[75] and police leadership. Such statements should also include a vision and a mission statement, which would explain, in a few succinct words, the goal that the state and the police are trying to achieve with the introduction of Roma-related policies.[76] Moreover, police leaders need to encourage all police staff to implement the policies and should assure their support.[77]

Action plans to implement these policies and corresponding rules and regulations, and to monitor their implementation should be developed by state authorities and the police in close co-operation with minority representatives (see Chapter III.1.6).[78]

The implementation of policies could be best supervised and co-ordinated by a Core Implementation Group that would create mechanisms for communication, supervision and evaluation, and that would bear the overall responsibility for implementation. This core group should be comprised of representatives from the police and Roma and Sinti communities. It should be headed by a senior police officer and mandated with sufficient authority to initiate, design and carry through the required institutional changes in the face of inevitable resistance. It would also periodically evaluate the practical application of the content of the policies by the police in order to identify possibilities for improving police performance.[79]

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[75] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 1, p. 10.

[76] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 36 and 38.

[77] CF OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 2, p. 11.

[78] CF OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 2, p. 12; and
OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p.38f.

[79] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p. 39.

III.3 Human Resource Management

"In a world of growing ethnic and cultural diversity within States and rising tensions between different groups, the role of the police is crucial in maintaining the very fabric of our societies. They must therefore act with unquestionable fairness towards all groups."[80] "Furthermore, in order to enjoy the confidence of the entire population, the police must be representative of the community as a whole."[81] Without such representation, Roma and Sinti may not readily identify with the police.

Confidence and trust in the police may be particularly low among Roma and Sinti communities who have previously experienced biased, and possibly repressive, treatment by the police. In order not to (further) strain majority-minority relations,[82] and to avoid the development of parallel security structures in society with the potential of creating security vacuums in the Roma and Sinti communities, the police must firmly and consistently tackle crime motivated by racial/ethnic hatred. Relations between the police and Roma and Sinti communities must be cultivated and co-operation and mutual understanding strengthened (see also Chapter III.5).[83]

One important step towards winning the trust of Roma and Sinti communities is to integrate them into the police throughout all ranks and functions. Recommendation 32 of the Roma and Sinti Action Plan therefore requests participating States to "[…] encourage Roma and Sinti people to work in law-enforcement institutions as a sustainable means of promoting tolerance and diversity".

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[80]   Foundation 'Policing for a Multi-Ethnic Society', *Rotterdam Charter* (op.cit. note 35), Introduction; see also
         OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 51; and
         Council of Europe, Recommendation Rec(2001) 10 of the Committee of Ministers to Member States on the *European Code of Police Ethics* (2001), § 18.

[81]   United Nations General Assembly, Res. A/Res/34/169, *Code of Conduct for Law Enforcement Officials* (1979), Preambular para. 8(a); see also
         OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), pp. 51f;
         OSCE, *Charter for European Security* (op.cit. note 6), Art. 44; and
         Council of Europe, *European Code of Police Ethics* (op.cit. note 80), § 25.

[82]   Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 52; see also
         Foundation 'Policing for a Multi-Ethnic Society', *Rotterdam Charter* (op.cit. note 35), Introduction; and
         Council of Europe, *European Code of Police Ethics* (op.cit. note 80), § 18.

[83]   Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 52; see also
         United Nations General Assembly, *Code of Conduct for Law Enforcement Officials* (op.cit. note 84), Preambular para. 8(a);
         OSCE, *Charter for European Security* (op.cit. note 6), Art. 44; and
         Council of Europe, *European Code of Police Ethics* (op.cit. note 80), §§ 25 and 30.

Furthermore, their integration not only serves as a confidence-building measure, but also provides the police with a range of knowledge and skills that are required for working in a multicultural environment.[84]

III.3.1 Recruitment

Recruitment policies should ensure adequate inclusion of women and national minorities such as Roma and Sinti in the police[85] and police leadership should be committed to raise awareness value of recruiting women and national minorities to all levels of the organization. While any recruitment campaign must be directed at society as a whole, specific steps are usually required in order to raise the percentage of women and minorities in the police.

Statistical targets should be set for increasing the representation of Roma and Sinti, and in extraordinary circumstances and for a limited time only, special recruitment measures might be considered to quickly redress an imbalance. However, "targets" should be clearly distinguished from "quotas". Targets are aims or goals for the increased representation of particular groups which can be achieved in various ways. "[…] The use of targets to ensure that staff are representative of the population constitutes good practice. Quotas are allocations of places for members of particular groups to be filled during a selection process. The use of quotas as a means of achieving targets for recruitment of minorities often gives rise to complaints of unfairness and risks lowering standards and should be avoided if possible. However the use of quotas may be appropriate and justifiable in special circumstances. Where, for example, as part of a police reform programme in a multi-ethnic State an entirely or largely new cadre of police personnel is being established, it may be essential for legitimacy and effectiveness that this cadre is from the outset ethnically representative of the population as a whole. In such circumstances it may be justifiable to set and fill ethnic quotas, especially at the initial stage of selection and training, provided that the proper minimum professional standards are required for members of all groups at the stage at which they become confirmed as police officers. However, the use of ethnic quotas should be considered only for a transitional period

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[84]   Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 52; see also Foundation 'Policing for a Multi-Ethnic Society', *Rotterdam Charter* (op.cit. note 35), Art. 3.7;
Council of Europe, *European Code of Police Ethics* (op.cit. note 80), § 25; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 4, pp. 10f.

[85]   Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 53.

after which the aim should be to achieve the targets by other means […]." [86] In order to check whether statistical targets are met, ethnic data of the officers should be collected. Due to their sensitivity, these data "[…] should be anonymized and converted into statistical data and any possibility of its being traced back to the personal databases should be avoided […]."[87] As police applicants from Roma and Sinti communities may be reluctant to officially identify themselves as Roma for fear of being discriminated against, the police need to provide a culturally neutral and non-discriminating environment within the police (see also Chapter III.3.2) and should support the establishment of self-reinforcing groups of Roma representatives at senior levels, in training courses and in their deployment and work schedules.

Job descriptions and selection criteria, however, must not be targeted at the Roma and Sinti but should be applicable to all segments and communities of society. The selection and promotion of police officers must be transparent and based on their knowledge, skills, attitudes and good character (no record of convictions for serious crimes), and not on their ethnic background or affiliation to specific (political) groups. Lowering the standards for Roma and Sinti or preferring applicants proposed by specific (political) groups will only damage their credibility. Educational disadvantages of Roma and Sinti, such as language problems or level of education, might be compensated for by pre-service training.[88]

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[86] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 5, p. 14f; see also
OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 53; and
European Platform for Policing and Human Rights (EPPHR), *The Recruitment and Retention of Police Officers from Minority Communities: Points to Consider* (2004), p. 5.

[87] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 5, p. 15.

[88] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 53; see also
Foundation 'Policing for a Multi-Ethnic Society', *Rotterdam Charter* (op.cit. note 35), Arts. 2.5 and 2.6;
Council of Europe, Recommendation No. R(2000) 10 of the Committee of Ministers to Member States on *Codes of Conduct for Public Officials* (2000), Art. 24;
Council of Europe, *European Code of Police Ethics* (op.cit., note 80), §§ 22 and 24;
EPPHR, *The Recruitment and Retention of Police Officers from Minority Communities* (op.cit. note 86), p. 5; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 6, pp. 16f.

Examples of special measures to boost recruitment of Roma and Sinti:

Initiatives to increase information in Roma and Sinti communities on employment opportunities in the police and to positively encourage interested persons to apply

Information initiatives describing career opportunities for Roma and Sinti as well as the importance of their integration for the partnership-based policing approach could include police open days, the distribution of leaflets, the use of radio and television, visits of schools and community centres by police officers, and opportunities for youth to visit police stations and training facilities. Care should be taken that information is also given in the Romani language. In addition, schools should be strongly encouraged to facilitate the provision of such information. Activities should be co-ordinated with Roma police officers associations, community leaders, and Roma and Sinti NGOs.[89] Co-operation with Roma police officers and Roma and Sinti NGOs would also facilitate the identification of Roma and Sinti communities supporting the integration of their members in the police.

In the Czech Republic, the City Police of Brno, in co-operation with the NGO DROM Romani Centre, established a 'Mission Project', aiming to promote trust and confidence in the police among Roma from an early age and prevent criminality among young Roma people. Representatives of the police participated in activities with children between the ages of seven and ten from different schools, seeking to interest them in the work of the police. They also tried to motivate the children towards education and respect of law.[90]

In Hungary, the Ministry of the Interior organizes "law enforcement career orientation camps" for Roma secondary school students. During the five-day camps, students are made familiar with application requirements and the work of the secondary and tertiary institutions of law enforcement education and with the personal experiences of Roma police officers.[91] During the camp, students are also trained to prepare them for successfully entering police school.

In Serbia, the Ministry of the Interior has been organizing public campaigns targeting the recruitment of national minorities and marginalized groups

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[89]   Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 6, p. 16.

[90]   Cf. European Commission against Racism and Intolerance (ECRI) 2001, *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies* (op.cit. note 67), p. 59.

[91]   Council of Europe, *Third Report Submitted by Hungary Pursuant to Article 25, para. 1 of the Framework Convention for the Protection of National Minorites*, ACFC/SR/III(2009)007, Strasbourg, 4 June 2009, p. 46.

including the Roma and Sinti into the police service. In October 2009, 30 Roma youth were invited to the Basic Police Training Centre in Semska Kamenica and informed on the Centre's work and premises.

In the United Kingdom, the Cambridgeshire Constabulary produced a CD in the local Romani language, *Del gavvers pukker-cheerus* ["Give the Police a Chance"], to promote their efforts in reaching out to Roma communities to enhance their trust in the police and to encourage them to join the service. A senior officer speaks about the need to overcome mistrust but points out that the service should reflect the community it serves and pledges that Roma joining the police will be welcomed.[92]

Financial support to Roma students

In Hungary, the Ministry of the Interior established a scholarship programme for talented Roma secondary students who felt committed to pursuing a career in the police in order to ensure that financial difficulties would not prevent them from joining the police. Scholarship recipients received textbook and school equipment grants, grants for accommodation and meals, and performance-based grants.[93]

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[92]   Coxhead, John/Home Office, *Moving Forward. How the Gypsy and Traveller Communities Can Be More Engaged to Improve Policing Performance*, Queens Award for Innovation in Police Training & Development 2003, Derbyshire 2005, p. 25.

[93]   Cf. European Commission against Racism and Intolerance (ECRI) 2009, *ECRI Report on Hungary*, (fourth monitoring cycle), CRI(2009)3, Strasbourg 2009, p. 47.

Measures to address educational shortcomings

A general measure would be to review the current level of educational qualifications that may have an exclusionary effect, and to establish whether this level of qualifications is in fact necessary in order to identify persons with suitable potential.[94] For many Roma applicants, the lack of knowledge of English may be a major obstacle to meet the qualifications. Consideration should therefore be given to the idea of including the knowledge of the local Roma language as an asset that would compensate for the lack of English skills.

In Romania, for instance, Roma applicants have been given the opportunity to take a Romani language test instead of an international language test.[95]

Other measures for addressing educational shortcomings would be to provide preparatory training for the application process, which makes applicants familiar with the application process and the criteria to be met.

In the Bulgarian city of Razgrad, the NGO Centre Razgrad, in co-operation with the Regional Directorate of the Ministry of the Interior, organized a two-day preparatory training for potential police applicants from ethnic minority communities, including members from the Roma community.[96]

In the Czech Republic, special "access courses" have been provided to assist Roma applicants to reach the necessary standards for entry into the police.[97]

In Serbia, entry tests and selection procedures are also conducted in the Roma language and in languages of other national minorities. The tests are translated into nine languages.

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[94] Cf. Oakley, "Practical Measures for Improving Relations between Ethnic Minorities and the Police" (op.cit. note 12), p. 95.

[95] Cf. Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), p. 82f.

[96] Danish Center for Conflict Resolution/Danish Institute for Human Rights/Regional Facilitation and Negotiation Center/Romani CRISS/Roma Center for Social Intervention and Studies/Ministry of Administration and Interior of Romania, Report on Regional Workshop on Policing Minorities. Human Rights and Conflict Management for Roma Liaison Police Officers, Sinaia, 12-15 September 2005, p. 29.

[97] Cf. European Commission against Racism and Intolerance (ECRI) 2001, *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies* (op.cit. note 67), p. 55f.

Measures to remove obstacles of discrimination in the recruitment and selection process

Human resource management policies must prohibit any discriminating recruitment practices.
Recruitment staff should be trained in fair recruitment.
Recruitment procedures and criteria should be checked for possible bias and unnecessary hurdles that indirectly disadvantage Roma and Sinti.[98] Security background checks should only focus on the applicant and not on his or her family.

In Romania, the police went even one step further and introduced affirmative action steps for the recruitment of Roma. In 2005, the police began to reserve places specifically for Roma in the Police Academy and the police schools. By 2007, some 58 places had been allocated. The places that could not be filled because applicants had not passed the entry exam continued to remain reserved for Roma.[99]

In the United Kingdom, the Government, with the support of the of the Association of Police Authorities (APA) and the Association of Chief Police Officers (ACPO), launched a "Dismantling Barrier" strategy in 1999, later renamed "Breaking Through", including employment targets for the recruitment, retention and progression of police staff from minority communities to be achieved in 2009. An Action Plan drafted as a practitioner's manual was produced in order to improve recruitment, retention and progression. It describes specific steps to: analyse the perception of the police as service provider and employer; identify barriers and motivation of potential applicants; help in completing the application forms; identify reasons for failure at the sift stage; and improve performance at the assessment centres.[100]

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[98] Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 6, p. 16; see also:
Council of Europe, *Police Training Concerning Migrants and Ethnic Relations. Practical Guidelines*, Community Relations, MG-EO (94) 3 E, Strasbourg 1993, p. 39.

