

EDUCATIONAL TOOLS FOR ADDRESSING RACIALLY MOTIVATED CRIMES AGAINST ROMA AND TRAVELLERS

Resources for police academies and police schools



2025

VOLUME 2
COUNTRY FACT SHEETS

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The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of the terms Roma and/or Travellers.

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Contents

ABOUT THE EDUCATIONAL FACT SHEETS	5
ALBANIA	7
Introduction and background	7
At a glance: key reports and opinions	7
What are anti-Roma and anti-Traveller hate crimes and violence?	7
Effective investigation of racist motives in violent acts	8
Building confidence and trust	8
Learning and training plan	8
Appendix 1 – Potential case study	11
Appendix 2 – Summary of learning needs	11
BULGARIA	12
Introduction and background	12
At a glance: key reports and opinions	12
What are anti-Roma and anti-Traveller hate crimes and violence?	12
Effective investigation of racist motives in violent acts	13
Building confidence and trust	14
Learning and training plan	15
Appendix – Summary of learning needs	17
HUNGARY	18
Introduction and background	18
At a glance: key reports and opinions	18
What are anti-Roma and anti-Traveller hate crimes and violence?	18
Effective investigation of racist motives in violent acts	19
Learning and training plan	20
Appendix – Summary of learning needs	22
NORTH MACEDONIA	23
Introduction and background	23
At a glance: key reports and opinions	23
What are anti-Roma and anti-Traveller hate crimes and violence?	23
Effective investigation of racist motives in violent acts	24
Learning and training plan	24
Appendix – Summary of learning needs	26
ROMANIA	27
Introduction and background	27
At a glance: key reports and opinions	27
What are anti-Roma and anti-Traveller hate crimes and violence?	27
Effective investigation of racist motives in violent acts	28
Learning and training plan	29
Appendix – Summary of learning needs	30
SLOVAKIA	31
Introduction and background	31
At a glance: key reports and opinions	31
What are anti-Roma and anti-Traveller hate crimes and violence?	31
Effective investigation of racist motives in violent acts	32
Learning and training plan	33
Appendix – Summary of learning needs	34
UKRAINE	35
Introduction and background	35
At a glance: key reports and opinions	35
What are anti-Roma and anti-Traveller hate crimes and violence?	36
Effective investigation of racist motives in violent acts	36
Learning and training plan	37
Appendix – Summary of learning needs	38

ABOUT THE EDUCATIONAL FACT SHEETS

The European Court of Human Rights (the European Court) has issued several judgments concerning the lack of effective investigations, including the failure to investigate possible racist motives in relation to allegations of ill-treatment, police operations or racial profiling of Roma and Travellers. A number of these judgments are currently under review by the Committee of Ministers, which is overseeing the implementation of measures at the national level to prevent the recurrence of similar issues.

In the supervision process of the implementation of European Court of Human Rights Roma and Traveller-related judgments, the Committee of Ministers took note of relevant measures taken by police agencies, including changes in legislation and practice, but further invited national authorities to continue and intensify their actions and to provide targeted training, enhanced capacity-building measures and awareness-raising activities for police and prosecutors in relation to the classification, investigation and prosecution of hate crimes including racially motivated crimes.

Recommendation [CM/Rec\(2024\)4](#) of the Committee of Ministers to member States on combating hate

crime suggests that compulsory modules on hate crime should be included in the curricula of police training academies.

The [Roma and Travellers Division](#) supports member states' governments in the design and implementation of laws, policies, programmes and measures so as to ensure that Council of Europe human rights standards are effectively implemented by the police and truly benefit Roma and Travellers.

A critical aspect of training police officials to address racially motivated crimes against Roma and Travellers is to ensure a systematic approach to professional development. A viable solution would be to integrate the relevant Council of Europe standards and case law of the European Court into the curricula of initial or in-service police training institutions.

These educational fact sheets are designed to assist police educators and trainers to incorporate the Council of Europe's standards on racially motivated crimes against Roma into existing training programmes offered by police and educational institutions (police academies; police schools).



ALBANIA

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in Albania. It also proposes a training plan for police academies based on key European Court judgments, European Commission against Racism and Intolerance (ECRI) findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation including the concept of bias indicators, the importance of recording hate crimes and disaggregated data and the importance of building the confidence of Roma and Travellers in policing.

Read more

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Committee of Ministers
► Conclusions (2022) in ENGLISH Report and Government comments (2020) in ENGLISH and ALBANIAN	► Opinion (2023) in ENGLISH ; summary in ALBANIAN ; Government comments in ENGLISH	► Resolution (2023) on the implementation of the FCNM by Albania in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

“Hate crime” is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics or statuses ([CM/Rec\(2024\)4](#)). “Hate” includes bias, prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in Albania. The Advisory Committee of the Framework Convention for the Protection of National Minorities (FCNM) has expressed concern about allegations of police brutality against the Roma community in particular, highlighting numerous instances of police brutality against Roma reported by representatives of Roma communities ([Fifth Opinion on Albania, 2023](#)). For instance, “one example concerns the beating of a Roma boy in Korçë, and the abuse of two Egyptian young men by police during a Covid curfew in Berat, including the use of racially discriminatory language as well as physical violence”. The committee strongly encouraged the authorities to develop and implement comprehensive training for police on anti-racism and human rights, especially to combat antigypsyism. ECRI highlighted the urgent need for “confidence-building measures” for Roma communities and “recommends that the authorities continue to organise consultation meetings between police officers, representatives of vulnerable groups and [non-governmental organisations (NGOs)]” ([ECRI Report on Albania, 2020](#)).

Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People or property mistakenly targeted as Roma or Traveller are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation [CM/Rec\(2024\)4](#) of the Committee of Ministers to member States on combating hate crime explains that “hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide”.

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations, including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes, and supporting and protecting victims, which should be read in conjunction with this section.

This section highlights elements of the requirement for an effective investigation that are emphasised in European Court judgments regarding Albania. The duty to investigate racist motives in violent incidents was explained in *Balkasi and Others v. Albania* (2022). The European Court's judgment contained the following key points.

Duty to recognise and investigate racist motive

The European Court reaffirmed that when states investigate violent incidents, they have a duty to consider whether there was a racist motivation (paragraph 68). While proving racist intent is difficult, authorities must conduct thorough, impartial investigations to determine whether ethnic hatred played a role (paragraph 69). The failure to do so weakens protections against racially motivated violence. In this case, the authorities failed to inquire into possible racial bias but, given the lack of strong evidence from the applicants, the European Court did not find a separate Article 14 violation (paragraph 71).

Duty to use existing legal provisions for racially motivated offences

The European Court emphasised that states must use existing laws to prosecute racially motivated crimes where applicable (paragraph 68). Although the applicants alleged anti-Roma bias, the authorities did not investigate whether racist motives were present (paragraph 20). The People's Advocate's findings suggested bias and improper treatment, yet no legal action was taken. The European Court's decision underscores that states must use available legal mechanisms to address allegations of racist discrimination effectively (paragraphs 21 and 22).

Prohibition of ill-treatment and effective investigations

The European Court did not find sufficient evidence to conclude that the applicants had been subjected to ill-treatment beyond reasonable doubt (paragraph 55). Although the People's Advocate confirmed that the police had used unnecessary force, this finding was based primarily on the applicants' statements

and lacked additional supporting evidence (paragraph 54). As a result, no violation was found under the substantive limb of Article 3 (paragraph 56).

However, the European Court found that the Albanian authorities failed to investigate the applicants' allegations of ill-treatment by police officers (paragraph 60). Despite the presence of credible claims, no criminal investigation was opened, and the domestic courts ignored the applicants' complaints (paragraphs 57 and 58). The European Court reiterated that a prompt investigation is required, emphasising that authorities "must always make a serious attempt to find out what happened and should not rely on hasty or ill-founded conclusions to close their investigation" (paragraph 50). This failure amounted to a violation of the procedural limb of Article 3 (paragraph 60).

Prohibition of discrimination

The applicants alleged that racist discrimination played a role in their treatment. The European Court reiterated that states have a duty to investigate potential racist motives (paragraphs 68 and 69). However, in this case, the applicants did not present sufficient evidence that ethnic bias influenced the authorities' actions. The European Court therefore concluded that no separate issue arose under Article 14 (paragraph 72). The European Court ruled that Albania violated the procedural limb of Article 3 but found no violation of the substantive limb, Article 8, or Article 14. It awarded €4 500 in non-pecuniary damages to the second, third and fifth applicants, payable to their legal representatives (paragraph 76).

BUILDING CONFIDENCE AND TRUST

This section should be read in conjunction with the cross-cutting fact sheet section on encouraging Roma and Traveller communities to report racist violence. Several reports from Council of Europe bodies focus on the importance of addressing antigypsyism as a form of racism against Roma and in establishing confidence-building measures between the police and Roma communities. In its sixth monitoring cycle report on Albania, ECRI recommended "confidence-building measures" and the organisation of "consultation meetings between police officers, representatives of vulnerable groups and NGOs" ([ECRI Report on Albania, 2020](#)).

LEARNING AND TRAINING PLAN

Learning outcomes are created using [Bloom's taxonomy](#), which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based

on the learning needs assessment (see Appendix 2). Trainers are reminded to include a summary of facts of European Court judgments when presenting them as part of planned learning activities.

The obligation to investigate racist motives in violent acts

Learning outcome: analyse and apply procedural obligations from Articles 3 and 14 of the Convention to effectively identify, document and investigate racist motives in violent acts, ensuring adherence to the standard of "best endeavours" in investigation processes.

Bloom's taxonomy rationale: this outcome focuses on the higher-level cognitive skills of analysing and applying, encouraging learners to break down and interpret legal obligations before applying them in realistic investigation scenarios. This level of learning enables officers to move from understanding abstract legal principles to effectively integrating these principles into investigative processes.

Learning plan

Activity 1.1 – Lecture (1 hour) on standards in hate crime investigations

Description: an instructor-led session introduces Articles 2, 3 and 14 of the Convention, discussing obligations to investigate racist motives and the standards set by case law of the European Court. Emphasis is placed on the "best endeavours" approach, practical implications and challenges in evidence collection. The lecture will be based on the cross-cutting lecture that applies to all countries, with added examples from Albania.

When considering the case of *Balkasi and Others v. Albania*, it is important to note two important points: the European Court found that the authorities failed to inquire into possible racist bias but, given the lack of strong evidence from the applicants, the European Court did not find a separate Article 14 violation (paragraph 71). This means that the European Court found a procedural breach of Article 3, but it did not find sufficient evidence of a substantive breach (that the applicants had been subjected to ill-treatment beyond reasonable doubt) nor that racial bias played a role in the procedural breach. Trainers can emphasise the procedural and substantive elements of Articles 3 and 14 and highlight the importance of strong evidence when trying to prove their violation.

In addition to cases covered in the cross-cutting fact sheet, instructors can draw on the following case: *Fedorchenko and Lozenko v. Ukraine*. At paragraph 67, the European Court explains: "In the instant case the

European Court has already found that the Ukrainian authorities violated Article 2 of the Convention in that they failed to conduct an effective investigation into the incident. It considers that it must examine separately under Article 14 of the Convention taken in conjunction with Article 2 of the Convention under its procedural limb the complaint that there was also a failure to investigate a possible causal link between alleged racist attitudes and the attack on the applicants' relatives."

In paragraph 68, the European Court continues: "In this respect the Court observes that on 28 October 2001 three houses, in which lived people of Romani origin, were set on fire. The alleged motive of the arsonists was destruction of houses of drug dealers. However, any information as for whether the inhabitants of two other houses were involved in drug trafficking is absent. Moreover, given the widespread discrimination and violence against Roma in Ukraine as noted, in particular, by the report of the ECRI, it cannot be excluded that the decision to burn the houses of the alleged drug traffickers had been additionally nourished by ethnic hatred and thus it necessitated verification."

In paragraph 69, the European Court "however, notes that there is no evidence that the authorities have conducted any investigation into the possible racist motives of this crime."

Activity 1.2 – Workshop (2 hours) on practical investigation scenarios

Description: participants work in small groups on mock cases based on real-life examples of hate crimes with potential racist motives. They identify evidence, discuss investigative steps and determine whether actions meet the "best endeavours" standard. Groups then present their findings to the class, receiving feedback on thoroughness and adherence to legal obligations.

