

# ROMA RIGHTS UNDER SIEGE

MONITORING REPORTS FROM ONE YEAR  
OF WAR IN UKRAINE



CHALLENGING DISCRIMINATION PROMOTING EQUALITY





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## Introduction

At the time of publication, one year has passed since the full-scale invasion of Ukraine by Russian forces on 24 February 2022. The 19 December 2022 update issued by the Office of the UN High Commissioner for Human Rights (OHCHR) recorded 17,595 civilian casualties in the country since the invasion: 6,826 killed and 10,769 injured. OHCHR believes that the actual figures are considerably higher. Most of these casualties were caused by the use of explosive weapons with wide area effects, including shelling from heavy artillery, multiple launch rocket systems, missiles, and air strikes.<sup>1</sup>

An Organisation for Security and Co-operation in Europe (OSCE) report issued on 14 July 2022 found “*clear patterns of international humanitarian law violations by the Russian forces*” and recommended further investigations to establish individual criminal responsibility for war crimes.<sup>2</sup> The US Commission on Security and Cooperation in Europe (CSCE) stated, “*Well-documented Russian bombings and missile strikes in Ukraine have decimated hospitals, schools, and apartment buildings ... The withdrawal of Russian troops from towns like Bucha, Chernihiv, and Sumy has revealed horrific scenes of civilian carnage, mass graves, and reports of rape and torture. Several world leaders have accused Russia of committing genocide against the people of Ukraine.*”<sup>3</sup>

The Russian onslaught also prompted the flight of more than three million people, spurring the largest refugee crisis in Europe since the Second World War. Civil society organisations and some state agencies in neighbouring countries mobilised massive resources in response to the humanitarian catastrophe and in solidarity with those fleeing the conflict. However, it soon became clear that not all refugees were equal, and for Roma there was less solidarity and little respite from racism during wartime.

Reporting and monitoring quickly revealed that Roma fleeing Ukraine faced discrimination on the borders, were subjected to ethnic profiling and verbal abuse, and in some cases were refused basic humanitarian assistance. Effective advocacy by Roma and pro-Roma organisations and activists ensured that such abuses did not go unchallenged or unreported.

An extensive report by CNN which included visits to shelters and interviews with refugees, social workers, and activists in the Czech Republic, Romania, and Moldova, found that in all three countries the problems faced by Romani refugees were “*uncannily similar*”. Reporters found that Roma were frequently accused of not being Ukrainian and shunted off to segregated non-standard accommodation. Several NGOs told CNN that many Roma were given misleading

1 Office of the UN High Commissioner for Human Rights (OHCHR), *Ukraine: civilian casualty update 19 December 2022*. Available at: <https://www.ohchr.org/en/news/2022/12/ukraine-civilian-casualty-update-19-december-2022>.

2 Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), *Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes against Humanity Committed in Ukraine (1 April – 25 June 2022)*, 14 July 2022. Available at: <https://www.osce.org/files/f/documents/3/e/522616.pdf>.

3 Commission on Security and Cooperation in Europe (CSCE), *Russian War Crimes in Ukraine 4 May 2022*. Available at: <https://www.csce.gov/international-impact/events/russian-war-crimes-ukraine>.

information about their rights, “and issues that are easily solved when faced by others who’ve fled Ukraine – such as missing passport stamps – are often used as a reason for them to be turned away.”<sup>4</sup>

International and intergovernmental agencies were alerted to the plight of Romani refugees from the outset. Since the invasion, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) has closely monitored the human rights situation of Roma who have fled Ukraine to seek refuge in neighbouring countries. In a statement condemning Russia’s “unprovoked, unjustified, and illegal war of aggression against Ukraine”, the EU delegation to the UN and OSCE reaffirmed its commitment to “ensuring a non-discriminatory treatment of displaced members of Roma and Sinti communities, and preventing stereotyping and segregation” and commended the work of civil society in providing assistance to Roma refugees.<sup>5</sup>

US Head of Delegation at the OSCE, Ambassador Michael Kozak, also highlighted the persistence of racism against Roma during wartime and cited reports of families refusing to host Roma refugees; of volunteers denying food and water to Roma claiming that they were not ‘real refugees’; and many cases of Romani refugee families being placed in overcrowded segregated facilities fit only for short-term transit. The ambassador noted how the plight of Romani refugees “is also complicated by systemic issues that Roma have long faced, such as a lack of official documentation and statelessness. They may have trouble proving they are from Ukraine, or they may be refused assistance in countries that require refugees to have a travel document with an exit stamp.”<sup>6</sup>

This report brings together evidence and reporting on the plight of internally displaced and refugee Roma, with on-the-ground monitoring by Roma and pro-Roma NGOs, including the ERRC and its partners, to show how the cruel hardships common to all who have been forced to flee the Russian invasion have been compounded for Romani victims by discrimination; how antigypsyism has ensured that some refugees are deemed to be less deserving than others, less worthy of care and protection.

Against the backdrop of what the EU has called “Russia’s atrocious war”<sup>7</sup>, these reports may appear to be isolated incidents, especially when we consider the enormity of the challenge facing neighbouring states and the generosity of the humanitarian response. But the history of antigypsyism in Europe suggests otherwise, and this latest chapter in the abuse and mistreatment of Roma fleeing conflicts is, to quote Thomas Hammarberg, “a continuation of a brutal and largely unknown history of repression of Roma going back several hundreds of years.”<sup>8</sup>

- 4 Ivana Kottasová, ‘You are not a refugee.’ Roma refugees fleeing war in Ukraine say they are suffering discrimination and prejudice. CNN, 7 August 2022. Available at: <https://edition.cnn.com/2022/08/07/europe/ukraine-roma-refugees-intl-cmd/index.html>.
- 5 EU Delegation to the EU and OSCE statement, delivered at Plenary session V, Warsaw Human Dimension Conference, 26 October – 7 September 2022. Available at: [https://www.eeas.europa.eu/delegations/vienna-international-organisations/osce-cio-warsaw-human-dimension-conference-warsaw-2\\_en?s=66](https://www.eeas.europa.eu/delegations/vienna-international-organisations/osce-cio-warsaw-human-dimension-conference-warsaw-2_en?s=66).
- 6 United States Mission to the OSCE, speech by Ambassador Michael Kozak, Head of Delegation, delivered at Plenary Session V, Warsaw Human Dimension Conference, 3 October 2022. Available at: [https://meetings.odihr.pl/resources/download-file-dds/222/221003161022\\_0159.pdf](https://meetings.odihr.pl/resources/download-file-dds/222/221003161022_0159.pdf).
- 7 European Council Conclusions, 9 February 2023. Available at: <https://data.consilium.europa.eu/doc/document/ST-1-2023-INIT/en/pdf>.
- 8 Commissioner for Human Rights, *The human rights of Roma and Travellers in Europe*, Council of Europe publications, February 2012. Available at: [https://www.coe.int/t/commissioner/source/prems/prems79611\\_GBR\\_CouvHumanRightsOfRoma\\_WEB.pdf](https://www.coe.int/t/commissioner/source/prems/prems79611_GBR_CouvHumanRightsOfRoma_WEB.pdf).

