

**NATIONS UNIES
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**PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL**

Mandate of the Independent Expert on minority issues.

REFERENCE: AL Minorities (2005-4)
CZE 1/2011

19 September 2011

Excellency,

I have the honour to address you in my capacity as Independent Expert on minority issues pursuant to General Assembly resolution 60/251 and to Human Rights Council resolution 16/6.

In this connection, I would like to bring to your Excellency's Government's attention information I have received regarding **increasing tension in North Bohemia in the Czech Republic between Roma and non-Roma, particularly in the towns of Rumburk, Novy Bor, and Sluknov.**

According to the information received:

Since July 2011, several racially motivated actions against Roma living in North Bohemia have taken place. In July and early August, ethnic Czechs committed two arson attacks against Romani people living in Býchory and Krtý. After that, on 7 August 2011, Romani customers of a gaming room in Nový Bor physically attacked other customers and staff after the staff refused to pay out their winnings because they were under the age of 18. On 21 August 2011, 18 Roma reportedly beat up six ethnic Czechs. These much-publicized incidents have fuelled a wave of vigilante demonstrations against "Romani crime". Four ethnic Czechs brutally beat up an innocent Romani man with baseball bats in front of his pregnant girlfriend on 22 August 2011. In the midst of this tense situation, some local authorities in the region have reportedly made public statements which may worsen public sentiment about Roma. For example, on 26 August 2011, the Mayor of Rumburk reportedly called for the need to regulate the influx of "inadaptable" persons (a well-known term used in the Czech Republic for Roma) and ban their residence.

The Czech Ministry of Interior, responding to calls by local authorities, deployed 120 special police units to Rumburk on 23 August 2011, due to the increasing ethnic tension in the region. However, incidents occurring on 26 August indicate that the Government response to date has been inadequate. According to

documentation, on that day approximately 1,000 local residents and right-wing extremists undertook an unauthorised anti-Roma march in Rumburk. During the march, local residents and rightwing extremists walked to the Romani settlement shouting anti-Romani and racist slogans and destroyed fences around two Romani houses. Local and state police were unable to stop the crowd from reaching the Romani settlement or guarantee the safety of the Romani residents.

Anti-Roma marches have reportedly been planned in Varnsdorf and Novy Bor in September by Svobodná mládež, a rightwing extremist youth organisation, and the Workers' Party. Varnsdorf authorities informed non-governmental organizations that no formal permission had been requested for these marches, although they had been mentioned in the media. These marches and escalating ethnic tensions pose a threat to the physical safety of Roma in North Bohemia. Local Romani representative note that the march route in Novy Bor passes by a residential building inhabited by a Romani family.

On 26 August 2011, a mob of roughly 500 people reportedly marched through the town of Rumburk all evening doing their best to provoke Romani residents. The mob formed after an authorized demonstration came to an end there during which a representative of the "Civic Resistance" (Občanský odpor) association allegedly called on the gathering to teach the "inadaptables" a lesson. Others reportedly openly called for violence against the Roma and for people to take up pickaxes and pitchforks and take to the street to address the situation themselves. Before police managed to disperse the mob, ethnic Czechs had broken down a fence in front of a building occupied by Roma and thrown tree branches and stones at it. One Romani family was allegedly threatened with murder by their non-Romani neighbours; when they called the police to report the incident, they were allegedly told to barricade themselves in their home and call again if someone should try to break in. When they called the town hall, they were allegedly advised to leave town. The nine-member family, including infants, fled on foot for 14 kilometres through the forest to reach safety in a nearby village.

On 2 September 2011, in the town of Varnsdorf, about 300 ethnic Czechs demonstrated against "inadaptables" before setting off on an unauthorized march targeting a residential hotel with Romani tenants. During that march, their ranks grew to roughly 500 people. Police prevented physical contact between the protesters and residents. Marchers shouted racist slogans and called for violence against the Roma. One ethnic Czech reportedly wore a t-shirt reading "Revive Hitler, he'll rid us of this filth, Roma to the gas chambers"; she was arrested by police the next day. Lukas Kohout, convener of the demonstration, was arrested immediately afterward for failing to obey police instructions and violating the law on assembly.

