

## 8th session of the Forum on Minority Issues

### Social Action Center – No Borders Project on Item III

Mr Chairman, in light of the draft recommendations number 20, 21 concerning this the establishment of a legislative framework, specifically prohibiting and punishing racial and ethnic profiling by law enforcement and provision of respected guidance on non-discriminatory policing the instruments that both the Russian Federation and Ukraine lack, I would like to draw your attention to the situation of two ethnic minority groups that are suffering from police brutality on the state territory of Ukraine.

One of the groups are Crimean Tatars due to the annexation of the peninsula by the Russian Federation in March 2014 has been exposed to an unprecedented surge of Human Rights violations at the hands of the occupant's law enforcement and federal security service. Private homes of Crimean Tatars have been raided on questionable grounds and the searches are usually conducted in the humiliating manner and result in property damage. Also, commonplace in the searches is involvement of armed militaries who are working surprisingly in tune with the police. At the same time, police tend to turn a blind eye on the incidents of abduction, disappearance, murder and other crimes against Crimean Tatars that have occurred throughout 2014 and 2015.

The other very similar situated group is Roma, which has been traditionally stigmatised in thousands of long history of problematic relations with law enforcement facing ethnic profiling and complete failure on the part of law enforcement to duly investigate crimes committed against Roma. Whilst the official criminal statistics completely disproves the myth that Roma are more criminally group than any other ethnic group in the Ukrainian society whenever a crime is committed in a neighbourhood Roma are the first to be subjected to ungrounded stops, detention and studies show that for no other purpose but preventive photographing and dactyloscopy, personal searches and researches of the premises where the Roma reside. Besides, such clearly discriminatory police practices tend grow in scale from time to time. Illustrative of this is a recent mass search and detention of Roma in the city of in Southern Asia, in the mainland of Ukraine which only stopped after intervention from the Ombudsman. More disconcertingly, the police don't seem to use such practices is problematic, trying to justify them by referring to criminal mentality of the Roma which is harsh reaction from the law enforcement. As one police officer interviewed for a study last year said "Yes, I see Roma every day and all of them are potential criminals and the more you control them the more obedient they become".

On a different note, I would like to suggest that recommendation number 20 and 21 be reinforced by an obligation of a state is not only to enact and provide certain instruments but also to vigilantly ensure proper and broad applications of these instruments, internally through the development of relevant control procedures and mechanisms.

That it would seems like a redundant and even (...), I am thinking of the saying easier said than done and conclude that as a matter of fact, a significant number of states take it the way of having progressive

regulations is the easiest set of effective implementation of the instruments is the usual and neglect and done, coming from the Ukraine I know about this all too well.