[99] Cf. Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), p. 83;
OSCE Office for Democratic Institutions and Human Rights, *Field Visit on Police and Roma Relations*, Romania 12-15 November 2007, Warsaw 2008, p. 7; and
Ethnocultural Diversity Resource Center, *A Possible Mission – Information Campaign on the Policeman Carreer Belonging to National Minorities.*

[100] Home Office Communication Directorate, *Breaking Through Action Plan: Promoting Minority Ethnic Employment in the Police Service*, London 2004, pp. 11-21.

III.3.2 Retention

The recruitment and integration of Roma and Sinti are also conducive to fostering cultural diversity in the police. A culturally neutral environment must be created in which women, men and all communities feel comfortable, and measures should be introduced to ensure that all police officers are accepted and treated equally within the police organization. Therefore, any sexually offensive symbols and publications, and references to specific religious or national symbols related to one ethnic group should be removed from police facilities.[101]

Police applicants who are found to hold racist attitudes should not be accepted in the police. Furthermore, staff as well as new officers should be made aware of acceptable standards of behaviour in a gender-equal and multicultural service. Effective internal complaint mechanisms must be in place, and Roma and Sinti should be encouraged by their superiors to make complaints when they experience discrimination or harassment.[102] Furthermore, positions of confidants should be established in police facilities. They would be fellow police officers, elected by their colleagues and trained in, *inter alia*, stress manage-ment and diversity issues. Police officers could contact them if they feel discriminated, and the confidants could provide their help by listening, arranging for professional psychological help and filing complaints.

After recruitment and initial training, officers should be encouraged to stay in the police. Important issues affecting their decision to stay will be the working environment, assignments and career opportunities.[103]

With respect to assignments, isolation of Roma and Sinti officers (e.g. in remote Roma settlements) must be avoided, and the Roma and Sinti officers should remain integrated in the further development and promotion structure of the police (see also Chapter III.3.3).

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[101] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 53; see also
EPPHR, *The Recruitment and Retention of Police Officers from Minority Communities* (op.cit. note 86), p. 3; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 7, p. 17.

[102] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 54; see also
Foundation 'Policing for a Multi-Ethnic Society', *Rotterdam Charter* (op.cit. note 35), Art. 2.13; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 7, p. 17.

[103] OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 54; see also
Council of Europe Parliamentary Assembly, Resolution 690 (1979) on the *Declaration on the Police* (1979), Part B, § 4.

Since the police also have the task of being role models for society, their multicultural character should be visible in all units and regions, not only in specifically multi-cultural ones.[104] "Police officers should be encouraged to, and rewarded for acquiring experience through working in mixed communities other than their own."[105]

Nevertheless, Roma and Sinti police officers are needed in the police work with Roma and Sinti communities to facilitate a trusting daily exchange. Initially, these communities may be suspicious of members of their own ethnicity working in the police. However, due to their ability to communicate with members of their own ethnicity, Roma and Sinti officers may be in a better position than their colleagues from other communities to win the confidence of the communities (see also Chapter III.5). In the end, however, Roma and Sinti officers "[…] should always be regarded first and foremost as generic police officers, and then secondly as ones whose particular minority background may qualify them for undertaking particular roles or contributing certain skills […]."[106]

III.3.3 *Promotion and Career Development*

With respect to promotions, Roma and Sinti officers must receive the same opportunities as officers from other ethnic communities for continued education making them eligible for higher ranking positions. This "[…] could include specific career development training programmes or provisions of 'mentoring' schemes for those with potential for advancement […]."[107] Experience and a good evaluation record in policing in diverse communities should be considered assets for promotion.

The process of promotion must be transparent and based solely on the officers' experience and merit (assessed by using written tests and oral

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[104]   Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 54; see also
         OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 4, p. 10.
[105]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 7, p. 17; see also
         OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 54.
[106]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 7, p. 18.
[107]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 7, p. 17.

interviews as well as assessment centres), and not on their affiliation with particular communities or political groups.[108]

There should be clear policies and political support (by government, political and police leadership) with respect to promotion and career development of Roma and Sinti, including professional standards for treating minorities,[109] as well as the readiness of Roma and Sinti communities to integrate themselves into the State authorities. While top-down direction for integrating Roma and Sinti is important, real implementation must be at the local level.[110] Partnerships with Roma and Sinti organizations on the local level can be of great help.[111]

In view of specific issues affecting them, police officers from Roma and Sinti communities may wish to form their own professional associations. "Police authorities should in principle support such initiatives, and be willing to facilitate their establishment. Formation of such associations is an entitlement of citizens and a human right, and they can provide mutual personal support for minority police especially when they are small in numbers and geographically isolated. They can also provide a channel of communication between the police authorities and police officers from minority backgrounds, and a source of valuable advice to the authorities on minority issues."[112]

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[108] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 54f; see also
EPPHR, *The Recruitment and Retention of Police Officers from Minority Communities* (op.cit. note 86), p. 7.
[109] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 55.
[110] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 55.
[111] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 55; see also
Foundation 'Policing for a Multi-Ethnic Society', *Rotterdam Charter* (op.cit. note 35), Introduction.
[112] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 7, p. 18.

Example of a Roma association in the police

The most prominent example of such an association is the *Fraternal Association of European Roma Law Enforcement Officers.*

Founded in Hungary in 2006 by Hungarian police officers of Roma and non-Roma origin, the association has members in Bulgaria, the Czech Republic, Romania, Slovakia and the United Kingdom. In its activities, the association aims at, *inter alia*:
- supporting the realization of equality within European law enforcement organizations;
- reducing prejudice among law enforcement organizations and Roma and Sinti communities;
- increasing the number of Roma and Sinti in law enforcement organizations;
- increasing the working and living conditions of Roma officers in the police;
- acting as a mediator in conflicts between the police and Roma and Sinti; and
- participating and co-operating in law enforcement training regarding diversity, equality and reducing prejudice.[113]

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[113]   Cf. http://faerleo.com/en.

III.4 Training and Professional Development

As mentioned above, police officers need training to provide them with the basic knowledge, awareness (including self-awareness) and skills needed to carry out their roles in diverse societies. This training should ensure that they treat members of the Roma and Sinti communities appropriately and fairly, and respond sensitively to cultural differences with regard to such matters as their family structures, gender roles, child care and general lifestyles.[114]

A possible reason for inappropriate or discriminatory behaviour by police officers may be "due not so much to their personal charac-teristics as to the influences of the 'culture' of the police organization and of the pressures arising from the nature of police work. For example, 'front-line' policing brings officers into contact with the 'criminal' element in all social groups. If officers have no personal knowledge of particular ethnic communities, they will soon build up negative stereotypes of what people from such communities are like. This in turn may lead to the view that all members of such communities are likely to be criminal. Such images, shared within 'peer groups' in the form of stories or 'anecdotes' based on experience, then become part of the background knowledge or 'working culture' which influences how officers and new recruits behave."[115]

"Negative influences of this kind may adversely affect the behaviour of officers who are potentially capable of treating members of all ethnic groups equally and fairly. Appropriately designed training and professional development on these issues will assist them to achieve the standards of professional behaviour to which they aspire. Such training should not be regarded as a remedial activity for past misdemeanours. Rather, it is the duty of all police organizations to provide all staff in advance with the necessary knowledge, awareness and skill to deal fairly with members of all ethnic groups, and to assist officers to be aware of and to overcome pressures to the contrary."[116]

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[114] Cf. OSCE, *Good Practices in Basic Police Training – Curricula Aspects* (op.cit. note 61), pp. 17-19;
Oakley 1997, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 75;
OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 57; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Recs. 8-11.

[115] Oakley 1997, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 75.

[116] Oakley 1997, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 75.

Such pressures can also be reduced by police managers, if they prevent the spreading of prejudices and racial attitudes within the police by closely mentoring and supervising the behaviour of police officers.

The OSCE Roma and Sinti Action Plan explicitly requests the participating States to:

- "develop training programmes to prevent excessive use of force and to promote awareness of and respect for human rights" (Rec. 27);
- "promote awareness regarding the situation of Roma and Sinti people";
- "ensure an effective police response to racially motivated violence against Roma and Sinti people" (Rec. 29; and ECRI Policy Rec. No. 3, p. 5);
- "improve trust and confidence in the police among Roma and Sinti people" (Rec. 28);
- "prevent police abuse and violence against Roma and Sinti people" (Rec. 28); and to
- develop corresponding training programmes in consultation with Roma and Sinti communities (Rec. 30).

These recommendations are reflected in the following sub-chapters regarding the aim, objectives and content of training programmes as well as the training methods and other organizational requirements for achieving the training aim and objectives.[117]

III.4.1 Aim and Objectives of Training

The aim of the training should be to ensure fair and equal treatment of members of all ethnic groups according to individual need, and to combat discrimination.[118]

The general objectives of the training should be:

- to advance the knowledge and understanding of the police officer in the field of human relations;

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[117] A more detailed description of police training guidelines is available in a Council of Europe Publication, which covers examples of police training from nine European Countries, see Council of Europe, *Police Training Concerning Migrants and Ethnic Relations* (op.cit. note 98).

[118] Oakley 1997, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 77.

- to develop better communication skills, especially in the multi-cultural context;
- to enhance the capacity of the police to provide a high quality of service to the public;
- to respect all individuals, irrespective of their origins;
- to strengthen the confidence of the police in fulfilling their functions in a multi-cultural society;
- to improve police officers' knowledge of the law and regulations relevant to racial discrimination[119] as well as to certain specifics of the culture and lifestyle of the Roma and Sinti, in particular, the travelling aspect.

III.4.2 Content of Training with Regard to Roma and Sinti Communities

With regard to increasing the officers' knowledge and understanding of good policing in Roma and Sinti communities, the following topics should be addressed in the general training of police officers:

- Human rights;
- History and present situation of Roma and Sinti communities;
- Culture, traditions and lifestyles of Roma and Sinti;
- Need for respect for value systems of different cultural groups;
- Challenges in the relationship of police and Roma and Sinti;
- Awareness of assumptions of dominant culture, and of ethnocentrism;
- Concepts of prejudice and discrimination (personal and institutional);
- Concept of ethnic profiling; practical guidance on grounds of suspicion that do not rely on ethnicity, and how to increase effectiveness without ethnic profiling;
- Nature and manifestations of racism and xenophobia;
- Measures to fight hate crime;
- Language skills;
- Measures to establish partnerships with Roma and Sinti and introduce a problem-solving approach;
- Project management skills;

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[119] Oakley, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 77; see also
OSCE, *Good Practices in Basic Police Training – Curricula Aspects* (op.cit. note 61), p. 19.

- Role of supervisors.[120]

With regard to the officers' appropriate behaviour towards Roma and Sinti, the skills and abilities required in dealing with matters concerning the minority groups are for the most part the same as for good policing practice in general. However, some aspects are particularly relevant when dealing with Roma and Sinti:

- communicating effectively in cross-cultural situations;
- respecting Roma and Sinti customs (e.g. visits at home, communication with women);
- tackling discriminatory behaviour;
- managing violence and conflict (use of force, dealing with victims/injured persons, mediating between adversarial groups);
- coping with fear and stress in difficult situations.[121]

The list of training content for improving the knowledge, skills and behaviour of police officers for engaging with Roma and Sinti communities is, of course, not exhaustive, and specific training curricula and lesson plans should always be based on a training needs analysis to identify the specific needs in the specific context of local circumstances.

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[120]   Cf. OSCE, *Good Practices in Basic Police Training – Curricula Aspects* (op.cit. note 61), p. 19;
Open Society Institute, *Addressing Ethnic Profiling by Police* (op.cit. note 25), pp. 67 and 72;
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), p. 19; and
Oakley, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 78.
[121]   Cf. Oakley, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60), p. 78.

Examples of training

Training of trainers

In order to sufficiently deliver ethnic diversity awareness raising, police trainers need a sound understanding of: the general nature of prejudice and discrimination; history and manifestations of racism; the way minorities respond to dominance; and problems in cross-cultural communication.[122] With regard to the specific problems of Roma and Sinti communities, the trainers need a profound knowledge about the local history and culture of Roma and Sinti.

Moreover, the trainers require the specific skills to effectively challenge ethnically motivated prejudices, stereotypes and attitudes regarding Roma and Sinti without becoming defensive nor alienating the students.[123]

Furthermore, training of trainers could include study tours abroad to acquaint them with good practices and positive results of police partnerships with Roma and Sinti communities in other countries and to share experiences.[124]

Ethnic diversity

A number of police training institutions in several participating States have developed basic and in-service training including on ethnic diversity issues. In co-operation with Roma and Sinti NGOs, they have identified the subjects, the design of the training and its delivery. Representatives from the NGOs serve as trainers and deliver their lessons jointly with the staff of the training institutions. Subjects may focus on:

- skills to recognize racially motivated behaviour, to develop the ability and the motivation to tackle claims of racial incidents;
- skills to recognize discrimination and the required tools for police officers to solve these cases;
- knowledge of the legislation that protects against discrimination

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[122] Cf. Mercer, Peter/Oakley, Robin, *Police Training on Gypsy/Traveller Issues in Britain*, Presentation at European Workshop on Roma-Police Relations, Turvey 1999, in: OSCE Contact Point for Roma and Sinti Issues/European Dialogue 2006, *Policing and Roma: A Resource Manual. A Compilation of Documents to Support Implementation of the OSCE Action Plan for Roma and Sinti.* Unpublished draft document produced for the ODIHR CPRSI, p. 170.

[123] Cf. Mercer/Oakley, *Police Training on Gypsy/Traveller Issues in Britain* (op.cit. note 122), p. 172.

[124] OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p. 47.

