

Q&A: The Police Registration of Roma, What Happens Now?

I.

Who filed the lawsuit against the State?

We act as legal representatives for eleven of the 4 700 individuals who were registered by the police.

Who do you represent?

Eleven individuals, (three of whom are minors) all of whom were registered by the police in South Sweden. We are filing eleven individual cases against the state, but we asked the court to treat them as one single case since the context and the circumstances are exactly the same.

Why are you representing only eleven of the thousand victims?

We have chosen to represent a small number of people since the case would become too cumbersome if more individuals were included. For legal reasons, we decided not to present a class action.

How did you make the selection?

The people we represent are women, men and minors without any criminal connection. They are people with whom Civil Rights Defenders has been cooperating for a long time and with whom we have a strong bond of mutual trust.

Do any of the individuals in the register have any connections to criminal activity?

It is quite possible that there are individuals in the register with a connection to criminal activity. This is however not the case with the people that we are representing. They have neither any criminal connections, nor any close kinship to anybody who does. There is no other reason for them to have been registered than being Roma.

Why did you file suit against the State?

Due to the fact that the register represents a clear case of ethnic discrimination. To register individuals merely based on their ethnic origin constitutes a violation of Swedish law and human rights principles.

II.

On what grounds did the District Court find the State guilty?

The court ruling established that the eleven individuals had been registered for *no other reason than their ethnic origin*, which violates the Police Data Law as well as the European Convention on Human Rights. The court decision also included references to the historic discrimination against Roma by the Swedish State.

What does it mean that the Chancellor of Justice has lodged an appeal?

The Chancellor of Justice lodged an appeal stating that the individuals included in the register already have been redressed for the violations against their rights when a previous compensation of 5 000 Swedish Krona was distributed. The Chancellor of Justice demands that the case should be tried in a higher court, in this case the Svea

Court of Appeal. This means that a new hearing will take place before an appellate court, a process that is likely to take at least a year.

Have the eleven individuals been given 30 000 Swedish Krona in further compensation?

No. No further compensation, including the 30 000 SEK, will be distributed until the Svea Court of Appeal has reached a decision.

Can one enter into the legal process today?

The process will continue to include only the eleven individuals that Civil Rights Defenders has previously acted as legal representatives for. At this time, there are no opportunities for other individuals included in the police's register to enter into the process.

When is Svea Court of Appeal expected to announce its ruling?

Because of the fact that the Chancellor of Justice lodged an appeal, an entirely new hearing must take place before a higher court. It will most likely be another year before the upcoming process comes to an end and the appellate court provides its ruling.

III.

What opportunities do others included in the register have to demand compensation?

If Civil Rights Defenders wins the case also in the Svea Court of Appeal, the additional compensation of 30 000 SEK would be distributed to the eleven individuals we have represented. It will then be open to other individuals registered under the same circumstances to bring forth their cases and demand reparation on the same legal grounds.

Will the additional cases get the same ruling as this?

It is likely that the judgement will set a precedent for coming similar cases, but there are no guarantees. All cases will be tried individually and be determined on whether or not the individual has been registered solemnly based on their ethnic origin or not.

Will Civil Rights Defenders act as legal representatives for others included in the register?

Civil Rights Defenders will not have the capacity to represent everyone included in the register. We will, however, update our web page on a regular basis with details on when the case is expected to be tried in the appellate court and what opportunities others included in the register has to demand redress after the process is finalised.