Activity 1.3 – Assessment: course paper

Description: learners write a paper that explains the development of hate crime standards based on the lecture, applies these standards to Albania based on an assessment of national European Court judgments and ECRI reports, focusing on Articles 2 and 14, and identify investigative actions that meet or fall short of "best endeavours" in exploring racist motives. They must provide written reasoning, supported by Article 3 and 14 obligations and standards derived from judgments by the European Court.

How this plan meets the learning outcome: this plan starts with a foundational understanding of legal obligations, reinforced through a workshop where participants apply their knowledge to real-world scenarios. The assessment challenges them to evaluate investigative procedures critically, demonstrating comprehension and practical application of standards in hate crime investigations.

Combating antigypsyism in policing

Learning outcome: evaluate the impact of anti-gypsyism and its relation to the Convention and use this understanding to guide non-discriminatory practices during police interactions with Roma individuals and other minority groups.

Bloom's taxonomy rationale: this outcome employs evaluation to empower learners to assess the nuances of antigypsyism and its connection to procedural obligations. Evaluation prepares officers not just to understand human rights but also to critically assess their own practices, enabling them to adjust behaviours and prevent human rights violations.

Activity 2.1 – Lecture (1 hour) on understanding racism and human rights standards

Description: this lecture covers antigypsyism's roots and manifestations and its impacts on Roma communities, particularly in police contexts. The instructor also reviews Articles 3 and 14, highlighting the Convention's stance on protecting human dignity and on non-discrimination in policing.

The instructor draws on information in the cross-cutting fact sheet on ECRI's General Policy Recommendation No. 11 on combating racism and racial discrimination in policing to explain the definition and impact of racial profiling. The instructor should also reference the presentation on antigypsyism.

The instructor makes use of the cross-cutting fact sheet and activity 1.1 above to explain cases where the European Court emphasised that, where evidence indicates patterns of violence and intolerance against an ethnic minority, states have heightened positive obligations to respond effectively to alleged bias-motivated incidents.

The instructor can also draw on other relevant cases including, *Boacă and Others v. Romania*. In paragraph 107, the European Court explains: "although the applicants specifically complained about discrimination, the domestic authorities dismissed their complaint as unfounded. However, the reasons given by the domestic courts in their decisions or by the government in their submission to the Court are not sufficient to offer an objective and reasonable justification for the State's lack of action in this respect".

In paragraph 108, the European Court continues: "All the above-mentioned elements, seen against the background of the many published accounts of the existence in Romania of general prejudice and hostility towards Roma people and of continuing incidents of police abuse against members of this community ... called for verification. Indeed, the authorities were under the obligation to investigate a possible causal link between the alleged racist attitudes exhibited

by the police officers and the abuse suffered by I.B. at their hands" (*B.S. v. Spain*, paragraph 60, 2012).

Activity 2.2 – Seminar (2 hours) on anti-racism practices in policing

Description: participants discuss scenarios depicting biased language, abuse, prejudice and racial profiling in police. Facilitated discussions guide learners to analyse these situations critically, evaluating how they relate to human rights standards and exploring ways to shift towards non-discriminatory practices. If time allows, and based on the judgment of the trainer, local civil society organisations (CSOs) active in the area of community and victim support could be invited to share case studies and data on hate incidents and/or examples of racial profiling by the police.

Activity 2.3 – Assessment: role-play and debrief session

Description: learners participate in a role-play exercise in which they engage in simulated interactions with Roma individuals in different policing scenarios (for example a routine stop, handling a complaint). During the role-play, instructors observe and assess the officers' responses, particularly looking for respectful and non-discriminatory communication. After the role-play, a facilitated debrief session is held where participants analyse their own and others' approaches, identifying any biases and discussing how to integrate human rights principles into their interactions with minority communities. Instructors provide constructive feedback based on human rights standards, encouraging self-awareness and practical improvements in conduct.

How this revised activity meets the learning outcome: the role-play exercise enables officers to actively apply anti-discriminatory practices in realistic, controlled settings, aligning with the outcome of evaluating and implementing non-discriminatory practices. The debrief session fosters critical reflection and learning from peers, which builds awareness of antigypsyism's impact and reinforces the importance of applying human rights principles in practical interactions.

Building confidence and trust

Learning outcome: design and implement community engagement strategies that build trust with Roma communities, applying ECRI's recommendations on confidence-building measures and incorporating feedback from consultations with vulnerable groups and NGOs.

Bloom's taxonomy rationale: this outcome reaches the revised Bloom's creation level, where learners are expected to design and implement new practices.

Here, officers will use their understanding and evaluation of trust-building techniques to actively create and sustain positive relationships with marginalised communities, ultimately applying these practices to uphold Convention rights.

Activity 3.1 – Lecture (1 hour) on an introduction to community policing and trust-building
Description: this lecture introduces community policing concepts, emphasising ECRI's recommendations on trust-building and community consultation. The instructor covers techniques for effectively engaging with Roma and other marginalised communities, with case studies on successful practices.

Activity 3.2 – Workshop (2 hours) on developing a community engagement plan

Description: in groups, participants design a community engagement plan tailored to a hypothetical Roma community. The plan should address specific barriers, propose consultation strategies and include confidence-building measures that foster trust. Groups present their plans, receiving feedback on feasibility, respectfulness and inclusivity.

Activity 3.3 – Assessment: community engagement proposal

Description: learners submit an individual proposal for an engagement initiative with Roma communities, including specific confidence-building measures and consultation methods. They must outline how their approach aligns with ECRI's recommendations and anticipate challenges.

How this plan meets the learning outcome: this plan begins by introducing the principles and recommendations for community engagement, then engages learners in the active creation of community plans. The assessment allows for independent application, challenging learners to integrate trust-building and anti-discrimination measures into their proposals, fulfilling the outcome's focus on designing practical, inclusive strategies.

APPENDIX 1 – POTENTIAL CASE STUDY

"In February 2011, Albania recorded its first major racist hate crime in the form of an arson attack

against dwellings inhabited by some 40 Roma families in the centre of Tirana. Over several days and nights neighbours of the settlement, using weapons, threatened, intimidated and injured the Roma families; they also burned down at least two dwellings. While the authorities state that the police were only informed of the incidents after the attacks, the Advisory Committee on the Framework Convention for the Protection of National Minorities criticised them for not having taken the necessary steps to protect the victims. The Roma families state that they were obliged to abandon their barracks due to this lack of protection. After a joint statement by several intergovernmental organisations (IGOs) and an intervention of the CPD, the case was finally prosecuted as an arson attack and incitement to hatred (Article 265 CC). The two persons responsible for the arson attack were sentenced to one and one and a half year of prison respectively. The police have not recorded any other hate crime incidents and the courts have never made use of Article 50 CC to increase a penalty for racist motivation" ([ECRI Report on Albania, 2015](#), [AC FCNM Opinion on Albania, 2011](#)).

APPENDIX 2 – SUMMARY OF LEARNING NEEDS

The learning needs assessment identified the following training needs, which form the basis of learning outcomes and learning plans.

Summary of learning needs

- ▶ Investigating racist motives in violent acts: training police on how to fulfil their obligations under Articles 3 and 14 to investigate and uncover potential racial motivations in violent incidents.
- ▶ Human rights and anti-racism training to combat antigypsyism: developing police officers' awareness of their human rights obligations, focusing on preventing police brutality and racist discrimination against Roma and other minorities.
- ▶ Community policing and confidence-building: equipping the police with the skills to engage in community policing, build trust with marginalised communities and improve the reporting and prevention of hate crimes.



BULGARIA

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in Bulgaria. It also proposes a training plan for police academies following a needs assessment based on key European Court judgments, ECRI findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation – including the concept of bias indicators – the importance of recording hate crimes and disaggregated data, and the importance of building the confidence of Roma and Travellers in policing.

Read more

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Commissioner for Human Rights
<ul style="list-style-type: none">▶ Conclusions (2025) in ENGLISH▶ Report and Government comments (2022) in ENGLISH and BULGARIAN	<ul style="list-style-type: none">▶ Opinion (2024) in ENGLISH, summary in BULGARIAN; Government comments in ENGLISH	<ul style="list-style-type: none">▶ Report following the visit to Bulgaria (2019) in ENGLISH and BULGARIAN; Government comments in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

“Hate crime” is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics or statuses ([CM/Rec\(2024\)4](#)). “Hate” includes bias, prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in Bulgaria. The Council of Europe’s Commissioner for Human Rights noted a reported increase in hate-motivated violence perpetrated against members of minorities in Bulgaria, including a series of anti-Roma attacks ([Report following visit to Bulgaria](#), 2019) or large-scale evictions, often with heavy police involvement and disproportionate use of force, sometimes in the context of interethnic tensions and hate speech against Roma ([Rule 9 Submission](#), 2020). ECRI noted that, according to contacts, most racist attacks are committed against Roma, forcing them sometime to leave their homes and rendering many of them homeless or destitute ([ECRI Report on Bulgaria](#), 2022). Similar concerns have been expressed by the Advisory Committee of the Framework Convention for the Protection of National Minorities, which urged authorities to increase their efforts to combat prejudices and stereotypes against minorities and provide systematic training to prevent violence against Roma by the police ([AC FCNM Opinion on Bulgaria](#), 2024). ECRI also suggested that dedicated police hate crime units should be set up to work closely with the communities most affected by hate-motivated violence.

Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People or property mistakenly targeted as Roma or Traveller are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation [CM/Rec\(2024\)4](#) of the Committee of Ministers to member States on combating hate crime explains that “hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide”.

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations, including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes, and supporting and protecting victims, which should be read in conjunction with this section.

This section examines key European Court judgments, highlighting the essential elements of the requirement for an effective investigation as emphasised in the European Court's rulings on Bulgaria. It begins with an overview that distinguishes between cases where the European Court found violations and those where no violation was established.

The failure to provide effective protection and assistance to Roma applicants in the context of anti-Roma protests and manifestations of hate speech was found to violate Article 14 in conjunction with Article 8 of the Convention (*Paketova and Others*

v. Bulgaria, 2022). The failure to investigate possible racist motives in an attempted murder (*Yotova v. Bulgaria*, 2012), the failure to take adequate steps to investigate a racially motivated killing and to prosecute those responsible (*Angelova and Iliev v. Bulgaria*, 2007) and the failure of the authorities to investigate possible racist motives behind some shootings (*Nachova and Others v. Bulgaria*, 2005) constituted violations of Article 14 in conjunction with Article 2 of the Convention.

On the contrary, in some cases the European Court of Human Rights has found that there was insufficient evidence to conclude that a case of ill-treatment was racially motivated (*Dimitrova and Others v. Bulgaria*, 2011) or that an investigation did not reveal discriminatory intent or bias (*Ognyanova and Choban v. Bulgaria*, 2006) or did not support allegations of racial discrimination (*Sashov and Others v. Bulgaria*, 2010). In other cases, the European Court has concluded that the evidence presented was insufficient to prove that an attack (*Seidova and Others v. Bulgaria*, 2010) or a death (*Anguelova v. Bulgaria*, 2002) were racially motivated.

Read more

Selected case law of the European Court of Human Rights		
Assenov and Others (1998) Velikova (2000) Anguelova (2002) Nachova and Others (2005)	Ognyanova and Choban (2006) Angelova and Iliev (2007) Vasil Sashov Petrov (2010) Sashov and Others (2010)	Seidova and Others (2010) Dimitrova and Others (2011) Yotova (2012) Paketova and Others (2022)
Communicated cases by the European Court of Human Rights		
Paketova and Others (2024)	Paketov and Others (2024)	Georgiev and Others (2024)

The case of *Angelova and Iliev v. Bulgaria* is of central importance to the effective investigation of racist violence against Roma individuals. The European Court's judgment contained the following key points.

Duty to recognise and investigate racist motives

The racist motives of the assailants were apparent early in the investigation, as one assailant testified that the attack was motivated by racial hatred at an early stage of the investigation. Despite this, the authorities "failed to expeditiously complete the preliminary investigation and bring [the attackers] to trial" (paragraph 116). The European Court emphasised: "When investigating violent incidents, State authorities have the additional duty to take all reasonable steps to unmask any racist motive" (paragraph 115).

Treating racially motivated violence as equivalent to non-racist offences constitutes "unjustified

treatment irreconcilable with Article 14" (paragraph 117). The European Court also stressed that "racially motivated violence and brutality require a vigorous and impartial investigation to reassert society's condemnation of racism and to maintain the confidence of minorities in the authorities' ability to protect them" (paragraph 115).