(European Directives 2000/43/EC and 2000/78/EC).[125]

This ethnic diversity training should also include awareness-raising sessions on the culture, traditions and customs of Roma and Sinti and provide practical guidance in assessing and acting appropriately in specific situations of operational encounters with these communities. Subjects may cover specific situations of encounters, such as: the entering of fixed and mobile homes; dealing with traditional customs, including gender sensitivities; managing large-scale gatherings; conducting stops and searches; and dealing with unauthorized encampments.

Establishing partnerships with Roma and Sinti

Closely related to ethnic diversity awareness-raising, training on community policing should also cover good practices in establishing a partnership-based problem-solving approach with Roma and Sinti communities.[126]

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[125] Valles, Lola, *Education Programs on Diversity and Minority Issues, including Roma Issues, for Police Services in Catalonia (Spain)*, Presentation at the International Workshop on Relations between Police and Roma/Travellers, Derbyshire, 27-28 November 2006, pp. 290-292;
Further examples of Roma-related ethnic diversity trainingcan be found in, *inter alia* :
Bulgaria, cf. European Commission against Racism and Intolerance (ECRI), *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies* (op.cit. note 67), p. 57;
Czech Republic, cf. ECRI, *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies* (op.cit. note 67), pp. 58-60;
Hungary, cf. ECRI, *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies* (op.cit. note 67), p. 53, and Project on Ethnic Relations, *Toward Community Policing: The Police and Ethnic Minorities in Hungary*, Budapest/Princeton 2000, pp. 16f;
Poland, Lesinska, Magdalena/Rozycka, Malgorzata, "Improving Relations between Roma and the Police: Practical Examples for Poland", Thesaurus Association, Wroclaw, Poland, 2005, in: OSCE ODIHR Contact Point for Roma and Sinti Issues/European Dialogue, *Policing and Roma: A Resource Manual. A Compilation of Documents to Support Implementation of the OSCE Action Plan for Roma & Sinti.* Unpublished draft document produced for the ODIHR CPRSI, pp. 180-187;
Romania, cf. Institute for Crime Research and Prevention, *Review of the Policies and Practices towards Roma in Romania* (op.cit.note 48), pp. 63-75;
Serbia, cf. Written input by the Ministry of the Interior of the Republic of Serbia to this publication;
Slovakia, cf. Ministry of Interior of the Slovak Republic/Presidium of the Police Force/Public Order Department, *The Project of the Police Specialists for the Work with Communities*, Bratislava, October 2009, pp. 15f; and in the
United Kingdom, cf. Danflous, Romy, *Policing in Relation to Roma, Gypsy and Traveller Communities*, Workshop Report, European Dialogue, London 2006, pp. 235f, 266, 271, and Coxhead, *John, Moving Forward* (op.cit. note 92), pp. 21ff.
[126] Konrad, Oto/Šúryová, Eva, *The Pilot Project of the Police Specialists for the Work with Communities in Slovakia*, Presentation at the Bucharest Conference on 'The Implementation and Harmonization of National Policies on Roma, Sinti and Travellers, Bucharest, 4-5 May 2006, p. 310f.

This would include developing specific skills of the officers to:
- communicate (also in the languages of the local Roma and Sinti communities);
- listen to different opinions;
- build trust and mediate in conflicts;
- develop creative approaches to community concerns, including organizing community groups;
- conduct problem-solving by using "SARA" (Scanning, Analysis, Response, Assessment) or the "Problem Analysis Module";[127]
- translate general policing mandates into appropriate action as well as conveying the concerns of the community to the police leadership and other stakeholders.[128]

Roma and Sinti representatives should be invited to these sessions as presenters to describe successful initiatives, but also as students to learn about the community policing concept, joint responsibilities and benefits.

Investigating hate crimes

This training should aim at ensuring that national police policies and procedures for dealing with racist and xenophobic violence are implemented effectively. All officers, in particular front-line officers and their supervisors, will require some training on this subject, since any officer in any area might be called to hate crime scenes and must be able to perform competently in dealing with such incidents at the initial stage. This general training is usually best provided as part of regular initial and development training. Those officers with special responsibilities for dealing with the problem (or in areas where it is more frequent) will require additional training, which is likely to take the form of special seminars or workshops on the subject.

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[127] Information on the different models can be found at the following web-links: For SARA see: www.crimereduction.homeoffice.gov.uk/learningzone/sara.htm, or www.popcenter.org/about-SARA.htm; and for "Problem Analysis Module" see www.popcenter.org/learning/pam.

[128] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p. 27f. and 32; see also
Danish Center for Conflict Resolution et.al., *Report on Regional Workshop on Policing Minorities. Human Rights and Conflict Management for Roma Liaison Police Officers* (op.cit. note 96), pp. 17f.

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The ODIHR has prepared guidance on how this training may most effectively be conducted.[129]

Subjects should cover:
- the history and significance of hate crimes;
- the typology of hate crimes;
- symbols of interest in hate crimes;
- the proliferation of hate crimes;
- the impact of hate crimes on individual victims and entire communities;
- the detection and identification of hate crimes, including:
  - first response to the scene of a potential hate crime;
  - conducting victim interviews;
  - conducting suspect interviews;
  - investigating hate crimes;
  - preserving and obtaining forensic evidence;
  - gathering and sharing intelligence on hate crimes and offenders;
- dealing with victims: providing support and information;
- co-operating with communities in hate crime prevention.[130]

Conditions for effective hate crime investigation training are as follows:
- The specific training is preceded by more general training on the situation of migrant and minority ethnic groups, and of the nature of stereotypes and prejudices and includes practical examples of countering them.
- The training is practical in orientation and aims at enabling officers to deal effectively with incidents of racist and xenophobic violence, and to follow any specially procedures required (e.g. record-keeping).
- The training makes use of case studies based on real incidents and would identify good practice in dealing with them. This practical part needs to be tailored to specific situations existing in each country. There-fore, the use of local examples and case studies is essential.
- The trainers themselves are trained to have a full understanding of such incidents, and the skills and confidence to deliver training on this subject in the classroom.
- Members of Roma and Sinti communities should be involved as trainers in order to allow police officers to learn directly of their perceptions and experiences of such incidents.

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[129]   Cf. OSCE Office for Democratic Institutions and Human Rights, *Law Enforcement Officer Programme on Combating Hate Crime*, Factsheet, Warsaw 2006.
[130]   Cf. OSCE Office for Democratic Institutions and Human Rights, *Law Enforcement Officer Programme on Combating Hate Crime* (op.cit. note 129), pp. 3f; see also OSCE, *Good Practices in Basic Police Training – Curricula Aspects* (op.cit. note 61), pp. 29f.

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III.4.3 Training Methods

Training should be practical and job-related, thereby demonstrating to officers that the new knowledge and skills will assist them in carrying out their tasks more effectively and efficiently.[131] Classroom methods should be varied, including not only lectures, but also role-plays, exercises, discussions and video presentations. Specific cases from a variety of situations should be addressed in order to facilitate understanding among stakeholders. The use of specific cases would naturally work best if presented by the officers who were directly involved. Training material should be adapted to multi-ethnic societies and care should be taken that it does not reinforce prejudices.[132]

Members of Roma and Sinti communities should be directly involved in both planning and delivering police training on ethnic issues. The police should therefore develop partnerships with a variety of Roma and Sinti associations to identify representatives of different age, gender and different sections of the communities who would be able to convey different views existing within the communities. This would allow police officers to learn at first hand about relevant traditions and customs of Roma and Sinti as well as their perceptions of the police.[133] Regular contact with Roma and Sinti (outside of crime-control context) can serve to break down police stereotypes of these communities.[134] The recruitment of officers from Roma and Sinti communities (see Chapter III.3.1) would naturally allow the police to bring more first-hand information to the training.

Guidance material on the specific traditions and culture of Roma and Sinti should be developed for use during the training, but also as reference material for the officers in their daily work.

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[131]   Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 8, p. 19.

[132]   Cf. Council of Europe, Police Training Concerning Migrants and Ethnic Relation (op.cit. note 98); pp. 33-37 and 92.

[133]   For the general context of developing police partnerships with minority communities, see OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 9, pp. 21f.

[134]   Cf. Hungarian Helsinki Committee, *Control(led) Group, Final Report on the Strategies for Effective Police Stop and Search (STEPSS) Project*, Budapest 2008, p. 62.

Guidance material for interaction with Roma and Sinti

In Finland and the United Kingdom, specific guidance material for police interaction with Roma and Sinti has been produced, which facilitates awareness raising of the culture, traditions and customs of Roma and Sinti, and provides practical guidance in assessing and appropriately acting in specific situations of operational encounters with these communities.[135]

Such guidance should be used during training (see above), but also distributed to all police officers as a reference document for their daily operational encounters with members of Roma and Sinti communities. In addition to providing practical operational guidance to police officers, the publications may also directly address the Roma and Sinti communities to explain to them the roles and actions of the police in the communities and the rights and duties of citizens/individuals.[136]

Adequate time should be allowed for exploring issues that may be sensitive and controversial, such as prejudices among police officers against Roma and Sinti communities and the roots of these prejudices.

Nonetheless, since it is hardly possible to change deep-rooted attitudes of adults in a limited duration of training, any attempt to do so may be resisted or even counter-productive. "However, it is essential that training does address the subject of prejudice and stereotyping of ethnic groups as a potential obstacle to fair and professional treatment of minorities. Such training should provide police with an opportunity to reflect on their own attitudes and prejudices and on how to ensure these do not impact negatively on their work."[137]

Therefore, the main emphasis in training and further development activities "[…] should neither be on simply providing information nor on changing attitudes, but rather on helping police in a practical way to

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[135]   Cf. United Kingdom Home Office, *Romany Gypsies and Irish Travellers: Practical advice for police and other agencies in England and Wales*, a National Police Improvement Agency (NPIA) draft document, London 2010; and
National Board of Education/Roma Population Education Team/Ministry of Interior, Police Department, *Romanin ja poliisin kohdatessa [Contacts between Roma and Police]*, Helsinki 2007.

[136]   Cf. National Board of Education et.al, *Romanin ja poliisin kohdatessa* (op.cit. note 135).

[137]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 8, p. 20.

carry out their everyday work in multi-ethnic contexts in a manner that accords with professional standards and international human rights."[138]

In addition, training should also emphasize the benefits for police officers from improved relations with Roma and Sinti. Police leadership and trainers should present training and professional development as a way to improve policing services and efficiency.[139]

III.4.4 Requirements of Implementation

A basic requirement for ensuring the success of awareness training on Roma and Sinti issues is the organizational support and commitment both at the policy level and at supervisor and managerial level. Police agencies should acknowledge the need for specific training on Roma and Sinti relations, identify specific training needs, and develop clear training strategies, designed to address the identified training needs. In this process, the police should consult relevant Roma and Sinti NGOs on training needs on these issues and involve NGOs as partners in developing training programmes.

Moreover, those responsible for training police officers on these issues will themselves require specialist training (see also Chapter III.4.2). If training capacities are lacking in a participating State, the OSCE can provide such expertise.

Issues concerning Roma and Sinti communities should be addressed both in basic/initial police training and in in-service training and other activities of professional development for experienced officers. In-service training should be regular and cyclical as part of the officers' continuous learning process. In general, both initial and in-service training should be addressed in the general context of human rights, community policing and service-oriented policing, and not be separated from the rest of basic police training. Nevertheless, some lessons should be devoted specifically to the issues of Roma and Sinti in order to address the specific problems and needs of these communities.[140]

Furthermore, different training subjects may be appropriate for front-line officers, experienced supervisors and managers, and senior officers

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[138] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 8, p. 20.

[139] Cf. Open Society Institute, *Addressing Ethnic Profiling by Police* (op.cit. note 25), p. 69.

[140] See also OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 9, p. 21.

with policy responsibility. While training for front-line officers should focus particularly on operational tasks such as patrols, investigations, checks and stops, evictions, searches and arrests, combating ethnically motivated crimes, and building police-public partnerships, senior police staff should also receive training on policy implementation, standard-setting and the management of organizational and cultural change, together with lessons on command responsibilities relating to the identification and management of discrimination, ethnic tensions and conflicts in the wider community.[141]

The effectiveness of training should be evaluated periodically to ensure objectives are achieved.[142] Evaluation methods could include: tests and questionnaires at the end of training courses to identify changes in knowledge and attitudes relating to Roma and Sinti; follow-up questionnaires for front-line officers and their supervisors to assess the relevance and sustainability of the new knowledge and skills in relation to actual working experience; surveys of Roma and Sinti to explore whether they have experienced improved behaviour of police and have changed their perception of police work; evaluation of complaints data regarding inappropriate police behaviour against Roma and Sinti; and analysis of "ethnic" data statistics to identify any reductions of ethnic profiling.

Finally, to ensure behavioural change of police officers, training should be complemented by professional development tools such as mentoring, encouragement and positive rewards for appropriate behaviour by the police leadership as well as disciplinary action/sanctions in the case of misconduct.[143] An emphasis on training alone would not only underestimate the transference needed beyond the classroom to street policing, but bear the risk that some aspects of diversity that are reinforced by training could be considered idealistic and thus rejected by operational culture. To achieve lasting change in operational policing, a cultural strategy is needed. Focusing on the behaviour in the workplace rather than behaviour in the classroom makes it possible to influence officers' behaviour in real-life settings. Roma issues need mainstreaming within this "behaviourist approach", which can be observed and managed by supervisors using defined

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[141] Cf. Hungarian Helsinki Committee 2008, *Control(led) Group* (op.cit. note 134), p. 62; and OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 9, p. 21.

[142] Cf. Oakley, "Police Training Concerning Migrants and National Minorities" (op.cit.note 60) pp. 77 and 79.

