NET-KARD PROJECT

Practical Guide for Police services

to prevent discrimination against the Roma communities

NET-KARD PROJECT

Practical Guide for Police services
to prevent discrimination against the Roma communities

Summary

Introduction

The NET-KARD Project

The main aim of the Net-Kard Project: Cooperation and Networking between Key Actors against Roma Discrimination is to prevent discrimination of Roma communities and to improve assistance to victims by promoting cooperation and networking among the key players involved in defending the right to equality and by improving and transferring the already existing body of methodological experience in this connection to the different countries taking part in the project.

This project is under the umbrella of the Fundamental Rights and Citizenship Programme of the European Union and involves the following partners: Fundación Secretariado Gitano (lead partner, Spain), Portuguese European Anti-Poverty Network (EAPN Portugal) (Portugal); High Commission for Immigration and Intercultural Dialogue (ACIDI, I.P.) (Portugal), Centrul de Resourse Juridice (CRJ) (Romania), Fundatia Secretariatul Romilor (Romania), Ufficio Nazionale Antidiscriminazioni Razziali (Italy), and Istituto Internazionale Scienze Mediche Antropologiche e Sociali (Italy)

Aim of this Guide

This Guide targets Police services and professionals involved in training the different police corps, its overarching aim being to provide resources for the professionals working within these structures to prevent discrimination against Roma Communities as well as mechanisms and practices to promote networking among other stakeholders. The contents of the Guide are the result of a set of focus groups and interviews carried out in Portugal, Spain, Romania and Italy by the project partners. All of the information was then organized with a view to helping police services at European level.

The Guide has two main objectives: first, to make police officers more aware of their role in tackling discrimination against Roma communities and secondly, to provide a set of resources, good practices and useful information to these officers in order to improve police practices when dealing with Rome citizens or Roma communities.

The final goal is to help improve the quality and efficiency of police services to prevent and address discrimination against Roma.

Methodology used:

This Guide was drafted in line with the key findings made by focus groups and interviews carried out within the NET KARD project, and has also been based on contributions from project partners from Romania, Italy and Portugal.

In preparing this guide, we posed some key questions using different methodologies such as focus groups and interviews with professionals of the police forces and other experts.

Events were taped and focused on the following key questions:

- *How do you work in your organization to ensure that quality service is provided to the Roma communities and that the principle of equal treatment is respected (as professionals of the security forces)?*
- *What are the main obstacles encountered when enforcing discrimination laws and, based on your professional experience, what is proposed to overcome the barriers identified (regarding Roma exercising their rights)?*
- *Can you explain the dynamics and previous experience of your professional work in guaranteeing rights and non- discrimination of persons on grounds of ethnic or cultural background, especially Roma people?*
- *Can you provide or describe tools, methodologies and models of cooperation between the different key players, or good networking practices with other officers, governments and others in relation to the Roma?*
- *Do you know of good cooperation practices or services specifically adapted to Roma (in your territory or others)?*
- *What are the training needs of police officers in the field in relation to the Roma communities and ensuring their rights?*

- *What measures are being taken in your police service to prevent "ethnic profiling" (stopping and searching people in the street based on their physical characteristics or ethnic phenotypes)?*
- *Do you believe that it is important to incorporate police guidelines to prevent potential components of discrimination or hatred into operating procedures?*
- *Observations, Comments*

Structure of the Guide

The guide starts with a presentation of the current situation regarding police forces and the Roma communities. The subsequent chapters provide an overview of the existing barriers standing in the way to sound Police services for Roma and proposals to overcome the main challenges. The Guide also includes recommendations published by International Organizations regarding police and Roma as well as good practices on this issue that can be transferred to other countries. Lastly, there is a bibliography for those interested in a deeper analysis of relations between police services and Roma and a glossary.

Context

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

1. The current situation: police forces and Roma communities

In this chapter we will address the current situation of Roma regarding police services, equal treatment and non-discrimination. The aim is to heighten awareness and get a close-up look at the reality of discrimination faced by the Roma communities, **taking into account the role of police services**.

According to several reports filed by European organizations (ECRI[1], ERRC[2], Council of Europe[3], FRA[4], Amnesty International[5], European Court of Human Rights[6], European Commission[7], OSCE[8], ENAR[9]) the Roma is one of **the ethnic groups most vulnerable to situations of discrimination in many countries throughout Europe**.

Eurobarometer Report 263 on Discrimination in the EU shows that 77% of Europeans think that being Roma is a social disadvantage. Moreover, the survey

---

1.- Recommendation nº 13 on anti-gypsyism: http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N13/default_en.asp

2.- http://www.errc.org/

3.- Human Rights of Roma and Travelers in Europe http://www.coe.int/t/commissioner/source/prems/prems79611_GBR_CouvHumanRightsOfRoma_WEB.pdf
http://www.coe.int/t/dg3/romatravellers/archive/documentation/recommendations/MiscCOCEN-guidelineseu_en.asp

4.- http://fra.europa.eu/en/theme/roma

5.- http://www.amnesty.org/en/roma

6.- http://www.echr.coe.int/Documents/FS_Roma_ENG.pdf

7.- http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0133:en:NOT

8.- http://www.osce.org/odihr/102598

9.- http://cms.horus.be/files/99935/MediaArchive/policy/GPP_7_Roma%20FINAL%20adopted.pdf

highlights that awareness of the existence of anti-discrimination laws remains quite low in the European Union[10].

Many Roma continue to face discrimination and social exclusion across the EU according to a report published jointly by the European Union Agency for Fundamental Rights (FRA) and the United Nations Development Programme (UNDP) in 2012. The report entitled The situation of Roma in 11 EU Member States[11] draws on surveys regarding the socio-economic situation of Roma and non-Roma living nearby in 11 EU Member States and in neighbouring European countries.

The report shows that in the 11 EU Member States surveyed, where the overwhelming majority of the EU's Roma citizens live, the employment, education, housing and health situation is unsatisfactory. On average it is worse than the situation of the non-Roma living close by. Roma also continue to experience discrimination and **are not sufficiently aware of their rights** guaranteed by EU law.