A failure to investigate racist motives sends a message of tolerance for such violence and "denies justice to victims", reinforcing societal discrimination (paragraph 115-116).

Duty to use existing legal provisions for racially motivated offences

The authorities did not charge the assailants with appropriate offences, such as those available under national law (paragraph 116). Instead, they qualified the acts as "hooliganism", which carries lighter penalties and does not recognise a bias motive. This failure to address the racist nature of the violence

amounted to “turning a blind eye to the specific nature of acts that are particularly destructive of fundamental rights” (paragraph 115).

Prohibition of discrimination

Overall, the European Court found a violation of the right to life (Article 2) due to the “failure to effectively investigate the death ... promptly, expeditiously, and with the required vigour”, particularly considering the racist motives of the attack (paragraph 105). The European Court underlined that “States have a general obligation to investigate violent acts without discrimination”, especially when racial motives are involved (Article 14). The authorities’ failure to address the racist nature of the crime was “unjustified treatment irreconcilable with Article 14” (paragraphs 115-117).

The European Court noted that failing to investigate and prosecute the violent attack against Mr Iliev also “thwarts the course of justice”, leaving the victim’s dignity unprotected and amounting to degrading treatment for his family (Article 3) (paragraph 106, paragraph 118).

The more recent case of *Paketova and Others v. Bulgaria* is also of central importance to improving investigations of racist motives and hate speech against Roma individuals and communities. The European Court’s judgment contained the following key points.

Duty to protect against racial discrimination

The European Court emphasised that the authorities are required to be particularly vigilant and vigorous in combating racial discrimination and must therefore “use all available means to combat racism” (paragraph 152). In this respect, the European Court criticised the investigating authorities for not making a genuine attempt to establish the facts. It found the conclusions that there were no groups with the intention of committing ethnic or racial attacks against Roma to be unsubstantiated, given the information available in the case file, and also noted contradictions in the positions of the prosecution, the courts and the government as to whether the situation involved peaceful protests or warranted police presence and security warnings by the authorities (paragraphs 156 and 157).

Duty to ensure respect for private and family life

The European Court referred to the wider context of the events, noting that the Deputy Prime Minister and other representatives of local authorities had made statements using stigmatising language

against the Roma communities. The public opposition to the return of the Roma to their homes was considered to be an important aspect of the complaints, and the authorities should have taken appropriate measures to protect persons exposed to such stigmatisation on ethnic grounds in order to ensure the protection of their private and family life (paragraphs 161-163).

Duty to provide protection for members of vulnerable groups

The European Court stressed the need for special protection of the Roma as a vulnerable minority. It noted that police presence and incidental protection, while commendable, were insufficient to address recurrent acts of intolerance affecting the rights of Roma. In view of the disadvantaged situation of the Roma community, the European Court found that the authorities had failed to take protective measures and to provide relevant information, such as on shelters, social or legal services, or guidance and assistance in returning home (paragraphs 161, 164-166).

Points for discussion: hate speech is both a contributing factor to hate crime and a point of intervention for preventing such crimes. Recommendation CM/Rec(2024)4 on combating hate crime explains: “Member States should take appropriate steps to improve awareness raising, education, training and the use of counter-speech or alternative discourse measures, in line with Recommendation CM/Rec(2022)16 on combating hate speech” (paragraph 56).

BUILDING CONFIDENCE AND TRUST

This section should be read in conjunction with the cross-cutting fact sheet section on encouraging Roma and Traveller communities to report racist violence. Several reports from Council of Europe bodies focus on the importance of addressing *antigypsyism* as a form of racism against Roma and in establishing confidence-building measures between the police and Roma communities.

For example, in its sixth monitoring cycle report, ECRI recommends that the authorities establish within the police dedicated hate crime units to work closely with the communities most affected by hate-motivated violence (ECRI Report on Bulgaria, 2022). Previously, ECRI recommended that the Bulgarian authorities develop campaigns to encourage victims of racist violence to lodge complaints to foster awareness of the seriousness of racist crimes and of the fact that the perpetrators will be duly punished. It also recommended that the authorities take account of the case law of the European Court of Human Rights in

this area. ECRI has also recommended training in this area on several occasions ([ECRI Report on Bulgaria, 2014](#)). This fact sheet aims to support the Bulgarian police in implementing this recommendation.

LEARNING AND TRAINING PLAN

Learning outcomes are created using [Bloom's taxonomy](#), which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based on the learning needs assessment (see appendix). Trainers are reminded to include a summary of facts of European Court judgments when presenting them as part of planned learning activities.

The obligation to investigate racist motives in violent acts

Learning outcome: apply accurate legal qualification standards to classify and investigate hate crimes against Roma individuals, ensuring thorough investigation procedures and compliance with the Convention.

Bloom's taxonomy rationale: this outcome targets Bloom's application level, as it requires officers to interpret and use legal standards to accurately identify and classify hate crimes. Moving beyond basic knowledge and comprehension, officers need to apply their understanding in real situations, ensuring that hate crimes are not recorded or investigated as lesser offences. This approach directly addresses the European Court's findings in the cases reviewed above and aims to ensure officers are equipped to fulfil their positive obligations under the Convention.

Learning plan

Activity 1.1 – Lecture (1 hour) on understanding legal standards and obligations in hate crime investigations

Description: an instructor-led session covers the legal framework for hate crime investigation under Articles 2, 3 and 14, with recognition of local laws on hate crime. The lecture introduces standards for qualifying hate crimes, explains the consequences of misclassification (for example as "simple hooliganism") and reviews relevant European Court cases to illustrate the impact of accurate hate crime classification on victim rights.

When preparing this activity, refer to the key points outlined in the section "Effective investigation of racist motives in violent acts." Use the overview and key findings to help learners explore how and where the European Court distinguishes between cases in which it found violations and those where no violation was established.

Activity 1.2 – Workshop (2 hours) on case study analysis and application of hate crime classification

Description: participants work in groups to analyse real-world cases involving anti-Roma hate crime (compare *Yotova v. Bulgaria* or *Angelova and Iliev v. Bulgaria* with *Dimitrova and Others v. Bulgaria*, or *Ognyanova and Choban v. Bulgaria*). They identify evidence, classify the crime and discuss the investigation steps needed to meet Article 2, 3 and 14 standards. Groups present their findings and the instructor provides feedback, emphasising correct classification and documentation of racist motives.

Activity 1.3 – Assessment: case report

Description: each participant completes an individual case report based on a provided scenario, where they must classify the offence accurately as a hate crime, justify their reasoning and outline the investigative steps they would take. This report assesses their understanding of accurate hate crime classification and ensures that they can apply these legal standards in practice.

How this plan meets the learning outcome: the lecture establishes a theoretical foundation on hate crime classification, while the workshop engages officers in practical applications through case studies. The case report assessment reinforces these skills by requiring learners to apply legal standards independently, ensuring they can accurately identify and investigate hate crimes against Roma individuals.

Combating antigypsyism in policing

Learning outcome: evaluate and implement non-discriminatory, respectful interaction practices during police encounters with Roma individuals to prevent racially motivated violence and discrimination and align actions with the Convention.

Bloom's taxonomy rationale: this outcome emphasises Bloom's evaluation level, encouraging officers to critically assess their own practices and those of others to identify and eliminate discriminatory behaviour. Evaluation requires a deeper level of cognitive engagement than simple application, as officers must assess the impacts of their actions on Roma communities and make informed adjustments. This level aligns well with the outcome of fostering non-discriminatory policing practices by reflecting on and changing conduct to meet human rights obligations.

Learning plan

Activity 2.1 – Lecture (1 hour) on understanding antigypsyism and human rights standards in policing

Description: this lecture discusses the roots and impacts of antigypsyism, the relevant Convention

principles and rights, and ECRI recommendations on anti-racism in policing. It covers the effects of discrimination on Roma communities and introduces non-discriminatory policing practices. Instructors should draw upon the slide template resource on this topic.

Activity 2.2 – Seminar (2 hours) for role-play and reflection on police interactions with Roma communities

Description: participants engage in role-playing exercises to simulate police encounters with Roma individuals, such as searches and identity checks. After each role-play, the group reflects on the interaction, assessing whether non-discriminatory practices were applied.

The instructor facilitates feedback, guiding participants to identify biased behaviours and improve interaction techniques. It is important to be aware that Roma officers may be involved in the activity and as such should be supported through a trauma-informed approach. During the feedback session, the instructor should note that ECRI encourages actions to increase the recruitment of Roma officers to police services.

Activity 2.3 – Assessment: reflective course paper

Description: each participant writes a reflective course paper analysing an interaction they have had or observed with Roma individuals, identifying areas where anti-racism practices were upheld or could be improved. The paper should relate to Convention standards, ECRI's General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, among other standards, and propose strategies for ensuring respectful, non-discriminatory conduct.

How this plan meets the learning outcome: the lecture introduces officers to human rights principles and the impacts of antigypsyism, while the seminar's role-play allows them to practise and evaluate their own and others' behaviour. The reflective course paper encourages critical self-assessment, solidifying their understanding of non-discriminatory practices and reinforcing their commitment to respectful conduct.

Building confidence and trust

Learning outcome: design and implement community policing strategies to foster trust and collaboration with Roma communities, enhancing hate crime prevention and supporting the positive obligations of the Convention.

Bloom's taxonomy rationale: this outcome utilises Bloom's creation level as it requires learners to develop new, community-specific policing

approaches that foster trust. By reaching this level, learners move from understanding community policing principles to creating tailored strategies that enhance community relationships and encourage hate crime reporting. This highest level of cognitive engagement allows officers to apply creativity and problem-solving in real-world situations, essential for building rapport with marginalised groups and ensuring that police actions effectively protect the rights of vulnerable populations.

Activity 3.1 – Lecture (1 hour) on community policing principles and trust-building techniques

Description: the instructor explains the concept of community policing, focusing on trust-building and collaboration with Roma communities and acknowledging the capacity for such policing to increase police legitimacy with Roma and Traveller communities. The lecture includes ECRI's recommendations for confidence-building measures and highlights successful community policing initiatives.

Activity 3.2 – Workshop (2 hours) on developing a community policing strategy for Roma communities

Description: in small groups, participants create a community policing plan tailored to a hypothetical Roma community. The plan must incorporate strategies for building trust, preventing hate crime and fostering collaboration. Groups present their strategies, receiving constructive feedback from the trainer and from fellow participants on effectiveness and feasibility.

Activity 3.3 – Assessment, community engagement proposal

Description: each participant submits an individual proposal outlining a community engagement strategy specific to Roma communities. The proposal must detail confidence-building actions and consultation methods that align with ECRI's recommendations, including consultation with civil society organisations and fostering recruitment of Roma police officers. This proposal demonstrates their ability to independently design trust-building strategies that support Articles 8 and 14.

How this plan meets the learning outcome: the lecture provides foundational knowledge on community policing, and the workshop actively involves learners in designing strategies, simulating real-world planning. The community engagement proposal assessment allows officers to independently craft a strategy that applies trust-building techniques, meeting the outcome's goal of fostering community relationships with Roma populations.

APPENDIX **– SUMMARY OF LEARNING NEEDS**

Learning needs were identified based on a review of country-based ECRI reports, judgments of the European Court and recommendations by other Council of Europe institutional bodies.

Summary of learning needs

- ▶ Correct qualification and investigation of violent hate crimes: training the police on how to properly identify, classify and record hate crimes,

ensuring they are investigated thoroughly and not misclassified as lesser offences.

- ▶ Human rights and anti-racism training to address antigypsyism: developing officers' understanding of human rights obligations, particularly in preventing discrimination and police brutality against Roma and other minorities.
- ▶ Community policing and confidence-building: equipping police with the skills to build trust with vulnerable communities, prevent hate crimes and ensure that victims are confident in reporting incidents of hate-motivated violence.



HUNGARY

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in Hungary. It also proposes a training plan for police academies based on key European Court judgments, ECRI findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation – including the concept of bias indicators – the importance of recording hate crimes and disaggregated data and the importance of building the confidence of Roma and Travellers in policing.