## The Biggest Displacement Crisis Since World War Two: Numbers and Trends

According to the UNHCR, between late February and early September 2022 there were 12.3 million exits from Ukraine, of which three quarters were into the four neighbouring EU Member States (Poland, Hungary, Romania, and Slovakia).<sup>9</sup>

In its February 2023 *Ukrainian Situation Flash Update*, the UNHCR reports the following statistics:

- The number of individual refugees from Ukraine recorded across Europe is 8,054,405.
- The number of refugees registered under the EU Temporary Protection Directive, or similar national protection schemes designed to rapidly provide urgent services such as accommodation, access to healthcare, employment, and education, is 4,830,738.
- The estimated number of internally displaced persons (IDPs) in Ukraine as of 23 January 2023 is estimated to be 5,352,000.<sup>10</sup>

According to the IOM, the estimated number of returnees – identified as those who left their place of residence due to the invasion for a period of at least 14 days, but who have since returned – as of 23 August 2022, stood at 6,013,000. This figure includes people who



<sup>9</sup> *Forced displacement from and within Ukraine: Profiles, experiences, and aspirations of affected populations*, Joint EUAA, IOM and OECD Report, 28 October 2022. Available at: [https://euaa.europa.eu/sites/default/files/publications/2022-11/2022\\_11\\_09\\_Forced\\_Displacement\\_Ukraine\\_Joint\\_Report\\_EUAA\\_IOM\\_OECD\\_0.pdf](https://euaa.europa.eu/sites/default/files/publications/2022-11/2022_11_09_Forced_Displacement_Ukraine_Joint_Report_EUAA_IOM_OECD_0.pdf), p. 2.

<sup>10</sup> UNHCR, Operational Data Portal (ODP). Available at: <https://data.unhcr.org/en/situations/ukraine>.



Uzhgorod, Zakarpatska Oblast

were IDPs and who have since returned from another city, oblast, or macro-region, as well as people who returned from forced displacement outside of the country.<sup>11</sup>

However, the situation remains highly volatile. As the Washington Post reported, one year after the invasion aid workers find it difficult to assess how many Ukrainian refugees remain in each European country, or how many more might show up: *“Many Ukrainians cross borders frequently. Others have moved back home despite the war, and some who remain abroad haven’t registered*

<sup>11</sup> *Forced displacement from and within Ukraine: Profiles, experiences, and aspirations of affected populations*, Joint EUAA, IOM and OECD Report, 28 October 2022. Available at: [https://euaa.europa.eu/sites/default/files/publications/2022-11/2022\\_11\\_09\\_Forced\\_Displacement\\_Ukraine\\_Joint\\_Report\\_EUAA\\_IOM\\_OECD\\_0.pdf](https://euaa.europa.eu/sites/default/files/publications/2022-11/2022_11_09_Forced_Displacement_Ukraine_Joint_Report_EUAA_IOM_OECD_0.pdf), p. 2.

*for protection.*<sup>12</sup> The numbers of refugees leaving Ukraine dipped during the summer, and predictions of a winter upsurge have not as yet materialised. A recent U.N. survey found that only 7% of respondents still in Ukraine were actively considering leaving their location<sup>13</sup>, and data collected by national governments up to December 2022 did not point to a major increase in border crossings. Still, while the Russians continue their bombardment of civilian infrastructure, things remain unpredictable. Romania and Poland did report a slight increase in arrivals, and in other countries the pace of crossings back, or returns to Ukraine has slowed.<sup>14</sup>

In its statement to mark International Roma Day on 8 April 2022, the European Commission estimated that 100,000 Roma had fled Ukraine since the full-scale invasion and reminded Member State governments that *“People fleeing war must always be able to find a safe place and shelter, regardless of racial or ethnic origin, colour, religion or belief, or sexual orientation. This is particularly important for Roma people, some of whom are stateless and might not always have the relevant documents such as ID or passport.”*<sup>15</sup>

However, despite this, many Roma from Ukraine soon discovered, as Anna Alboth Media Officer at Minority Rights Group put it, that:

*“European solidarity proved to be selective. Those who welcomed refugees into their country often turned on their heels at the sight of darker-skinned Roma men or women. In temporary centres, shelters or waiting rooms, segregation between ‘Ukrainians’ and ‘Roma’ began. It was as if the world had suddenly forgotten that Ukrainian Roma are also Ukrainian refugees. Roma found themselves at the end of the line, in separate rooms and on the streets.”*<sup>16</sup>

In April 2022, a report from Czech Deputy Public Defender of Rights Monika Šimůnková, found that Romani people fleeing Ukraine were treated as ‘second-class’ refugees in the country: *“There was no equal access for Romani refugees, who were either not allowed to enter the registration centre at all, or only when accompanied by a non-profit sector staffer or police officer. They then found themselves in a situation where they either had to wait outside or under a tent pitched in front of the building.”*<sup>17</sup>

In May, Human Rights Watch accused Moldovan authorities of deliberately housing most Romani refugees separately from others fleeing the war in Ukraine, in a manner that

12 Claire Parker, ‘Europe prepares to take in more Ukrainians, with less support, in 2023’, *The Washington Post*, 3 January 2023. Available at: <https://www.washingtonpost.com/world/2023/01/03/ukraine-refugees-eastern-europe-2023/>.

13 United Nations International Organization for Migration (IOM), ‘IOM Accelerates Winter Support in Ukraine as New Report Reveals Most People Plan to Stay’, 15 December 2022. Available at: <https://ukraine.iom.int/news/iom-accelerates-winter-support-ukraine-new-report-reveals-most-people-plan-stay>.

14 Claire Parker, ‘Europe prepares to take in more Ukrainians, with less support, in 2023’, *The Washington Post*, 3 January 2023. Available at: <https://www.washingtonpost.com/world/2023/01/03/ukraine-refugees-eastern-europe-2023/>.

15 European Commission, *International Roma Day: Statement by Vice-President Jourova, Commissioners Dalli and Várhelyi*, 7 April 2022. Available at: [https://neighbourhood-enlargement.ec.europa.eu/news/international-roma-day-statement-vice-president-jourova-commissioners-dalli-and-varhelyi-2022-04-07\\_en](https://neighbourhood-enlargement.ec.europa.eu/news/international-roma-day-statement-vice-president-jourova-commissioners-dalli-and-varhelyi-2022-04-07_en).

16 Anna Alboth, ‘They have never caused any war’, *Minority Rights*, 28 September 2022. Available at: <https://minorityrights.org/2022/09/28/roma-war/>.

17 Cassandre Thomas, ‘Ukrainian Roma refugees are not welcome everywhere across Europe’, *OBC Trans.europa*, June 29, 2022. Available at: <https://www.balkanicaucaso.org/eng/Areas/Ukraine/Ukrainian-Roma-refugees-are-not-welcome-everywhere-across-Europe-219211>.





Manej Sport Arena, Chişinău

constitutes unequal and discriminatory treatment.<sup>18</sup> The extreme vulnerability and desperate plight of those Roma fleeing the war, was compounded by long-standing antigypsyism inside Ukraine and in the neighbouring countries.

