



ROMA IN THE EU: LEGAL ISSUES OF DISCRIMINATION



Educational Segregation

- Direct discrimination – separate schools/ classes
 - *Orsus v. Croatia* 2010 ECHR GC
 - *Sampanis v. Greece* 2008 ECHR
- Indirect discrimination – special schools
 - *D.H. v. Czech Republic* 2007 ECHR GC



Pogroms

- *Moldovan v. Romania* 2005 ECHR
 - Killings, burning, destruction homes
 - Police involvement
 - Degrading living conditions 10 yrs
 - Inadequate punishment
 - Excessive length civil proceedings 11 yrs
 - Discriminatory comments by authorities
 - Violations A 3, 8, 6, 14



Pogroms

- *Danilovgrad (Montenegro) 2003 CAT*
 - Burning, destruction homes, expulsion
 - Police involvement
 - A million \$ settlement, 74 victims
- *Tănase v. Romania 2009 ECHR*
 - burning, destruction, homelessness
 - gov't acknowledgment A 3, 6, 8, 13, 14, 1/P1



Violence/ Housing

- *Sulejmanovic/ Sejdovic v. Italy* 2002 ECHR
 - Armed police raid; mass deportation
 - Settlement (return & compensation)
- *Besim Osmani v. Serbia* 2009 CAT
 - Forced eviction, demolition
 - Beating, slur in police presence
 - Degrading living conditions
 - No redress



Housing

- *Yordanova & Ors v. Bulgaria* 2010 ECHR
 - Collective forced eviction
 - Interim relief
 - Admissibility A 3, 8, 1/P1; A 13 14
- *ERRC v. Italy, ERRC v. Greece* 2004 ECSR
 - Placement in camps (+ insufficient), no permanent dwellings
 - Substandard living conditions
 - Abusive evictions



Housing

- *Interights v. Greece* 2010 ECSR
 - Substandard living conditions
 - Forced evictions, inaccessible remedies
- *ERRC v. France* 2009 ECSR
 - Insufficient stopping places, poor conditions
 - No access to housing for the settled, eviction



Housing

- *COHRE v. Italy* 2010 ECSR
 - Racist ‘security’ policy
 - Racist attacks, police raids; no investigation
 - Hate speech by officials
 - Poor conditions in camps; abusive evictions
- *ERRC v. Portugal* 2010 ECSR adm.
 - Poor access social housing & basic utilities
 - Segregation



Housing

- *ERTF v. France* 2011 ECSR adm.
- *COHRE v. France* 2011 ECSR adm.
- *IFHR v. Belgium* 2010 ECSR adm.



Violence

- *Šečić v. Croatia* 2007 ECHR
 - Skinhead attack
 - No justice
 - Violations A 3 & 14



Racial Profiling

- *Prague Airport* case 2004 UK HoL
 - Border control
 - Screening & 400:1 chance of refusal entry



- *K. H. v. Slovakia* 2009 ECHR
 - (Suspected) forced sterilisation
 - Bar access to medical records
 - Access to court
 - Violations A 8, 6



Family

- *Muñoz Díaz v. Spain* 2009 ECHR
 - Failure to recognise customary marriage for survivor pension purposes
 - Violation A 14 & 1/P1



The End

- **THANK YOU!**
- **COMMENTS, QUESTIONS?**