



Romani CRISS
Roma Center for Social Intervention and Studies

19, Buzesti Street, Sector 1
Bucharest – Romania
Tel: +4 021/ 231 41 44
Fax: +4 021/ 310 70 70

E-mail: office@romanicriss.org
www.romanicriss.org

Romani CRISS and Ruhama Foundation vs. Bihor County Police Inspectorate (CPI)

Abusive behaviour against Roma

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Abusive behaviour against Roma

"...then the policeman dressed in unofficial cloths, turned to me and asked me if there was something I would like to comment about; then he hit me with the cane over my arm, although I was holding a 4-year-old child in my arms."

"... I took my hand out of the pocket and immediately the policeman started to slap and punch me in the face, the years, with the elbow in the back and the legs in the belly and testicles".

Romani CRISS and Ruhama Foundation vs. Bihor CPI

I. De facto

On May 9th, 2006, around 6 a.m., approximately 20-25 police officers, dressed in unofficial cloths or uniforms, representatives of Salonta Municipality Police - Gepiu, Madaras and Defa Police Precincts and of Special Forces, as well as representatives of SC Electrica SA Salonta (electricity company), Bihor County carried out a raid in the Roma community of Gepiu locality.

The purpose of the actions, as per the Case Note issued by Bihor County Police Inspectorate¹ was the prevention and combating illegal connection to the electricity network (theft)².

During the raid in the Roma community, the police officers committed acts of abuse against 5 Roma persons, of which 4 have legal-medical certificate attesting the fact they had needed 2 to 4 days of medical care³.

I.1 The victims' declarations regarding the events

a. Description of the event occurred in the community

The first incident occurred around 6 a.m., in front of Veres Frunza house. According to his declaration, he was standing in front of his house when he saw a group of approximately 15 police officers (in uniform or not), including representatives of Special Forces which were headed to the houses inhabited by Roma.

He entered the house and shortly after 2 policemen, one in uniform and one civilian, came into his house and asked for his ID and for the other people in the house to get up⁴. Then, Veres Frunza was taken to the front yard where another 4 cuffed people stood: Doroti Marius and Veres Cantemir (tied with one pair of cuffs), respectively Veres Alexandru and Hendre Cornel (with another pair of cuffs).

Veres Frunza was tied together with his son, Teglas Daniel, with another pair of cuffs, although he asked the policemen not to be cuffed together with his son.

In that moment, according to Veres Frunza's declaration, one of the civilian police officer⁵, took a cane from the Special Forces and hit repeatedly Veres Frunza and his son, Teglas Daniel over the back and shoulders.

In addition, the same policeman hit Veres Frunza's wife, Hendre Mandra, over the arm, because she had told the officer not to hit her husband and son in front of the women and children⁶.

Another victim of the police officers who participated in the action of 9 May 2006 is Teglas Florian who got hit with the cane in the legs and back head⁷.

¹ The Case Note was issued by the Press Office of Bihor CPI on 9th of May 2006.

² According to the Case Note;

³ See legal-medical certificates no. 1322, 1323, 1325 and 13256 of May 9th, 2006, issued by Forensic Service of Bihor County.

⁴ See declarations of Veres Frunza and Hendre Mandra, registered at Romani CRISS file.

⁵ The victim doesn't know the policeman's name, only the first name: Sandu;

⁶ See declaration of Mandra Hendre, registered at Romani CRISS file; according to her declaration, she was holding a 4-year-old child in her arms when the policeman hit her.

⁷ According to Teglas Florian declaration, he was legally connected to the power network, fact confirmed by the representatives of SC Electrica SA, following the verification. For details, see Teglas Florian's declaration, registered at Romani CRISS file;

b. Going from the Roma community to the Gepiu Police Precinct

The 7 people (6 with cuffs and one without) were taken to the main street⁸, forming a group with another 20 people brought by the police officers from a different part of the Roma community. The group formed of men, women and children is taken, by foot, to the Gepiu police precinct, accompanied, at all times, by policemen. On the way to the police precinct, the police officers push the Roma with the canes in the back. According to Teglas Florian declaration, one of the policemen kept hitting him with the shoe in the foot while he walked. When he asked the policeman why he hit him, this said: "I am sorry, but these are my orders"⁹.

c. Description of events occurred in the Police Precinct yard

In the yard of the Police Precinct, the policemen denied Roma's access to the exit to the street and to the toilet. As result of pleadings, the cuffed Roma were released from the cuffs. Shortly after their arrival, another tow Roma persons, Fekete Traian and Teglas Dorel are brought there by car. Fekete Traian was cuffed, but released when he joined the Roma group in the yard.

According to Fekete Traian's declaration, near the entrance to the Police Precinct, one of the policemen, in uniform¹⁰ shouted at him to get the hands out of the pockets; then the officer punched and kicked Traian over the face, ear, stomach and testicles¹¹.

At some point, two representatives of Ruhama Foundation¹² came to the Gepiu Police Precinct and, later on, representatives of Oradea local press.

According to the Roma's declarations, as soon as the Ruhama foundation representatives and the press arrived, the policemen unblocked access to the street and toilet.

Some of the Roma people were questioned in the Police precinct, but they were not allowed to be accompanied by the elected local adviser. The Roma requested the presence of the adviser during the questioning also because some of them didn't know to read and write.

II. Point of view of Bihor CPI

In the same day, the Bihor County Police Inspectorate issued a "Case note" regarding the situation in Gepiu locality.

According to the document, the purpose of the raid in the Roma community was to prevent and combat the theft of electricity.

During the action, the police officers identified 11 families illegally connected to the power network, which they disconnected. The heads of the identified families were invited to the Gepiu Police Precinct to be investigated under the charge of theft of electricity. During the same action,

⁸ Street that connects Arad city to Oradea city.

⁹ Quote from declaration of Teglas Florian;

¹⁰ The victim knows only the first name of the policeman, respectively Cristi and the fact that he is employee of the Salonta Police – Bihor County.

¹¹ See declaration of the victim and witnesses, registered to Romani CRISS file.

¹² Mr. Marian Daragiu, president of Ruhama Foundation and Ms. Monica Crisan, legal adviser with the foundation;

V.Cantemir, age 43, from Gepiu, was identified and was going to be imprisoned as he had been sentenced to 4.2 years of prison for aggravated theft¹³.

The Case Note ads: "the appurtenance to a social group **is not a criterion for the Police to act** and just because the police officers do their job it cannot be considered as discrimination against a social category or ethnicity"¹⁴.

The Case Note ends with the following sentence: "**during the entire action, the Police did not use force or the endowment equipment**".

¹³ Quote from the Case Note issued by Bihor CPI on 9 May 2006;

¹⁴ Idem;