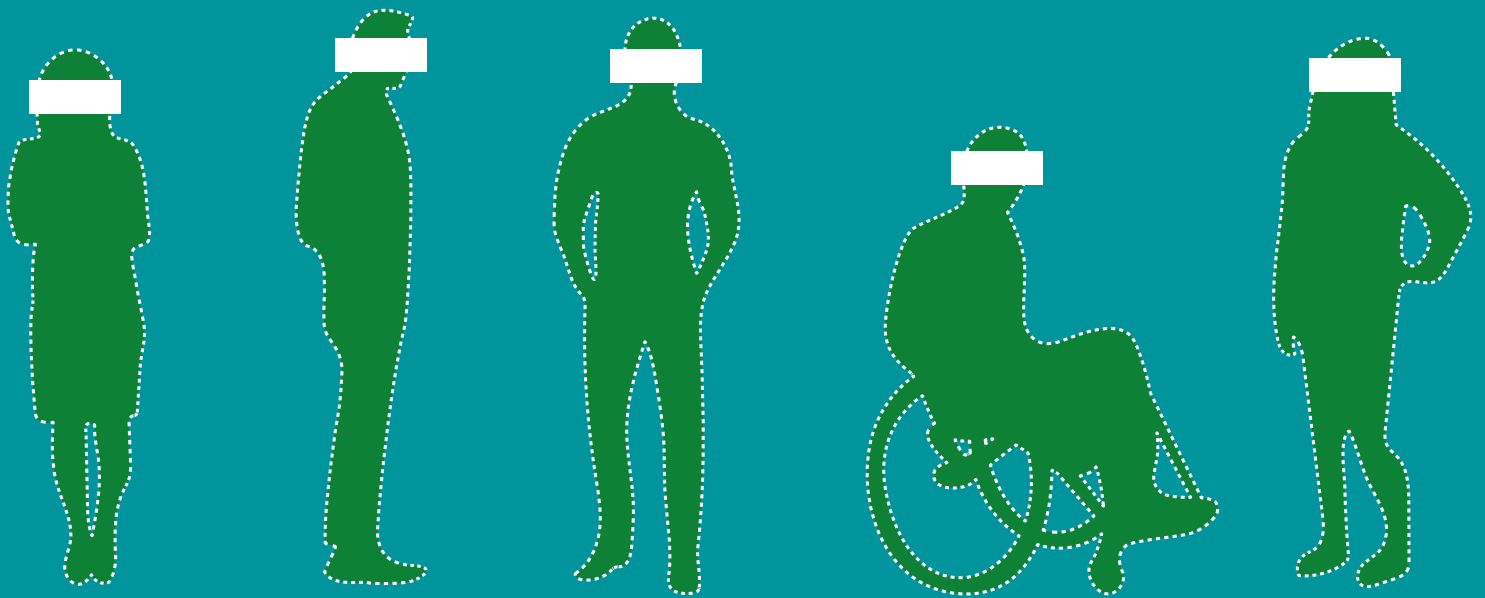


Anti-Roma Hate Crime



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Intolerance and discrimination have affected Roma and Sinti communities for centuries, and continue to be a concern in the OSCE region, including harmful discourse and stereotyping. Too often, this intolerance can morph into anti-Roma hate crimes, ranging from anti-Roma graffiti to racially-motivated violence. Hate crime has a significant, long-lasting impact on victims, perpetuates inequality, and undermines security and social cohesion. Anti-Roma hate crimes send a message of exclusion not only to Roma and Sinti victims and their communities, but society as a whole. Everyone has a role to play in addressing anti-Roma hate crimes and all forms of intolerance and discrimination. This factsheet highlights the impact of anti-Roma hate crime and provides guidance on identifying such crimes.

What Is Hate Crime?

**Criminal Offence
+ Bias Motivation
= Hate Crime**

- Hate crimes comprise two elements: a criminal offence and a bias motivation.
- First, hate crimes require a base offence to have occurred. In other words, the act committed must constitute an offence under criminal law. If there is no underlying crime, there is no hate crime.
- The second element of a hate crime is that the perpetrator must commit the criminal act with a particular bias motive or motives (such as a bias against a victim's disability, religion, ethnicity, colour and/or their gender). The presence of a bias motive is what differentiates hate crimes from other crimes.
- A hate crime has taken place when a perpetrator has intentionally targeted an individual or property because of one or more protected characteristics, or expressed hostility towards the victim's protected characteristic(s) during the crime.

What Are Anti-Roma Hate Crimes?