Read more

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Committee of Ministers
<ul style="list-style-type: none">▶ Conclusions (2024) in ENGLISH▶ Report and Government comments (2023) in ENGLISH and HUNGARIAN	<ul style="list-style-type: none">▶ Opinion (2020) in ENGLISH; summary in HUNGARIAN; State Report (2023) ENGLISH and HUNGARIAN	<ul style="list-style-type: none">▶ Resolution (2021) on the implementation of the FCNM by Hungary in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

“Hate crime” is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics or statuses ([CM/Rec\(2024\)4](#)). “Hate” includes bias, prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in Hungary. ECRI noted with particular concern that Roma people continued to be the targets of racially motivated violence committed both by extremist groups and by individuals, highlighting the need to acknowledge the continuum of hate that can be expressed as serious violence, extremism and terrorism ([ECRI Report on Hungary](#), 2023). While welcoming the adoption of the Hate Crime Protocol in July 2019, which introduced bias indicators to aid in identifying hate crimes and expanded the institutional framework of the Hate Crime Special Network, ECRI has repeatedly highlighted concerns that police, prosecutors and the judiciary continue to face difficulties in identifying and addressing hate crimes ([ECRI Conclusions](#), 2024). This aspect has been recognised by the government, and the protocol is intended to respond to this by reducing the risk of misclassification of hate crimes by police agencies and prosecutors ([Sixth Report submitted by Hungary FCNM](#), 2023).

Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People or property mistakenly targeted as Roma or Traveller are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation [CM/Rec\(2024\)4](#) of the Committee of Ministers to member States on combating hate crime explains that “hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide”.

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations, including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes and supporting and protecting victims, which should be read in conjunction with this section.

This section examines key European Court judgments, highlighting the essential elements of the requirement for an effective investigation as emphasised in the European Court's rulings on Hungary. It begins with an overview that distinguishes between cases where the European Court found violations and those where no violation was established.

The European Court has found that national authorities have failed to carry out thorough investigations into racially motivated violence against Roma individuals in order to establish the alleged racist

motive for an attack (*Balázs v. Hungary*, 2015) including in the context of anti-Roma demonstrations where Roma were subjected to racist threats (*R.B. v. Hungary*, 2016), and that authorities have failed to protect applicants from racist abuse, while investigations have failed to take into account the specific context, resulting in a lack of legal consequences for perpetrators (*Kiraly and Dömötör v. Hungary*, 2017). On the contrary, in some cases, the European Court of Human Rights has found that there was insufficient evidence to conclude that the ill-treatment was racially motivated (*Kovacs v. Hungary*, 2019), that there was no evidence of the appearance of discriminatory behaviour (*Borbala Kiss v. Hungary*, 2012) or that the allegations of discrimination were not substantiated (*Balogh v. Hungary*, 2004), while in some cases it did not consider it necessary to assess such aspects where it had already found a violation of Article 3 (*Mata v. Hungary*, 2022).

Read more

Selected case law of the European Court of Human Rights		
Balogh (2004)	Bálazs (2015)	Kovacs (2019)
Borbala Kiss (2012)	R.B (2016)	Mata (2022)
Vona (2013)	Kiraly and Dömötör (2017)	Bodi and Others (2023)
Communicated cases by the European Court of Human Rights		
Győzőné Kotai (2025)		

Duty to investigate racist motives effectively

In *Bálazs v. Hungary*, the European Court stated: "When investigating violent incidents, State authorities have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether ethnic hatred or prejudice played a role" (paragraph 52).

In this case, the authorities "insisted on identifying an exclusive racist motive" and failed to recognise the possibility of mixed motives, which impaired the investigation's adequacy (paragraph 75). Although the assailant posted openly racist comments online, the authorities did not adequately link these statements to the incident. The European Court noted this was "a manifestly unreasonable assessment of the circumstances of the case" (paragraphs 72-75).

The prosecuting authorities treated the case as a regular criminal offence without properly addressing its racist overtones, a failure the European Court deemed irreconcilable with Hungary's obligations under the Convention (paragraphs 75-76).

In *Király and Dömötör v. Hungary*, the European Court found that Hungary failed to protect the applicants

from intimidation and threats and did not effectively investigate the racially motivated elements of the demonstration. This violated Article 8 of the Convention (right to private and family life) (paragraphs 80-82).

The European Court emphasised that despite evidence of hate speech and violence, the authorities "narrowed down the scope of their investigations" by focusing on the lack of incitement to violence (paragraph 78).

In *R.B. v. Hungary*, the European Court highlighted that "it was essential for the relevant domestic authorities to conduct the investigation in [the] specific context, taking all reasonable steps with the aim of unmasking the role of racist motives in the incident" (paragraph 88). Despite clear evidence, including the perpetrators' membership of paramilitary groups and overtly racist comments, the authorities "confined themselves to assessing whether the threats had been directed against the applicant or uttered in general", neglecting the racial element of the offence (paragraphs 87-89).

The threats occurred during prolonged anti-Roma rallies characterised by paramilitary intimidation and hate speech, reflecting “a general hostile attitude against the Roma community in Gyöngyöspata” (paragraph 88). The European Court stressed that “the necessity of conducting a meaningful inquiry into the discrimination behind the incident was indispensable”, especially given the broader context of ethnic hostility (paragraph 88).

Duty to appropriately police demonstrations

In *R.B. v. Hungary*, the European Court emphasised that “in certain situations the domestic authorities might be required to proceed with the dispersal of a violent and blatantly intolerant demonstration for the protection of an individual’s private life under Article 8” (paragraph 99). The European Court pointed out that the “response of the police and their discretion” in such cases is subject to the control of the Convention (paragraph 100).

In *Király and Dömötör v. Hungary*, the European Court found that the failure of the police to disperse the demonstration or to take individual measures against perpetrators led to a perception of state tolerance of racism (paragraph 80). The authorities justified their inaction by referring to the demonstration’s generally peaceful nature and the risks of dispersal. The European Court found this reasoning insufficient in the light of the anti-Roma intimidation and violence (paragraphs 65-66, 80).

Impact on the Roma community

The European Court also noted in *Király and Dömötör v. Hungary* the “intimidating effect of the demonstration”, exacerbated by paramilitary displays, hate speech and direct threats. It found that these actions violated the applicants’ rights to psychological integrity and private life (paragraphs 70-80).

The lack of adequate police action and investigation sent a message of “legitimisation or tolerance” for racial intimidation (paragraph 80).

The state’s failure to protect the Roma community from racial intimidation breached its positive obligations to safeguard private life. The European Court held that “domestic laws and practices did not ensure adequate protection” (paragraph 82).

Although Article 3 (inhuman and degrading treatment) was not the primary focus, the European Court concluded that the events created “a well-founded fear of violence and humiliation”, particularly given the state’s inaction in protecting the Roma community (paragraphs 43, 80).

Defective application of the law, resulting in lack of adequate protection

In both *R.B. v. Hungary* and in *Király and Dömötör v. Hungary*, the European Court found that “the manner in which the criminal-law mechanisms were implemented was defective” (*R.B. v. Hungary*, paragraph 91), failing to ensure the required protection under the Convention against an openly anti-Roma demonstration (*Király and Dömötör v. Hungary*, paragraph 80).

The failure to effectively investigate the racist motives of the attack contravened the applicant’s right to non-discrimination under Article 14 (paragraph 91).

LEARNING AND TRAINING PLAN

Learning outcomes are created using *Bloom’s taxonomy*, which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based on the learning needs assessment (see appendix). Trainers are reminded to include a summary of facts of European Court judgments when presenting them as part of planned learning activities.

The obligation to investigate racist motives in violent acts

Learning outcome: apply the 2019 Hate Crime Protocol and standards derived from judgments of the European Court to identify and investigate racist motives in violent acts, ensuring that hate crimes are effectively classified, recorded and prosecuted under Articles 3 and 14 of the Convention.

Bloom’s taxonomy rationale: this outcome targets the application level by requiring officers to operationalise theoretical knowledge of bias indicators and hate crime classification in real-world investigations. The focus is on ensuring rigorous investigations that address both explicit and mixed motives.

Learning plan

Activity 1.1 – Lecture (1 hour) on the legal framework and investigative standards for hate crimes

Description: this session introduces findings from the European Court in *Balázs v. Hungary* and *Király and Dömötör v. Hungary*, focusing on the obligations to identify and investigate racist motives. It covers the 2019 Hate Crime Protocol, highlighting the importance of bias indicators, such as group affiliations and language used, and the legal implications of misclassification (for example recording hate crimes as “simple hooliganism”).

When preparing this activity, refer to the key points outlined in the section “Effective investigation of racist motives in violent acts”. Use the overview and

key findings to help learners explore how and where the European Court distinguishes between cases in which it found violations and those where no violation was established.

Activity 1.2 – Case study workshop (2 hours) on applying bias indicators in hate crime investigations

Description: participants analyse detailed case studies derived from *Bálazs v. Hungary*, *R.B. v. Hungary* and *Király and Dömötör v. Hungary* (compare with *Kovacs v. Hungary* and *Borbala Kiss v. Hungary*). Each group identifies bias indicators (for example hate speech, group affiliations, online posts), classifies the offence under the law and proposes investigative steps to uncover racist motives. Feedback focuses on thorough investigation techniques, avoiding arbitrary practices and linking evidence of bias to perpetrators' actions.

Activity 1.3 – Assessment: investigation plan

Description: participants develop an investigative plan for a fictional hate crime scenario. The plan must outline evidence collection, application of bias indicators, and steps to ensure compliance with standards derived from judgments by the European Court. They must explain how the plan prevents misclassification and addresses both direct and broader contexts of racial hostility.

How this plan meets the learning outcome: the lecture sets the legal foundation, the workshop allows for practical application of bias indicators in hate crime cases and the investigative plan assesses participants' ability to independently operationalise these principles.

Enhancing police competence in managing racist intimidation

Learning outcome: evaluate and implement proactive policing strategies to manage racial intimidation and hate speech effectively, safeguarding psychological integrity under Articles 8 and 14 of the Convention.

Bloom's taxonomy rationale: this outcome focuses on the evaluation level by requiring participants to critically assess and improve their policing strategies in response to racially motivated demonstrations and hate speech.

Learning plan

Activity 2.1 – Lecture (1 hour) on managing hate speech and racist intimidation in public demonstrations

Description: this session explores the findings of *Király and Dömötör v. Hungary*, including the duty to disperse racially intimidating demonstrations.

Participants learn about the psychological impact of hate speech on minority communities, the legal thresholds for hate speech under Article 10 of the Convention, and the need for decisive action to avoid perceptions of state tolerance. This session could also address the difficulty of managing public-order policing issues alongside dealing with the specific hate elements of the event. The hate element may be best understood as a "flash point" (policing theory of public order) that augments a protest and its associated impacts. Further, the failure by the police to challenge racism will likely serve as a further flash point that empowers protesters/rioters to greater harms.

Activity 2.2 – Simulation workshop (2 hours) on policing scenarios when responding to racially intimidating demonstrations

Description: participants are divided into teams to simulate policing decisions during a fictional anti-Roma demonstration. They assess risks, decide on dispersal strategies and plan actions to protect victims while balancing proportionality concerns. Teams present their decisions, and the instructor critiques their responses based on standards derived from the European Court.

Activity 2.3 – Assessment: reflection and strategy proposal

Description: participants write a reflection on the workshop, evaluating their decisions and proposing alternative strategies to address racist intimidation effectively. They must refer to findings from European Court judgments and explain how their approach aligns with Articles 8 and 14 obligations.

How this plan meets the learning outcome: the lecture provides theoretical grounding, the simulation workshop enables participants to apply principles in a controlled environment and the reflective assessment encourages critical evaluation of their strategies.

Implementing and enforcing the 2019 Hate Crime Protocol

Learning outcome: integrate the 2019 Hate Crime Protocol into routine police practices, ensuring timely and comprehensive investigations that address both individual and systemic elements of hate crimes under Articles 3 and 14.

Bloom's taxonomy rationale: this outcome focuses on the creation level by requiring participants to design and implement practices that operationalise the Hate Crime Protocol. This ensures that officers address systemic issues, such as under-reporting and misclassification.

Learning plan

Activity 3.1 – Lecture (1 hour) on an overview of the 2019 Hate Crime Protocol and its practical application

Description: participants learn about the protocol's key elements, including bias indicators, hate crime mentors and recording standards. The lecture incorporates findings from *R.B. v. Hungary*, emphasising the need for timely and comprehensive investigations and the consequences of delays.

Activity 3.2 – Workshop (2 hours) on operationalising the Hate Crime Protocol

Description: participants are tasked with reviewing a fictional police department's hate crime data and protocols. They identify gaps in the application of the Hate Crime Protocol and propose solutions, such as bias training, improved recording practices and appointing hate crime mentors. The workshop concludes with a group discussion on overcoming resource constraints.

