

An illustration of a woman with long black hair, wearing a green top and a light-colored jacket. She is holding a megaphone in her right hand and has her left fist raised. The background is a dark red color with abstract shapes. The text is overlaid on the lower part of the image.

**Under the spotlight:
Intersectional approach to
supporting victims of anti-Roma
hate crimes**

Who Are We?

The ERRC is a Roma-led international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma. We do this through **strategic litigation**, advocacy, research, media work, and human rights education.

Roma-led since 1 January
2016





Our vision

For Romani women, men and children to overcome antigypsyism and its legacy, to achieve dignity, equality, and full respect for their human rights, and to use their experience to contribute to a more just and sustainable world.

Areas of Work

Ternipe – Childhood

Kherovnipe- Housing

Sicljovipe- Education

Sastipe- Health

Lila- Identity

Piripnasko- Migration

Shngale- Police

Our cases

Our main tool: **Strategic litigation.**

Two-thirds of cases pending outside EU. Why? **Funding.**

One-third of cases at international level, **mostly ECtHR.**





How we operate

- ERRC volunteer groups
- Human rights monitors
- Domestic lawyers
- ERRC legal team
- Mass complaints initiatives and actio popularis cases

Legal support provided to litigants

1. Collection of Evidence in Pre-Litigation Stage
2. Preparation and Submission of Complaints and Appeals
3. Preparation for Court Hearings
4. Legal Representation
5. Litigant Meetings and Consultations
6. Financial Support for fees and costs related to litigation
7. International Court Submissions
8. Case Implementation Supervision



Is it important to litigate before the ECtHR?

The European Court of Human Rights delivers just around 1,000 judgments every year around Europe. What percentage of those judgments do you think involve cases brought by Romani litigants?

Less than 1%
(only 5 judgements in 2021)

ANTIGYPSYISM.

- **Antigypsyism** is a specific form of racism directed against Roma, Sinti, Travellers, Manush, Balkan Egyptians, Ashkali, Yenish and others who are stigmatized as 'gypsies' in the public imagination.
- It is the product of thousands of historical acts of persecution and their socio-economic effects on Romani populations today.
- Antigypsyism is fuelled by the ignorance of these past actions by the majority society.

What do we want to achieve?

Make antigypsyism a legally usable concept.

“...as a result of their turbulent history and constant uprooting, the Roma have become a specific type of disadvantaged and vulnerable minority”. *Horváth and Kiss v Hungary* (2013)

“[The ERRC] also referred to so-called anti-gypsyism...”. *Levakovic v Denmark* (2018).



We Will Be
Heard: 20 Years
of the ERRC



Anti-Roma hate crimes

- Criminal Offence + Bias Motivation = Hate Crime
- criminal offences motivated by the bias of racism against Roma and Sinti.
- bias in the selection of the target (e.g., a Roma settlement) or in anti-Roma racist hostility expressed during the crime.
- from anti-Roma graffiti to racially-motivated violence.



Anti-Roma hate crimes

- target: Roma or Sinti, persons perceived as such, people or property due to association, professional affiliation with, or activism on addressing anti-Roma racism (CSO's working on Roma and Sinti-related issues).
- victims with multiple identity traits (ethnicity, gender and religion).
- law enforcement encouraged to examine the multi-dimensional aspects of victim's identity.
- monitored and recorded as a separate category of crimes.
- under-reported by the victims and underrecorded by the authorities.



Questions to help identify anti- Roma hate crimes

- Do the victims or witnesses perceive the incident to have been motivated by anti-Roma racism?

- Were there comments, written statements, gestures, or graffiti that indicate bias? This can include the use of anti-Roma racist insults, tropes, stereotypes, and prejudices.

- Was the targeted property a place of professional, legal, or cultural significance, such as a Roma or Sinti settlement, a cultural club, and/or other places that may be frequented by individuals from Roma and Sinti communities?

- Was the property previously targeted in an anti-Roma hate incident or crime? Did the property damage involve the deployment of racist epithets against Roma or Sinti?

- Was the victim visibly identifiable as belonging to Roma or Sinti communities? Is the suspect a member of a different ethnic or racial group to that of the victim?

- Does the suspect belong to a hate group? These could include different far-right groups or groups advocating anti-Roma racist intolerance.

- Were drawings or graffiti of symbols, such as a Nazi symbol, a Ku Klux Klan sign, a Celtic Cross, among others, found at the scene of the crime or incident?

- Did the incident occur following or amid political campaigns that scapegoated Roma and Sinti and blamed them for various societal ills, such as crime or unemployment, or being beneficiaries of social welfare schemes?

- Was the victim in or near an area or institution identified with Roma or Sinti (e.g., a Roma neighbourhood) when the incident occurred?