Antigypsyism is understood in terms defined by the European Commission against Racism and Intolerance (ECRI) of the Council of Europe as a “*specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatisation and the most blatant kind of discrimination*”.<sup>19</sup>

As to the intensity and pervasiveness of antigypsyism, the Fundamental Rights Agency (FRA) stated that it strongly affects all aspects of Romani people’s lives in the European Union, contributing to deprivation in key areas such as education, employment, and living standards, as well as health and housing. Its data indicates “*that the most heinous forms of antigypsyism, hate-motivated crime and harassment, continue to hamper Roma inclusion ... for almost three quarters of the Roma respondents across the surveyed countries, harassment due to their ethnicity is a recurring experience*.”<sup>20</sup> Roma exclusion remains particularly problematic in many of the countries bordering Ukraine and, in the year since the Russian invasion, manifestations of racism and incidents of discrimination targeting Romani refugees were plentiful and came as little surprise.

18 Human Rights Watch, *Moldova: Romani Refugees from Ukraine Face Segregation*, 25 May 2022. Available at: <https://www.hrw.org/news/2022/05/25/moldova-romani-refugees-ukraine-face-segregation>.

19 Council of Europe, *ECRI General Policy Recommendation N°13 revised on combating antigypsyism and discrimination against Roma - adopted on 24 June 2011 and amended on 1 December 2020*. Available at: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.13>.

20 EU Agency for Fundamental Rights (FRA), *A persisting concern: anti-Gypsyism as a barrier to Roma inclusion*. 2018. Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2018-anti-gypsyism-barrier-roma-inclusion\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-anti-gypsyism-barrier-roma-inclusion_en.pdf).

## Arrivals and Departures; Racism and Discrimination

In a plenary debate at the European Parliament in April 2022, Commissioner Helena Dali's intervention concerning the rights of Romani refugees was succinct and to the point. She reminded the assembly that:

*“Roma fleeing the war often struggle with additional vulnerabilities, such as a lack of identification documents, separation from family members, language-related communication difficulties and biased attitudes at the borders. According to civil society reports, Roma were accused of not being genuine refugees, of taking advantage of the availability of humanitarian aid, or that they intend to abuse the welfare system of EU countries. We must ensure that people can always flee wars even if they do not have an identification document, and that the most vulnerable ones are provided humanitarian help in an unhindered manner.”<sup>21</sup>*

Notwithstanding the urgings, the reminders, and calls on receiving states from the EU, the Council of Europe, and the OSCE, in the 12 months since the Russian onslaught Ukrainian Roma have had to face racial discrimination from authorities, officials, even volunteers and fellow refugees, along the evacuation routes, at border crossing points, and upon arrival in safe



<sup>21</sup> European Parliament, *The situation of marginalised Roma communities in the EU (debate) Thursday, 7 April 2022 - Strasbourg*. Available at: [https://www.europarl.europa.eu/doceo/document/CRE-9-2022-04-07-ITM-003\\_EN.html#top](https://www.europarl.europa.eu/doceo/document/CRE-9-2022-04-07-ITM-003_EN.html#top).

states. A European Parliament briefing reported that, according to civil society organisations and the media, *“Not only have they (Roma) had to cope with racial discrimination and segregation in transportation, humanitarian assistance and accommodation, but also with food and water deprivation and terrible living conditions as a result of this treatment.”*<sup>22</sup>

## Arrival and reception in Poland: Roma separated *“to avoid tension”*

In their comprehensive account of the systemic antigypsyism faced by Roma from Ukraine in Poland, Elżbieta Mirga-Wójtowicz et al. highlighted the following incidents of discrimination based on their research, intervention activities, and intensive monitoring of the mass media and social media:

- Reported cases of discrimination committed against Romani IDPs on the Ukrainian side of the border by not allowing them to board trains, forcing them to wait for many hours in line even if they arrived at the border earlier than non-Romani Ukrainians, and dealing with them only after everybody else had been handled;
- On arrival Roma were separated from other Ukrainians. For example, 20 Romani refugees who arrived at the Nadarzyn EXPO in Warsaw on 14 March, were made to sit separately in corridors away from white Ukrainians to ‘avoid tensions’, and forbidden to lie down or move for many hours;
- Romani refugees did not receive entry stamps in their passports after crossing the border into Poland, which in turn was often used as an excuse to refuse them accommodation at refugee reception centres, despite the fact that this practice is illegal. On more than one occasion, after interventions by Romani activists, the Office of the Ombudsman intervened in such situations;
- Volunteers at the border, at railway stations, and in refugee reception centres, as well as staffers on helplines refusing assistance and denying accommodation to Roma; making disparaging and racist remarks; and suggesting, for example, that because non-Romani Ukrainians are afraid of them, the Romani refugees should be «taken somewhere else»
- Administrators of Facebook pages helping refugees from Ukraine have deleted or declined to accept posts concerning aid to Romani refugees;
- Open hostility from non-Romani refugees who refused to share space with Romani refugees; and refusal by private landlords and agencies to rent apartments or larger dwellings that could serve as a centre for long-term residence, after being informed that the prospective tenants would be of Romani origin.
- Incidents of verbal and physical abuse of NGO personnel who support Ukrainian Roma by refugee reception centre staff and volunteers.<sup>23</sup>

22 European Parliamentary Research Service, *At a Glance: Russia’s war on Ukraine: The situation of Roma people fleeing Ukraine*. European Parliament, 7 April 2022. Available at: [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729411/EPRS\\_ATA\(2022\)729411\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729411/EPRS_ATA(2022)729411_EN.pdf).

23 Elżbieta Mirga-Wójtowicz, Joanna Talewicz and Małgorzata Kołaczek, ‘Poland: Human rights, needs and discrimination – The situation of Roma refugees from Ukraine in Poland’, *Central Council of German Sinti and Roma*. September 2022, pp 14,15. Available at: <https://data.unhcr.org/en/documents/details/96575>.



## Moldova: Roma segregated, neglected, and even pepper-sprayed before being bussed on to Romania

In March 2022, the ERRC visited three separate reception centres used almost exclusively to accommodate Romani refugees. In an unused office in the country's capital, Chisinau, around 70-80 Roma (including many children) were crammed into small spaces, sometimes 15 to a room. There was one toilet on the ground floor and no washing facilities. The refugees said that they received some food on the evening on the first day they arrived but nothing since then. After three days, they were transported by bus to the Romanian border.

The ERRC monitors found an estimated 600 Romani refugees accommodated in the Manej Sports Arena, an indoor running track in Chisinau. Many were being taken by buses to the Romanian border, but another large group of Romani refugees was expected to arrive imminently. The facilities were completely inadequate to cater for such a large number of people, and many Roma told the ERRC monitors that there was not enough food, warm clothing, or medicines for children who were falling ill.<sup>24</sup>

<sup>24</sup> Jonathan Lee, 'Ukrainian Roma in Moldova face segregation, poor conditions and – without documentation – nowhere to go', *European Roma Rights Centre*, 8 March 2022. Available at: <http://www.errc.org/news/ukrainian-roma-face-segregation-poor-conditions-and---without-documentation---nowhere-to-go>.