This survey provides data about relations between **Roma and the Police** regarding discrimination:

- Between 65% and 100% of Roma, depending on the country surveyed, **failed to report their experiences of personal victimization to the police**.
- The main reason given by Roma for not reporting their experiences of criminal victimization to the police was that **they did not feel that the police would be able to do anything about it**.
- On average – 1 in 3 Roma respondents **were stopped by the police** in the previous 12 months, half of whom indicated that they believed they were stopped specifically because they were Roma.
- Roma who were stopped by the **police were stopped 4 times on average** over a 12 month period.
- On average – 1 in 4 Roma respondents who were stopped by customs or border control over the previous 12 months when returning to their country believed they were stopped specifically because they were Roma

---

10.- Special Eurobarometer 263.Discrimination in the EU. 2007.http://ec.europa.eu/public_opinion/archives/ebs/ebs_263_sum_en.pdf

11.- http://fra.europa.eu/en/publication/2012/situation-roma-11-eu-member-states-survey-results-glance

Hate crimes and Romaphobia.

Not only are Roma the victims of discrimination in many fields of social life, unfortunately they are often the target of hate crimes: arson attacks, physical violence, derogatory statements, even murder. This sort of violence against Roma is called **Romaphobia**. Violence against Roma remains a serious problem in a significant number of countries and harms not only the individuals directly affected by the attack but also Roma as an ethnic group who are affected by the lack of effective response by State authorities. While Roma are often described as a vulnerable group in Governmental policies, **little of this understanding translates into police practice** or policies of other responsible State authorities in addressing anti-Roma violence.[12]

Reports received by the Commissioner of Human Rights of the Council of Europe from around Europe indicate "certain repeated patterns of discrimination and ill-treatment by police towards Roma[13]. First of all, Roma have been subjected to police violence both in public places, such as in Roma settlements during police raids, and in detention facilities. In these instances, criminal investigations of racially motivated misconduct by police frequently appear to be manifestly biased or discriminatory. Second, where isolated Roma settlements exist, the people living in them may be subjected to particular attention by police, often in the form of intrusive raids."[14]

In addition to the particular attention paid to Roma residential areas, Roma persons, notably in cars or other vehicles, have been targeted for ethnically-profiled stops and searches or other discriminatory measures by police. Roma representatives have also reported arbitrary seizure or destruction of property.

12.- See many cases reported by ERRC in the report Imperfect Justice. Anti-roma violence and impunity. 2011 http://www.errc.org/reports-and-advocacy-submissions/imperfect-justice-anti-roma-violence-and-impunity/3827 and in the report of the Commissioner for Human Rights of the Council of Europe Human Rights of Roma and Travellers in Europe http://www.coe.int/t/commissioner/source/prems/prems79611_GBR_CouvHumanRightsOfRoma_WEB.pdf

13.- In June 2012 the European Court of Human Rights ruled that Hungary had violated the European Convention of Human Rights in a case of police violence against a Romani woman. http://www.errc.org/article/european-court-of-human-rights-rules-against-hungary-in-police-brutality-case/4014 . For Racially biased Police investigations involving Roma persons, see 9 cases of ECHT in http://www.echr.coe.int/Documents/FS_Roma_ENG.pdf

14.- Human Rights of Roma and Travelers in Europe, 2012, p. 76-80.

Moreover, **Roma appear to have been disproportionately subjected to arbitrary detention**.

According to the *EU-MIDIS Data in focus: Minorities as victims of crime*[15], on average Roma (10 %) were most likely to have been assaulted or threatened with violence at least once in the previous 12 months. Depending on the group surveyed, between 57 % and 74 % of incidents of assault or threat **were not reported to the police**, despite the fact that the different groups regarded between 60 % and 75 % of these incidents as 'serious'. Nearly one fifth of the Roma interviewed said that they had suffered serious harassment at least once in the last 12 months (18 %). Depending on the group surveyed, between 75 % and 90 % of these incidents **were not reported to the police** even though the victims, depending on the group in question, viewed between 50 % and 61 % of them as 'serious'. On average, 18 % of all Roma respondents in the survey indicated that they had experienced at least one 'personal crime' in the last 12 months, i.e. assault, threat or serious harassment, that they considered to be 'racially motivated' in some way. In comparison, less than 10 % of other groups indicated that they had been a victim of a 'racially motivated' personal crime.[16]

Ethnic profiling and Roma.

According to the definition published in 2012 by Open Society Justice Initiative in the book Reducing ethnic profiling in the EU[17], "ethnic profiling is the practice of using ethnicity, race, national origin or religion as the basis for making law enforcement decisions about persons believed to be involved in criminal activity. Ethnic profiling can result from discriminatory decision-making by individual law enforcement officers or may be the product of **law enforcement policies** and practices that have a disproportionate impact on specific groups without any legitimate law enforcement purpose. It is often the result of beliefs deeply-

---

15.- http://fra.europa.eu/en/publication/2012/eu-midis-data-focus-report-6-minorities-victims-crime

16.- For specific information about the discrimination of Roma in Spain, Romania, Italy and Portugal, see the 4 reports drafted within the framework of the EU project NET_KARD, available in English at:
http://www.gitanos.org/centro_documentacion/publicaciones/fichas/100464.html

17.- http://www.opensocietyfoundations.org/publications/reducing-ethnic-profiling-european-union-handbook-good-practices

ingrained in individual law enforcement officers and even whole institutions and the societies in which they operate".

Ethnic profiling by police in Europe is a widespread form of discrimination[18]. By focusing on appearance rather than behaviour, police who engage in ethnic profiling violate basic human rights rules. Moreover, ethnic profiling is inefficient insofar as it leads police to focus on racial and ethnic traits rather than the real indicators of wrongdoing and results in stopping and searching large numbers of innocent people. As we will see later, **Roma are one of the main targets of ethnic profiling in many countries of Europe**.

The questions included in the EU-MIDIS Data in Focus Report 1: The Roma[19] about **law enforcement contact** was posed to identify experiences of discriminatory treatment by the police. To this end, each respondent was asked whether they had been stopped by the police in the previous 12 months and, if they had been, the interviewer asked a number of detailed questions: how often they were stopped by the police in the last 12 months; whether they were on foot or in some kind of vehicle or public transport when they were stopped; **whether they thought they were stopped because of their minority background ('ethnic profiling')**; what the police actually did during the stop; and whether they were treated respectfully by the police.