Activity 3.3 – Assessment: departmental action plan

Description: each participant creates a departmental action plan to implement the Hate Crime Protocol, addressing specific challenges (for example under-reporting, lack of resources) and proposing steps for improving compliance with standards derived from European Court judgments.

How this plan meets the learning outcome: the lecture introduces the protocol's requirements, the workshop provides hands-on experience in identifying and addressing gaps and the action plan ensures participants can independently design solutions for integrating the protocol into daily practices.

Building trust through community policing

Learning outcome: develop and implement community policing strategies to enhance trust, collaboration and hate crime prevention in Roma communities, fulfilling the state's obligations under Articles 8 and 14 of the Convention.

Bloom's taxonomy rationale: this outcome focuses on the creation level by requiring participants to design tailored community policing initiatives. Creativity and problem-solving are essential for building sustainable, trust-based relationships with Roma communities.

Learning plan

Activity 3.1 – Lecture (1 hour) on community policing principles and best practices

Description: the lecture introduces key principles of community policing and trust-building, highlighting

successful case studies and ECRI recommendations for enhancing co-operation with marginalised groups. Consider inviting civil society organisations or services active in the area of working with Roma communities and supporting Roam victims of hate crime.

Activity 3.2 – Workshop (2 hours) on developing a community policing strategy for Roma communities

Description: in groups, participants design a community policing strategy, drawing on existing national guidelines and materials and tailored to a Roma community. Strategies must include confidence-building measures, hate crime prevention plans and approaches to fostering collaboration. Each group presents their plan, receiving feedback on feasibility and impact.

Activity 3.3 – Assessment: community engagement proposal

Description: participants independently create a proposal for engaging with Roma communities. The proposal must outline specific trust-building actions, consultation methods and collaboration strategies aligned with ECRI recommendations and Articles 8 and 14.

How this plan meets the learning outcome: the lecture provides theoretical knowledge, the workshop encourages collaborative planning and the proposal demonstrates participants' ability to independently design actionable trust-building strategies.

APPENDIX – SUMMARY OF LEARNING NEEDS

Learning needs were identified based on a review of country-based ECRI reports, judgments from the European Court and recommendations by other Council of Europe institutional bodies.

Summary of learning needs

- ▶ Correct qualification and investigation of violent hate crimes: training police on how to detect and thoroughly investigate hate crimes, ensuring investigations into racist motives are rigorous and comprehensive.
- ▶ Implement and enforce the 2019 Hate Crime Protocol: providing officers with in-depth training on the application of the 2019 Hate Crime Protocol, ensuring bias indicators are properly identified and acted upon during hate crime investigations.
- ▶ Effectively addressing racist intimidation and hate speech during racist incidents: equipping officers with the skills to respond to organised intimidation and violent demonstrations targeting minority groups, ensuring protection under Article 8.



NORTH MACEDONIA

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in the Republic of North Macedonia. It also proposes a training plan for police academies based on key European Court judgments, ECRI findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation – including the concept of bias indicators – the importance of recording hate crimes and disaggregated data and the importance of building the confidence of Roma and Travellers in policing.

Read more

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Committee of Ministers
► Report and Government comments (2023) in ENGLISH and MACEDONIAN	► Opinion (2022) in ENGLISH ; summary in MACEDONIAN ; State Report (2020) ENGLISH and MACEDONIAN	► Resolution (2023) on the implementation of the FCNM by North Macedonia in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

“Hate crime” is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics or statuses ([CM/Rec\(2024\)4](#)). “Hate” includes bias, prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in North Macedonia. The European Commission against Racism and Intolerance has highlighted instances of hate-motivated violence, stressing the importance of adequate police training and the establishment of police liaison officers to build trust and improve hate crime reporting ([ECRI Report on North Macedonia](#), 2023). Reports of racial profiling and ill-treatment of Roma by police officers underscore the need for targeted measures to address discriminatory practices ([ECRI report on North Macedonia](#), 2016, [Report by the CPT](#), 2021).

The Advisory Committee of the FCNM has urged authorities to ensure hate crimes are promptly investigated and prosecuted while strengthening ongoing training and co-operation initiatives ([Advisory Committee Opinion on North Macedonia](#), 2022). A similar call has been made by the Committee of Ministers, emphasising the need for “increased efforts to prevent cases of human rights violations against Roma by the police” ([CM/ResCMN\(2023\)2](#)).

Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People or property mistakenly targeted as Roma or Traveller are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation [CM/Rec\(2024\)4](#) of the Committee of Ministers to member States on combating hate crime explains that “hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide”.

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations, including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes and supporting and protecting victims, which should be read in conjunction with this section.

This section examines key European Court judgments highlighting the essential elements of the requirement for an effective investigation that are emphasised in the European Court's rulings on North Macedonia. It begins with an overview that distinguishes between cases where the European Court found violations and those where no violation was established.

The European Court found that the national authorities had breached their obligation to investigate possible racist motives by failing to carry out a

proper investigation into such elements in relation to an instance of police ill-treatment (*Memedov v. North Macedonia*, 2021).

In a similar case, although the European Court found that the investigation into allegations of police brutality was ineffective and prolonged, it was unable to find that the treatment was racially motivated due to a lack of conclusive evidence (*X and Y v. North Macedonia*, 2020). Issues of incidental police brutality and lack of effective investigation were raised in several other cases (*Jasar v. the former Yugoslav Republic of Macedonia*, 2007; *Sulejmanov v. the former Yugoslav Republic of Macedonia*, *Dzeladinov and Others v. the former Yugoslav Republic of Macedonia*, 2008). In another strand, the European Court found that Roma were discriminated against on the basis of their Roma origin in the context of police instructions on border control, which were applied in a way that disproportionately affected Roma persons and constituted indirect discrimination (*Memedova and Others v. North Macedonia*, 2023).

Selected case law of the European Court of Human Rights		
Jasar (2007) Dzeladinov and Others (2008)	Sulejmanov (2008) X and Y (2020)	Memedov (2021) Memedova and Others (2023)

Duty to investigate racist motives effectively

The most relevant case considered by the European Court with regard to racist violence against Roma in North Macedonia is *Memedov v. North Macedonia*.

The European Court emphasised the duty to investigate discriminatory motives, stating: "The prosecuting authorities ... failed to comply with their duty under Article 14 read in conjunction with Article 3 to take all possible steps to ascertain whether or not a discriminatory attitude might have played a role in the events" (paragraph 49).

The investigation focused solely on the use of force and disregarded consistent allegations of racist remarks made during the incident involving the police (paragraph 48). For example, eyewitness testimony supporting the applicant's claims of biased motives, including accounts of racial slurs by police, was dismissed by civil courts without sufficient grounds.

The prosecutor also failed to examine key witnesses suggested by the applicant (paragraph 48). The prosecutor dismissed allegations of racism summarily, stating there was no evidence that police officers had caused the applicant mental suffering related to his Roma origin (paragraphs 48 and 49).

LEARNING AND TRAINING PLAN

Learning outcomes are created using [Bloom's taxonomy](#), which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based on the learning needs assessment (see appendix). Trainers are reminded to include a summary of facts of European Court judgments when presenting them as part of planned learning activities.

The obligation to investigate racist motives in violent acts

Learning outcome: strengthen the ability to identify, document, and investigate hate crimes, ensuring that incidents are accurately classified and lead to prosecution under Articles 3 and 14 of the Convention.

Bloom's taxonomy rationale: this outcome focuses on the creation level by requiring participants to design and implement hate crime investigation strategies. Officers must integrate knowledge of bias indicators and investigative standards into actionable plans.

Learning plan

Activity 1.1 – Lecture (1 hour) on hate crime identification and investigation

Description: this session introduces relevant judgments from the European Court and ECRI findings on hate crime misclassification and under-reporting. It highlights bias indicators such as hate speech, group affiliations and symbolic violence. Key case studies, including racially motivated attacks on Roma, are used to demonstrate proper investigative techniques.

When preparing this activity, refer to the key points outlined in the section "Effective investigation of racist motives in violent acts". Use the overview and key findings to help learners explore how and where the European Court distinguishes between cases in which it found violations and those where no violation was established.

Activity 1.2 – Assessment: investigation protocol design

Description: participants design a hate crime investigation protocol for their department. The protocol must address evidence collection, bias identification, victim engagement and steps for accurate classification. It should also include strategies to ensure compliance with Convention standards, addressing systemic barriers to effective hate crime investigations.

How this plan meets the learning outcome: the lecture provides a strong theoretical foundation, while the investigation protocol design enables participants to translate these principles into practical, department-wide practices.

Preventing and addressing racial profiling

Learning outcome: recognise and eliminate racial profiling in police practices, fostering non-discriminatory policing aligned with Articles 3 and 14 of the Convention.

Bloom's taxonomy rationale: this outcome targets the application level, requiring participants to operationalise strategies to eliminate racial profiling while fostering trust with minority communities.

Learning plan

Activity 2.1 – Lecture and workshop (2 hours) on understanding and addressing racial profiling

Lecture component: participants are introduced to racial profiling and its incompatibility with human rights standards. The session explores the impacts of racial profiling on community trust, as well as procedural obligations under Articles 3 and 14. Examples from ECRI, especially ECRI's General Policy Recommendation No. 11, and Advisory Committee of the FCNM reports are used to highlight the challenges of addressing profiling.

Workshop component: participants review scenarios where racial profiling may occur, such as identity checks or traffic stops. Working in small groups, they identify discriminatory practices and propose non-biased alternatives. Facilitated discussions explore the practical challenges of implementing non-discriminatory practices.

Activity 2.2 – Assessment: policy review and recommendations

Description: participants analyse a fictional police department's stop-and-search policy, identifying elements that may enable racial profiling. They propose specific revisions to align the policy with Convention standards and equitable policing practices.

How this plan meets the learning outcome: the combined lecture and workshop ensure participants can identify and address profiling in practice, while the policy review demonstrates their ability to recommend systemic reforms.

Investigating racially motivated ill-treatment and institutional racism

Learning outcome: develop the capacity to recognise and investigate allegations of racially motivated ill-treatment by police and institutional racism, ensuring compliance with Articles 3 and 14 of the Convention. Understanding the importance of effective community policing.

Bloom's taxonomy rationale: this outcome focuses on the evaluation level, encouraging participants to critically assess evidence of racial bias and systemic discrimination while proposing investigative and institutional reforms.

Learning plan

Activity 3.1 – Lecture and workshop (3 hours) on investigating racially motivated ill-treatment and institutional racism

Lecture component: participants are introduced to findings by the European Court, including *Memedov v. North Macedonia*, and the role of institutional racism in policing. (compare with *X. and Y. v. North Macedonia*) The session explores procedural obligations) The session explores procedural obligations under Articles 3 and 14, as well as strategies for addressing systemic discrimination.

Workshop component: participants analyse fictional case studies involving allegations of police violence and racial slurs. Working in groups, they identify systemic biases and assess the adequacy of investigative responses. Groups present findings and propose reforms to strengthen institutional accountability.

Activity 3.2 – Assessment: investigative report

Description: participants prepare an investigative report for a fictional case involving allegations of police violence and racial discrimination. The report must document evidence of ill-treatment, assess potential racial motives and propose steps to address institutional racism.

How this plan meets the learning outcome: the lecture and workshop provide a robust understanding of systemic discrimination and practical investigative strategies, while the investigative report enables participants to independently apply these principles in realistic scenarios.

APPENDIX – SUMMARY OF LEARNING NEEDS

Learning needs were identified based on a review of country-based ECRI report, European Court judgments and recommendations of other Council of Europe institutional bodies.

Summary of learning needs

- ▶ Identifying and investigating hate crimes (Articles 3 and 14): providing police with practical training on how to identify hate crimes, properly document incidents, and carry out thorough investigations that lead to prosecution.
- ▶ Investigating racially motivated ill-treatment and institutional racism (Articles 3, 8 and 14): training police to fully investigate allegations of racially motivated violence and institutional racism, ensuring that both physical ill-treatment and racist motivations are properly examined.
- ▶ Preventing and addressing racial profiling: equipping police with the skills to recognise and eliminate racial profiling in police practices, ensuring that policing is non-discriminatory and compliant with human rights standards.



ROMANIA

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in Romania. It also proposes a training plan for police academies based on key European Court judgments, ECRI findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation – including the concept of bias indicators – the importance of recording hate crimes and disaggregated data and the importance of building the confidence of Roma and Travellers in policing.