[143] Cf. Oakley, "Practical Measures for Improving Relations between Ethnic Minorities and the Police" (op.cit. note 12), p. 92.

objective competency standards. It is important to note, however, that behaviourism can only be genuinely effective when it becomes an everyday reality and is recognized as a core value for the whole organization. To achieve this, managers must lead by example: behaviourism in this context must be about what people do, not what people say they might do.[144]

Ultimately, training alone will not be sufficient to change attitudes and cannot replace structural and organizational measures to facilitate the development of change. "In view of the general hierarchical nature of police organizations, the process of change will need to begin 'at the top'" to enable the senior management and policymakers to identify the challenges to the organization of issues concerning police and Roma and Sinti relations.[145]

III.5   Engaging with Roma and Sinti Communities: Building Partnerships and Conducting Operations

The police are the most visible manifestation of government authority performing the most obvious, immediate and intrusive tasks to ensure the well-being of individuals and communities alike. Democratic police agencies develop and implement their activities according to the needs of the public and the state and emphasize assistance to those members of the community in need of immediate help. The police must be responsive to the community as a whole and strive to deliver their services promptly, and in an equal and unbiased manner. Through their activities, the police should be part of society's common efforts to promote legal protection and a sense of security.[146]

Being the agency with a special responsibility to maintain law and order in society, they are the guardians of the social framework. In democratic multi-ethnic societies, they must not only act fairly and with equal respect towards members of all ethnic groups, but must use their legal and constitutional powers as effectively as possible to combat

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[144]   Cf. Coxhead, John, *Improving Performance in Race and Diversity*, Lambard Academic Publishing, 2009, Chapter 6.

[145]   Council of Europe, *Police Training Concerning Migrants and Ethnic Relations* (op.cit. note 98), p. 17.

[146]   OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), pp. 15f.

manifestations of discrimination, racism and xenophobia, which threaten the well-being of multi-ethnic societies.[147]

Despite their unique powers, the police cannot effectively fulfil these tasks on their own but need the practical co-operation of the public. They will however enjoy this co-operation only if they act upon consent of the community. A prerequisite for gaining public support is providing for transparency of police operations and cultivating communication and mutual understanding between the public and the police. Without consulting the public, the police would be imposing their services rather than serving in a responsive manner. Measures to achieve transparency and communication include: the public dissemination of reports on crime and police operations; the establishment of mechanisms for the public to request police service; the creation of forums for open discussion of crime and safety problems; and the introduction of community-based policing.[148]

Communication with and confidence-building among the public may be particularly challenging with minority communities, if they have experienced discrimination or other forms of oppression at the hands of the police in the past, and may therefore have a strong sense of distrust towards the police. Since Roma and Sinti have had negative encounters with the police in many parts of the OSCE area (see Chapter II.) the police may need to invest special efforts in building up relations of trust and partnership with their Roma and Sinti communities.

Improved co-operation and a partnership-based problem-solving approach will also improve the performance of the police and reduce tensions and conflict in view of certain police operations with particular potential for causing tensions and conflict between the police and Roma and Sinti communities such as the enforcement of laws that affect Roma and Sinti in specific ways, for example, the rights of residence or traveller groups.[149]

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[147]   Cf. Oakley, "Practical Measures for Improving Relations between Ethnic Minorities and the Police (op.cit. note 12), p. 85; and
Oakley, Robin, "Building Partnerships Between Police and Minorities", in: OSCE ODIHR, *Policing and Roma: A Resource Manual. A Compilation of Documents to Support Implementation of the OSCE Action Plan for Roma and Sinti.* Unpublished draft document produced for the ODIHR CPRSI, pp. 117-123, here p. 118.

[148]   OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), pp. 42f.

[149]   Cf. Oakley, "Practical Measures for Improving Relations Between Police and Minorities" (op.cit. note 12), p. 87.

The following sub-chapters will therefore first describe the principles and good practices in building partnerships between the police and Roma and Sinti communities and then the procedures for appropriately conducting sensitive police operations, according to the principles of democratic policing.

It should be noted that the concrete implementation of confidence-building activities and police operations described below should always be based on the needs and the relevant policies and codes of conduct that have been assessed and developed in advance; that the officers' skills and knowledge should have been developed to effectively follow the codes of conduct in their activities; and that the officers are equipped appropriately to perform their activities professionally.

III.5.1 Building Partnerships

The most basic requirement for building partnerships is the opportunity to communicate with each other. It is also necessary that the police are accessible to the public where and when needed. Moreover, the police must have a certain level of readiness and sufficient resources to adequately respond to public needs when it comes to accidents, crimes and other emergencies. The most immediate means of communication to provide protection of life and property are emergency telephone lines that people may use to call for assistance, as well as patrols, in particular foot patrols by neighbourhood officers, and contact points in local police (sub-)stations, including Roma and Sinti liaison officers. Police agencies should ensure that neighbourhood officers and Roma and Sinti liaison officers remain in their positions for a reasonable time to allow them to get to know "their" communities and vice versa and to win and maintain the communities' trust, confidence and willingness for co-operation.[150]

Since Roma settlements are often located at the outskirts of towns, public authorities should ensure that logistical requirements are fulfilled to allow the police to have ready access to the communities. This would include creating police posts in remote areas, constructing asphalt roads to Roma and Sinti settlements allowing easy access by the police during all types of weather conditions, as well as providing cars for the police to rapidly reach remote settlements.

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[150]   Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 43.

A further basic requirement for police accessibility is that the public understands the role and tasks of the police and is informed about the services that the police are obliged to deliver. This would enhance the confidence of the population in approaching the police when police services are needed.

Another basic requirement for communication is the ability of the police to speak to and understand persons from Roma and Sinti communities if they are only able to speak local Roma languages. The best strategies to address this aspect of communication are to provide language courses for police officers and recruit police officers from Roma and Sinti communities. A less ideal but still workable solution is the use of qualified and experienced interpreters.[151]

In addition, there are a variety of methods for the police to develop communication with Roma and Sinti communities. Leaflets, news-papers, and radio and television broadcasts are helpful for conveying information. However, policies must be developed that govern the choice of information to be released, for example, information that raises public confidence or gives a feeling of safety, or general facts about the objectives of the police and how they work. Information that would compromise police investigations and confidential information relevant to maintaining public security or the presumption of innocence must not be publicized. Police organizations need to review their press releases to ensure that they avoid any discriminatory association of Roma and Sinti ethnicity and crime. The police should also request from the media not to misinterpret statistics and crime-related data with the potential for fostering prejudices and negative stereotypes against Roma and Sinti, thus stigmatizing entire communities.[152]

Despite the media's value for facilitating transparency and com-munication, the use of public media usually involves one-way com-munication which does not allow for a mutual exchange of information that would be more useful for building mutual understanding and trust.[153]

Structures for facilitating the mutual exchange of information and personal views include police open days, public meetings, community forums, community advisory boards and joint police-community

[151] Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), pp. 27f.
[152] Cf. ECRI, *ECRI General Policy Recommendation No. 3*, (op.cit. note 55), p. 5.
[153] Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), p. 25.

workshops. The idea of creating such forums for open discussion is derived from the community-based policing approach, which aims at fostering co-operation between the police and the population in identifying and resolving issues of concern to citizens, for example, problems of crime, social disorder and the overall quality of life in the community.[154]

Public forums, such as community advisory boards,[155] are the most structured institutions for a two-way dialogue and active community participation in problem-solving. To be able to cover the problems of the entire neighbourhood and to provide resources for solving them, their composition should be representative of all communities and agencies residing and working in the neighbourhood. They should therefore be composed of representatives from local administrative agencies, courts, the prosecutor's office and the police, as well as social, health and environmental services, housing boards, educational and religious organizations, business associations, private security companies, minority groups, human rights and other NGOs, the media and sport organizations, etc. They should also be open to every individual community member interested in their activities.[156]

Mobilizing Roma and Sinti communities might be a difficult task for different reasons. They might be reluctant to co-operate with the police because of:

- previous bad experiences with the police, for instance either being mistreated or not given protection;
- a lack of self-organization;
- unfamiliarity with such types of public gatherings;
- ideological barriers towards co-operation with the police by certain segments of the community;
- fear of retaliation from certain community members, if active participants are considered to be police collaborators; or simply because

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[154] Cf. OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 45;
OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 26-28 and 44; and
OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), pp. 25f.

[155] In the OSCE area, such public forums have different names. In addition to "Community Advisory Boards", one can find for instance, "Citizen Advisory Boards"; "Community Advisory Boards"; "Community Safety Action Teams"; or "Local Public Safety Committees". Despite their different names, they all share similar conceptual characteristics with respect to structure, functioning and tasks.

[156] OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 50f.

- a lack of awareness of any immediate personal gain from their voluntary participation.[157]

In cases where Roma and Sinti communities are reluctant to convene with other community groups, thematic forums could be established, at least at an initial stage, including only members of the Roma and Sinti community and representatives from government agencies, and focusing only on the needs and demands of this specific community. Another option would be to hold discussions with these particular groups and to incorporate the results of these meetings in the discussions of the general public forum.[158]

On all these occasions, the police should listen to the complaints and concerns of the communities and educate them on police policies and tasks related to problem-solving. Furthermore, the police should clearly and effectively communicate the reasons for their actions.[159]

Members of Roma and Sinti communities should be empowered to make the most effective and efficient use of these structures.[160] This could include capacity-building in the form of workshops and other training formats (including joint training with police and other government officials). According to ECRI Policy Recommendation No. 3, training should also provide Roma and Sinti with the knowledge of their rights and the functioning of the legal system.[161] Another component could be community-awareness campaigns at which participants learn about the overall purpose and proper functioning of the forums and participants' roles, rights and duties in problem-solving. Such events would offer participants a chance to develop their skills in problem identification, priority setting and drafting project proposals as well as implementing and evaluating projects.

Empowerment also means that the police agree to a two-way dialogue on an equal footing, based on shared knowledge, and equal decision-making and priority-setting rights. In order to maintain a shared knowledge base, the communities should continuously be informed about progress in, successes of, and shortcomings in community policing. Inaccurate information and rumours should always be corrected quickly; otherwise, they may lead to misperceptions, frustration and a loss of interest. An information network should be

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[157] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 48f.
[158] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 52.
[159] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 5
[160] Cf. ECRI, *ECRI General Policy Recommendation No. 3* (op.cit. note 55), p. 5.
[161] Cf. ECRI, *ECRI General Policy Recommendation No. 3* (op.cit. note 55), p. 5.

established that ensures correct and quick transmission of information. In this context, the media play an important role (see also p. 85).[162]

Since NGOs can play a critical role as part of information-sharing networks, they should be involved in the creation of co-operative structures, even if there have been tensions and controversies between NGOs and the police in the past. The police should accept NGOs as their "critical friends". As mentioned above (Chapter III.1.1), NGOs should be selected based on criteria such as their stability, accountability and authentic representation of their constituencies. ECRI Policy Recommendation No. 3 explicitly recommends to "[…] encourage Roma/Gypsy organizations to play an active role." Co-operation protocols, clearly describing the common goals, and the tasks, rights and obligations of all partners involved would be helpful to establish sustainable partnerships.[163]

The forums' decisions must have an impact on the work of the police and other public administration agencies. Public officials must therefore have the competencies and power to translate the needs and demands into tailored policy and action. Otherwise, the communities will soon lose interest in participating in problem-solving and may use public forums only as an instrument for making complaints, if they continue to attend the meetings at all.[164]

Furthermore, joint problem-solving initiatives need to be sustained over the long term with some consistency in the working relationships to demonstrate the seriousness of the police approach and foster long-term partnership.

For a detailed description of the organization and management of public forums, see *Good Practices in Building Police-Public Partnerships.*[165]

In societies with no tradition of public community gatherings, for instance, where extended families are the predominant structure of social control and exchange between community groups, these contacts may be the only way to involve these groups in problem-

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[162] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 57-58.

[163] ECRI, *ECRI General Policy Recommendation No. 3* (op.cit. note 55), p. 5; and Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), p. 67.

[164] OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p. 54.

[165] Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 48-57.

solving. The police could also serve as mediators or facilitators in co-operation with traditional and informal conflict resolution mechanisms to solve conflicts between families. The police should, however, take care that they do not co-operate with groups and institutions that are opposed to human rights and the rule of law. While recognizing the traditional family structures, the police should also ensure that they are able to promote opportunities for democratic participation for those who may traditionally have subordinate positions within family structures. Closely related to this is the need for specifically reaching out to and empowering women, who in some cultures have often been excluded from participation and may lack confidence and skills.[166]

Another appropriate instrument for actively involving neighbourhood residents in problem-solving may be neighbourhood watch schemes, since they could contribute to supporting the police, fostering routine communication between the public and the police, and enhancing the communities' spirit of responsibility for their own safety. In order to avoid the risk that members of a neighbourhood watch scheme might try to take the law into their own hands and turn to vigilantism, or be exploited by influential community groups for their own purposes, it must always be clear that they have a reporting role to play only and that the monopoly of the use of force remains in the hands of the police. It would therefore be advisable to have clear and strict regulations in place on neighbourhood watch schemes and a police officer installed who would act as their supervisor and co-ordinator, taking responsibility for their actions. Such neighbourhood watch groups should not be of mono-ethnic composition, because this may lead to segregation from other ethnic groups.[167]

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[166]   OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), p. 56.
[167]   Cf. OSCE, *Good Practices in Building Police-Public Partnerships* (op.cit. note 46), pp. 56f.

Examples of partnership-building initiatives

Introduction of liaison officers

In the framework of their community policing strategies, a number of participating States have introduced specific liaison positions for police officers working in Roma and Sinti communities who received additional training on community policing with a focus on the specific needs of these communities, including language training.