On average, in the seven Member States surveyed, one half of the Roma stopped by the police in the previous 12 months considered that they had been stopped on the basis of their ethnicity.

As with reported rates of discriminatory treatment and victimization, Bulgaria and Romania report low levels of police stops. This finding could reflect lower rates of exposure of Roma in Bulgaria and Romania to mainstream society, including policing – hence fewer opportunities to be stopped. Alternatively, the volume of policing may simply be lower in some countries than others. When asked whether they considered that they were stopped by the police in the last 12 months on the basis of their ethnicity – 'ethnic profiling' – the results indi-

---

18.- For more data on Spain, Bulgaria and Hungary see Addressing Ethnic Profiling by the Police: A Report on the Strategies for Effective Police Stop and Search (STEPSS) Project, New York: OSI, 2008.
http://ec.europa.eu/ewsi/UDRW/images/items/itpr_37020_47387875.pdf

19.- EU-MIDIS Data in Focus Report 1: The Roma.

cate a consistent pattern between the volume of stops and the extent of ethnic profiling. In this regard Greece stands out amongst the seven Member States as having a highly policed Roma communities that considers its encounters with the police to be discriminatory.

A recent survey carried out by the University of Valencia in Spain called *Identificación policial por perfil étnico en España*[20] shows that Roma people in Spain are stopped by the police 10 times more frequently than non Roma.

The implications of high contact discriminatory policing of Roma communities do not bode well for the development of good police-communities relations and help to explain low levels of victimization reporting to the police by the Roma.

In the survey *EU-MIDIS Data in Focus Report 1: The Roma*, respondents were also asked whether they had been stopped by immigration, customs or border control when entering a country within the last 12 months, and, if they had, whether they considered that they had been singled out for stopping specifically on the basis of their minority background. Half of Roma respondents in the Czech Republic consider that they were singled out for stopping on the basis of their minority status when coming back into the country. Roma in Poland and Slovakia also indicated high levels of ethnic profiling by immigration, customs and border control. In contrast, the number indicating that they were treated differently was very low in Hungary and Romania.

On average in the seven Member States surveyed, 1 in 4 Roma considered that they were stopped by border control in the last 12 months on the basis of their ethnicity.

Although these situations vary widely between different countries in Europe, it is safe to say that relations between police forces and the Roma communities have not traditionally been very good and it is therefore necessary to construct new forms of communication and trust to change this situation.

20.- http://www.uv.es/garciaj/pub/2013_perfil_etnico.pdf

2. Barriers to the provision of sound police services to Roma and main challenges to overcome

There are some important barriers that hamper the effective service of police forces in tackling discrimination and hate crimes suffered by Roma.

Lack of complaints.

The lack of discrimination complaints is one of the main problems affecting the Roma communities. Indirectly, this is also a problem for law enforcement agencies themselves as it indicates that Roma do not trust the police (that are viewed as the "enemy") or that the Roma communities is unaware of its rights[21] and is unfamiliar with the notion of discrimination and the channels available to report these incidents. It is important to highlight this problem in an attempt to understand the reasons for the low number of cases reported or collected[22], including the situation of **distrust between the Roma communities and the police**.

Distrust due to the long term effect of discrimination.

The Roma communities has traditionally been persecuted in many countries of Europe, even by police forces. This has forged a deep-rooted sense of distrust[23] and fear in the communities and many Roma are still wary of the police.

21.- This was mentioned in both focus groups with polices in Spain.

22.- See data of FRA surveys in the previous chapter.

23.- For instance, according to a research conducted in 2000 (*Toward Community Policing: the Police and Ethnic Minorities in Hungary*, Project on Ethnic Relations, Budapest, 2000) "The Hungarian National Police face a general lack of public credibilitythat is magnified among the Roma to a level of extreme distrust. The level of distrust between the police and the Roma

Even today police raids in search of drugs are undertaken in neighbourhoods where many Roma reside. Sometimes these raids are quite dramatic, closing off entire neighbourhoods, searching many houses, etc., which is seen as overly aggressive by the Roma living there who do not engage in any criminal activity.

Many Roma are unfamiliar with the concept of discrimination or do not know that it is illegal or that they have rights that are being violated. Victims are also unaware of the channels available to them to report these situations of discrimination. Young Roma with more education may be more aware that they are victims of discrimination but are not accustomed to reporting it[24].

Stereotypes regarding the Roma communities.

Law enforcement officials often hold on to stereotypes and prejudices against the Roma communities which is still affected by generalized negative stereotypes. This hinders communication and the collection of cases (for example, the police are not used to perceiving Roma as potential victims of discrimination but rather as potential suspects of wrongdoing).

Difficulties in gaining access to the justice system.

In general, the complaints process and access to justice is complex and can be expensive. The police may play a role in guiding and assisting but they lack training in this regard. The police could make themselves openly available to help people report cases of discrimination. There is a difference between criminal cases with a discriminatory component and civil cases of discrimination where the equality bodies, among others, have a role to play in assisting victims in filing their complaints. Ideally the police should be able to tell the person when it is not a criminal case and where to go if they want to file a civil discrimination complaint.

---

creates situations in which efforts to ameliorate problems between the Roma and the police are misconstrued, frustrated, and hindered."

24.- Conclusions from Focus groups, and also from FRA Reports "EU MIDIS Data in Focus Report 1: The Roma", and "The situation of Roma in 11 EU Member States".

If police record discriminatory elements (or bias based on ethnicity, hate speech, etc.) in their reports, this would help prosecutors in the pre-trial phase to identify these acts as aggravating circumstances based on ethnic discrimination. While it is up to the prosecutor to decide the legal category of the crime, the information provided by the police in their reports can help in identifying the racist component (for instance, if the aggressor made anti-Roma statements when attacking the victim).

Communication.

There are often communication barriers between police forces and Roma communities. In some cases these barriers are based on linguistic issues (we would note that an important segment of the Roma communities across Europe speaks Romany, although usually they also speak the majority language); in other cases relevant information regarding laws, rules, access to the health system, education or legal documents is written in a complex jargon and police officers often use this language which is not easy for people with a low level of education to understand. Lastly, police simply remain unaware of Roma practices and traditions thus hindering smooth communication between the two groups.