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in

[Read more](#)

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Committee of Ministers
<ul style="list-style-type: none">▶ Conclusions (2022) in ENGLISH▶ Report and Government comments (2019) in ENGLISH, ROMANIAN and ENGLISH, ROMANIAN	<ul style="list-style-type: none">▶ Opinion (2023) in ENGLISH; summary in ROMANIAN; State Report (2025) ENGLISH	<ul style="list-style-type: none">▶ Resolution (2023) on the implementation of the FCNM by Romania in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

“Hate crime” is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics or statuses ([CM/Rec\(2024\)4](#)). “Hate” includes bias,

Romania. ECRI has highlighted systemic issues of racially motivated violence and police misconduct ([Commissioner for Human Rights Letter, 2016](#), [ECRI Report on Romania, 2019](#), [Report by the CPT, 2022](#)). In 2020, the General Prosecutor’s Office adopted a methodology for investigating hate crimes ([Communication from the Romanian authorities, DH-DD\(2021\)426](#)). However, ECRI noted that little action was taken to address under-reporting and in particular to enhance co-operation between police officials and Roma communities ([ECRI Conclusions, 2022](#)).

The Advisory Committee on the Framework Convention for the Protection of National Minorities has highlighted other issues, such as racial profiling and ineffective investigations into police violence, and has urged authorities to strengthen oversight mechanisms, implement anti-bias training systematically, and investigate misconduct effectively to rebuild trust between Roma communities and the police ([Advisory Committee Opinion on Romania, 2023](#)). Recently, the Committee of Ministers called on the Romanian authorities to ensure effective investigation, prosecution and sanctioning of hate crimes, hate speech and police misconduct, particularly excessive use of force vis-à-vis Roma ([CM/ResCMN\(2023\)11](#)).

prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People or property mistakenly targeted as Roma or Traveller

are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation CM/Rec(2024)4 of the Committee of Ministers to member States on combating hate crime explains that "hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide".

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations, including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes and supporting and protecting victims, which should be read in conjunction with this section.

This section examines key European Court judgments, highlighting the essential elements of the requirement for an effective investigation as emphasised in the European Court's rulings on Romania. It begins with an overview that distinguishes between cases where the European Court found violations and those where no violation was established.

Read more

Selected case law of the European Court of Human Rights		
Cobzaru (2007) Stoica (2008) Carabulea (2010) Soare and Others (2011)	Ion Balasoiu (2015) Ciorcan and Others (2015) Boacă and Others (2016) Osman (2017)	Fogarasi and Others (2017) Boacă and Others (2017) Lingurar and Others (2018) Lingurar (2019)

Duty to recognise and investigate racial motives

The duty to investigate racist motives was addressed in the most recent judgments from the European Court regarding Romania.

In [Soare and Others v. Romania](#), the European Court stressed that "authorities must take all reasonable steps to uncover racist motives" in cases of police violence, particularly when the victim belongs to a minority group like Roma communities (paragraphs 201, 206). Furthermore, in [Boacă and Others v. Romania](#), the European Court underlined that authorities "must do what is reasonable in the circumstances to collect and secure the evidence, explore all practical means of discovering the truth, and deliver fully reasoned, impartial and objective decisions, without omitting suspicious facts that may be indicative of racially induced violence" (paragraph 106).

The European Court found that the authorities had failed in their duty to effectively investigate racist motives in the case of [Lingurar v. Romania](#), 2019. The investigation was considered superficial as it did not take into account the wider context of discrimination against the Roma community ([Lingurar v. Romania](#), 2019). In other cases, the authorities did not take adequate steps to identify and interview witnesses who could provide information on alleged racial bias ([Ciorcan and Others v. Romania](#), 2015; [Boacă and Others v. Romania](#), 2016) or lacked thoroughness ([Lingurar and Others v. Romania](#), 2018) and impartiality ([Cobzaru v. Romania](#), 2007; [Stoica v. Romania](#), 2008).

On the contrary, in some cases the European Court of Human Rights has found that the investigation of incidents did not reveal any racist motives ([Carabulea v. Romania](#), 2010), that there was no evidence to suggest that racial discrimination played a role ([Ion Balasoiu v. Romania](#), 2015; [Fogarasi and Others v. Romania](#), 2017) or that concrete facts did not indicate the existence of discrimination ([Osman v. Romania](#), 2017). In other cases, the European Court did not find sufficient evidence to support the claim that the investigation was racially biased ([Soare and Others v. Romania](#), 2011).

Consideration of general context, prejudice and hostility

In [Lingurar and Others v. Romania](#), the European Court stated that allegations of discrimination in the broader context of material indicating the existence "of prejudice and a general hostile attitude towards members of the Roma" community require verification (paragraph 119). Investigations into racist motivation are not sufficiently thorough when not clarifying relevant facts related to the degree of "use of force by police" in the given circumstances, where providing very general terms without concrete elements to "establish if authorities adopted or not a discriminatory attitude on ethnic grounds" (paragraphs 120 and 121). This approach has been previously followed by the European Court in [Ciorcan and Others v. Romania](#) where it considered that authorities disregarded relevant facts to establish whether ethnic origin was at least a decisive reason in the action of the police (paragraphs 164, 166).

Unmask racist motives through in-depth assessment of factual circumstances

In *Lingurar v. Romania*, the European Court recalled that authorities have a "duty to take all reasonable steps to unmask any racist motives and to establish whether or not ethnic hatred or prejudice may have played a role in the event" (paragraph 68). The European Court pointed to the apparent discriminatory attitude behind police actions, stating "the police exercised their powers in a discriminatory manner, expecting the applicants to be criminals because of their ethnic origin" (paragraph 76). The investigation dismissed allegations of racial profiling, despite evidence of discriminatory remarks in police reports and the operation plan (paragraphs 75-77). On the contrary, the authorities relied heavily on police statements, disregarding medical reports and eyewitness accounts, and the claims of discrimination were rejected without an in-depth analysis of all the relevance circumstances of the case (paragraph 80).

Duty to avoid and address police racism (institutional discrimination)

In *Lingurar v. Romania*, the European Court criticised the police operation for relying on stereotypes about the Roma community, noting that assumptions about criminality based on ethnicity likely influenced the police operations (paragraph 76). The European Court found that the police's conduct and excessive force demonstrated institutional bias as the applicants "were targeted because they were Roma and because the authorities perceived the Roma community as anti-social and criminal" (paragraphs 76, 80). Investigations into police misconduct and allegations of discrimination against and criminalisation of the Roma community were dismissed "without any in-depth analysis of all the relevant circumstances of the case" (paragraphs 80, 82). This structural deficiency contributed to the failure to address racial discrimination adequately (paragraphs 75-78, 80-82).

LEARNING AND TRAINING PLAN

Learning outcomes are created using *Bloom's taxonomy*, which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based on the learning needs assessment (see appendix). Trainers are reminded to include a summary of facts of European Court judgments when presenting them as part of planned learning activities.

Identifying and investigating hate crimes

Learning outcome: strengthen the ability of police officers and prosecutors to identify, document and investigate hate crimes, ensuring compliance with Articles 3 and 14 of the Convention. Focus on recognising bias indicators and conducting thorough, unbiased investigations.

Bloom's taxonomy rationale: this outcome targets the creation level, requiring participants to design strategies and implement best practices for hate crime investigations. Participants will learn about and build on existing protocols to develop the skills to integrate bias identification and legal standards.

Learning plan

Activity 1.1 – Lecture (1 hour) on identifying and investigating hate crimes in Romania

Description: this session introduces findings from the European Court regarding hate crime misclassification and under-reporting, drawing from *Soare and Others v. Romania* and *Ciorcan and Others v. Romania* (compare with *Fogarasi and Others v. Romania*, *Ion Balasoiu v. Romania*). It focuses on recognising bias indicators (for example hate speech, racial slurs, group affiliations) and their role in investigations.

When preparing this activity, refer to the key points outlined in the section "Effective investigation of racist motives in violent acts" Use the overview and key findings to help learners explore how and where the European Court distinguishes between cases in which it found violations and those where no violation was established.

Activity 1.2 – Assessment: investigation protocol design

Description: participants review Romania's existing hate crime investigation protocol. The protocol should address evidence collection, bias identification, accurate classification and victim support, while adhering to standards derived from judgments by the European Court. Participants are tasked with addressing systemic barriers identified in cases such as *Lingurar v. Romania* and *Soare and Others v. Romania*.

Preventing and addressing racial profiling

Learning outcome: equip police with the knowledge and skills to prevent racial profiling, ensuring that ethnicity is not used as a basis for criminal suspicion and police practices are compliant with Articles 3 and 14 of the Convention.

Bloom's taxonomy rationale: this outcome focuses on the application level, requiring participants to

operationalise strategies to eliminate racial profiling and promote equitable, bias-free policing practices.

Learning plan

Activity 2.1 – Lecture and workshop (2 hours) on recognising and addressing racial profiling

Lecture component: participants are introduced to racial profiling and its incompatibility with human rights standards.

The session explores the findings from *Lingurar v. Romania* and *Lingurar and Others v. Romania* and other key judgments demonstrating how ethnic profiling disproportionately targets Roma communities and undermines trust.

Workshop component: participants review scenarios where racial profiling may occur (for example police stops, community raids). Working in small groups, they identify discriminatory practices and propose alternative approaches that ensure compliance with Articles 3 and 14.

Activity 2.2 – Assessment: practice review and recommendations

Description: participants review current community engagement strategies and propose specific revisions to build trust with Roma communities, drawing on existing Council of Europe training and guidance, as well as inviting CSO representatives to contribute to the session, if appropriate and possible.

Investigating police misconduct and excessive use of force

Learning outcome: train police officers and prosecutors to prevent and investigate incidents of police misconduct and excessive use of force, particularly against Roma communities, ensuring accountability and respect for Articles 3 and 14 of the Convention.

Bloom's taxonomy rationale: this outcome focuses on the evaluation level, requiring participants to critically assess the use of force and investigate misconduct thoroughly.

Learning plan

Activity 3.1 – Lecture and workshop (3 hours) on investigating police misconduct and excessive use of force

Lecture component: participants are introduced to European Court findings from *Osman v. Romania* and *Lingurar and Others v. Romania* alongside existing national standards. The session explores legal standards for the use of force, accountability mechanisms and the procedural obligations to investigate misconduct effectively.

Workshop component: participants work on case studies to evaluate the proportionality of police actions in fictional scenarios. They assess evidence, identify gaps in accountability and propose investigative and oversight measures to address misconduct.

Activity 4.2 – Assessment: oversight mechanism proposal

Description: participants design an oversight mechanism for investigating police misconduct, focusing on ensuring independence, impartiality and compliance with Convention standards. The proposal should incorporate measures to address systemic biases and build trust with vulnerable communities.

How this plan meets the learning outcome: the lecture and workshop provide practical tools for evaluating and investigating misconduct, while the oversight mechanism proposal encourages participants to think critically about systemic solutions.

APPENDIX – SUMMARY OF LEARNING NEEDS

The learning needs assessment identified the following training needs, which form the basis of learning outcomes and learning plans.

Summary of learning needs

- ▶ Identifying and investigating hate crimes and racist motives (Articles 3 and 14): training officers to properly identify, document and investigate hate crimes and racist motives, ensuring that bias indicators are fully considered in investigations.
- ▶ Preventing and addressing racial profiling: equipping police with the skills to avoid racial profiling in their practices, ensuring that ethnicity is not used as a basis for criminal suspicion.
- ▶ Investigating police misconduct and excessive use of force (Article 3): training police on preventing and investigating cases of police misconduct and excessive use of force, particularly against Roma communities, to ensure accountability and respect for human rights.



SLOVAKIA

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in Slovakia. It also proposes a training plan for police academies based on key European Court judgments, ECRI findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation – including the concept of bias indicators – the importance of recording hate crimes and disaggregated data and the importance of building the confidence of Roma and Travellers in policing.

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in Slovakia. The European Commission against Racism

and Intolerance has highlighted instances of violence and discrimination against Roma in Slovakia, including racially motivated violence and evidence of police misconduct ([ECRI Report on Slovakia, 2020](#)). ECRI noted systemic under-reporting of hate crimes due to victims' mistrust in police and called for a framework to foster police-community co-operation and better hate crime detection (paragraphs 59–62).