In Slovakia, following a successful pilot project, 'Police Specialists' have been introduced in all regions for work with Roma communities. In addition to maintaining close contacts with the Roma and Sinti communities and other relevant governmental and non-governmental agencies, they serve as liaison officers between the Roma and Sinti communities and other police officers. They are present at executions of court orders, and regularly take part in the questioning of Roma suspects. In addition to their crime-prevention activities they also devote a significant amount of time to providing legal advices and assistance in administrative issues (e.g. applying for identity and travelling documents, driving licences and social welfare). Experience has shown that Roma and Sinti communities have developed a great deal of trust in these officers.[168]

Introduction of police assistants in Roma communities

In 2006, in the Czech Republic, the Ministry of Interior introduced 'Police Assistants' operating in socially excluded areas; and in the city of Brno, a "Roma Police Assistance" programme was initiated. The aim of the project was to introduce Police Assistants, selected from the Roma community and trained in mediation and the facilitation of communication and contact between the Roma community and the police.

Partly funded from the police and the European Structural Funds, supported by the NGOs Life Together and DROM, and co-operating with the police, other government authorities, schools and social services, three Police Assistants have been providing services for the community in establishing contact with the police, improving relations between the police and the

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[168] Cf. Ministry of Interior of the Slovak Republic/Presidium of the Police Force/Public Order Department, *The Project of the Police Specialists for the Work with Communities* (op.cit. note 125), pp. 15ff.

[169] Cf. DROM Romany Centre, *Assistance of Criminality Prevention*, paper provided at the OSCE Experts workshop on Initiatives and Good Practcies in Building Trust and Understanding among the Police and Roma and Sinti Communities, Vienna, 28/29 October 2009.

communities, providing the police with guidance on the communities, and providing the communities with information on potential risks resulting from their lifestyle, focusing primarily on youth and children, victims and offenders, and on the issues of petty crimes, drug abuse and domestic violence.[169]

Issuance of identity cards and birth certificates for Roma and Sinti

The lack of an official identity is a severe cause of social exclusion of Roma and Sinti. A number of participating States, in co-operation with NGOs, have therefore introduced projects to issue identification cards and birth certificates for Roma and Sinti who have not previously possessed these essential documents.

Implementation steps of these projects included:
- campaigns to raise awareness among Roma and Sinti about the legal and social importance of the documents;
- identification and establishment of legality of Roma and Sinti who did not have IDs or valid IDs;
- juridical consultancy in court with the purpose of obtaining birth certificates;
- visits of Roma to take their pictures and personal data;
- the raising of funds (from external sources) for acquiring the IDs.[170]

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[170]   Cf. Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), pp. 77f; and Danish Center for Conflict Resolution et.al., *Report on Regional Workshop on Policing Minorities* (op.cit. note 96), pp. 9, 14, 16 and 35.

Examples of public forums with Roma representation

In a number of participating States, there are Roma councils at the municipality and national levels, which represent the concerns and interests of Roma communities in public forums, and where the police, other government agencies, civil society and the private sector are also represented.

In Hungary, the police established a "Citizens' Advisory Board" in Nograd County, comprised of representatives from all communities in the county, including Roma representative. The Board has been assisting the police district in developing various programmes and strategies to promote an improved image of the police, increase their credibility within the district. and develop a problem-solving culture to promote public order and safety within the county. Joint training and regular roundtable discussions have been taking place between all community representatives.[171]

In the former Yugoslav Republic of Macedonia, the Ministry of Interior established specific Roma "Citizen Advisory Groups" (CAGs) in several municipalities. Based on proposals raised by the CAGs, the local police has been reinforcing police presence and provided awareness-raising events for juveniles and their parents on the potential risks of going out at night; raised Roma children's awareness on traffic safety issues; and raised awareness of the Roma community and all stakeholders concerned with safety and crime prevention, including issues such as domestic violence and drug abuse.

In Serbia, the police and Roma representatives implemented the project "Development of Cooperation with the Roma Community in the Field of Strengthening Security Protection and Position of the Roma People in the Municipality of Grocka". The project aimed at achieving better communication and greater police availability that would contribute to better protection of Roma, smooth issuance of identity cards and social integration.[172]

In Finland, Advisory Boards on Romani Affairs have been established at the national, provincial, regional and municipality level, comprising representatives from the police, other government agencies, and Roma NGOs monitoring and working to, *inter alia*, end all forms of discrimination, promote

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[171] Project on Ethnic Relations, *Toward Community Policing: The Police and Ethnic Minorities in Hungary* (op.cit.note 125), p. 11; and
Geskó, Sándor, *Rendörök es romák: konfliktusok, vagy párbeszéd?* [*Policemen and Roma: Conflicts, or Dialogue?*], Mediátor Tanácsadó Iroda, 2000, p. 42.

[172] Cf. written input by the Ministry of the Interior of the Republic of Serbia to this publication.

[173] Grönfors, Janette/Kankainen, Heidi, *Buidling Trust and Understanding among the Police and Roma in Finland*, presentation at the police experts workshop on "Police and Roma and Sinti. Good Practices in Building Trust and Understanding", Vienna, 28 September 2009.

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their culture, and develop the living conditions and opportunities of the Roma to participate in society. While the boards at the provincial, regional and municipality level focus primarily on settling concrete issues at the local level, the national board has been influencing development in Finnish legislation, administration and other initiatives in areas that affect the Roma.[173]

III.5.2 Conducting Police Operations

Notwithstanding the importance of confidence-building initiatives, Roma and Sinti communities will ultimately only develop trust in the police if the latter demonstrate on a daily basis their willingness and competency to deliver professional quality-based service to all community members, including Roma and Sinti, particularly in activities with great potential for conflict and tensions. The appropriate way of conducting such operations will be described in this sub-chapter.

As one of the most visible elements of public authority, it is important for the stability of the social fabric of the state that the police be seen to exercise their powers in an exemplary manner, always acting professionally, in accordance with human rights and applying the law in an impartial and non-discriminatory manner. Roma and Sinti must therefore be treated fairly, equally and with the same respect as other communities.

Furthermore, because of their above-mentioned role and unique powers, the police, within the framework of the law, need to take account of the Roma and Sinti communities' specific vulnerability to racially motivated discrimination and violence. Insofar as the police have powers to address such unlawful actions, proper provisions should be made to protect Roma and Sinti communities.

Finally, while dealing with Roma and Sinti communities, the police need to be aware of and take into account relevant cultural diversity.

These principles will be translated below into practical guidance in view of specific police operations.

Patrolling in Roma and Sinti Areas

Inappropriate and high levels of law enforcement in Roma and Sinti communities taking the form of, for example, disproportionate numbers of patrols among, or menacing behaviour towards these communities, by sometimes heavily armed units, must be avoided.[174]

Police patrols should always demonstrate that they are accessible for everyone and respond to the needs of communities. Their tactics and appearance (e.g. visibility and types of weapons, choice of uniforms) should be appropriate to their tasks and not unnecessarily provoke fear or tension.[175]

If possible, multi-ethnic police units, including members from Roma and Sinti communities, should patrol in neighbourhoods with Roma inhabitants. A minimum requirement would be that members of the patrol units are able to communicate with the Roma and Sinti in their own language.

As part of community-policing initiatives, neighbourhood officers should have a liaison function, acting as contact person for the neighbour-hood's inhabitants.

When entering the homes of Roma and Sinti, police officers should strictly respect the specific customs of the Roma. Relevant information should be provided during police training and through information brochures (see Chapter III.4.3, p. 79).

Partnerships could be established with neighbourhood watch groups (see Chapter III.5.1, p. 89) and other crime prevention schemes developed in co-operation with the communities.

Stops and Searches

Being aware of the ineffectiveness and relation-damaging impact of ethnic profiling, police should consciously stop the practice of ethnic profiling when conducting stops and searches.

Officers should always act politely and professionally. This makes the situation more comfortable for the person being stopped and searched,

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[174]   OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 27.
[175]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 18, p. 35.

thereby enhancing the relationship between the police and the public. If the use of force is necessary during these actions, the police must always adhere to the principle of the minimum use of force and the proportionality of the level of force to a specific threat, minimizing damage and injury.[176] This is particularly relevant in the context of police raids, where the disproportionate frequency and use of force as well as the unnecessary level of destruction of property and threats against people lead to further estrangement of the Roma and Sinti from the police.

Examples of promoting tension-free stop and search procedures

In 2007, the Hungarian National Police published an informational booklet on citizens' rights and obligations in connection with police stops and searches. The motivation behind the awareness-raising project was to promote closer co-operation of citizens with law enforcement agencies as well as to reduce maltreatment and profiling of minorities, mostly Roma, by the police. The guidelines have been developed in co-operation with human rights NGOs, for example, the Hungarian Helsinki Committee.[177]

In Spain, the local police of Fuenlabrada, in co-operation with the Open Society Institute, prepared an information leaflet in four different languages (Arabic, English, Romanian and Spanish). The leaflet is distributed to people stopped by the police, explaining to them their obligation to co-operate with the police and their rights to:

- be greeted politely and treated in a correct and kind manner;
- be given a brief explanation of the reason for the request for identification;
- be entitled to know the police identification number of the police staff conducting the stop;
- receive a copy of the stop/identification form;
- file a complaint form if they feel they are not treated correctly.[178]

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[176] OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 34-36.
[177] ORSZÁGOS RENDŐR-FŐKAPITÁNYSÁG, TÁJÉKOZTATÓ az állampolgárok részére a rendőri igazoltatásról [National Police Headquarters, Information for the Citizens about Police Stops and Searches], Budapest 2007.
[178] Ayuntamiento de Fuenlabrada, *Derechos ciudadanos ante identificaciones y registros policiales* [Citizen's Rights Concerning Identifications and Police Searches], Fuenlabrada.

Example of monitoring and collecting data on police practices in stop and searches

In Spain, an initiative of the local police of Fuenlabrada, in co-operation with the Open Society Institute, has been focusing on improving police accountability with regard to stop and search activities. A monitoring systems has been introduced, including forms that need to be filled out by the officers describing:

- the ethnicity and/or nationality of the person being stopped;
- the name of the officer conducting the stop;
- the time, date, and place of stop;
- the legal grounds for the stop;
- the grounds for suspicion;
- the outcome (no action, fine, arrest, warning); and including
- additional space to describe the stop situation more specifically for intelligence purposes.[179]

A copy of the form had to be given to the stopped person. The forms also include information on the individual's rights and how to complain if the person stopped was dissatisfied with his or her treatment by the police.

This practice has led officers to focus on their treatment of people during stops. The forms have also been reviewed by supervisors to define the extent of ethnic profiling.

In addition to this internal way of monitoring, external monitors from civil society have also been included to monitor the performance of the police and discuss their observations with police supervisors.[180]

The collection of ethnic data is necessary to determine the extent of ethnic profiling. The data could also be used in discussions with communities about the reasons for disparities in stop practices and help developing policies to respond to them.[181] In cases where the stops are only perceived by Roma and Sinti communities to be discriminatory, the police may be able to justify a disproportional number of stops of Roma and Sinti, and the communities may accept occasional disproportionate but necessary police activities.[182] In view of the sensitivity of ethnic data (see also Chapter III.1.4), participating

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[179]   Cf. Open Society Institute, *Addressing Ethnic Profiling by Police* (op. cit. note 25), p. 64. A copy of that form is attached in Appendix 4.

[180]   Cf. Open Society Institute, *Addressing Ethnic Profiling by Police* (op. cit. note 25), p. 61; and Hungarian Helsinki Committee, *Control(led) Group* (op.cit. note 134), p. 63.

[181]   Cf. Open Society Institute, *Addressing Ethnic Profiling by Police* (op. cit. note 25), p. 19.

[182]   Cf. Hungarian Helsinki Committee, *Control(led) Group* (op.cit. note 134), p. 61.

States must ensure that the Council of Europe's recommendations on the *Protection of Personal Data collected and Process for Statistical Purpose* are adhered to.[183]

Evictions and Executions of Court Orders

In the event that the police are requested to support other authorities in executing a court order and evicting Roma and Sinti families from an unauthorized encampment or from illegally occupied houses/ apartments, they should first consider the following steps while initiating contact to the people involved:

While approaching Roma and Sinti, police officers must always pay respect to their customs.

When visiting the site of the encampment or house/apartment, the police should also involve the owners of the land or house/apartment from the beginning to ensure transparency.

If available, a Roma and Sinti liaison police officer should be present at each encampment or house as soon as possible along with the duty officers as he or she may be better prepared to mediate between the landowners and the Roma and Sinti.[184]

Second, police officers should assess the situation at the encampment site or house/apartment, focusing on, *inter alia*, the behaviour displayed by the occupants (whether acceptable or criminal) and its impact on the local community; the occupants' views on their desired duration of stay and welfare needs; the health and education situation; the level of tensions between settled community/owners of the land or house/apartment and Roma and Sinti; housing options etc.

A third important aspect is the co-operation with other governmental and non-governmental agencies with regard to mediation, search for compromises, provision of appropriate alternative encampment and housing sites, and consideration of education and health needs.[185] The

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[183]   Cf. Council of Europe Committee of Ministers, Recommendation No. R (97) 18 (op.cit. note 55).

[184]   In the United Kingdom, the police have to deal in this context primarily with "Gypsy and Irish Traveller" communities.

[185]   Cf. Council of Europe, Recommendation Rec(2005) 4 of the Committee of Ministers to Member States on *Improving the Housing Conditions of Roma and Travellers in Europe*, Strasbourg, para. 26; see also

police should not, however, take the lead on these issues and in particular not the role of manager of the sites.[186]

Example of providing appropriate encampment sites

In France, towns of more than 5,000 inhabitants are obliged to provide encampment sites for a certain number of travelling Roma and Sinti communities (e.g. 50 people). This regulation has proven useful for defusing the encampment situation in the country.[187]

Fourthly, in regard to the eviction process, police officers should ensure that evictions reflect common humanity (not during the night, and providing sufficient time to feed children etc.), and they should adhere to the principle of proportionality when they have to use force, also keeping in mind the dangers of using heavy equipment and setting buildings on fire. Transparency of the eviction would also be ensured and the legality of the process documented by recording the intervention on film.[188]

Naturally, the amount of logistical resources and tactical planning/operational procedures required for "mass evictions" are different than those required for the eviction of small groups. The police and other governmental agencies should therefore be prepared to provide adequate resources for the professional handling of such operations.