A good way to improve communication would be to enhance the everyday contact that police have in neighbourhoods that are predominately Roma. These local police officers have first-hand information about the Roma reality, speak with people and can create a climate of mutual trust based on dialogue. Getting out of the station and walking the streets is a good way for the police to be perceived as approachable civil servants who are providing a service. Another way is to put together outreach teams to gain a deeper understanding of Roma communities – understanding that is vital to intervention amongst the different communities.

High vulnerability situations.

Roma often live in a situation of high vulnerability resulting from the state's failure to offer adequate protection. That is why some Roma communities find themselves in irregular/unregulated situations (for instance, cases where they live in settlements for which they do not have tenure). However, the state does intervene to regulate these situations and the police are usually the ones who are assigned that task. However, when doing so they must be respectful of

human rights. It is, for example, legal to conduct forced evictions so long as an adequate alternative is provided and all other safeguards protecting human rights (with a specific component addressing children and the most vulnerable in the communities) are in place[25].

Taking this context into account, relations between the police and Roma communities have frequently been strained by the fact that the police may be responsible for the implementation of laws that affect minorities in specific ways, such as immigration rules or evictions. These are in inherently difficult situations where police must be particularly careful to conduct their operations respecting human rights and their duty to protect.

Lack of data on discrimination cases. Major discrepancy between actual cases and what is reflected in figures and reports.

Another problem identified across Europe is the absence of data on discrimination against Roma. In this regard, attention was drawn to a legal problem. According to some national laws (Spain, France, Portugal, etc.) it is illegal to collect or register data about people's ethnic background. While this helps protect privacy and personal data, it also means that there is no data or visible evidence that the Roma ethnic minority suffers discrimination based on their ethnicity.

Actually, this problem can be solved in another way: a police officer can ask or record whether the aggression or discrimination has occurred because the person who discriminates has a bias against Roma or exhibits hate. No record need be made as to whether the victim is Roma or not but rather whether anti-gypsyism is at the root of the aggression. Police can employ a protocol including questions about racial or ethnic bias (including anti-gypsyism) when recording an aggression. This will provide statistics on anti-Roma hate crime. (It is irrelevant whether the victim is really Roma or not, the important issue being whether the perpetrator's acts are motivated by anti-Roma hatred)[26].

25.- See here also an explanation on international standards related to forced evictions, at p. 8: http://www.amnesty.org/en/library/asset/EUR39/004/2011/en/5f9becde-66e9-4262-bb3a-ff1c3681046d/eur390042011en.pdf

26.- We should bear in mind that in some cases hate crimes are regulated as ordinary crimes,

Ethnic data gathering remains a sensitive subject for many EU member states. Despite reservations voiced by many EU member states that generating ethnic statistics is prohibited by data protection rules, it is important to note that **data protection standards do not prohibit the collection of statistics on ethnicity** and non-discrimination standards in fact call for ethnic statistics as a necessary means of monitoring and addressing discrimination. Recommendation R(97)18 of the Committee of Ministers of the Council of Europe explicitly permits the processing of sensitive data **including "personal data revealing racial origin"** where domestic law provides that data must be "collected in such a way that the subject of the data is not identifiable."

Data protection is an important issue and is very relevant to the work performed by police forces. A data protection system needs to be in place in all discrimination procedures. Moreover, police officers should be trained in confidentiality matters and data protection when they deal with vulnerable groups exposed to a high risk of discrimination.

Some police forces (London Metropolitan Police, Police of Catalonia[27], local police such as Fuenlabrada in Spain, etc.) have implemented procedures to detect cases of racial or ethnic discrimination or hate crimes thus putting them in a position to offer concrete data on racist or anti-Roma incidents[28].

Lack of coordination between the different levels and types of police corps.

In some countries the security forces system is quite complex with its different administrative levels each with its own competences (national, regional, provincial, local). This affects law enforcement officials who sometimes find it difficult to coordinate efforts, share experiences and procedures, etc., and this also helps to explain why in some countries there is no comprehensive or unified strategy on how to address racial or ethnic discrimination (for example,

---

the hate element being treated as an aggravating circumstance and not as a crime in itself. This depends on the National law of each Member State. See Hate Crime Laws, A Practical Guide. OSCE, 2009.

27.- http://gestionpolicialdiversidad.org/PDFdocumentos/ProcedimientoDelitosMossos.pdf

28.- See good practices at the end of this Guide for more details on these procedures.

a particular country may be implementing some positive initiatives in local or regional contexts but these are not known in other cities or regions of the same country). We would suggest the exchange of know-how between Roma communities and other agents in order to raise the awareness of both groups as to the different methodologies or tools to enhance intervention. This would be also a way to break down barriers and change behaviour.

Lack of diversity among police personnel.

There is still very little diversity within the police, particularly very few Roma police. Measures favouring diversity (ethnic, religious, sexual orientation, more women, etc.) are considered both necessary and useful, and this includes Roma. There are scarcely any initiatives in this regard across Europe.

Insufficient police training and the need for common protocols and standards (hate crimes, discrimination, human rights).

The common characteristic of so-called "discriminatory treatment" crimes is that the ultimate aim of the perpetrator of the criminal act is hatred towards those who are different. This hatred takes the form of xenophobia, racism, homophobia, peniaphobia (hatred of the poor), religious intolerance, intolerance of the ideologies or beliefs of others, intolerance of physical or mental disabilities and other direct violations of the principles of freedom, equality , democracy, respect for human rights and fundamental freedoms, principles on which the European Union is founded. According to numerous national and international studies, the Roma communities is one of the social groups facing the greatest degree of discrimination.

There is increasing awareness of this problem in European Union countries and hence a greater priority is placed on combating these types of behaviours, particular importance being given to criminal law as an instrument to effectively combat discrimination and hatred of those who are different.

Experience has shown that many of these acts are considered minor infractions by police, judges and prosecutors and are frequently treated as misdemeanours or minor offences.

Furthermore, **police organisations are largely unaware of the real hate and discrimination figures because there are no procedures in place to specifically record them**.

Training needs

There is a need to make training in equality, diversity, Roma issues, etc. ongoing as opposed to an isolated stopgap measure. Training also needs to be updated on a regular basis in order to keep up with a rapidly evolving society and police should be able to adapt to these changes and familiarize themselves with these new realities.

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 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.

