

The investigation of hate crimes is still not consistent

The Promo-LEX Association is calling attention to the lack of effective mechanisms and uniform practices in the investigation of hate crimes. In its report on the Republic of Moldova, the European Commission against Racism and Intolerance has previously recommended that the Government take the necessary measures to create a system for registering and investigating hate crimes – a recommendation that the authorities have still failed to implement.

The above-mentioned problems have been demonstrated once again by the case of Petru Crețu, a young man of Roma ethnicity who was attacked by several people. Although he was recognized as the injured party in a criminal case opened under Article 152 Paragraph 2 of the Criminal Code (moderate personal injury), investigators ignored the young man's statement that the violence against him was motivated by ethnic prejudice, as well as evidence supporting this statement.

The incident occurred in Bădiceni in the beginning of June, when, according to Petru Crețu's statement, he was assaulted and subjected to physical violence because of hostile attitudes toward his ethnicity. The investigations carried out so far, however, did not reflect in any way the injured party's statement that the crime was motivated by racial/ethnic prejudice. Petru has told investigators that he was repeatedly called "țigan" ("gypsy") and other obscene words. In addition, he mentioned that the attackers said while beating him that they wanted to clean the village of "gypsies" and offered him "a ride in the trunk".

The Soroca Court recently returned a verdict finding one of

the attackers guilty of criminal wrongdoing according to art. 152 par. 1, or intentional moderate injury to bodily integrity or health. The sentence was unpaid community service and 5000 lei in moral damages.

During the inquiry, Petru Crețu told criminal investigators that he cannot read, and his lawyer asked to be notified about all procedural actions; nevertheless, investigators took a number of important actions in the presence of the injured party without first notifying his lawyer, including confronting suspects and telling two suspects that they were no longer under investigation. The court completely rejected the complaints of the injured party's attorney after examining them, finding that Petru Crețu is not Roma because his mother is Moldovan, even though the injured party stated during the hearing that his father is ethnically Roma and that he personally identifies as and considers himself Roma. The court and criminal investigators also ignored the statements of two suspects who confirmed that the reason for the conflict was the hostile attitude of the defendants toward people of Roma ethnicity.

"We are concerned that criminal investigators do not thoroughly investigate racial and ethnic hatred as a motive and that the attitude of the authorities toward this type of crime is often ignorant. The primary motive for hate crimes is to express the attitude that a person and his/her group is unwanted and unwelcome. The psychological effect on the person and his/her group can be long-lasting and profoundly destructive for not only that person but also for his/her community and all of society", stated the lawyer Dumitru Sliusarenco.

We note that, according to the International Convention on the Elimination of All Forms of Racial Discrimination (articles 1, 2, 4, 5, 6) and the European Convention on Human Rights (articles 3, 6, 14), the Republic of Moldova has committed to effectively investigate hate crimes and to assure effective

remedies for those who have suffered from them.

For more details, contact: Carolina Bondarciuc, Promo-LEX
Communications Officer:

gsm: 060280980, tel/fax (+373 22) 450024, e-mail:
pr@promolex.md