United Nations Committee on Economic, Social and Cultural Rights, *General Comment No. 7. The right to adequate housing (Art. 11.1 of the Covenant): Forced Evictions*, Sixteenth session 1997, para 16.

[186] See, for example: Association of Chief Police Officers of England, Wales & Northern Ireland 2008, *Guidance on Unauthorized Encampemts* (op.cit. note 69), pp. 3-9; see also South Norfolk Council, *A Startegy for Gypsies and Travellers in Norfolk*, April 2005-March 2008, p. 15; and
Richardson, Joanna, *Policing Gypsies and Travellers*, Leicester 2005, pp. 24-31; and Merseyside Police 2009, *Gypsy & Traveller (Policy & Procedure)*, Version V1. 3-4th March 2009, pp. 8-10.

[187] Dubuis, Samuel, *Etat des relations entre la police et les Roms, Sinti et voyageurs: des contacts locaux établis autour des aires d'accueil*, presentation at a police experts workshop on "Police and Roma and Sinti. Good Practices in Building Trust and Understanding", Vienna, 28 September 2009, p. 1.

[188] Cf. United Nations Committee on Economic, Social and Cultural Rights, *General Comment No. 7. The right to adequate housing (Art. 11.1 of the Covenant): Forced Evictions*, (op.cit. note 185), para 15;
Coxhead, *Moving Forward. How the Gypsy and Traveller Communities can be more engaged to improve policing performance* (op.cit. note 95), p. 27; and
Merseyside Police 2009, *Gypsy & Traveller (Policy & Procedure)* (op.cit. note 119), p. 11-12; and
Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), pp. 54, 57 and 88.

Example of guidelines for conducting operations in Roma communities

In Romania, the Ministry of the Interior produced a standardized operational procedures manual for special intervention forces, including a chapter on "Intervention in Events within Marginalized Communities with a High Degree of Solidarity", focusing on the behavioural characteristics and measures that need to be taken by law enforcement during intervention so that human rights are not violated. The manual describes preparatory steps, such as the documentation of the population structure, characteristic features of customs and attitudes of the population, identification of potential collaborators and spoilers and land configuration.

The manual also provides strategies for ensuring the safety of the police during the operation and the de-escalation of potential tensions, *inter alia*, by involving local police officers, local authorities, local community leaders in the public information and mediation process, as well as measures to evaluate police operations, including video recording of operations.[189]

Preventing and Managing Conflict between Different Communities

A basic contribution of the police in preventing and managing conflict and tensions between Roma and Sinti communities and other communities is the monitoring of the levels of tensions between the communities, on the basis of evidence and systematic indicators. "The evidence should consist of (a) the number and seriousness of specific incidents (e.g. public statements, display of offensive messages, threats or inter-personal violence) between persons or groups belonging to different ethnic communities that have potential for escalation, and (b) intelligence derived from community sources about general levels of inter-ethnic conflicts of interest, and levels of animosity between groups, or about plans being made for specific hostile actions."[190] The police will receive such information only if communities trust them and have confidence in their ability to prevent a further escalation of tensions. The reliability of the information also depends on mutual trust.

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[189]   Cf. Romanian Police General Inspectorate/Prevention and Psycho-sociology Institute, *Assessment report on Policing and Roma Communities*, Bucharest 2009, p. 4; and Ministry of the Interior, *Intervention in Events within Marginalized Communities with a high Degree of Solidarization. Particularities and Recommendations*, Bucharest 2007.

[190]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 21, pp. 39f.

Consultations with the communities, involving other state agencies, should also result in jointly-developed crime prevention initiatives. This could include efforts to mediate between different groups, and to integrate groups into society. In the case of ongoing tensions, there should be efforts to increase visible police and neighbourhood watch patrols and infrastructural measures (in co-ordination with the municipalities). The aim would be to improve the surveillance capacities of the police by installing cameras or to improve the security situation in general by providing disadvantaged local areas with improved lighting and paved roads allowing for easy access to the police and vice versa.

Example of a conflict resolution initiative

In Romania, the NGO Roma Centre for Social Intervention and Studies (Romani CRISS) launched a project entitled "*Roma Roundtable Series for the Promotion of Trust and Communication in Communities and the Prevention of Criminality*". The participants of these roundtables included local Roma, police and other administrative and governmental actors, and religious organizations, NGOs and others. These events allowed for open discussion and dialogue on the relations between different communities and the police and promoted ways of preventing and responding to crisis situations.[191]

In the case of escalation of violence between ethnic groups, the police must intervene in a way that maintains their legitimacy in the eyes of all groups. This requires, on the one hand, unbiased behaviour, prosecuting breaches of law by all sides in a conflict by not preferring one side. On the other hand, force must be used as a last resort only, particularly the use of firearms, and always at a minimum level, proportional to a respective threat, while minimizing damage and injuries. When using force, police officers must strictly follow clear codes of conduct. Every instance in which a firearm is discharged must be promptly and thoroughly reported to the respective authorities.[192]

As an agency representing the state, all activities by the police and other state agencies will be closely watched by all communities involved and their actions may have a crucial effect on the relationship

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[191]   Cf. European Commission against Racism and Intolerance (ECRI) 2001, *Practical Examples on Combating Racism and Intolerance against Roma/Gypsies* (op.cit. note 67), pp. 61f.

[192]   For a comprehensive elaboration on the use of force, see OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), pp. 34-36.

of the different communities with the state as. By acting in an unbiased and professional manner in managing conflicts between different ethnic communities, the police and the other agencies must try to gain and hold the confidence of all communities in the state.

Combating Hate-motivated Incidents and Crimes

The fight against hate crimes does not start with their investigation. Governments must take effective measures, including the adoption – in conformity with their constitutional systems and international obligations – of such laws as may be necessary to provide protection against any acts that constitute incitement to violence against persons or groups based on national, racial, ethnic discrimination, hostility or hatred.[193] Within the framework of national legislation, while respecting freedom of expression, governments are obliged to counter incitement to imminent violence and hate crimes.[194] Moreover, they must combat hate crimes that are often fuelled by racist propaganda in the media or on the Internet, and appropriately denounce hate crimes publicly whenever they occur.[195] Based on international obligations, governments must also prohibit organizations and also organized and all other propaganda activities that promote and incite racial discrimination.[196] In order to gain the confidence of the Roma and Sinti communities, the police need to demonstrate a proactive approach and willingness to use their powers to act against racism, while at the same time explaining to Roma and Sinti communities the constitutional requirements of the policing role.[197] The types of public forums as described in Chapter III.2.1 would be the appropriate place to discuss these issues.

With regard to the fight against hate crimes, the "element of racism or ethnic hatred […] is often explicit, though sometimes it may be subtle or

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[193]   Conference on Security and Co-operation in Europe, *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE*, Copenhagen 1990.

[194]   OSCE, Decision No. 10/07, *Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding*; MC.DEC/10/07, Madrid 2007.

[195]   OSCE, Decision No. 12/04, *Tolerance and Non-Discrimination*, MC.DEC/12/04, Annex, Sofia 2004.

[196]   United Nations General Assembly, Res. 2106(XX), *International Convention on the Elimination of All Forms of Racial Discrimination* (1965), Article 4(b).

[197]   Cf. Oakley, Robin, "Tackling Racist & Xenophobic Violence in Europe: The Role of Police", in: OSCE ODIHR, *Policing and Roma: A Resource Manual. A Compilation of Documents to Support Implementation of the OSCE Action Plan for Roma and Sinti.* Unpublished draft document produced for the ODIHR CPRSI, pp. 107-116, here pp. 114f; see also Oakley, *Tackling Racist and Xenophobic Violence in Europe*, Council of Europe Publishing, 1996, pp. 59-75.

concealed. In multi-ethnic contexts, police should always consider the possibility of such motivation in crime, and (regardless of their own initial view on the matter) should always accept for investigation the allegation of the victim or any other person that an element of racial motivation was involved."[198]

In order to combat ethnically motivated crime, the police must record (given that procedures for recording are provided) and investigate such crimes (see Policies (Chapter III.2.2) and Guidelines (Chapter III.2.3)). Evidence of elements of ethnic motivation must be properly collected so that it can be presented in court.[199] This will allow the court to take into account a possible bias motivation when determining the sentence.

"Police need to ensure that not only majorities but also minorities, who are disproportionately victims of such crimes, have the confidence to report such crimes, and police should co-operate with NGOs and community groups for this purpose."[200] An initial step to enhancing the confidence of Roma and Sinti communities is for the police leadership to consult with victims and community representatives to listen to their concerns, and to publicly demonstrate an understanding of the nature and effects of such crimes. These consultations would need to be followed by public statements that the police are committed to combating racially motivated crimes and that no degree of impunity is tolerated as regards crimes committed against Roma,[201] including by law enforcement officers. (For other suitable measures of communication with the communities, see Chapter III.5.1.)

Police may also introduce mechanisms for anonymous reporting of hate crimes when community members are reluctant to report such incidents.[202]

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[198]   OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 19, p. 36.

[199]   Cf. OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 19, p. 37.

[200]   OSCE High Commissioner on National Minorities*, Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 19, p. 37; see also
OSCE Office for Democratic Institutions and Human Rights, *Preventing and Responding to Hate Crimes. A Resource Guide or NGOs in the OSCE Region* (op.cit. note 12), p. 19ff.

[201]   ECRI, *ECRI General Policy Recommendation No. 3* (op.cit. note 55), p. 5.

[202]   Cf. Danflous, Romy, *Policing in Relation to Roma, Gypsy and Traveller Communities* (op.cit. note 128), p. 268.

In Finland, the Government established a programme focused on increasing the reporting of hate crimes and building community confidence. Through visibility campaigns, training seminars and the distribution of information materials, the initiative aimed at empowering relevant NGOs and encouraging victims – including Roma – to report hate crimes.[203]

In Sweden, *Romska Riksförbundet* (The National Federation of Roma People) began a two-year hate crime prevention initiative, in co-operation with other associations and the Government. The project aims at improving the knowledge and capacity of Roma to report hate crimes, enhancing confidence in the judicial system and improving data collection, as well as informing the authorities and general public of Roma concerns.[204]

In the United Kingdom, the CD *Del gavvers pukker-cheerus* ["Give the Police a Chance"], which has been produced by Cambridgeshire Constabulary (see Chapter III.3.1), also encourages the Roma community to report hate crimes.[205]

In compliance with the Council of Europe's Recommendations on the *Protection of Personal Data Collected and Processed for Statistical Purposes* (see also Chapters III.1.4 and III.5.2), the police should also "compile anonymized, aggregated statistical information about such crimes, and analyse it so that they can monitor the incidence of such crime and their own effectiveness in responding to it. Such data should be made available to other public authorities and NGOs, so that they can co-operate with the police in undertaking preventive action."[206] Official data should also be complemented by data collected by NGOs to provide the most comprehensive picture of the situation.[207]

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[203] OSCE Office for Democratic Institutions and Human Rights, *Hate Crimes in the OSCE Region – Incidents and Responses. Annual Report 2008* (op.cit. note 12), p. 39.

[204] OSCE Office for Democratic Institutions and Human Rights, *Hate Crimes in the OSCE Region – Incidents and Responses. Annual Report 2008* (op.cit. note 12), p. 39.

[205] Coxhead, John/Home Office 2005, *Moving Forward. How the Gypsy and Traveller Communities can be more engaged to improve policing performance* (op.cit. note 92), p. 25.

[206] OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 19, p. 37.

[207] Cf. OSCE Office for Democratic Institutions and Human Rights, *Preventing and Responding to Hate Crimes* (op.cit. note 12), p. 27.

Furthermore, the police should take all appropriate measures to provide, in co-operation with other government agencies and NGOs, support and protection to the victims of such crimes and to keep the victims informed about the progress of investigations. Here again, the police – often the first point of contact for victims of crime – have the obligation to inform the victims of their rights and to provide them access to justice.[208]

In addition to closely communicating with the communities in order to assess the level of tensions, as in the case of preventing and managing ethnic conflicts in general, specific measures to prevent hate crimes would also include the monitoring of extreme right or neo-Nazi groups with the support of the intelligence services. NGOs can play an active role in monitoring the media and the Internet for hate speech.[209]

The main preventive action by the police remains, however, a swift and effective police response to acts of hate speech and hate crimes, having a deterrent effect on potential offenders.

III.5.3 Ensuring Accountability with Regard to Police Actions

As part of democratic policing, enforcement agencies are subject to control, oversight and checks to ensure their integrity and proper performance.[210]

Effective internal and external complaint and oversight mechanisms must be in place to deal with complaints against police misconduct during police operations. The representation of Roma and Sinti in these structures would significantly increase the police's legitimacy among Roma and Sinti communities.

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[208]   OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 30;
         Council of Europe, Recommendation No. R (85) 11 of the Committee of Ministers to Member States on the *Position of the Victim in the Framework of Criminal Law and Procedure* (1985), Arts. 1-4.
         OSCE High Commissioner on National Minorities, *Recommendations on Policing in Multi-Ethnic Societies* (op.cit. note 28), Rec. 20, p. 37; see also
         ECRI, *ECRI General Policy Recommendation No. 3* (op.cit. note 55), p. 4 and
         OSCE Office for Democratic Institutions and Human Rights, *Preventing and Responding to Hate Crimes* (op.cit. note 12), pp. 21 and 33-41.
[209]   OSCE Office for Democratic Institutions and Human Rights, *Preventing and Responding to Hate Crimes* (op.cit. note 12), pp. 43-45.
[210]   OSCE, *Guidebook on Democratic Policing* (op.cit. note 34), p. 39.