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

- Human rights;
- History and the present situation of Roma communities;
- Culture, traditions and lifestyles of Roma;
- Need for respect for value systems of different cultural groups;
- Challenges in the relationship between police and Roma;
- 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, and of anti-gypsyism and romaphobia;
- Measures to fight hate crime;

- Language skills;
- Measures to establish partnerships with Roma and introduce a problem-solving approach.

With regard to police officers' appropriate behaviour towards Roma, the skills and abilities required in dealing with matters concerning 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:

- communicating effectively in cross-cultural situations;
- respecting Romani customs (e.g. visits to their homes, 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.

3. Recommendations by International Organizations regarding police and Roma

In addition to the above recommendations, proposals have also been made by different international organizations regarding the improvement of police practices when addressing discrimination against Roma (OSCE, Council of Europe, ECRI; see bibliography).

Following is a summary of the most relevant recommendations published by these international organizations.

- Producing procedures for a **systematic assessment of policing** policy and practice relating to Roma.

- 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 inclusion.

- All strategic steps for improving the relationship between the police and Roma 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, r**epresentatives of the Roma communities**, but also other relevant government organizations (e.g. education, housing and health), representatives of churches, civil society and the private sector.

- Owing to their first-hand knowledge of the **culture, customs, needs and concerns of Roma communities**, members of these groups should actively participate in the development of policies, the recruitment of Roma police officers, the development and provision of Roma-related police training, the establishment of partnerships between the police and Roma communities, and police accountability.

- It is important for the police **to reach out to a wide range of Roma** 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.

- In order to gain support for change among all stakeholders involved, political and police leadership must be committed and **deliver clear statements of their commitment** to improve the policing situation of Roma

- The commitment for change must be expressed in practice through the establishment and maintenance **of long-term partnerships** between the police and Roma communities and through the sharing of successful examples of partnership-based initiatives with other cities, regions, or EU countries.

- Develop policies that promote **awareness among law-enforcement** institutions regarding the situation of Roma and that offset prejudice and negative stereotypes.

- Develop policies and procedures to ensure an **effective police response** to racially motivated violence against Roma.

- Assess the **gap between international police standards** and currently existing national practices in consultation with national police forces, NGOs and Roma organization representatives.

- Elaborate, where appropriate, and in close partnership with international organizations and Roma NGOs, policy statements, **codes of conduct**, practical handbooks and training programmes.

- Encourage **Roma to work in law-enforcement** institutions as a sustainable means of promoting tolerance and diversity.

- **Legislative provisions** should be effectively implemented to ensure there is no impunity for racially motivated crimes. Victims of such crimes should be actively encouraged to report them to the police or other relevant authorities.

- All new anti-discrimination legislation should be accompanied by a handbook targeting law enforcement authorities to assist them in effectively implementing the law. Law-enforcement officers should be provided with on-the-job training to prevent racially-motivated acts among the police themselves and active measures be taken to prevent and expeditiously prosecute such acts in order **to ensure the long-term safety and security of Roma**.

- Police officers should be made aware of direct and indirect racism and **anti-gypsyism** in the course of their general training.
- Member states should ensure that **municipal and other local authorities** undergo a process of institutional development to ensure they relate to Roma communities on a fair and equal basis. Staff training, clear leadership, effective management and supervision, practical guidance, monitoring of performance and an effective complaints procedures are useful tools for securing institutional change.
- Carry out research on **racial profiling** and monitor police activities in order to identify racial profiling practices, including the collection of data broken down by national or ethnic origin, language, religion and nationality in respect of relevant police activities (respecting personal data privacy law);
- **Train police** on the issue of racial profiling and the use of the reasonable suspicion standard;
- Ensure that legislation prohibiting direct and indirect racial/ethnic discrimination **covers police activity**;
- Take measures to make the police aware of the fact that acts of racial discrimination and **racially-motivated misconduct** by police will not be tolerated;
- Provide for support and counselling **mechanisms for victims** of racial discrimination or racially-motivated misconduct by the police;
- To the extent possible, provide those Roma who do not understand the **official language** with access to professional interpretation services for their encounters with the police;
- Ensure that the police **communicate with the media and the public** at large in a manner that does not perpetuate hostility or prejudice towards members of minority groups;
- Encourage Roma who are victims of police misconduct **to lodge complaints**, offering them the necessary support;
- Ensure that investigations are conducted where there are allegations of police misconduct towards Roma, and that the perpetrators are **prosecuted and punished**;
- Recruit and train adequate numbers of **mediators**, in particular from the Roma population, in order to ensure a liaison between Roma and the police;
- Ensure the creation of an **independent body** to investigate complaints made against the police, particularly by Roma.

4. Best practices. Transferable ideas

The aim of this chapter is to provide policy makers, public administrations, chief constables, heads of police forces, police trainers and other stakeholders with proven-effective ideas and projects to improve the quality of the relationships between police and Roma. **Many of these ideas are transferable meaning that they can be copied and implemented in other EU countries at local, regional or national level providing there is the political will to do so**.

STEPSS: Strategies for Effective Police Stop and Search project

Promoter - leader Organization
Open Society Justice Initiative
Supported by: AGIS Programme European Commission, Directorate General Justice, Freedom and Security.

Country – city
International

Description

Over a period of 18 months starting in January 2007, the Open Society Justice Initiative worked with police forces and civil society organizations in Bulgaria, Hungary, and Spain to monitor the use of police stops in a project supported by the European Commission's AGIS Programme entitled "Strategies for Effective Police Stop and Search project," or STEPSS. The participating organizations and individuals not only had the foresight to recognize that they might have a problem with ethnic profiling, but were also willing to tackle the issue directly and share their experiences.

The STEPSS project was a three-country initiative designed to improve police-minority relations through increased accountability and more effective use of police powers in selected communities. Through this project, participating police forces developed tools to monitor identity checks and stop and search powers to determine whether they affect minority communities in a disproportionate manner and to analyze their effectiveness in detecting and investigating crime.

STEPSS project activities included an audit of current policies, practices and training; a study tour of several sites in England; development of new guidelines, training methods and a monitoring tool; and the monitoring of stops and ID checks for a period of six months. Communities consultation was an integral part of each step of the process while the monitoring of results was used to further

police-communities discussion of public safety policies and resource allocation and to support the development, where necessary, of alternative approaches to local crime and safety problems.