While acknowledging that Moldova, one of the poorest countries in Europe, had received the highest per capita influx of refugees to a neighbouring country, and that authorities had offered critical support to people fleeing Ukraine, a Human Rights Watch (HRW) spokesperson stated: *“that does not excuse segregation of Romani refugees ... Regardless of the economic and social problems Moldova faces, the government has a responsibility to ensure that refugees are not discriminated against on the basis of ethnicity.”*<sup>25</sup>

Similar to the ERRC’s findings, HRW also identified the practice that appeared to be an agreed policy to segregate Romani refugees in designated state-run reception centres, and to deny Romani refugees housing together with other refugees in alternate state-run centres. One volunteer recounted:

*“When we would call centers and were asking them to host a group of people [they told us], ‘Sure, bring them in, just make sure they are not Roma,’ or ‘make sure they are Ukrainians,’ [or] ‘white people. One time we were told to make sure they are pure Ukrainians.”*<sup>26</sup>

Another told HRW that a government official told them to confirm refugees’ ethnicity before placing them in housing to avoid problems, even while admitting it was a form of racial profiling. In police statistics on refugees accommodated at an abandoned university building (FRISPA), ‘Roma’ and ‘Ukrainians’ were calculated separately. Police at the centre confirmed that ‘Ukrainians’ did not include Roma who were Ukrainian citizens.<sup>27</sup>

As the ERRC subsequently documented, at that same FRISPA centre racist resentment against Roma turned violent. In its April visit, the ERRC found that segregated Romani refugees had no access to hot or clean water and were forced to collect water from toilets. Many reported poor or non-existent medical treatment, and food which gave their children food poisoning. One elderly Romani woman who did not receive medical attention even after having a stroke, told an ERRC monitor *“they treat us like dogs.”*

On the 18 August 2022, tensions arose when staff told Roma to leave the common dining space and return to their rooms. One staff member told the refugees: *“I am fed up of you disgusting gypsies, I want to get rid of you once and for all.”* Security guards arrived, ordered the Roma to leave, turned out the lights and sprayed them with pepper spray. Elderly people and children were severely affected and needed to be treated by paramedics. The lawyer representing the litigants with ERRC support submitted a request to the Prosecutor’s Office on 29 September 2022 to carry out a sufficiently extensive investigation and hear the injured parties.<sup>28</sup>

25 Human Rights Watch, *Moldova: Romani Refugees from Ukraine Face Segregation*. 25 May 2022. Available at: <https://www.hrw.org/news/2022/05/25/moldova-romani-refugees-ukraine-face-segregation>.

26 *Ibid.*

27 *Ibid.*

28 ERRC Press Release, ‘Ukrainian Roma Take Legal Action Over Pepper Spray Attack In Moldovan Refugee Centre’, ERRC, 10 October 2022. Available at: <http://www.errc.org/press-releases/ukrainian-roma-take-legal-action-over-pepper-spray-attack-in-moldovan-refugee-centre>.



**MANEJUL**



**CARABINIERI**

Manej Sports Arena, Chișinău

## In Hungary Roma face segregation and humiliation: “if you don’t like it, go back to Ukraine”

ERRC human rights monitors reported the case of a 52-year-old Romani mother and her two children were repeatedly denied exit from Ukraine on the Hungarian border. The family from Beregovo, in the Zakarpattia region of Ukraine, were told by an official at the Beregsurányi border crossing on 20 March 2022 that they could not pass through to the Hungarian side because of rumours that Roma elsewhere in Hungary had been accused of abusing the welfare system and engaging in begging. A Ukrainian border guard stated “no, you are going to commit wrongdoings like the others, so we are not letting you out.” On her fourth attempt the woman, who is a native Hungarian speaker, finally succeeded in taking her family across the border to be with her extended family in Hungary.<sup>29</sup>

Once in Hungary activists found that, unlike the majority of refugees from Ukraine, the Transcarpathian Roma are forced to face institutional forms of discrimination which include: the reluctance of many humanitarian organisations to place Roma in refugee centres, the lack of any opportunity to rent private housing, and a general lack of information and absence of any significant assistance from the Hungarian authorities and humanitarian organisations. Human rights monitors found that instead of settling Roma in humanitarian centres, they get sent to the immigration police who then have them taken to state-appointed re-opened refugee shelters, usually located in rural areas, far away from job opportunities or educational resources for children.<sup>30</sup>

Many Romani activists have highlighted the humiliation, neglect, and abuse faced by Roma arriving from Ukraine. One of the most blatant examples of such treatment occurred in the border town of Zahony, when the mayor ordered the municipality to close the municipal and other charity tents on hearing that a train carrying 300 Romani refugees had arrived at the town station. It was also reported that in the first days of the war, Romani families received no assistance from official bodies and had to wait days for permission to cross the border. Béla Rác, a Romani activist from the One Hungary Initiative, confirmed that charities and humanitarian organisations often simply ignore Romani refugees, and that the lack of assistance and the unwelcoming reception was a factor driving many Roma to return to Ukraine.

Rác said Roma were separated from white Ukrainians on the trains leaving and were greeted with ‘soft discrimination’ upon arrival in Hungary: “It was not physical but more like verbal. You know, ‘Show your passport! Show your ID! Why did you come? What you want in Hungary?’”. A common accusation from many volunteers and aid workers was that Ukrainian Roma are not really refugees but are just taking advantage of the system.<sup>31</sup>

29 Jonathan Lee, ‘Romani Family Denied Exit From Ukraine: Border Guards Accuse Roma Of “Wrongdoings” In Hungary’, *ERRC News*, 29 March 2022. Available at: <http://www.errc.org/news/romani-family-denied-exit-from-ukraine-border-guards-accuse-roma-of-wrongdoings-in-hungary>.

30 Anti-discrimination Centre, *Hungary: discriminatory practices against Roma refugees from Ukraine*, 9 November 2022. Available at: <https://adcmemorial.org/en/news/hungary-discriminatory-practices-against-roma-refugees-from-ukraine/>.

31 ÁTLÁTSZÓ, *Roma refugees from Transcarpathia face segregation and humiliation in Hungary*, 16 November 2022. Available at: <https://english.atlatszo.hu/2022/11/16/roma-refugees-from-transcarpathia-face-segregation-and-humiliation-in-hungary/>.



Anna Szilagyi | AP

Záhony, Szabolcs-Szatmár-Bereg County

Other human rights monitors working on behalf of the ERRC at the border crossing at Záhony witnessed a more wholesale pattern of prejudice and discrimination, brought about by the Mayor Laszlo Helmeczi who publicly insinuated<sup>32</sup> that a certain stratum of refugees (Roma) were travelling to Hungary not because they were fleeing war but because they were trying to escape deep poverty. The insinuation that Roma were not real refugees but economic migrants permeated multiple levels of service provision at Záhony. At registration of new arrivals, local authorities were observed segregating Roma from non-Roma by monitors. Romani refugees were herded into a white tent while the non-Roma were sent to a blue tent. The blue tent had heating, some food, and reportedly relatively quick processing times. The white tent was unheated, there was no food, and the waiting time could be five hours or more according to monitors working at the border crossing. ERRC human rights monitors also reported that Roma were denied temporary accommodation in the Kandó Kálmán High School on the order of representatives of the local municipality, while non-Romani Ukrainians were allowed to stay there while they awaited their transport to Budapest. Monitors reported multiple incidents of municipality workers denying Roma access to food on the basis that they are not “real refugees”. Monitors also reported that the mayor of the municipality even introduced a system whereby refugees can only go to the tent to eat if they were wearing an armband. Romani refugees were not given this armband.