The routine video recording of police operations such as stops, searches, raids, evictions and public order management would significantly facilitate the investigation of complaints and enable investigators to confirm or disprove accusations.

Results of investigations and related sanctions must be made public; otherwise, the public will not gain trust in the oversight mechanisms.

Furthermore, the public acknowledgement and condemnation of cases of racist or unprofessional behaviour of police officers against Roma and Sinti, combined with appropriate disciplinary and legal action against offenders and compensation for the victims of the offence, would significantly enhance the confidence of Roma and Sinti in the police and improve mutual relations.

The oversight institutions should also have the capacity to analyse and evaluate police actions in order to identify trends of police misconduct and training needs to address the shortcomings.

Example of an oversight institution dedicated to police-Roma relations

In Romania, a Consultative Committee was set up at the General Police Inspectorate, comprising managers of the main division in charge of maintaining public order, human resources, and institutional organization and development within the police. It is tasked to analyse extraordinary cases of forceful police interventions in Roma communities and formulate recommendations or provisions regarding appropriate ways of conducting such interventions.[211]

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[211]   Cf. Institute for Crime Research and Prevention, *Review of the Police Policies and Practices towards Roma in Romania* (op.cit. note 48), p. 89.

IV. Conclusions and Recommendations

In view of the existing patterns of discrimination and racially-motivated violence against Roma and Sinti communities in a number of OSCE participating States, police response to these issues must be significantly enhanced. The police need to improve their relationship with Roma and Sinti communities since a partnership-based, joint problem-solving approach is the only promising way for the police to effectively prevent and investigate crimes and discrimination, and to serve and protect the needs and rights of the largest minority group in the OSCE area.

This book provides a compilation of relevant background information and good practices on improving the policing of Roma and Sinti communities in a strategic way, covering areas such as:

- systematic assessment of policing policy and practice relating to Roma and Sinti;
- development of legislation, policies, codes of ethics and conduct, and standard operating procedures;
- human resource management;
- training and professional development; and
- engagement with Roma and Sinti communities: building partnerships and conducting operations.

In order to implement these strategic steps effectively and make them sustainable, a number of key issues must be taken into consideration. To have maximum impact, policing policies should not be addressed in isolation, but rather as an integral element of policies for Roma integration in general and as part of a wider strategy to combat systematic discrimination and to promote Roma and Sinti inclusion. Furthermore, where necessary, Roma issues need to be linked to strategies for more general police reform in order to ensure that policing is human rights-based and service-oriented in approach and responsive to the requirements of a multi-ethnic society.

In addition, all strategic steps for improving the relationship between the police and Roma and Sinti communities, ranging from the legislative and policy level to the managerial and operational level, must be taken in close co-operation with all stakeholders involved, including in particular, representatives of the Roma and Sinti

communities, but also other relevant government organizations (e.g. education, housing and health), representatives of churches, civil society and the private sector.

Because of their first-hand knowledge of the culture, customs, needs and concerns of Roma and Sinti communities, members of these communities should actively participate in the development of policies, the recruitment of Roma and Sinti police officers, the development and provision of Roma-related police training, the establishment of partnerships between the police and Roma and Sinti communities, and the facilitation of police accountability. The representation of Roma and Sinti communities in these structures and activities not only enhances the competence of the police, but also significantly increases the legitimacy of these structures and activities within the communities.

However, it may sometimes be difficult for the police to convince Roma and Sinti communities to actively co-operate because of their lack of trust in the police due to a history of biased and repressive treatment by the police and/or because of a traditional lack of interest in collaborating with them. It is therefore important for the police to reach out to a wide range of Roma and Sinti groups to identify those who are more open to collaboration. The assistance of civil society can be very helpful in identifying and encouraging these groups to become committed.

To win the support for change among all stakeholders involved, the political and police leadership must be committed and deliver clear statements of their commitment to improve the policing situation of Roma and Sinti, and to implement the required changes at the organizational, managerial and operational levels within the entire police agency. These statements need to be communicated to all relevant stakeholders within and outside the police, including Roma and Sinti communities.

The commitment for change must be expressed in practice through the establishment and maintenance of long-term partnerships between the police and Roma and Sinti communities and through the sharing of successful examples of partnership-based initiatives with other regions of the respective participating States.

Partnership-based initiatives will only be sustainable if the police demonstrate on a daily basis their willingness and competency to deliver professional quality-based service to all community members, including Roma and Sinti, particularly in policing areas the fields of

activities with a potential for conflict and tension. One example of bad practice by a single officer can destroy the achievements of good work of his/her colleagues.

Since Roma and Sinti live in many different countries of the OSCE area but face similar problems in a number of participating States, a transnational approach of governments, police agencies and civil society would be helpful to share good practices in implementing the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area.

The OSCE institutions, field operations and thematic units, with their unique competencies and resources, stand ready to support participating States in implementing the strategic steps of improving the relationship between the police and Roma and Sinti communities described in this book.

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VI. Appendices

Appendix 1: Examples of International Initiatives and Instruments to Address the Security Situation of Roma and Sinti

OSCE
Several *CSCE/OSCE Summits, Ministerial and Permanent Councils* have addressed the specific human-dimension challenges, including racial and ethnic hatred faced by Roma and Sinti communities throughout the region, and called upon the participating States to improve the situation of Roma and Sinti: CSCE, *Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE*, Copenhagen 1990; CSCE, *Helsinki Document 1992. The Challenges of Change*, Helsinki 1992; OSCE, *Istanbul Summit Declaration 1999*. Istanbul Document, Istanbul 1999; OSCE, *Charter for European Security*, Istanbul 1999; OSCE, Decision No. 3/03, *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, MC.DEC/3/03, Maastricht 2003; OSCE, *Cordoba Declaration by the Chairman-in-Office*, FINAL CIO.GAL/76/05/Rev.2, Cordoba 2005; OSCE, Decision No. 10/05, *Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding*, MC.DEC/10/05, Ljubljana 2005; OSCE, Decision No. 13/06, *Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding*, MC.DEC/13/06, Brussels; OSCE, Decision No. 10/07, *Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding*; MC.DEC/10/07, Madrid 2007; and OSCE, Decision No. 6/08, *Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, MC.DEC/6/08, Helsinki 2008.
High Commissioner on National Minorities In 1993, the HCNM published the report on *Roma (Gypsies) in the CSCE Region*, which highlighted the persistent discrimination and racism against the Roma and Sinti. Furthermore, the HCNM issued recommendations to the OSCE and its participating States, which addressed the implementation by participating States of the OSCE commitments relevant to the situation of Roma and to enhancing OSCE resources for Roma-related affairs. In 2000 the HCNM published the *Report on the Situation of Roma and Sinti in the OSCE Area*, which devotes special attention to the issue of discrimination and racial violence against Roma and Sinti communities, also including recommendations for combating discrimination and racial violence. In 2006, the HCNM published the *Recommendations on Policing in Multi-*

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Ethnic Societies, which are of particular relevance for all initiatives related to improving relations between police and Roma and Sinti communities. Key topics covered include recruitment and representation, training and professional support, engagement with ethnic communities, operational practices and the prevention and management of conflict.

Furthermore, the HCNM has been supporting a number of participating States' police authorities in developing internal codes of conduct and standard operation procedures with regard to communicating and co-operating with national minorities, including Roma and Sinti.

ODIHR Contact Point for Roma and Sinti Issues

In response to the OSCE Roma and Sinti Action Plan, in 2003, the ODIHR-CPRSI initiated the programme "Police and Roma: Towards Safety for Multi-Ethnic Communities". The programme was designed to promote the implementation of the policing recommendations of the Action Plan in a strategic manner, and was co-ordinated on behalf of CPRSI by the London-based NGO 'European Dialogue'. Activities included are:

- the holding of regional and national workshops across the OSCE area to highlight issues and identify examples of good practice;
- the development of a model of good practice for conducting a 'systematic assessment' of current policing policy and practice relating to Roma, undertaken in partnership with the Government of Romania; and
- the production of a "Resource Manual on Policing and Roma", which brings together relevant international standards, practical guidance documents and examples of good practice.

In 2008, the ODIHR-CPRSI published a *Status Report* on the *Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, also focusing on police-related issues.

Between 2007 and 2009, the ODIHR, in close co-operation with the host states, led a number of field visits to several participating States. The visiting delegations included representatives from the Chairmanships-in-Office, the HCNM and the SPMU to assess the socio-economic and security situation of Roma and Sinti communities in the aftermath of a series of racially motivated violent attacks against them. Following these assessment visits, the ODIHR published assessment reports including recommendations for improving the security situation of Roma and Sinti communities and for enhancing the response of state agencies to acts of racially motivated crimes:

OSCE Office for Democratic Institutions and Human Rights/High Commissioner in National Minorities, Assessment of the Human Rights Situation of Roma and Sinti in Italy. Report of a fact-finding mission to Milan, Naples and Rome on 20–26 July 2008;

OSCE Office for Democratic Institutions and Human Rights, *Field Visit on Police and Roma Relations*, Romania, 12-15 November 2007, Warsaw 2008; and

OSCE Office for Democratic Institutions and Human Rights, *Report on the Field Assessment Visit to Hungary, 25th June-3rd July 2009*, Warsaw 2010 (forthcoming).

ODIHR Tolerance and Non-Discrimination Department

In 2009, the Department published a "Practical Guide" on *Hate Crime Laws* to

be used by the participating States to fight hate crimes, including racially motivated crimes against Roma and Sinti.

Furthermore, since 2005, the Department has carried out the *Law Enforcement Officer Programme on Combating Hate Crimes*, which consists of the following activities:

- training police officers on all aspects of hate crime: response, investigation, gathering intelligence, sharing information, and working with prosecutors;
- developing strategies to combat hate crime that are based on proactive police leadership and community-based partnerships;
- developing an effective process for collecting and disseminating data on hate crime; and
- training prosecutors on how to use evidence to establish that a crime has been committed.

In addition, the Department developed a range of tools and expert networks to support participating States in implementing their commitments related to tolerance and non-discrimination. The *ODIHR Toolbox for Combating Hate Crime* provides includes training programmes, guideline publications and a Tolerance and Non-Discrimination Information System (TANDIS) providing single point access to a broad collection of related information fro participating States, NGOs and other organizations.

Strategic Police Matters Unit

In 2006, the SPMU published the *Guidebook on Democratic Policing*, and in 2008, the *Good Practices in Building Police-Public Partnerships,* and *Good Practices in Basic Police Training – Curricula Aspects*, together with other materials relevant to Roma and Sinti, which have proven to be useful tools in addressing relations between police and Roma.

The SPMU also assisted the field operations in South-Eastern Europe in implementing their Roma- and Sinti-related activities, in particular, the OSCE Spillover Monitor Mission to Skopje in organizing the Regional Workshop on Policing in Roma and Sinti Communities in 2006 (see below). In 2007, the SPMU organized a regional police experts meeting in Skopje on community policing, during which Roma-related issues were discussed.

The SPMU participated in the Roma-related ODIHR field assessment visits to several participating States.

Field Operations

In South-Eastern Europe, the Law Enforcement Departments of the Mission in Kosovo, the Mission to Serbia and the Spillover Monitor Mission to Skopje have supported the host states in implementing the police-related recommendations of the OSCE Action Plan by, *inter alia*:

- encouraging Roma to join the police services;
- providing Roma-related diversity awareness training to police officers;
- creating police-public forums including Roma communities and improving relations between the police and Roma;

- establishing Roma-liaison police officers;
- increasing community police presence in Roma communities; and
- enhancing mechanisms to investigate and sanction Police abuse and misconduct against Roma.

United Nations

The *General Assembly,* through adopting various human rights treaties and conventions, has provided the legal framework for ensuring proper policing of Roma and Sinti communities:
Res. 2106(XX), International Convention on the Elimination of All Forms of Racial Discrimination (1965);
United Nations General Assembly, Res. 2200 A(XXI), International Covenant on Civil and Political Rights (1966);
United Nations General Assembly, Res. 2200A (XXI), International Covenant on Economic, Social and Cultural Rights (1966);
United Nations General Assembly, Res. A/Res/34/180, Convention on the Elimination of All Forms of Discrimination against Women (1979);
United Nations General Assembly, Res. A/Res/39/46, Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984); and
United Nations General Assembly, Res. A/Res/44/25, Convention on the Rights of the Child (1989);
UN Doc. A/CONF/611, Standard Minimum Rules for the Treatment of Prisoners (1955);
Res. A/Res/34/169, Code of Conduct for Law Enforcement Officials (1979);
Res. A/Res/40/34, Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power (1985);
Res. A/Res/43/173, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (1988);
Res. A/Res/44/25, Convention on the Rights of the Child (1989);
Res. A/Res/45/107, International Co-operation for Crime Prevention and Criminal Justice in the Context of Development (1990);
Res. A/Res/45/113, Guidelines for the Protection of Juveniles Deprived of their Liberty (1990);
Res. A/Res 47/135, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1993);
Res. A/Res/48/134, National Institutions for the Promotion and Protection of Human Rights (1993).

Furthermore, the *Human Rights Council*, in 2006, adopted with Res. A/HRC/1/L.2 the *International Convention for the Protection of All Persons from Enforced Disappearance*).

The *Committee on the Elimination of Racial Discrimination;*
the *Committee against Torture;*
the *Independent Expert on Minority Issues;*
the *Human Rights Committee;* and
the *United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance*, through periodic reviews of the states' compliance with their human rights treaty obligations or – where possible – by considering individual or collective complaints, address

human rights concerns arising from Police-Roma relations.

In addition, the *Office of the High Commissioner for Human Rights* has produced a number of human rights training manuals for the police.