STEPSS aimed to improve police relations with minority communities by:

- Improving police training and operational and legal guidance and by supervising ID checks, stops, and searches;
- Developing a monitoring system that enhances police management of and accountability for stops;
- Creating a forum and increasing minority communities' ability to participate through dialogue with the police and set local policing priorities;
- Creating replicable models of good practice that can be disseminated regionally;

STEPSS undertook an assessment of existing policy and practice, designed forms for recording stops, prepared and trained officers on operational protocols and collected stop data for six months in pilot sites in each country. Throughout the process, police met with local communities groups to share and discuss the stop data. The data revealed that police were engaging in ethnic profiling. At every pilot site police were profiling people based on ethnicity or national origin. Minorities were more likely to be stopped, often more likely to be searched but, almost without exception, were no more likely to be involved in any wrongdoing than the majority group. In some cases, they were significantly less likely to be found offending than those belonging to the ethnic majority.

Contact: Rebekah Delsol.Email: rebekah.delsol@opensocietyfoundations.org

Web page
http://www.opensocietyfoundations.org/reports/addressing-ethnic-profiling-police

Promoter - leader Organization
Rotterdam-Rijnmond Police, Rotterdam City Council and RADAR

Country – city
The Netherlands

Description

The Rotterdam Charter was published in 1996 as an initiative which has grown out of the partnership between the Rotterdam-Rijnmond Police, Rotterdam City Council, and RADAR - the anti-discrimination organisation for Rotterdam. This three-way partnership reflects their view that needed changes in policing cannot be achieved by the police alone. While the police have the primary responsibility for dealing with these matters in all countries, their success depends on their co-operation with the civil authorities and non-governmental organisations (NGOs) that address ethnic issues.

The Charter itself is a document which identifies the kinds of actions which need to be taken if 'policing for a multi-ethnic society' is to become a reality across Europe. It covers topics such as training on ethnic issues, the recruitment and retention of officers specialized in minorities, enforcement of applicable laws, partnerships with ethnic minority communities, and the management of crime statistics broken down by ethnic group. It is unique in the sense that it provides an overview of the whole range of activities which need to be introduced.

Contact: Robin Oakley Email: oakley@easynet.co.uk

Web page
The full text of the Charter is available at:
http://www.legislationline.org/documents/id/8562

Designation:

OSCAD - The Italian Observatory for Security against Discriminatory Acts

Promoter - leader Organization
Polizia di Stato and the Carabinieri.Department of Public Security - Central Directorate of Criminal Police.
Cooperation with UNAR, the National Office against Racial Discrimination.

Country – city
Italy.

Description

The Italian Observatory for Security against Discriminatory Acts (OSCAD) was established for the purpose of guaranteeing the right to security of persons belonging to social groups at risk of discrimination, such as Roma. OSCAD is made up of the directors of the investigative services of the National Police and the Carabinieri Corps dealing with hate crimes. They cooperate with UNAR, the National Office against Racial Discrimination.

The comparative advantage OSCAD has over UNAR is that it can receive and validate reports of hate crimes made anonymously, conduct effective investigations and initiate immediate and targeted operational interventions. In fact, the directors of the central investigative services of the National Police and the Carabinieri are members of OSCAD. This is the advantage it has in dealing with hate crimes that an equality body such as UNAR does not.

Together with UNAR, it also fosters greater awareness among police forces, institutions and the general public as concerns the importance of combating all forms of discrimination as a way to prevent vulnerable persons from becoming involved in antisocial behaviour, being victimised or even recruited by organised crime groups.

The Observatory for security against acts of discrimination (OSCAD) was established to protect the victims of hate crimes, to help individuals who belong to minorities enjoy their right to equality before the law and guarantee protection against all forms of discrimination.

OSCAD is operated by the Polizia di Stato and the Carabinieri and belongs to the Department of Public Security - Central Directorate of Criminal Police.

In short, OSCAD:

- receives reports of discriminatory acts (oscad@dcpc.interno.it - fax 06 46542406 and 06 46542407) within the sphere of security from institutions, professional or trade associations and private individuals, in order to monitor the phenomenon of discrimination based on race or ethnic origin, nationality, religion, gender, age, language, physical or mental disability, sexual orientation and gender identity;
- initiates targeted interventions at local level based on the reports received which are then carried out by the Police or the Carabinieri;
- follows up on complaints of discrimination lodged with the police agencies;
- maintains contact with public and private associations and institutions devoted to combating discrimination;
- prepares training modules to prepare police operators for anti-discrimination activity and participates in training programs with public and private institutions;
- puts forward appropriate measures to prevent and fight discrimination.

Contact: oscad@dcpc.interno.it

Web page http://www.poliziadistato.it/articolo/25241/

Designation:

Fraternal Association of European Roma Law Enforcement Officers

Promoter - leader Organization
Open Society Institute, Ministry of Justice and Law Enforcement of Hungary and the British and US National Black Police Association.

Country - city
European

Description

The Fraternal Association of European Roma Law Enforcement Officers was set up in Budapest on 24 November 2006 with the support of the Open Society Institute, Ministry of Justice and Law Enforcement of Hungary and the British and US National Black Police Association. The association was first established by Hungarian Roma and non Roma police officers but its formal founding was actively supported by the law enforcement officials of six European countries (Bulgaria, Czech Republic, Hungary, Romania, Slovakia and the United Kingdom).

The founding of the association is expected to spark the establishment of member organisations in other European countries as well. This marks the start of a problem solving process extending to several countries since Roma is the largest minority in Europe. Roma in a number of countries are affected by serious social problems such as unemployment, substandard housing, inadequate healthcare and discrimination.

Within its scope of activities the association directly helps combat discrimination but it also fosters the education and employment of the Roma, improvement of their housing conditions and provides an opportunity to break out of the vicious circle of poverty. International and national experience has shown that law enforcement professions provide an excellent opportunity for young people —who would otherwise be unable to study due to the limited financial

resources of their families— to rise out of poverty, improve their standard of living and have a career.