According to one volunteer, even when Roma were given shelter they were segregated from the very beginning: *“In the gymnasium where the refugees were housed, the Ukrainians were placed on one side of the hall and the Roma refugees on the other”*, because the staff wanted to make the

32 Partizán, ‘Szavazóként magyarok, menekültként cigányok | Telepjáró #8’, 12 March 2022, Available at: <https://www.youtube.com/watch?v=bLH0uCiyl2I>.



Ukrainians feel safe and didn't want the Romani children to disturb the Ukrainians. The situation has remained largely unchanged, according to Romaversitas researchers who visited many different refugee shelters but know of only one place where Romani refugees weren't completely segregated.<sup>33</sup>

Of the estimated 1,312,550 arrivals into Hungary since the outbreak of war, only 24,231 have applied for temporary protection; the vast majority have transited out to other European countries.<sup>34</sup> Many who remained have been able to find work and rent accommodation, however such prospects are remote for deeply impoverished Romani families. Romaversitas found that these families don't have the money or the social networks to rent a flat or travel abroad, and the vast majority are still living in refugee shelters. So deep-rooted is the prejudice in Hungarian society that, as one Romaversitas researcher put it, *"it is difficult for a Romani family to find housing even if they have money and has only one or two children."* Other Romaversitas researchers observed that living conditions in most of the refugee shelters are unbearable and completely inadequate for long-term stays, where several families are often housed in one room, and showers and toilets are usually shared by an entire floor.

All the NGO workers researchers and volunteers interviewed by the Hungarian investigative journalism and watchdog NGO Átlátszó felt that the Hungarian government had completely ignored the plight of Romani refugees, and simply wanted them to return to Ukraine. One volunteer said that often when Romani refugees complain about anything they are told by volunteers, doctors, and social workers alike that if they don't like it, they can "go back to Ukraine".<sup>35</sup>

## Czech Republic: Hate speech and racist discrimination against Roma 'inadaptables'

Soon after the invasion, reports of discriminatory treatment against Romani refugees surfaced in the Czech Republic; accusations by the authorities amplified by hostile media coverage depicted Roma as bogus refugees, economic migrants, and welfare tourists. By May, deliberate delays in processing cases and abusive treatment of Ukrainian Roma resulted in crisis numbers of Romani refugees at Prague railway station, which briefly became a focus of international media scrutiny.<sup>36</sup> In April 2022, an investigation by the Office of the Czech Public Defender of Rights had already established that Roma were treated as 'second-class' refugees. *OBC Trans.europa* quoted Deputy Public Defender of Rights Monika Šimůnková, who found that *"There was no*

33 For a detailed account see Romaversitas, *Action Research: The Situation of Transcarpathian Romani Families Fleeing from Ukraine to Hungary*, November 2022. Available at: <https://romaversitas.hu/inclusion-of-roma-refugee-children-from-ukraine/>.

34 UNHCR Operational Update, June 2022. Available at: [https://reliefweb.int/report/hungary/unhcr-hungary-ukraine-refugee-situation-operational-update-7-june-2022?gclid=Cj0KCQIAorKfBhC0ARIsAHDzslsPAUWpj4zIMa0\\_RCAAtAEzrcW4FtllHLt78xkSlw8mFgH7M1HcbNVYaAqwdEALw\\_wcB](https://reliefweb.int/report/hungary/unhcr-hungary-ukraine-refugee-situation-operational-update-7-june-2022?gclid=Cj0KCQIAorKfBhC0ARIsAHDzslsPAUWpj4zIMa0_RCAAtAEzrcW4FtllHLt78xkSlw8mFgH7M1HcbNVYaAqwdEALw_wcB).

35 ÁTLÁTSZÓ, *Roma refugees from Transcarpathia face segregation and humiliation in Hungary*, 16 November 2022. Available at: <https://english.atlatzo.hu/2022/11/16/roma-refugees-from-transcarpathia-face-segregation-and-humiliation-in-hungary/>.

36 Robert Tait, 'They won't accept us': Roma refugees forced to camp at Prague train station', *The Guardian*, 25 May 2022. Available at: <https://www.theguardian.com/global-development/2022/may/25/they-wont-accept-us-roma-refugees-forced-to-camp-at-prague-train-station>.

*equal access for Romani refugees, who were either not allowed to enter the registration center at all, or only when accompanied by a nonprofit sector staffer or police officer. They then found themselves in a situation where they either had to wait outside or under a tent pitched in front of the building.*<sup>37</sup>

In April, Romea.cz reported how at an official refugee reception centre at the Černá louka Exhibition Center in Ostrava, Czech Republic, Romani refugees were automatically segregated and treated in an inhumane manner. One volunteer told Romea.cz:

*“When I arrived for my shift, the group of Ukrainian Roma was still there. It was crazy. There were police officers wearing balaclavas, four volunteers, and there was tape strung all around as if a murder or other serious crime was being investigated. Barricades were set up using several tables so the Romani refugees could not move about freely in the space. If somebody wanted to go to the toilet, those in charge grabbed a hold of the person’s shirt collar and took them there like that.”*<sup>38</sup>

### FABRICATING A CRISIS: DUAL CITIZENSHIP AND THE ‘HUNGARIAN ROMA’

To add insult to injury, the Governor of the Moravian-Silesian Region, Ivo Vondrák, publicly and falsely accused Romani refugees of theft and vandalism. At a press conference, he spoke of expelling ‘such sinners’ from the residential hotels and stated big problems are being caused by “*so-called specific groups of the population are arriving here, that is, people who are quite inadaptable ... so-called Hungarian Roma, i.e. nomadic groups of people, and many of them have dual citizenship – both Ukrainian and Hungarian.*”<sup>39</sup>

In early May, Czech President Miloš Zeman described those fleeing Ukraine as “*falling into our cultural circle, not just linguistically but also because of their Christian roots and the like*”. They were not economic migrants according to Zeman “*because they are really refugees from war who, under normal conditions, want to live in Ukraine*” and said that he expected many Ukrainians to return home once the war ends, before adding, “*I would make one little exception here in terms of Romani Ukrainians.*”<sup>40</sup>

Vít Rakušan, the Czech Interior Minister, ramped up the anti-Roma hate speech by claiming that the Roma ‘influx’ was tied to organised crime and spoke of the need to combat ‘social tourism’. Vetting processes were put in place specifically targeting Roma and leaving desperately vulnerable people stranded without food or shelter. Rakušan stated that such

37 OBC Transeuropa, *Ukrainian Roma refugees are not welcome everywhere across Europe*, 29 June 2022. Available at: <https://www.balkanicaucaso.org/eng/Areas/Ukraine/Ukrainian-Roma-refugees-are-not-welcome-everywhere-across-Europe-219211>.