- Was the victim a prominent figure (e.g., a football player, artist or politician), who was known or assumed to be of Roma or Sinti descent?

- Is there any other clear motive? The lack of other motives is also a reason to consider a bias motivation.

ECtHR anti-Roma hate crimes case-law

1. Attacks on Roma villages and destruction of houses and possessions:

Moldovan and Others v. Romania (judgment, 12 July 2005)

2. Bullet wounds during police questioning or attempted arrest:

Nachova and Others v. Bulgaria, judgment 6 July 2005 (Grand Chamber)

3. Death in an arson attack:

Fedorchenko and Lozenko v. Ukraine, judgment 20 September 2012

4. Police brutality:

Petropoulou-Tsakiris v. Greece, judgment 6 December 2007

Stoica v. Romania, judgment 4 March 2008

5. Violent acts by private individuals:

Škorjanec v. Croatia, judgment 28 March 2017

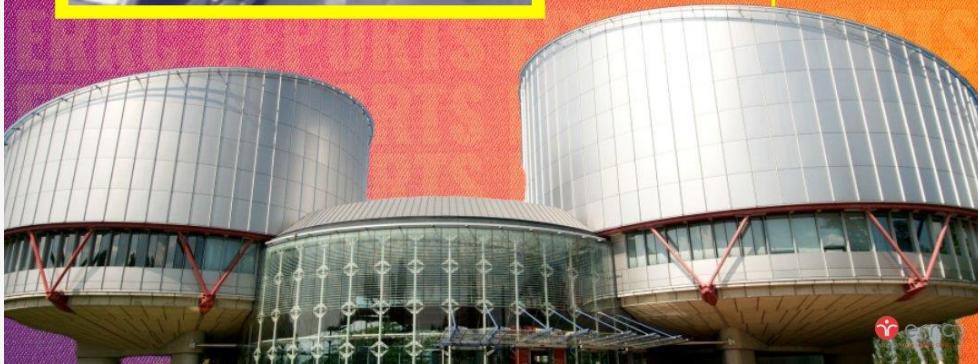
6. Harassment on intersectional grounds:

Alkovic v. Montenegro (*Application no. 66895/10*), judgment 05 March 2018

Important recent judgments

- **Memedova and Others v. North Macedonia** – racial profiling (judgment 24.01.2024)
- **M.B. and Others v. Slovakia**- ill-treatment of six Roma boys by Slovak police (judgment 07.05.2023)
- **J.I. v. Croatia** – lack of state response to allegations of rape of a Romani girl (judgment 30.01.2023)
- **P.H. v. Slovakia** – fall of a minor from a police station window (judgment 08.12.2022)
- **Memedov v. North Macedonia**- racially motivated police brutality (judgment 24.06.2021)
- **X and Y v. North Macedonia** – racially motivated police brutality of Romani minors (judgment 05.02.2021)

**EUROPEAN COURT ASKS IF CZECH
POLICE USED 'MORE THAN
ABSOLUTELY NECESSARY FORCE' IN
THE DEATH OF STANISLAV TOMÁŠ**



**NEWLY SUBMITTED
INTERNATIONAL
CASES**

Police kneeling on a
Roma man's neck:

**S.T. against the Czech
Republic (Application
no. [28273/23](#))-
pending**



Abuse of Romani women in police station

- **Katarína KURUOVÁ and Helena HORVATHOVÁ against Slovakia (Application no. [29229/22](#)) – pending**



Assault of a Romani minor by state official

**Robert PAVLOVIĆ
against Serbia
(Application no.
[42160/21](#))- pending**

NEWLY SUBMITTED DOMESTIC CASES

- Obstetric violence during delivery in Serbia.
- Delivery at hospital pavement in Romania.
- Racist attack at a playground in Romania.
- Ukrainian Roma refugees tear gassed at FRISPA Center for refugees in Moldova.
- Racial abuse of a Romani mother and children by Greek Mayor.



Friendly settlement in anti-Roma hate crime case

M.H. and Others against Slovakia
Application no. [14099/18](#)



Challenging anti-Roma hate speech

- Complaint Against Skopje City Council President (2024)
- Digital Violence Against Romani Women in Italy (2023)
- Six Criminal Complaints in Slovakia (2023)
- Complaint Against VMRO-Bulgarian National Movement in Bulgaria (2023)
- Monitoring Hate Speech in Albania, Serbia, Turkey and Ukraine (2020-2021)
- Report by Young Romani Activists in Czech Republic (2024)



Remembering Romani victims of hate crimes



European day for victims of hate crime July 22
#never forget #fight antigypsyism



Thank you for your attention!