While the Advisory Committee on the Framework Convention for the Protection of National Minorities has acknowledged the comprehensive legal framework on hate crimes in Slovakia, it has taken note of the absence of a racist motive as an aggravating circumstance in the legislation and has urged authorities to ensure systematic training for police and judicial officials to ensure hate crimes are effectively identified, investigated and punished, with active involvement of Roma representatives in training ([Advisory Committee Opinion on Slovakia, 2022](#), [Committee of Ministers Resolution, 2022](#)).

Recently, the [Commissioner for Human Rights](#) has stressed the urgent need to address systemic anti-gypsyism, to effectively record hate crimes and to build trust between Roma communities and the police. The commissioner called for systematic training of police and legal professionals to improve hate crime recognition and investigation and called on authorities to "address persistent concerns about systemic flaws in combating police ill-treatment, including failures to investigate the possible racist motivation of such ill-treatment" ([Commissioner for Human Rights, Memorandum, 2025](#)).

Read more

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Commissioner for Human Rights
<ul style="list-style-type: none">▶ Conclusions (2023) in ENGLISH▶ Report and Government comments (2020) in ENGLISH, SLOVAK	<ul style="list-style-type: none">▶ Opinion (2022) in ENGLISH; summary in SLOVAK;▶ CM Resolution 2022, in ENGLISH▶ State Report (2024) in ENGLISH, SLOVAK	<ul style="list-style-type: none">▶ Memorandum on human rights of Roma (2025) in ENGLISH▶ Government comments in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

"Hate crime" is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics

or statuses ([CM/Rec\(2024\)4](#)). "Hate" includes bias, prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People

or property mistakenly targeted as Roma or Traveller are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation CM/Rec(2024)4 of the Committee of Ministers to member States on combating hate crime explains that “hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide”.

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations, including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes and supporting and protecting victims, which should be read in conjunction with this section.

This section examines key European Court judgments, highlighting the essential elements of the requirement for an effective investigation as emphasised in the European Court’s rulings on Slovakia. It begins with an overview that distinguishes between

Read more

Selected case law of the European Court of Human Rights		
Mizigarova 2010 Koky 2012 Adam 2016	Lakatošova and Lakatoš 2018 A.P. 2020 R.R. and R.D. 2020	M.B. and Others 2021 P.H. 2022 M.B. and Others 2023
Communicated cases by the European Court		
Miko and Jano 2025		Kuruova and Horvathova 2023

Duty to recognise and investigate racist motives

In *Lakatošova and Lakatoš v. Slovakia*, the European Court reiterated its well-established practice in relation to alleged racist attacks, whereby the state authorities have the “duty to take all reasonable steps to unmask any racist motive” (paragraph 75). The European Court further recalled its case law where it stated that “any specific information capable of suggesting that there had been any racial motive would suffice to open an investigation into a possible causal link between alleged racist attitudes and a death” (*Mižigárová v. Slovakia*, paragraph 122). In particular, such an attitude can be present where any evidence of racist verbal abuse comes to light in an investigation (*Škorjanec v. Croatia*, paragraph 65; *Balázs v. Hungary*, paragraph 61), when the attackers

cases where the European Court found violations and those where no violation was established.

The European Court has found that the authorities have sometimes failed in their duty to effectively investigate racist motives. In some cases, investigations did not sufficiently address the possibility of ethnic hatred or prejudice behind the incident (*M.B. and Others v. Slovakia* (No. 2), 2023); they did not examine possible racist motives despite strong indications and failed to provide reasons as to whether the attack was motivated by racial hatred (*Lakatošova and Lakatoš v. Slovakia*, 2018); or they failed to properly examine allegations regarding the role of racism in the planning of a police operation (*R.R. and R.D. v. Slovakia*, 2020).

On the contrary, in some cases, the European Court of Human Rights has found that investigations have included various steps, such as questioning witnesses, examining evidence and conducting forensic examinations and found no evidence of racial motivation (*Adam v. Slovakia*, 2016; *A.P. v. Slovakia*, 2020; *P.H. v. Slovakia*, 2022); in other cases, the European Court has found insufficient evidence to support allegations that the investigation was racially biased (*Koky and Others v. Slovakia*, 2012) or that incidents have revealed racial motivation (*Mizigarova v. Slovakia*, 2010).

belonged to a group which was by its nature governed by extremist and racist ideology (*Abdu v. Bulgaria*, paragraph 49; *Šećić v. Croatia*, paragraph 68), but also in cases of allegedly racially motivated violence when another alleged nonracist motive was not supported by any information (*Fedorchenko and Lozenko v. Ukraine*, paragraph 67) or when the complexity of facts was seen against the background of published accounts of the existence of general prejudice and hostility against Roma (*Ciorcan and Others v. Romania*, paragraph 163; *Fedorchenko and Lozenko v. Ukraine*, paragraph 68; *Lakatošova and Lakatoš v. Slovakia*, paragraph 84).

In this case, the European Court noted that there existed strong circumstantial evidence (including a psychologist’s assessment) to the effect that the perpetrator’s acts might have been at least partly racially motivated. Despite this evidence, however,

the domestic authorities had not examined whether the incident could have been motivated by racial hatred against Roma people (Council of Europe, *Toolkit for Police Officers*, 2022).

Distinction between racially motivated crimes and crimes without racist overtones

In *M.B. and Others v. Slovakia (No. 2)* the European Court explained that “treating racially induced violence and brutality on an equal footing with cases that have no racist overtones would be to turn a blind eye to the specific nature of acts which are particularly destructive of fundamental rights. A failure to make a distinction in the way in which situations that are essentially different are handled may constitute unjustified treatment irreconcilable with Article 14 of the Convention” (paragraph 94).

The European Court also explained, “State authorities are required to take all reasonable action to establish whether or not ethnic hatred or prejudice may have played a role in the events” (paragraph 94). However, the domestic authorities failed to investigate whether the applicants’ Roma ethnicity influenced their treatment, despite the broader context of discrimination against Roma in Slovakia (paragraph 96). The European Court criticised the failure to connect the incident with the subsequent allegations of racial abuse at the police station premises (paragraph 97).

Following a similar approach, in *R.R. and R.D. v. Slovakia*, the European Court underlined that the obligation to investigate possible racist overtones implies that authorities “must do what is reasonable given the circumstances of the case”, however, “without omitting suspicious facts that may be indicative of racially induced violence” (paragraph 201). The European Court recognised the systemic nature and seriousness of the claims of the applicants regarding police operations predominantly planned in Roma communities (paragraph 204). In the context of such claims being dismissed and not properly investigated by authorities, the European Court concluded that the respondent state had failed in its positive obligations under Article 14 to conduct a proper examination of the allegations of potential ethnic discrimination in police practices (paragraphs 205, 207).

LEARNING AND TRAINING PLAN

Learning outcomes are created using *Bloom’s taxonomy*, which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based on the learning needs assessment (see appendix). Trainers are reminded to include a summary of facts

of European Court judgments when presenting them as part of planned learning activities.

Identifying and investigating hate crimes and racist motives

Learning outcome: strengthen the ability of police officers and prosecutors to identify, document and investigate hate crimes, ensuring thorough exploration of potential racist motives and compliance with Articles 3 and 14 of the Convention.

Bloom’s taxonomy rationale: this outcome targets the creation level, requiring participants to design and implement strategies for investigating hate crimes. It emphasises recognising bias indicators and applying international human rights standards.

Learning plan

Activity 1.1 – Lecture (1 hour) on investigating hate crimes and racist motives

Description: this session introduces findings by the European Court in *M.B. and Others v. Slovakia (No. 2)* and *A.P. v. Slovakia*. It focuses on the procedural obligations to identify bias indicators, such as hate speech, racial slurs and discriminatory patterns, and discusses the significance of treating racially motivated violence distinctly from other forms of violence. It covers instances including where police are committing racist violence and/or where the violence is committed by private citizens.

When preparing this activity, refer to the key points outlined in the section “Effective investigation of racist motives in violent acts”. Use the overview and key findings to help learners explore how and where the European Court distinguishes between cases in which it found violations and those where no violation was established.

Activity 1.2 – Case study workshop (2 hours) on applying bias indicators in hate crime investigations

Description: participants work in groups to analyse scenarios inspired by *M.B. and Others v. Slovakia (No. 2)* and *A.P. v. Slovakia* (compare with *Lakatošova and Lakatoš v. Slovakia*, *Koky and Others v. Slovakia*). They identify evidence of bias, propose investigative steps and recommend strategies for ensuring compliance with standards derived from European Court judgments. Each group presents its findings and receives feedback on thorough investigation techniques.

Activity 1.3 – Assessment: investigation protocol design

Description: participants critically review an existing protocol and/or design a new one for investigating hate crimes in Slovakia, incorporating procedures

for identifying bias indicators, collecting evidence and engaging victims. Protocols must address systemic barriers such as under-reporting and mistrust in police.

Bloom's taxonomy rationale: the lecture provides a theoretical foundation, the workshop applies principles to practical cases and the protocol design enables participants to integrate these standards into institutional practices.

Lecture component: this session discusses *M.B. and Others v. Slovakia (No. 2)* and *A.P. v. Slovakia*, focusing on the procedural obligations to investigate racist motives. Participants explore how to assess evidence and identify bias in police actions.

Workshop component: participants work in groups to analyse real and fictional case studies. They identify gaps in investigations, evaluate the adequacy of evidence and propose improvements to ensure compliance with international standards.

Building trust and engaging with Roma communities

Learning outcome: develop community policing strategies to build trust with Roma communities, integrating Roma civic patrols and civil society into efforts to combat racial discrimination and improve reporting of hate crimes.

Bloom's taxonomy rationale: this outcome focuses on the 'creating' level, requiring participants to design strategies that foster collaboration and improve communication between police and Roma communities.

Learning plan

Activity 3.1 – Lecture and workshop (3 hours) on building trust through community policing and civic patrols

Lecture component: this session discusses initiatives such as Roma civic patrols and their role in fostering trust between police and Roma communities. It also explores how civil society organisations can assist in bridging gaps and improving hate crime reporting.

Workshop component: participants design a community policing plan that incorporates Roma civic patrols and collaboration with civil society. Trainers consider including appropriate local Roma civil society organisations in the planning and delivery of the training. Plans must address barriers to trust, promote engagement and ensure the protection of Roma rights.

Activity 3.2 – Assessment: community engagement proposal

Description: participants draft a proposal for a community engagement initiative, detailing strategies for integrating Roma civic patrols, improving dialogue and addressing concerns about racial profiling and police misconduct.

How this plan meets the learning outcome: the lecture highlights best practices, the workshop fosters collaborative planning and the assessment enables participants to independently design actionable community engagement strategies.

APPENDIX – SUMMARY OF LEARNING NEEDS

The learning needs assessment identified the following training needs, which form the basis of learning outcomes and learning plans.

Summary of learning needs

- ▶ Identifying and investigating hate crimes and racist motives: providing training on recognising and investigating hate crimes, with a focus on identifying and pursuing bias motives in cases involving Roma individuals.
- ▶ Investigating racially motivated ill-treatment and proving discrimination: training police and prosecutors on their procedural obligation to investigate racial motives in ill-treatment cases, ensuring they take all reasonable steps to gather evidence and disprove discrimination.
- ▶ Improving trust and community engagement with Roma, supported by civil society: developing community policing strategies that involve civil society as key partners in fostering trust between police and Roma, ensuring that Roma feel confident reporting hate crimes and that their rights are protected.



UKRAINE

INTRODUCTION AND BACKGROUND

This fact sheet sets out key issues for police to consider to ensure the effective investigation of racist violence against Roma and Traveller communities in Ukraine. It also proposes a training plan for police academies based on key European Court judgments, ECRI findings, and recommendations and findings of other key Council of Europe bodies, including the Advisory Committee of the Framework Convention for the Protection of National Minorities, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the Council of Europe Commissioner on Human Rights.

This country-based fact sheet should be read in conjunction with the cross-cutting fact sheet – Volume 1, which draws on the case law of the European Court and other Council of Europe standards to set out general information and standards on the nature and impact of racist violence against Roma and Travellers, the core elements of an effective investigation – including the concept of bias indicators – the importance of recording hate crimes and disaggregated data and the importance of building the confidence of Roma and Travellers in policing.