On 3 September 2011, several hundred ethnic Czechs marched through Varnsdorf once more for two hours, again trying to make it to the residential hotel, allegedly in order to attack its Romani tenants. About 250 people met on the square and hundreds more joined them on their way through town. Police again prevented

physical conflicts. The protest against “Romani crime” in the area was convened by the neo-Nazi “Free Youth” movement (Svobodná mládež).

On 9 September 2011, once again, about 300 people met on the square in Varnsdorf and set off on yet another anti-Roma march targeting local residential hotels. About 80 people managed to reach one building but physical conflict was prevented. Police managed to prevent another part of the crowd from approaching a second residential hotel. The organizer of this meeting, Lukas Kohout, was arrested again.

On 10 September 2011, the extremist Workers’ Social Justice Party (DSSS) had organized three separate rallies in the North Bohemian towns of Novy Bor, Varnsdorf and Rumburk. Party supporters carrying the party’s flag and banners reading “Gypsies are attacking – We say enough!” “Nothing but the nation,” “Bohemia for the Czechs”, met in Novy Bor; 400 party faithful were joined by 100 locals on the march. On the way, they reportedly accused counter-demonstrators of not being Czechs but of being “Jews”, and verbally abused them. After the speeches were over, they marched through town again and passed within 10 meters of a Romani neighbourhood where counter-demonstrators had gathered and verbally abused them. Police managed to preserve their physical distance. Four neo-Nazis were arrested for trying to breach the police cordon.

The next DSSS demonstration that day, in Varnsdorf, was attended by about 500 people. More local ethnic Czechs turned out there than in Novy Bor to show their agreement with the DSSS chair. No riot police were in view during the demonstration. Once it ended, some neo-Nazis started yelling “Let’s go get ‘em!” and the crowd headed on an unauthorized march on that same residential hotel with Romani tenants that had been targeted on all the other days. The unannounced, illegal march was accompanied by “anti-conflict” officers who made no attempt to stop it. Police eventually kept demonstrators from reaching their target.

While I do not wish to prejudge the accuracy of these allegations, I wish to appeal to your Excellency’s Government to seek clarification of the circumstances regarding such increasing tension in North Bohemia in the Czech Republic between Roma and non-Roma communities and to seek your information regarding any actions on the part of the Government to calm the situation and ensure the security of all persons.

I wish to draw the attention of your Excellency’s Government to international standards relevant to the protection and promotion of the rights of minorities. Article 27 of the International Covenant on Civil and Political Rights establishes that: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.” In addition, the provisions of the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities require under article 1.1 that “States shall protect the existence and the

national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.” The obligation on States to protect the existence of minorities requires Governments to protect persons belonging to minorities from acts of violence against them and to strongly condemn such actions. Moreover they must be committed to finding ways to create safe environments for all, including by carefully monitoring and strengthening their own anti-racism activities, through leadership and public education, by swiftly denouncing hate speech and prosecuting the racist and violent actions of others in society.

Article 2 of the Declaration states that “Persons belonging to national or ethnic, religious and linguistic minorities have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination. In addition, article 4.1 of the Declaration establishes that: “States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.”

Moreover, it is my responsibility under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention. Since I am expected to report on these cases to the Human Rights Council, I would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the case accurate?
2. Has a complaint been lodged with regard to the incidents mentioned above?
3. Please provide the details and where available, the results, of any judicial investigation, or any criminal charges and other inquiries carried out in relation to this case.
4. Please provide details of plans or measures to defuse tensions and prevent inter-ethnic and anti-Roma violence.
5. Please indicate which measures your Excellency’s Government has adopted or intends to implement to ensure the personal safety of members of the Roma community.

I would appreciate a response within 60 days. I undertake to ensure that your Excellency’s Government’s response to each of these questions is accurately reflected in the report I will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of my highest consideration.

IZSÁK Rita
Independent Expert on minority issues