Council of Europe

The *Heads of States,* in October 1993, issued the *Vienna Declaration*, together with an *Action Plan for Combating Racism, Xenophobia, Anti-Semitism and Intolerance.*
In September 2001, the *Committee of Ministers* adopted a recommendation to the member states on the *European Code of Police Ethics.*

The *Roma and Traveller Division* and its *Experts Group*;
the *Commissioner for Human Rights;* and
the *Advisory Committee on the Framework Convention for the Protection of National Minorities* are also addressing the security situation of the Roma and Sinti communities in their reports.
Furthermore, the Council of Europe's *Police and Human Rights Programme* has published a number of training materials on policing minority communities.

The *European Commission against Racism and Intolerance* (ECRI) regularly focuses on policing and justice issues affecting Roma in its series of country reports. ECRI has also issued general policy recommendations on several thematic areas, such us:
ECRI General Policy Recommendation No. 3 on *Combating Racism and Intolerance against Roma/Gypsies*, CRI(98)29 rev.; and
ECRI General Policy Recommendation No. 11 on *Combating Racism and Racial Discrimination in Policing.*

The *European Court of Human Rights* (ECtHR) and its rulings represent another important mechanism for ensuring that states comply with the legal provisions of the *European Convention for the Protection of Human Rights and Fundamental Freedoms* (ECHR). In recent years, there have been several important judgments addressing Convention violations resulting from ineffective criminal justice responses to hate crimes committed against Roma:
- Nachova and others v. Bulgaria, No. 43577/98, Information Note No. 28 on the case-law of the Court, March 2001;
- Secic v. Croatia, No. 40116/02, Information Note No. 97 on the case-law of the Court, May 2007; and
- Cobzaru v. Romania, No. 48254/99, Information Note No. 99 on the case-law of the Court, July 2007.

The *European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* (CPT) by means of visits, examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment.

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European Union

The *Fundamental Rights Agency (FRA)* regularly assesses the situation of Roma and Sinti. In 2009, it published *The Roma. Data in Focus Report*, *European Union Minorities and Discrimination Survey (EU-MIDIS).*

The *European Commission*, through its European Structural Fund, supported a number of partnership-building projects of national police agencies, NGOs and Roma communities in a number of European countries.

International and National NGOs

Amnesty International (AI), Human Rights Watch, and the International Helsinki Federation for Human Rights (IHF) regularly provide country reports on the security situation of Roma and Sinti.
IHF's national Helsinki Committees have launched numerous confidence-building projects between the police and Roma and Sinti communities in a number of participating States.

European Dialogue, on behalf of the ODIHR CPRSI, co-ordinated a number of activities within the ODIHR-CPRSI project "Police and Roma: Towards Safety for Multi-Ethnic Communities", in particular, several regional workshops on the issue of Police-Roma relations and the production of the *Resource Manual on Policing and Roma*.

The *European Roma Rights Centre (ERRC),* both through its human rights research and documentation activities and its legal and advocacy work, has facilitated a number of landmark judgments relating to policing in national and international courts.

The *Fraternal Association of European Roma Law Enforcement Officers (FAERLEO)* aims at, *inter alia,* promoting equal opportunities for Roma in the European law enforcement agencies, the reduction of mutual prejudices, mediation between law enforcement agencies and Roma communities, and improvement in the living and service conditions of Roma staff in the police.

The United States-based *Project on Ethnic Relations (PER)* has been active in promoting debate and undertaking Police-Roma relations-building projects in several countries of Central and Eastern Europe.

Appendix 2: Systematic Assessment of Policing Policy and Practice Relating to Roma: Guidance for Use in OSCE Participating States

Template for assessing compliance of national policing Policies and Practices with Recommendations on Policing of the OSCE Action Plan[212]

This template is designed for use by OSCE participating States as a tool for assessing compliance with the seven specific recommendations on policing contained in the OSCE Action Plan for Improving the Situation of Roma and Sinti in the OSCE Area. It will assist participating states to:

a) identify their existing policing policy and practice on Roma-related issues;

b) assess its strengths and weaknesses in relation to the OSCE recommendations;

c) identify specific fields of policy and practice in which action may be needed; and

d) establish a benchmark against which progress can be subsequently measured.

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[212] The format for the template is based on that used in the booklet *Policing in a Democratic Society: Is your Police Service a Human Rights Champion?*, published for the Council of Europe's Police and Human Rights Programme by the Austrian Ministry of the Interior (2000). The template was drawn up by Dr Robin Oakley within the framework of the programme of activities on Roma and policing initiated by the ODIHR CPRSI in 2004-2006.

RECOMMENDATION	TEST	EVIDENCE
1. Assess the gap between international standards on police and currently existing national practices in consultation with national police forces, NGOs and representatives of Roma and Sinti communities. (Recommendation 30)	(a) Have the police established a partnership with Roma NGOs for this purpose?	
	(b) Have the key issues of concern in relations between police and Roma and Sinti been identified?	
	(c) Have the relevant international standards been identified?	
	(d) Has a positive vision, based on these standards, for relations between Police and Roma and Sinti been established?	
	(e) Has the gap between this vision and current policing policy and practice on Roma-related issues been identified?	
	(f) Has an action plan to bridge this gap been drawn up and implemented?	

RECOMMENDATION	TEST	EVIDENCE
2. Elaborate, where appropriate, and in close partnership with international organizations and Roma NGOs, policy statements, codes of conduct, practical guidance manuals and training programmes. (Recommendation 31)	(a) Have clear policy statements on relations between Roma and police been produced?	
	(b) Have professional codes of conduct, relating to or covering relations between Roma and police, been produced?	
	(c) Have practical guidance manuals, relating to or covering relations between Roma and police in support of these policies and codes, been produced?	
	(d) Have training programmes, including a Roma-specific element, been produced in support of the above?	
	(e) Has the experience and support of international organizations working on Roma and Sinti issues been drawn on when developing the above?	
	(f) Have Roma NGOs been involved in the above activities and their implementation?	

RECOMMENDATION	TEST	EVIDENCE
3. Develop policies that promote awareness among law-enforcement institutions regarding the situation of Roma and Sinti people and that counter prejudice and negative stereotypes. (Recommendation 26)	(a) Have law enforcement institutions acknowledged a need to promote awareness and counter stereotyping?	
	(b) Have detailed policies been developed to promote awareness and to counter stereotyping?	
	(c) Have Roma and Sinti NGOs and representatives been involved in this process?	
	(d) Has the effectiveness of these policies been evaluated?	

RECOMMENDATION	TEST	EVIDENCE
4. Develop policies: (1) to improve relations between Roma and Sinti communities and the police in order to prevent police abuse and violence against Roma and Sinti people; and (2) to improve trust and confidence in the police among Roma and Sinti people. (Recommendation 28)	(a) Have current problems in relations between Roma and Sinti and police been acknowledged and causes identified?	
	(b) Have explicit policies been developed to address these problems and improve relations?	
	(c) Have policies been developed and implemented specifically to prevent police abuse and violence against Roma and Sinti?	
	(d) Have policies been developed and implemented specifically to improve trust and confidence in the police among Roma and Sinti?	

RECOMMENDATION	TEST	EVIDENCE
5. Develop training programmes to prevent excessive use of force and to promote awareness of, and respect for, human rights. (Recommendation 27)	(a) Have professional standards relating to human rights and use of appropriate levels of force been clearly identified?	
	(b) Do training programmes for all police officers explain these standards and demonstrate their practical implications for the work of the police officer?	
	(c) Is the training provided with the necessary support and follow-up?	
	(d) Is the implementation of these standards relating to the use of force and human rights monitored and evaluated?	

RECOMMENDATION	TEST	EVIDENCE
6. Develop policies and procedures to ensure an effective police response to racially motivated violence against Roma and Sinti people. (Recommendation 29)	(a) Does the law explicitly recognize and penalize racial motivation in crimes of violence?	
	(b) Do the police have clear policies and procedures for responding to racial motivation as an aggravating factor in crime?	
	(c) Is information routinely collected on incidents of racially motivated violence, including identification of incidents against Roma?	
	(d) Is training provided for police in dealing with incidents of racially motivated violence?	
	(e) Is the police response effective?	

RECOMMENDATION	TEST	EVIDENCE
7. Encourage Roma and Sinti people to work in law-enforcement institutions as a sustainable means of promoting tolerance and diversity. (Recommendation 32)	(a) Have the reasons been identified for under-representation of Roma and Sinti?	
	(b) Have specific policies been introduced to encourage/assist Roma and Sinti to obtain employment?	
	(c) Is the recruitment/progression of Roma and Sinti in law enforcement institutions routinely monitored?	
	(d) Have the policies and initiatives been effective?	

Appendix 3: Generic Policy Screening Framework[213]

ISSUE	QUESTIONS
Screening for potential interference and discrimination	Within the content of this policy/guidance document (its attendant powers, authorities or directions), is there any potential to interfere with an individual's Convention rights? Within the content of this policy/guidance document (its attendant powers authorities or directions), is there any potential for it to be discriminatory in its application or provision of Convention rights?
Human rights principles	Does the policy/guidance contain a statement defining what the legal basis is for the policy and any attendant powers, authorities or directions? Does the policy provide details of what could be construed as the legitimate aim(s) for any potential interference with an individual's rights by virtue of exercising the policy, its attendant powers, authorities or directions? Does the policy provide for the need to follow a clearly defined decision-making process in considering the grounds, impacts and other relevant information when deciding an appropriate course of action? Is it explicit within the policy what the minimum standards are in relation to documenting and evidencing such decision-making? Does the policy provide practitioners with clear guidance on establishing: ▪ The lawfulness of their actions? ▪ A legitimate aim for their actions (exemptions and derogations)? ▪ The justification for the proportionality of their actions in achieving their aim? ▪ Documenting decisions made, consultation processes, and outcome?
Delineating between policy and tactics	Does the policy incorporate police tactics that would make it impractical to place in into a public domain? (It is recommended that tactical information be excluded, on the ground of security, in order to preserve the integrity of operational methodology.)
Presumptions, publication, assessment and inspection	Does the policy contain a presumption to public disclosure or, on the grounds of public interest, justification for any reservation to this rule? Does the policy contain a presumption that, when a power, authority or direction is exercised, individuals have a right to make representations, to legal advice, appeals procedure, etc? Does the policy contain a presumption about maintaining monitoring systems, assessments of training and responsibilities for inspection? Does the policy contain presumptions about the level of independent scrutiny of decision-making and complaints?
Compliance	Does the policy contain a certificate that it has been drafted in accordance with the values and the principles underpinning the Convention?
Legal proofing	Has the policy been legally proofed for human rights compliance?
Policy Review	Has the policy been given a review date to ensure ongoing compliance with the ECHR in the light of emerging human rights case law?

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[213] A commentary on the principles underlying the generic policy screening framework can be found in: Oakley/Slater/Taylor (op. cit. note 44) pp. 49-50. This screening framework was drawn up by former Chief Inspector Chris Taylor of the London Metropolitan Police for use within the systematic assessment of policing in relation to Roma.

Appendix 4: The Stop Form Used in Fuenlabrada, Spain.

Identification of people in public places
N° 000000

Field	Value
Date :	
Start time:	
Form number:	

Stop place:

Second name:

First name: — Gender: Female ☐ Male ☐

Document: Type: — Number.:

Nationality: — Birth Date:

Birthplace:

Province: — Country:

Father´s name: — Mother´s name

Residence:

Number : — Floor: — City:

Province: — Telephone:

Reason for the identification:

Observaciones sobre la motivación:

Personal search: Yes ☐ No ☐ — Positive search: Yes ☐ No ☐

Found objects:

Other interesting facts:

Vehicle related: — License plate: — Colour:

Offense is made: Yes ☐ No ☐ Law:

Type of offense:

¿Is there a crime? Yes ☐ No ☐ — Action — Type of action: arrest, etc detenido ☐ Detención ☐ — Imputado no ☐

Type of the crime:

Finish stop: — Id police officer:

Ayuntamiento de
FUENLABRADA
Concejalía de Seguridad Ciudadana y Tráfico
Servicio de Policía Local

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Back of the form

Normativa legal

The Protection Citizens Safety Organic Law 1/1992 (clause 20.1), entitles the Police to identify and search people in the streets and public palces, in order to protect citizens´ safety.

If the Police ask you, it is your duty to show your Official Identification document and to cooperate with the searches they may deem necessary.

Any person identified and / or searched on the street or other public place is entitled to a proper and careful treatment by police officers who have requested documentation or have been registered. In addition, police officers are obliged to provide information fully and as widely as possible on the causes and purposes of their identification / search, as provided by clause 5 of the Organic Law 2 / 1986 of march 13, Security Forces.

For any violation of the rules, you can complain directly to the Local Police, by any writing or fill out a statutory complaints and suggestions that have at its disposal at our Police Station. You can also access the form on the website of the city council www.ayto-fuenlabrada.es, in the Municipal Service and Victim Assistance and in the general register of the municipality of Fuenlabrada.

The data collected in this form may be used exclusively for police use, meeting all requirements of the Organic Law 15/1999 of 13 december on the Protection of Personal Data.

It is reported that personal data contained in this document are to be included in a file called GESPOL Fuenlabrada city Council ownership, located at the Constitución Square, n° 1 de Fuenlabrada, to manage and control them. You can exercise your rights of access, rectification, cancellation or objection by notice in writing to the department of citizen of the said city council, at the address indicated above.

Formulario avalado por el Programa AGIS de la Unión Europea

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El presente formulario está incluido dentro del Programa AGIS de la Unión Europea que apoya iniciativas encaminadas a buscar un enfoque coordinado y multidisciplinar de las distintas actividades relacionadas con la creación del espacio de libertad, seguridad y justicia así como la prevención y la lucha contra la delincuencia organizada en la Unión Europea.

En concreto, el formulario forma parte del Proyecto STEPSS (Strategies for Effective Police Stop and Search), que tiene como objetivo mejorar las relaciones entre los Cuerpos Policiales y las minorías étnicas y los procedimientos policiales, para prevenir prácticas discriminatorias.

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