38 Rena Horvátová and Zdeněk Ryšavý, ‘Romani refugees segregated in a Czech center and discriminated against, Regional Governor accuses them of theft, police say no such crimes have been reported’, *Romea.cz*, 11 April 2022. Available at: [https://romea.cz/en/news/czech/romani-refugees-segregated-in-a-czech-center-and-discriminated-against-regional-governor-accuses-them-of-theft-police-say?utm\\_source=The+Beat&utm\\_campaign=a3cc66b409-TheBeat11April2022&utm\\_medium=email&utm\\_term=0\\_429e007731-a3cc66b409-298455576&ct=t\(TheBeat11April2022\)&mc\\_cid=a3cc66b409&mc\\_eid=26711d2fc7](https://romea.cz/en/news/czech/romani-refugees-segregated-in-a-czech-center-and-discriminated-against-regional-governor-accuses-them-of-theft-police-say?utm_source=The+Beat&utm_campaign=a3cc66b409-TheBeat11April2022&utm_medium=email&utm_term=0_429e007731-a3cc66b409-298455576&ct=t(TheBeat11April2022)&mc_cid=a3cc66b409&mc_eid=26711d2fc7).

39 *Ibid.*

40 Kafkadesk Prague Office, ‘Romani war refugees from Ukraine are “economic migrants”, says Czech President’, *Kafkadesk.org*, 4 May 2022. Available at: <https://kafkadesk.org/2022/05/04/romani-war-refugees-from-ukraine-are-economic-migrants-says-czech-president/>.



Borodianka, Kyivska Oblast

checks were necessary because of “mostly Roma refugees” who held Hungarian as well as Ukrainian citizenship and were coming to the Czech Republic to exploit the benefits system.

The assertion by Czech officials that many Romani arrivals did not qualify for refugee status because they were supposedly EU citizens holding dual Ukrainian-Hungarian nationality, provided an excuse to exclude Romani refugees who had already been stigmatised as bogus claimants, criminals, and freeloaders. The Czech government even made this an international issue, and Rakušan sent a diplomatic letter to his Hungarian counterpart, Interior Minister Sándor Pintér, calling on Hungary to speed up the verification of possible Ukrainian-Hungarian dual citizenship of Ukrainian Romani refugees in the Czech Republic, because people with this status are not entitled to refugee aid. Rakušan later offered to put them on trains to Budapest.<sup>41</sup>

The outcome of this official fabrication was a scene described by a Guardian reporter as “*symptomatic of a festering crisis*”, where hundreds of Romani refugees had sheltered on the station floor and in a makeshift sleeper train in dangerously overcrowded and unsanitary conditions. Many were waiting for the Czech authorities to decide on their status. One young mother of three children from Kyiv stranded for four days at the station explained to the reporter “*We tried to register for refugee protection at the registration centre, but they wouldn’t accept us and didn’t give us any document explaining why. We came here looking for a place to stay but instead we are just lying on the floor like dogs. We are exhausted and have no energy anymore. I’m just feeling really hopeless.*”<sup>42</sup>

41 Kaufmann Balázs, ‘Csehország Magyarországra küldené a hozzájuk menekült ukrán-magyar kettős állampolgársággal rendelkező romákat’, *444.hu*. Available at: <https://444.hu/2022/05/12/csehország-magyarországra-kuldene-a-hozzajuk-menekult-ukran-magyar-kettos-allampolgarsaggal-rendelkezo-romakat>.

42 Robert Tait, ‘They won’t accept us’: Roma refugees forced to camp at Prague train station’, *The Guardian*, 25 May 2022. Available at: <https://www.theguardian.com/global-development/2022/may/25/they-wont-accept-us-roma-refugees-forced-to-camp-at-prague-train-station>.

When CNN pressed the Czech Ministry of the Interior for details concerning the checks on Romani refugees it turned out that less than 3% of the refugees from Ukraine were also citizens of Hungary. The network reported that it acquired new, updated data from the Czech authorities *“that has definitively confirmed that politicians’ statements about a large number of Romani refugees from Ukraine holding dual citizenship were untrue.”*<sup>43</sup>

### THE INSTITUTIONAL RESPONSE: **“DO NOT COUNT ON OUR COOPERATION!”**

In December 2022, Emil Voráč, director of the NGO Khamoro Chodov, told Romea.cz that the lack of will from the side of the institutions forced many Romani Ukrainians to the Czech Republic, either moving on to Western Europe or returning to Ukraine. While media attention has moved on, the situation remains the same for those Roma who have remained:

*“For example, in Luby the mayor told us not to count on his cooperation. He has also been influencing local entrepreneurs such that it has been impossible for the refugees to find jobs in town. Health care facilities refuse the Romani Ukrainians and so does the local school. The responsiveness depends on local councillors and here, everybody we reached out to spoke the mayor’s language.”*<sup>44</sup>

An investigation by the Office of the Public Defender of Rights found that Romani refugees were discriminated against at the Prague Regional Assistance Center for Aid to Ukraine in May 2022. Unlike non-Romani Ukrainian refugees, the Romani refugees were only allowed inside the registration centre if accompanied by non-profit sector staff or police; and only the Roma were also required to have their accommodation arranged before they could apply for temporary protection.

Human Rights Commissioner Klára Šimáčková Laurenčíková noted that the situation subsequently improved, but maintained that discrimination against Romani refugees continues both from the authorities and from many Czech citizens. According to the Commissioner, this is because of the deeply-rooted bias in Czech society against Roma which *“is reflected in their situations, especially in the areas of housing, social security, health care and the education of Romani children in the schools.”*<sup>45</sup>

43 Ivana Kottasová, ‘You are not a refugee.’ Roma refugees fleeing war in Ukraine say they are suffering discrimination and prejudice, *CNN*, 7 August 2022. Available at: <https://edition.cnn.com/2022/08/07/europe/ukraine-roma-refugees-intl-cmd/index.html>.

44 Jana Donovan, ‘If the food runs out, winter could see another wave’, *Romea.cz*, December 2022. Available at: <https://romea.cz/en/czech-republic/if-the-food-and-the-fuel-runs-out-winter-could-see-another-wave-of-romani-refugees-from-ukraine>.

45 *Ibid.*

## Romani IDPs Inside Ukraine

The scale of displacement in the wake of the Russian invasion is unprecedented in modern times. As of 23 August 2022, IOM estimated that 6,975,000 internally displaced persons (IDPs) have fled their places of residence without crossing the Ukrainian external border.

During the course of the war external circumstances have forced around one third of IDPs to repeatedly relocate to find a safe location, either because they could not find a job or suitable accommodation in their new location, or because of the security situation.

