**Follow-up information: The Regional Prosecutor's Office has dismissed complaints against the decision of the Police Inspectorate regarding the police raid in a Roma settlement in Moldava nad Bodvou and the Police Inspectorate by its decision from 22 March 2016 further discontinued criminal investigation in the last two counts**

Košice, Budapest, 7 April 2016

On behalf of the Center for Civil and Human Rights (Poradňa) and the European Roma Rights Centre (ERRC), we are writing to inform you that the Regional Prosecutor's Office in Prešov (Slovakia) has dismissed complaints against the decision of the Police Inspectorate to terminate criminal proceedings against those police officers responsible for a violent police raid on a Roma settlement in Moldava nad Bodvou. On 23 November 2015, the Inspectorate, an Interior Ministry body, had stopped the prosecution of four of the counts, including alleged violent assault at the police station where the victims had been brought after the initial incident. According to the Prosecutor´s Office, the complaints were ill-founded and the Inspectorate had acted lawfully in dismissing them.

According to the supervising prosecutor, the Police Inspectorate’s investigation fulfilled all criteria of an effective investigation into allegations of inhuman or degrading treatment or punishment as set forth by international law, including the case law of the European Court of Human Rights. He also argued that the Inspectorate is a fully independent body competent to investigate cases of suspected police violence, despite the fact that it operates within the institutional framework of the Ministry of Interior, which is also in charge of the police. The prosecutor went beyond the usual assessment of the legality of the investigation and expressed his view that the facts were presented in an uncritical and distorted way by the media to the general public. The prosecutor also relied on the fact that the Inspectorate allegedly never received a criminal complaint.

In our view, the prosecutor in his decision inexplicably overlooked the fact that investigation was initiated by the Inspectorate in January 2014 and the first investigation acts in relation to the victims were made in late February 2014, some eight months after the incident took place. Under basic principles of human rights law, in circumstances which indicate possible police violence, state authorities are obliged to start the investigation without undue delay so that the best possible quality of the evidence is ensured. The fact that the prosecutor is defending the inactivity of the Inspectorate by stating that he has not received a criminal complaint is absurd. In fact, the Inspectorate rejected a complaint filed on behalf of one of the victims a few weeks after the incident. Moreover, the competent investigating authority must begin the investigation even without a written criminal complaint once they become aware of information which indicates possible violent behaviour by the police.

Furthermore, we would like to bring to your attention that on 22 March 2016, the Police Inspectorate discontinued prosecution in the last two counts on the alleged physical attacks by the police in the Budulovská settlement as well as alleged illegal entry to the houses. According to the investigator, the possible injuries were caused by legally employed force by the police officers and as for the possible illegal entrance into the houses the investigator concluded that these were legal and conducted with the consent of the inhabitants. Legal representatives of the victims of the raid filed another complaint to the supervising prosecutor to review the lawfulness of the decision.

In recent years, the ERRC and Poradňa have documented a number of reasonable suspicions of police harassment (including physical and verbal attacks) against Roma. Examples include the case of Romani boys from the Luník IX neighbourhood of Košice (2009), raids in four municipalities in the district of Kežmarok (2012), raids in Moldava nad Bodvou (2013), Vrbnica and other neighbouring Romani settlements (2015). According to the findings of the Ombudsperson Jana Dubovcová, the last police action under the umbrella title Code-Action 100 launched in April 2015 was carried out exclusively in Romani settlements (including Vrbnica).

These incidents constitute serious intrusions into human dignity of the victims – Roma. Despite the considerable number of police misconduct incidents, in none of the cases were the perpetrators identified or punished and in some incidents the investigating police officer even concluded that the incident had not happened. We believe that these facts are indicative of institutional racism within the law enforcement authorities*.*

**Information about the NGOs:**

**The Center for Civil and Human Rights (*Poradňa pre občianske a ľudské práva*)** is a non-governmental organisation based in Slovakia focused on the protection of human rights with particular emphasis on the rights of minorities and protection from discrimination. Poradňa has for a long time worked on the issue of discrimination against the Roma ethnic minority in various areas of public life. It has also been active in the protection of reproductive rights and protection from police brutality. Poradňa employs strategic litigation to combat discrimination and human rights abuses against minorities. Visit us at [www.poradna-prava.sk](http://www.poradna-prava.sk).

**The European Roma Rights Centre (*ERRC*)** is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. Since its establishment in 1996, the ERRC has endeavoured to provide Roma with the tools necessary to combat discrimination and achieve equal access to justice, education, housing, health care and public services. The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations. Visit us at [www.errc.org](http://www.errc.org).