AT A GLANCE: KEY REPORTS AND OPINIONS

Council of Europe bodies have expressed concern about the situation of Roma communities in Ukraine. The European Commission against Racism and Intolerance has consistently highlighted challenges faced by Roma communities in Ukraine due to racially motivated violence and evidence of police misconduct ([ECRI Report on Ukraine](#), 2017). ECRI has also expressed concern about failure to classify

crimes against Roma as hate crimes. Subsequently, ECRI has urged authorities to establish frameworks for dialogue between police and Roma communities, build trust and promote Roma employment in the criminal justice system to address their marginalisation and lack of representation ([ECRI Report on Ukraine](#), 2012).

The Advisory Committee on the Framework Convention for the Protection of National Minorities has expressed concern about instances of anti-gypsyism including hate speech, various forms of violence and police harassment or misconduct toward Roma individuals and communities in Ukraine, including "police raids on Roma settlements, racial profiling, arbitrary arrests, and systematic finger-printing and photographing of Roma individuals" ([Advisory Committee Opinion on Ukraine](#), 2018).

The Advisory Committee called on authorities to take "resolute steps to combat racially motivated misconduct among police officials", stressing the need for prompt and effective investigations into such allegations and appropriate sanctions to rebuild trust with Roma communities (paragraphs 92, 94).

Similar recommendations have been made by the Committee of Ministers, underlining the importance of increasing efforts to combat manifestations of racism and hate speech and "investigate these incidents and apply adequate sanctions" ([Committee of Ministers Resolution](#), 2020). Furthermore, the Committee of Ministers recommended authorities to provide training for police on "proper identification and classification of hate crimes" ([Ministers' Deputies, Decisions](#), 2020) and to establish a "mechanism for recording hate crimes and to monitor the response of police authorities" ([Ministers' Deputies, Decisions](#), 2023).

Read more

European Commission against Racism and Intolerance	Advisory Committee of the FCNM	Committee of Ministers
<ul style="list-style-type: none">▶ Conclusions (2020) in ENGLISH▶ Report and Government comments (2017) in ENGLISH and UKRAINIAN	<ul style="list-style-type: none">▶ Opinion (2018) in ENGLISH; Government Comments (2018) in ENGLISH▶ State Report (2025) ENGLISH	<ul style="list-style-type: none">▶ Resolution (2020) on the implementation of the FCNM by Ukraine in ENGLISH

WHAT ARE ANTI-ROMA AND ANTI-TRAVELLER HATE CRIMES AND VIOLENCE?

“Hate crime” is understood as a criminal offence committed with a hate element based on one or more actual or perceived personal characteristics or statuses (CM/Rec(2024)4). “Hate” includes bias, prejudice or contempt. Anti-Roma and anti-Traveller hate crimes are crimes with a hate element based on actual or perceived Roma or Traveller identity. The crimes may also target an individual who is neither Roma nor a Traveller but has some sort of association with these groups, like a partner or a lawyer. People or property mistakenly targeted as Roma or Traveller are also considered victims of anti-Roma violence and should be treated accordingly.

Recommendation CM/Rec(2024)4 of the Committee of Ministers to member States on combating hate crime explains that “hate can be manifested with different degree of severity, ranging from everyday stigmatisation and discrimination, microaggressions and verbal abuse, to violence, terrorism, war crimes and genocide”.

EFFECTIVE INVESTIGATION OF RACIST MOTIVES IN VIOLENT ACTS

The cross-cutting fact sheet sets out the key elements underpinning effective hate crime investigations,

[Read more](#)

Selected case law of the European Court of Human Rights		
Fedorchenko and Lozenko 2012	Burlya and Others 2018 Grigoryan and Sergeyeva 2017	Pastrama 2021

Duty to recognise and investigate racist motives

In the more recent judgment in the case of *Pastrama v. Ukraine*, the European Court reiterated that “the authorities’ duty to investigate the existence of a possible link between discriminatory attitudes and any act of violence is an aspect of the States’ procedural obligations” under relevant Articles such as Article 2 or 3 of the Convention, “but may also be seen as implicit in their responsibilities under Article 14” (paragraph 97). In *Fedorchenko and Lozenko v. Ukraine*, the European Court highlighted that “State authorities have an additional duty to take all reasonable steps to unmask any racist motive and establish whether ethnic hatred or prejudice played a role in the events” (paragraph 65).

including defining and recording racist incidents, using bias indicators to identify and investigate hate crimes and supporting and protecting victims, which should be read in conjunction with this section.

This section examines key European Court judgments, highlighting the essential elements of the requirement for an effective investigation as emphasised in the European Court’s rulings on Ukraine. It begins with an overview that distinguishes between cases where the European Court found violations and those where no violation was established.

The European Court found that the authorities have sometimes failed in their duty to effectively investigate racist motives. In some cases, the authorities did not take adequate steps to investigate racist motives, to interview key witnesses and to consider the wider context of discrimination against the Roma community (*Fedorchenko and Lozenko v. Ukraine*, 2012); failed to protect the Roma community and did not effectively investigate racist motives (*Burlya and Others v. Ukraine*, 2018); or did not take serious steps to uncover possible racist or ethnic motives by interviewing those involved in the events or to establish whether they had been involved in similar incidents in the past (*Grigoryan and Sergeyeva v. Ukraine*, 2017). On the contrary, in other cases the European Court found that there was insufficient evidence of racist motivation or bias in the investigations (*Pastrama v. Ukraine*, 2021).

Similar considerations have been addressed in *Burlya and Others v. Ukraine*. The European Court reinforced its standards that “authorities must do what is reasonable in the circumstances to collect and secure the evidence, explore all practical means of discovering the truth and deliver fully reasoned, impartial and objective decisions, without omitting suspicious facts that may be indicative of racially motivated violence” (paragraph 128). Authorities should make a serious attempt to find out what happened and “should not rely on hasty or ill-founded conclusions to close their investigation”, should secure evidence such as eyewitness testimony and forensic evidence, take into consideration “not only the actions of the State agents who directly used force but also all the surrounding circumstances” (paragraphs 126, 127).

Consider the broader context of widespread discrimination

In *Fedorchenko and Lozenko v. Ukraine*, the European Court referenced materials including ECRI reports documenting systemic anti-Roma prejudice in Ukraine (paragraph 68). In this context, the European Court underlined that the element of ethnic hatred in the case necessitated verification. Despite evidence of widespread anti-Roma sentiment and the racist statements of one of the suspects, the authorities did not investigate the potential ethnic bias behind the arson attacks (paragraphs 60, 69), contrary to the procedural requirements of Article 14 in conjunction with Article 2 or the Convention (paragraph 71). This conclusion was in line with the approach of the European Court that “failing to distinguish between racially motivated violence and other violent acts constitutes a breach of Article 14” (paragraph 65, paragraph 71).

Similarly, in *Burlya and Others v. Ukraine*, the incidents were investigated as an ordinary disturbance without looking into the ethnically motivated nature of the crimes. The European Court noted that the authorities’ actions occurred against a backdrop of systemic anti-Roma discrimination in Ukraine, including biased attitudes among police officers (paragraph 169). This contributed to the failure to protect the applicants and to the inadequacy of subsequent investigations (paragraph 170).

Ensure protection against racist attacks and for victims of racist violence

In *Burlya and Others v. Ukraine*, the European Court found that the authorities, including the police, had failed to take measures to protect the homes of Roma individuals subject to attacks (paragraph 134). The European Court noted that the events had been driven by anti-Roma prejudice, local authorities played a role prior to the events and the police played a passive role during the course of the incidents, contrary to the safeguards provided by Article 8 and Article 14 of the Convention. The authorities’ refusal to intervene during the pogrom and their subsequent ineffective investigations reflect broader systemic issues within Ukrainian police regarding the treatment of Roma communities (paragraph 170).

The European Court emphasised that authorities must unmask any racist motives behind violent incidents. However, in this case, the investigation did not adequately address the racial animus that clearly motivated the attack (paragraphs 128 and 129). The lack of accountability for perpetrators, despite clear evidence of anti-Roma intent, reflected an insufficient effort to address the discriminatory nature of the violence (paragraph 130).

LEARNING AND TRAINING PLAN

Learning outcomes are created using [Bloom’s taxonomy](#), which distinguishes six levels of learning (knowledge retention, comprehension, application, analysis, synthesis and evaluation) and are based on the learning needs assessment (see appendix). Trainers are reminded to include a summary of facts of European Court judgments when presenting them as part of planned learning activities.

Identifying and investigating hate crimes and racist motives

Learning outcome: train police officers to recognise, document and investigate hate crimes effectively, ensuring due consideration of racist motives and compliance with Articles 2, 3 and 14 of the Convention.

Bloom’s taxonomy rationale: this outcome focuses on the creation level, requiring participants to design strategies for thorough investigations that address bias motives and systemic discrimination.

Activity 1.1 – Lecture (1 hour) on investigating hate crimes with racist motives

Description: this session focuses on findings of the European Court in *Fedorchenko and Lozenko v. Ukraine* and other hate crime cases (compare with *Pastrama*). Participants learn how to identify bias indicators, such as hate speech, patterns of targeting and discriminatory actions, and ensure these are fully explored during investigations.

When preparing this activity, refer to the key points outlined in the section “Effective investigation of racist motives in violent acts”. Use the overview and key findings to help learners explore how and where the European Court distinguishes between cases in which the European Court found violations and those where no violation was established.

Activity 2.2 – Case study workshop (2 hours) on applying bias indicators in hate crime investigations

Description: participants work through scenarios involving hate crimes, identifying evidence of bias and proposing steps to address the procedural failures highlighted in *Fedorchenko*. They discuss how systemic anti-Roma discrimination might influence investigations and recommend corrective measures.

Activity 2.3 – Assessment: investigation protocol design

Description: participants critically review existing crime investigation protocols specific to Ukraine, incorporating steps for identifying bias motives, engaging victims and addressing systemic barriers such as under-reporting and distrust.

How this plan meets the learning outcome: the lecture provides essential theoretical insights, the workshop applies these to practical scenarios and the protocol design helps participants translate knowledge into institutional practices.

Building trust and engaging with Roma communities

Learning outcome: develop community policing strategies to build trust with Roma communities, incorporating civil society organisations and Roma representatives into policing efforts.

Bloom's taxonomy rationale: this outcome focuses on the creation level, requiring participants to design strategies that foster collaboration and improve communication between police and Roma communities.

Learning plan

Activity 4.1 – Lecture and workshop (3 hours) on building trust through community policing and civil society engagement

Lecture component: this session discusses initiatives such as promoting Roma employment in police, frameworks for dialogue and the role of civil society in bridging gaps between Roma communities and police.

Workshop component: participants design a community policing strategy that includes collaboration with Roma leaders and civic organisations. The strategy must address barriers to trust and propose actionable steps for fostering better relationships. Trainers can consider involving representatives of Roma CSOs to co-lead this session.

Activity 4.2 – Assessment: community engagement proposal

Description: participants draft a proposal for engaging Roma communities, including mechanisms to

address distrust, improve reporting of crimes and integrate civil society into policing strategies.

How this plan meets the learning outcome: the lecture provides theoretical grounding, the workshop fosters collaborative planning and the assessment ensures participants can develop actionable strategies for building trust.

APPENDIX – SUMMARY OF LEARNING NEEDS

The learning needs assessment identified the following training needs, which form the basis of learning outcomes and learning plans.

Summary of learning needs

- ▶ Identifying and investigating hate crimes and racist motives: providing training on recognising and investigating hate crimes, with a focus on identifying and documenting bias motives in cases involving ethnic minorities, especially Roma.
- ▶ Investigating racially motivated ill-treatment and substantive breaches: training police and prosecutors to recognise and address racial motives in ill-treatment cases, ensuring they take active measures to protect Roma and other minority groups from racially motivated violence.
- ▶ Improving trust and community engagement with Roma, supported by civil society: developing community policing strategies that involve civil society as key partners in fostering trust between police and Roma communities, ensuring that Roma feel confident reporting hate crimes and that their rights are protected.

The Roma and Travellers Division of the Council of Europe supports member states' governments in the design and implementation of laws, policies, programmes and measures so as to ensure that Council of Europe human rights standards are effectively implemented and truly benefit Roma and Travellers including in relation with the police.

A critical aspect of training police officials to address racially motivated crimes against Roma is to ensure a systematic approach to professional development. A viable solution would be to integrate the relevant Council of Europe standards and case law of the European Court into the curricula of initial or in-service police training institutions.

These educational fact sheets are designed to assist police educators and trainers to incorporate Council of Europe standards on racially motivated crimes against Roma into existing training programmes offered by the police and educational institutions (police academies, police schools).

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union.

All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law.

The European Court of Human Rights oversees the implementation of the Convention in the member states.

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