These statistics from the European Union Agency for Asylum (EUAA) reveal the extent of the hardships faced by IDPs:

- More than 70% of all IDPs lacked financial resources;
- 23% were lacking accommodation;
- 28% of displaced people experienced a lack of hygiene items;
- 45% of the respondents faced a lack of menstrual items;
- 12% and 10% of IDPs in the South and East macro-regions continued to lack drinking water in August 2022;
- 54% of IDP households with infants and children under the age of five reported problems getting enough food for their children. Food shortages were also most pressing for households with low income or no income;
- A shortage of medicine and health care services was experienced by 30% of IDPs, with 32% not taking their medication due to the war. Rural residents were more likely than others to endure a lack of medical services and medicines.<sup>46</sup>

For Romani IDPs, members of the most marginalised and excluded minority in Ukraine, these challenges are exacerbated by long-standing anti-Roma prejudice and, for many, the extreme poverty and precarity that characterised their lives before the war. Research conducted by Vox Populi Agency in 2021 found that among Romani respondents surveyed in seven regions (Cherkasy, Donetsk, Kharkiv, Luhansk, Odesa, Volyn, and Zakarpattia) 77% of household income was derived from informal and temporary employment, became even more difficult with the outbreak of the Covid-19 pandemic, *“but since the outbreak of war — when Roma families in affected areas have been trapped for weeks in bomb shelters under constant bombardment, unable to earn an income and dependent on their rapidly dwindling personal savings — the situation has become even more precarious.”*<sup>47</sup>

The study found that dependence on local informal work and the widespread lack of educational or professional qualifications, compounded by discrimination, have made it

<sup>46</sup> European Union Agency for Asylum (EUAA), *Forced displacement from and within Ukraine: Profiles, experiences, and aspirations of affected populations*, October 2022. pp. 33-38. Available at [https://euaa.europa.eu/sites/default/files/publications/2022-11/2022\\_11\\_09\\_Forced\\_Displacement\\_Ukraine\\_Joint\\_Report\\_EUAA\\_IOM\\_OECD\\_0.pdf](https://euaa.europa.eu/sites/default/files/publications/2022-11/2022_11_09_Forced_Displacement_Ukraine_Joint_Report_EUAA_IOM_OECD_0.pdf).

<sup>47</sup> Viola Popenko, ‘For displaced Roma, the conflict has exacerbated existing patterns of discrimination – and left them without an income’, *Minority Rights Group*, Trends 2022. Available at: <https://minorityrights.org/programmes/library/trends/trends2022/ukraine/>.



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Siret Border Crossing, Suceava County, Romania

almost impossible for displaced Roma to find employment in other areas of Ukraine or abroad. This has left many with no option but to wait for government support, and hope for the opportunity to return home to resume their informal employment activities.<sup>48</sup>

Unable to find free accommodation or rent out an apartment, many internally displaced Roma have been forced to stay for long periods in overcrowded temporary centres, leaving many with no option but to return to non-safe areas, or to seek refuge abroad. A study conducted by Roma Women Fund ‘Chirikli’ revealed that only 24% of a group of 441 Romani IDPs who fled to Zakarpatska Oblast managed to rent an apartment. Others were hosted by relatives, shelter or a religious institution.<sup>49</sup> Romani NGOs, such as ‘Chirikli’ and the Youth Agency for the Advocacy of Roma Culture (ARCA), and churches have played a pivotal role in addressing the humanitarian crisis, supplying food, medicines, and hygiene products, as well as evacuating Roma to safety and providing IDPs with shelter and essential supplies.

Lack of personal documentation, a long-standing issue for as many as 30,000 Roma, has assumed a new significance since the Russian invasion, adding to the difficulties Roma IDPs face in accessing asylum and humanitarian assistance. According to complaints received by ‘Chirikli’, Romani women and children were barred from crossing the border into Moldova, Poland, and Hungary to seek protection. Internally displaced Roma fleeing from frontline areas to the relative safety of other regions have found that their lack of paperwork meant

<sup>48</sup> *Ibid.*

<sup>49</sup> International Charitable Organization Roma Women Fund “Chirikli”, *The situation of Romani internally displaced people in the wartime. A research*, 10 August 2022. Available at: <http://www.chirikli.com.ua/index.php/ua/novini/item/277-stanovyshche-romiv-doslidzhennia>.

their status as IDPs was not officially recognised and they were denied the emergency financial assistance available to support IDPs. There have also been reports that, in the Chernihiv region, access to humanitarian aid was conditional on providing personal documentation, leaving displaced Roma with no papers with no means of survival.<sup>50</sup>

ERRC human rights monitors have reported significant numbers of Roma internally displaced from the conflict zones in the East of the country (either in 2014, or more recently) who are without identification documents. Many lack documentation because of the risk of statelessness faced by numerous Romani communities in Ukraine due to historical discrimination.<sup>51</sup> Others simply lost their documents along with the sudden loss of their homes when the conflict turned to full scale war, and they were forced to flee for safety. Frequently, those who have arrived in areas of relative safety in the Southwest of the country have severe burns and injuries, as well as chronic health conditions exacerbated by the war conditions. ERRC human rights monitors and lawyers who are working to provide access to identification documents for these people have reported that without ID, many struggle to access certain medical attention and aid services.

For those attempting to leave Ukraine and enter the European Union without identification documents, or sometimes simply without a biometric passport, ERRC monitors reported frequent denial by border control authorities, particularly at the Romanian border. Despite the Temporary Protection Directive<sup>52</sup> including provision for EU Member States to issue emergency identification to Ukrainian citizens who are without documents, in practice this was often reported by monitors to be left to chance and hugely depends on which border crossing a person attempts to cross, and crucially how that border guard on duty interprets the directive in the given situation.

Aside from the recent Directive, there is a range of international treaty law which allows states to provide asylum for refugees without valid identification documents: the UN's 1951 Refugee Convention and its 67 protocol, both of which were reaffirmed by OSCE participating states in the 1999 Istanbul Document; the UN's 1954 and 61 Statelessness Conventions; Article 14 of the universal declaration of human rights; article 18 of the EU charter of fundamental rights. All of these either include provisions for refugees without documents or assume throughout that refugees fleeing war will not have documents as a natural consequence of their position as refugees fleeing war.

50 Viola Popenko, 'For displaced Roma, the conflict has exacerbated existing patterns of discrimination – and left them without an income', *Minority Rights Group*, Trends 2022. Available at: <https://minorityrights.org/programmes/library/trends/trends2022/ukraine/>.

51 European Roma Rights Centre, 'Roma Belong: Statelessness, Discrimination and Marginalisation of Roma in Ukraine', European Roma Rights Centre, March 2018. Available at: <http://www.errc.org/reports-and-submissions/roma-belong--statelessness-discrimination-and-marginalisation-of-roma-in-ukraine>.

52 Directorate-General for Migration and Home Affairs, 'Temporary Protection', European Commission, 4 March 2022. Available: [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/temporary-protection\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_en).

## Conclusions

At the beginning of March 2022, the EU Agency for Fundamental Rights (FRA) conducted brief field visits to the Hungarian, Polish, Romanian, and Slovak borders with Ukraine and Moldova. In their brief ‘first field observations’ report, FRA observers highlighted the tremendous solidarity shown by officials and volunteers towards those fleeing Ukraine, but warned of over-reliance on the work of volunteers by state agencies in some locations and called for sustainable long-term solutions to support volunteers and coordinate efforts at all levels. Seemingly only three Romani families were interviewed by FRA observers in this mission, who reported no discrimination in their interviews. FRA, in addition to warning about the dangers of human trafficking, noted the many allegations of discrimination as reported in the media, called for them to be promptly investigated, and stated that *“Authorities should be diligent to prevent such acts and civil society should be encouraged to report incidents.”*<sup>53</sup>

Warning of the likelihood that the war would be a protracted conflict and that many, if not most, refugees would be unable to return to Ukraine, FRA called on all EU Member States to start planning ahead and to consider the following in the integration measures they adopt: the impact of psychological trauma;

- the particular challenges facing the overwhelming majority of arrivals who are women, many with infants or young children, in accessing employment and finding childcare;
- family reunification;
- the specific needs of children;
- prevention and monitoring to avoid labour exploitation.<sup>54</sup>

It is clear from the media reporting and the accounts of monitors and volunteers compiled in this report that the generosity of others in welcoming strangers very often did not extend to Roma fleeing the conflict. The issue of different and unequal treatment of refugees based on their ethnicity is nothing new for Romani communities, NGOs, and human rights activists. As Elżbieta Mirga-Wójtowicz and Kamila Fiałkowska stated, such discrimination is a continuation of anti-Roma prejudice:

*“In moments of crisis, pronounced social traumas and tensions that have been observed up until recently in the case of the Covid-19 pandemic, and that are seen now in the context of the war in Ukraine, the strongly marginalised minorities are usually burdened the most with exclusion, violation of their rights, or are even blamed for various negative consequences of the events that are beyond their control.”*<sup>55</sup>

53 European Union Agency for Fundamental Rights (FRA), *EU-Ukrainian Border Check Points - First Field Observations*, 23 May 2022. Available at: <https://fra.europa.eu/en/publication/2022/eu-ukrainian-border-check-points-first-field-observations>.