The Fraternal Association of European Roma Law Enforcement Officers, a non-profit organization, aims to implement national and European level objectives such as the following: promote equal opportunities in law enforcement agencies of Hungary and other EU member states; reduce the mutual prejudice existing between law enforcement agencies and Roma communities; increase the number of staff of Roma origin at law enforcement agencies; improve the living and working conditions of current Roma staff members. The following objectives are equally important for the association: provide assistance in overcoming identity problems of Roma staff members; mediate in Roma-police conflicts; reduce prejudice against Roma thus fostering the national and European integration of the Roma minority; support the participation of Roma in national and international law enforcement training courses; and cooperate with national and international partner organisations.

The Association seeks to support the diversity programmes and initiatives of the law enforcement agencies of the participant countries from the vantage point of its status as an NGO.

Contact: György Makula info@faerleo.com

Web page: http://www.faerleo.com/introduction

Designation:

Roma elders as mediators with the police

Promoter - leader Organization
Mossos d'Esquadra (Catalonia Police)

Country - city
Spain (Catalonia)

Description

This initiative was launched by the Mossos d'Esquadra (Catalonia regional police) and is a mechanism conceived to coordinate with specific Roma individuals who act as contact persons in the event of conflict involving Roma or in neighbourhoods where there is a significant Roma population.

The procedure works as follows: before proceeding to the conflict site, the police contact the Roma individual identified (elder or respected Roma who know their communities and who are good mediators or interlocutors) and inform him/her of the situation (domestic dispute, neighbour relations, neighbourhood conflict, etc.) and seek advice as to the best way to intervene before taking any action.

This system contributes to effective police action insofar as it:

- facilitates acceptance of police presence in the neighbourhood;
- prevents over-reaction by the police that could affect people who are not involved in the conflict (for example, instead of closing off the neighbourhood with police vehicles or searching homes indiscriminately, action is more controlled and discrete targeting only those who are actually involved);
- allows the police to better understand the context, the underlying causes of the conflict and possible solutions (mediation, the need to file charges or not, special circumstances of those involved, etc.);

- is transferable, i.e. this working model can easily be transferred to other places where Roma reside.

Contact details: Albert Oliva Mateu, Chief Inspector Area of Proximity and Diversity
Albert.oliva@gencat.cat

Web page: http://www20.gencat.cat/portal/site/mossos

Designation:

STEPSS: Strategies for Effective Police Stop and Search project

Promoter - leader Organization
Association of Chief Police Officers of England, Wales & Northern Ireland (ACPO)

Country - city
United Kingdom

Description

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

The guidelines emphasize that the use of police powers to end unauthorized encampments should remain at the discretion of the police officers present. Furthermore, 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 an encampment exists at a specific location. Also, the guidelines state that a decision on whether to evict or not must be balanced and comply 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 and thus allow 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 up camps at unauthorized sites.

The guidelines describe specific steps to be taken by the police in managing unauthorized encampments, including:

- initial contact with the people involved;
- assessment of the situations;
- co-operation with other governmental agencies; and
- the eviction process itself

Contact: info@acpo.pnn.police.uk

Web page:
http://www.acpo.police.uk/documents/edhr/2009/200911EDHRGUE01.pdf

Designation:

Programme for the Effectiveness of Police Stops, PIPE.

Promoter - leader Organization
Platform for Police Diversity Management.

Country
Spain

Description

PIPE is a programme that aims to improve police procedures regarding the identification of people in public places, maximising the effectiveness of these identifications while seeking to prevent any sort of racial or ethnic bias. Another objective of the programme is the creation or improvement of channels of communication and cooperation between local municipal police and civil society to strengthen the dynamics of coexistence and promote mutual understanding. This programme is based on the procedures developed in the European project STEPSS in which the local police of Fuenlabrada, a UNIJEPOL member, actively participated.

The Program for Effectiveness of Police Stops (PIPE) is driven by the Platform for Police Diversity Management, an entity that aims to promote changes in Police Services and improvements in operating procedures to ensure non-discriminatory police treatment of a diverse society and, most especially, of minority groups which are most vulnerable.

PIPE seeks to meet the following objectives:

- promote greater control on the part of the Police Directorate of stop and search activities performed by its officers;
- establish procedures for conducting identifications in order to improve police effectiveness in this area and prevent and control any discriminatory bias in this connection;

- promote the periodic analysis of police identifications to adopt corrective actions as appropriate;
- raise awareness, enhance training of police and especially conduct checks as regards the proper management of police stops;
- Strengthen the approach to and the relationship Police have with diverse societies and local communities.

PIPE is currently implementing the following actions:

a) Specific programme development design in collaboration with experts of the Platform for Policing Diversity, in accordance with existing specificities in each location.
b) Development of a "Procedural Manual for Effective Police Identification Procedures" to establish a protocol for police stops, in collaboration with experts of the Platform for Policing Diversity.
c) Design and implementation of the "Police Identification Form" for use by police in identifications regulated by the Manual.
d) Organization of diverse training activities for police officers to aid in the proper application of the Procedural Manual and to raise awareness as to the frequency of police stops in diverse societies.
e) Implementation and use of a computer application to help analyze statistical data obtained in the implementation of the programme and training for bodies responsible for data protection.
f) Establishment of procedures and instruments to facilitate and enhance the relationship between police and diverse societies.
g) Development of an information campaign targeting diverse societies on rights and duties in relation to police stops and the legal and ethical obligations of police officers.
h) Periodic evaluation of data and sharing with the rest of society.

Contact: José Francisco Cano de la Vega unijepol@unijepol.eu

Webpage:
http://gestionpolicialdiversidad.org/PDFactividades/Programa%20_PIPE%20_con_cuestionario.pdf

Bibliography

ECRI General Policy Recommendation N° 3:Combating racism and intolerance against Roma/Gypsies
http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N3/Recommendation_3_en.asp#TopOfPage

ECRI General Policy Recommendation n° 11 on combating racism and racial discrimination in policing.
http://www.coe.int/t/dlapil/codexter/source/ecri_recommendation_11_2007_en.pdf

ECRI General Policy Recommendation no.13 on combating anti-gypsyism and discrimination against Roma.
http://www.coe.int/t/dghl/monitoring/ecri/activities/gpr/en/recommendation_n13/e-RPG%2013%20-%20A4.pdf

Addressing Ethnic Profiling by the Police: A Report on the Strategies for Effective Police Stop and Search (STEPSS) Project, New York: OSI, 2008.
http://ec.europa.eu/ewsi/UDRW/images/items/itpr_37020_47387875.pdf

Police and Roma and Sinti: Good Practices in Building Trust and Understanding. OSCE, 2010.http://www.osce.org/node/67843

Toward Community Policing: the Police and Ethnic Minorities in Hungary, Project on Ethnic Relations, Budapest, 2000.