Anti-Roma hate crimes are **criminal offences motivated by the bias of racism against Roma and Sinti**, as well as various other people and groups considered associated with, or perceived as, Roma and Sinti, due to their actual or perceived "race," ethnicity, language or migration status. The prejudice manifests itself either in the selection of the target (e.g., a Roma settlement) or in anti-Roma racist hostility expressed during the crime. Anti-Roma hate crimes can target both persons self-declaring as Roma or Sinti, and those who do not, but are perceived as such.

Anti-Roma hate crimes may also target people or property due to their association, professional affiliation with, or activism on addressing anti-Roma racism, such as civil society organizations working on Roma and Sinti-related issues.

Anti-Roma hate crimes can take many different forms. Victims may be targeted because of the colour of their



Alen Umer from the Local Youth Council of Shuto Orizari, North Macedonia, addresses participants on increasing the participation of Roma and Sinti youth in public and political life at an event organized by ODIHR at the 2019 Human Dimension Implementation Meeting. (OSCE/Piotr Markowski)



Roma actress and human rights activist Dijana Pavlović demonstrates with Roma and Sinti communities in front of the Parliament in Rome to protest against intolerance and discrimination and in remembrance of the 2,897 Roma people killed in August 1944. (Getty Images)

Examples of Anti-Roma Hate Crimes

- Three Roma people were subjected to sustained beatings, racist slurs, and forced confessions by police officers. One male victim suffered injuries and was hospitalized for ten days.
- A lawyer working on the case of a murdered Roma victim was subjected to racist insults, threatened, blackmailed, and beaten by a group.
- A Roma girl was repeatedly subjected to racist and misogynous insults and threats at school. Consequently, she attempted suicide and left school.
- A memorial to the Roma victims of a World War II concentration camp was vandalized with anti-Roma inscriptions.
- Inhabitants of a Roma settlement were shot at and attacked with stones, gas and knives by a hate group. Their tent homes were burned down or otherwise destroyed. Police officers present during the attack did not intervene.
- Cars belonging to persons of Roma origin were targeted in an arson attack with Molotov cocktails.

skin, their nationality, speaking the Roma language, or living in a neighbourhood known to be inhabited by Roma. They may also be selected on the basis of multiple identity traits, including, for instance, their gender or religion. Law enforcement is encouraged to examine the multi-dimensional aspects of a victim's identity.

Since 2002, OSCE participating States have committed themselves to address racism, xenophobia, discrimination, and intolerance, and to prevent and respond to hate crimes. These commitments were reiterated in the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, adopted in 2003.

How to Recognize Anti-Roma Hate Crimes

There are a number of indicators that can help to identify anti-Roma bias in a potential hate crime. Such "bias indicators" can prompt law enforcement authorities to investigate a crime as an anti-Roma hate crime, enabling a tailored response.

The following questions can help identify anti-Roma hate crimes:

- Do the victims or witnesses perceive the incident to have been motivated by anti-Roma racism?
- Were there comments, written statements, gestures, or graffiti that indicate bias? This can include the use of anti-Roma racist insults, tropes, stereotypes, and prejudices.
- Was the targeted property a place of professional, legal, or cultural significance, such as a Roma or Sinti settlement, a cultural club, and/or other places that may be frequented by individuals from Roma and Sinti communities?
- Was the property previously targeted in an anti-Roma hate incident or crime? Did the property damage involve the deployment of racist epithets against Roma or Sinti?
- Was the victim visibly identifiable as belonging to Roma or Sinti communities? Is the suspect a member of a different ethnic or racial group to that of the victim?

- Does the suspect belong to a hate group? These could include different far-right groups or groups advocating anti-Roma racist intolerance.
- Were drawings or graffiti of symbols, such as a Nazi symbol, a Ku Klux Klan sign, a Celtic Cross, among others, found at the scene of the crime or incident?
- Did the incident occur following or amid political campaigns that scapegoated Roma and Sinti and blamed them for various societal ills, such as crime or unemployment, or being beneficiaries of social welfare schemes?
- Was the victim in or near an area or institution identified with Roma or Sinti (e.g., a Roma neighbourhood) when the incident occurred?
- Was the victim a prominent figure (e.g., a football player, artist or politician), who was known or assumed to be of Roma or Sinti descent?
- Is there any other clear motive? The lack of other motives is also a reason to consider a bias motivation.