54 *Ibid.*

55 Elżbieta Mirga-Wójtowicz and Kamila Fiałkowska, “Be careful out there, in that Gypsy district” – anti-gypsyism in a war situation’, *Heinrich Böll Foundation*, 24 May 2022. Available at: [https://pl.boell.org/en/2022/05/16/uwazajcie-tam-w-tej-cyganskiej-dzielnicy-antycygnizm-w-warunkach-wojny?fbclid=IwAR0A55PmTsNlJjZ7Wb-rOd67J5bHuH0yu1XF-QvnLtWNqXlmG3YNcvaL\\_mw](https://pl.boell.org/en/2022/05/16/uwazajcie-tam-w-tej-cyganskiej-dzielnicy-antycygnizm-w-warunkach-wojny?fbclid=IwAR0A55PmTsNlJjZ7Wb-rOd67J5bHuH0yu1XF-QvnLtWNqXlmG3YNcvaL_mw).





In Poland, the relatively small network of Romani activists and their allies have remained on ‘high alert’ since the war began coordinating support and aid for Roma fleeing Ukraine, efforts they described as spontaneous, effective, and sometimes chaotic, depending on where aid is needed and who is available. Mirga-Wójtowicz and Fiałkowska emphasise that “*in this work we are there to support the state, and not to do its job*”, and that it is the state that has the necessary resources, as well as the primary responsibility and obligation, to provide the aid that is needed in a professional, sustainable manner and without prejudice.<sup>56</sup>

A volunteer in the Czech Republic recounted that despite being aware of the severity of anti-Roma racism, she was unprepared for “*how absurd and abominable it actually is until it began to directly interfere with my work and my endeavours to help as many people as possible.*” She described how she witnessed a Czech Railways conductor refuse to let an eleven-member family group board a train because “*they are Roma, they make a mess, they have Hungarian passports and they are not refugees.*”

She had to endure daily mocking remarks from public officials such as “*unfortunately they want to remain here*”, and “*more inadaptables have arrived*”, and how such remarks were made to her in “*an almost conspiratorial way, because what is considered the default setting in these people’s minds is racism towards Romani people.*”

It is clear that the discriminatory treatment of Roma amounts to much more than a few discrete incidents. The prevalence of antigypsyism in Europe and the experience of Roma IDPs and refugees during and after the war in Kosovo would suggest that this is the latest chapter in a longer history of oppression. Antigypsyism was such that, back in 2000, despite

<sup>56</sup> *Ibid.*



being refugees fleeing coordinated pogroms, burnings, rapes, and killings, Romani asylum claims were met with scepticism and suspicion by various authorities. The United Nations Interim Administration Mission in Kosovo (UNMIK) even saw fit to place Romani men, women, and children in toxic, lead-contaminated camps for a decade.<sup>57</sup>

Neither was there much public sympathy for their suffering. For many, the refugee Roma from Kosovo were just deemed illegitimate economic migrants; nomads on the move and on the make. Since the outbreak of full-scale war in Ukraine, the same old accusations have surfaced and, as this report shows, the plight of Roma fleeing conflict has been exacerbated by discrimination and racism that effectively hinders their access to education, shelter and accommodation, primary health care, clean water and sanitation, and often basic humanitarian supplies.

On World Refugee Day in 2019, amidst hostility to refugees from conflicts worldwide, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) called on governments to do more to ensure the primacy of human rights for all refugees seeking safety, so far away from home, and felt the need to insist that *“Saving the lives of those in danger is an obligation and not a crime, or even a favour,”* and to call for *“greater co-operation between national governments, border control authorities, and civil society to ensure that more human lives are not lost.”* Noting that even when refugees and migrants have reached safety they often face intolerance and discrimination in hosting societies, ODIHR emphasised that *“the right to life is paramount. But refugees also have the right to live free from fear of violence and discrimination.”*<sup>58</sup>

One year later, on World Refugee Day 2020 during the Covid-19 pandemic, ODIHR noted that the failure to protect some of the most vulnerable people worldwide as they seek safety in other countries has continued to result in the tragic and unnecessary loss of life across the region and called on states to better implement their commitments to address the systemic racism, xenophobia, and hate crime that hampers the integration of refugees.<sup>59</sup>

57 ERRC Press Release, ‘Roma Rights Organizations Condemn Lack Of UN Action on Lead Poisoning in Kosovo’, ERRC, 1 June 2017. Available at: <http://www.errc.org/press-releases/roma-rights-organizations-condemn-lack-of-un-action-on-lead-poisoning-in-kosovo>.

58 ODIHR/OSCE, *Assistance to refugees in danger is an obligation, not a crime, OSCE human rights head says*, Warsaw, 20 June 2019. Available at: <https://www.osce.org/odihr/423428>.

59 ODIHR/OSCE, *Improving conditions for refugees from arrival to integration is key to overcoming COVID-19, OSCE human rights head says*, Warsaw, 20 June 2020. Available at: <https://www.osce.org/odihr/455101>.

The outbreak of full-scale war against Ukraine has brought into focus how European Union member states need to be reminded again of their obligation vis-à-vis the rights of all refugees. As signatories to *the EU Roma Strategic Framework for equality, inclusion and participation*, states also need to adjust their national Roma action plans to accommodate the needs, promote inclusion, and respect the rights of Romani refugee women, children, and men from Ukraine.<sup>60</sup> Based on the information collated in this report since the invasion on 24 February 2022, it is also clear that receiving states need to be far more alert and prompt than they have been to date in responding to reported incidents of racist or discriminatory treatment against Romani refugees. Such action is integral to the EU's commitment to “replace antigypsyism with openness and acceptance, hate speech and hate crime with tolerance and respect for human dignity”, and what Commission President Von der Leyen called the member states’ “pledge to end racism and discrimination, which blatantly affects our large ethnic Roma minorities.”<sup>61</sup> One year after the invasion, many of these states have failed the most vulnerable among the Roma, those who have been uprooted and displaced by Russia’s war.

<sup>60</sup> European Commission, *The new EU Roma strategic framework for equality, inclusion and participation* Available at: [https://commission.europa.eu/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package\\_en](https://commission.europa.eu/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package_en).

<sup>61</sup> *Ibid.*



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