Fundamental rights-based police training – A manual for police trainers. FRA, 2013 http://fra.europa.eu/en/publication/2013/fundamental-rights-based-police-training-manual-police-trainers

Handbook for Security Forces in identifying and recording racist or xenophobic incidents, Spain, 2012.
http://ec.europa.eu/ewsi/UDRW/images/items/docl_31603_276634063.pdf

Annual Report: Discrimination and Roma Community 2013, FSG, Spain. (Special issue focusing on Police). http://gitanos.org/upload/41/94/Discriminacion2013.pdf

Police Training Concerning Migrants and National Minorities, Oakley, Robin, in: Council of Europe*, Human Rights and the Police*, Strasbourg.

Human Rights and the Police: Seminar Proceedings: Strasbourg, 6-8 December 1995, Volume 918.

Policing and Roma: a resource manual. Compilation of documents to support implementation of the OSCE action plan for Roma & Sinti. OSCE, 2006.
http://www.osce.org/odihr/21615

Combating Hate Crimes in the OSCE Region, OSCE/ODIHR, 2005, Annex D.

Policing Racist Crime and Violence. A Comparative Analysis, EUMC, September 2005.

"Szoveggyujtemeny: a kisebbsegiugyekrendorsegikezelesenektanulmanyozasahoz" (Case Studies of Police and Minority Relations), K. Csanyi and L. Felkai (Eds.). Budapest, Hungary: Constitutional and Legislative Policy Institute: 1997.

Guía para la gestión policial de la Diversidad. Plataforma por la gestión policial de la diversidad. Spain, 2013. http://www.gitanos.org/actualidad/archivo/100029.html

Identificación policial por perfil étnico en España. García Añón et al. Tirant lo Blanc, 2013. http://www.uv.es/garciaj/pub/2013_perfil_etnico.pdf

Reducing Ethnic Profiling in the European Union: A Handbook of Good Practices. Open Society Justice Initiative.
http://www.opensocietyfoundations.org/publications/reducing-ethnic-profiling-european-union-handbook-good-practices

Equality, diversity, and human Rights strategy for the police service (UK, 2009)
http://www.acpo.police.uk/documents/edhr/2010/201001EDHREDH01.pdf

Towards More Effective Policing, Understanding and preventing discriminatory ethnic profiling: A guide. FRA, 2010. http://fra.europa.eu/en/publication/2012/towards-more-effective-policing-understanding-and-preventing-discriminatory-ethnic

Police stops and minorities. FRA, 2010. http://fra.europa.eu/sites/default/files/fra_uploads/1132-EU-MIDIS-police.pdf

Police stops and minorities: understanding and preventing discriminatory ethnic profiling (infosheet)
http://fra.europa.eu/en/publication/2010/police-stops-and-minorities-understanding-and-preventing-discriminatory-ethnic

Police training concerning migrants and ethnic relations. Council of Europe, 1993.
http://www.coe.int/t/dg3/migration/archives/documentation/Series_Communities_Relations/Police_training_concerning_migrants_and_ethnic_relations_e%E2%80%A6.pdf

Enhancing Intercultural Competence in Police Organizations. Wolf Rainer Leenen, 2002.

Rotterdam Charter: Policing for Multi-ethnic Society (1996)
http://www.legislationline.org/documents/id/8562

Field Visit on Police and Roma relations, Romania, 2007.
http://www.osce.org/odihr/30876

Glossary

Anti-romanism:

Anti-romanism or anti-gypsyism or is another sign of intolerance which includes all forms of hatred, discrimination, hostility and violence towards this group. It is based on prejudice and ignorance and has strong historical roots in popular culture taking the form of stereotypes, clichés, jokes, derogatory and demeaning attitudes. It is also called romaphobia when it is a hate crime motivated by hatred against Roma.

Direct racial discrimination:

Any differential treatment based on a ground such as race, colour, language, religion, nationality or national or ethnic origin, which has no objective or reasonable justification. Differential treatment has no objective and reasonable justification if it does not pursue a legitimate aim or if there is not a reasonable degree of proportionality between the means employed and the aim sought.

Ethnic profiling:

"Ethnic profiling" is when police officers, for no specific purpose and without reasonable justification, use 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 engaging in search and control, surveillance or investigative activities.

Hate crime:

This is a criminal offence that is committed based on prejudice. This means that the perpetrator intentionally chooses the target of the crime on the basis of a certain characteristic. The target may be one or several people or it may be property associated with a group that shares a particular characteristic. Shared characteristics include race, language, religion, ethnicity, nationality, or similar.

Hate-motivated incidents:

Incidents, acts or manifestations of intolerance committed based on prejudice that may not reach the threshold of a hate crime either because criminal offense was not proven or because the act may not be considered a criminal offense under a particular state's legislation.

Indirect racial discrimination:

Cases where an apparently neutral factor such as a provision, criterion or practice cannot be as easily complied with by certain people or puts them at a disadvantage due to their race, colour, language, religion, nationality or national or ethnic origin, unless this factor has an objective and reasonable justification. This would be the case if it pursues a legitimate aim and if there is a reasonable relationship of proportionality between the means employed and the aim sought.

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.

Police:

Those exercising (or having by law) the power to use force in order to maintain law and order in society, normally including prevention and detection of crime. This includes secret security and intelligence services and border control officials. It also includes private companies exercising police powers as defined above.

Reasonable suspicion:

A suspicion of an offence that is justified by some objective criteria before the police can initiate an investigation or carry out control, surveillance or investigation activities.

Racist incident:

Any incident which is perceived to be racist by the victim or any other person.

Racist offence:

An ordinary offence (such as murder, assault and battery, arson or insult) committed with a racist motivation (racially-motivated offence), and other offences in which the racist element is inherent to the offence (such as incitement to racial hatred or participation in a racist organisation).

Under-policing:

When police are less willing to provide sufficient services and help to members of minority communities when they are victims of crime.

NET-KARD PROJECT