Anti-Roma hate crimes should be monitored and recorded as a separate category of crimes. Where a crime is committed with multiple bias motives, each of these biases must be recorded and addressed during investigation and prosecution. Data on anti-Roma hate crimes should be collected and disaggregated by gender to better understand the extent to which they are affected by such crimes, and to identify appropriate measures to counter anti-Roma hate crimes. When investigating and addressing anti-Roma hate crimes, it is important to consider the possible multiple identities of the victim (e.g., religion or gender), as this can have significant ramifications for individual victims and, consequently, for the support they need.

Reporting, Preventing and Responding to Anti-Roma Hate Crimes

Anti-Roma hate crimes, like all hate crimes, are under-reported by the victims and under-recorded by the authorities, for numerous reasons. This makes it difficult to obtain both an accurate picture of the problem and adequate legal remedies against such crimes.

Effective access to justice remains a critical challenge for victims, and one that OSCE participating States need to address more vigorously and structurally. Governments have a central role to play in ensuring access to justice, from the initial assessment of victims' needs by police officers to ensuring the provision of relevant protection and support to each victim. Failure to effectively investigate hate crimes – including anti-Roma hate crimes – is known to have a detrimental effect on victims and society at large.

Many civil society groups countering racism against Roma and Sinti have recognized the importance of hate crime monitoring, including as an advocacy tool, and are developing their monitoring capacities through outreach and online reporting.

To be effective, police responses and government policies to counter anti-Roma hate crimes must be evidence-based and draw on official hate crime data, as well as on reports from civil society and international organizations. Increased public awareness of hate crime, hate crime recording by states, measures to encourage reporting by victims, and civil society monitoring and reporting will all help reveal the scope of the problem in more detail, enabling policymakers to identify appropriate responses.

What Can You Do?

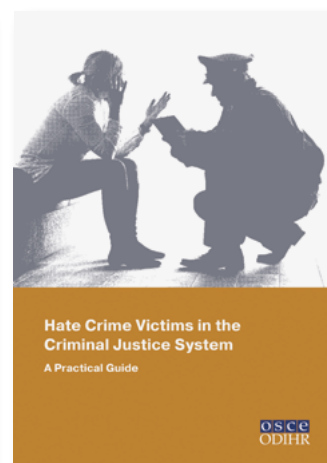
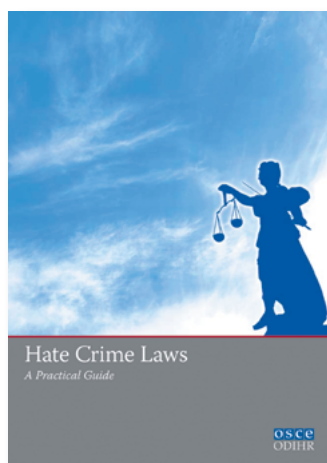
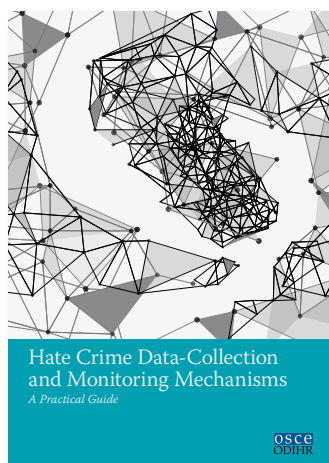
There are a number of organizations that can assist victims of hate crimes. Equality bodies, national human rights institutions and ombudsperson institutions addressing discrimination, and civil society organizations play a central role in countering hate crimes. They serve as vital links between victims, communities, and local authorities. You can contact these organizations, your local support association or national human rights institutions and ombudsperson institutions to find out more about anti-Roma hate crimes:

- European Roma Rights Centre (ERRC): errc.org
- European Roma Grassroots Organizations Network (ERGO): ergonetwork.org
- European Network Against Racism (ENAR): enar-eu.org

ODIHR Guides on Hate Crime

ODIHR has compiled good practices from OSCE participating States on addressing hate crime and has shared those through a number of publications, available on our website at: osce.org/odihr/guides-related-to-hate-crime

ODIHR has been collecting and publishing data on anti-Roma hate crime since 2006. Find out more about anti-Roma crimes and how civil society organizations can report incidents to ODIHR by visiting our dedicated Hate Crime Reporting Website at: hatecrime.osce.org



More information:

For detailed information about ODIHR's hate crime initiatives and to view its full range of resources and publications, please visit:

www.osce.org/odihr/tolerance

For information about ODIHR's Contact Point for Roma and Sinti Issues (CPRSI), please visit:

www.osce.org/odihr/roma-and-sinti

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