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A circular photograph showing two young women in the foreground, looking towards the right. The woman on the left is wearing a red top and a black jacket, and has a ring on her finger. The woman on the right is wearing a green t-shirt and a black leather jacket. The background is blurred, showing other people. A semi-transparent green box is overlaid on the photograph, containing the title and editor information.

Roma and Traveller Inclusion in Europe. Green questions and answers

Editor: Kati Pietarinen

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6. RACISM AND EXTREMIST AGGRESSION

Living in disrespect: discrimination against Roma and anti-Gypsy sentiments in contemporary Europe

Edit Szénássy

Anti-Gypsyism (also called anti-Tziganism) is a demeaning attitude toward Roma on the grounds of a presumed or actual shared feature amongst those thought to belong to this ethnic group. Similarly to anti-Semitism and other forms of racism, anti-Romanism is a way of venting frustrations on an easily recognizable target group, ranging from contempt to abuse, and exploiting deep-rooted historical stereotypes. Using the mechanism of anti-Gypsyism, Romanies are oftentimes alienated from their human characteristics, portrayed as a danger to self and society, regarded not as individuals but as an indiscriminate mass whose negative, anti-social behaviour directly follows from their inherited or cultivated immoral selves.

A history of anti-Gypsyism in Europe

In a number of significant ways, the Romani peoples have constituted a unique, albeit non-cohesive, ethnic group within (and outside of) Europe ever since their arrival to the continent in the Middle Ages. An examination of historical conjunctures between Roma and non-Roma in changing cultural contexts is vital in order to grasp the wider systemic exclusions of our current realities. Transnationally scattered, with no motherland to protect their rights, controlling few resources and endowed with little political power,²⁷⁷ and, to this day, occupying the bottom place in the social hierarchy in almost every country, much of their severe marginality stems from a series of historical exclusions fuelled by widespread social rejection.²⁷⁸

As a consequence of particular historical trajectories, individual Romani groups and communities have, even within the same geographical area, encountered racist and discriminatory practices in distinct ways. Yet in general, tolerance for this ethnic group was the exception rather than the rule. Even under Turkish rule in the Ottoman Empire, where they had a relatively better position compared to other states, Roma nevertheless suffered from profound societal contempt and prejudice.²⁷⁹

Historical evidence suggests that Roma were enslaved in Moldavia and Wallachia (principalities of Romania) from as early as the 14th century until 1864 when, due to Western pressure, the institution of slavery was fully abolished.²⁸⁰ A more tolerant attitude prevailed in 15-16th century Hungary where large numbers of Roma settled after having been expelled from and persecuted in the West, only to face overt persecution during the Habsburg era.²⁸¹ An example of these sentiments was a 1782 trial of an entire Romani community accused of cannibalism. After 41 Roma were tortured into confession and executed, the presumed victims of cannibalism were found unharmed.²⁸² The 19th century saw a slight improvement in the social acceptance of Roma in the region, though this was largely based on a mixture of romantic mystification and paternalism and was coupled with an increasing stratification within the ethnic group itself.

All over Europe, Roma were described as villains, savages, sorcerers, enemies of the Christian churches at best, and as thieves, vagabonds, sub-human and merciless murderers at worst. They were a “threat of disorder”, embodiments of “the strange and different”, something to be avoided, shunned, or overcome.²⁸³ Unprotected by the law, Roma could be punished, killed or expelled without any consequence to the perpetrator. In

277 Zoltan Barany, *The East European Gypsies: Regime Change, Marginality and Ethnopolitics*. Cambridge: Cambridge University Press, 2002, p. 2. For a detailed analysis on the political mobilization of Central European Roma see Peter Vermeersch, *The Romani Movement: Minority Politics and Ethnic Mobilization in Contemporary Central Europe*. New York: Berghahn Books, 2006.

278 Also see in general Ian F. Hancock, *The Pariah Syndrome: An Account of Gypsy Slavery and Persecution*. Ann Arbor: Karoma, 1987.

279 Zoltan Barany, 2002, p. 84.

280 Ibid, p. 85-6. Also see Nicolae Gheorge, “Roma-Gypsy in Eastern Europe,” *Social Research* 58:4, 1991.

281 Ibid, 2002, p.86.

282 Cited in Ibid, 2002, p.87.

283 See Jean-Pierre Liegeois, *Roma, Gypsies, Travellers*. Strasbourg: Council of Europe Publications, 1994, p. 122.



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17th century Sweden, Roma were ordered to be banished or executed with no trial, while Norway ordered the incarceration of Roma and the confiscation of their possessions.²⁸⁴ Forced assimilation and the outlawing of nomadism were often-used anti-Gypsy measures as well. An infamous example is Maria Theresa's 1761 decree, according to which Roma were forcibly settled and prohibited from leaving their assigned villages. Its harsh assimilationist politics prevented Romanies from exhibiting cultural difference in any way, including speech, dress or occupation. As a "civilizing" measure, Romani children were forcibly taken from their families to be raised.²⁸⁵

It is uncertain how many Roma fell victim to the Roma Holocaust (also called *Porajmos*) during World War II. A possible reason for the striking lack of documentation on the number of executed Roma may lie in the fact that they were regarded as too marginal to mention and the idea of their extermination too void of controversies²⁸⁶ in Nazi Germany. Rough estimates range from 885,000²⁸⁷ to several millions of victims. Roma fared better under communist regimes, yet strong assimilationist measures meant that unlike other minorities in socialist Europe, they were not granted sufficient cultural rights. For instance, Bulgarian authorities denied the very existence of a Romani

minority in the country, and Czechoslovakia did not recognize the group as a nationality in censuses.²⁸⁸ In the Czech and Slovak lands a 1958 law mandated universal settlement and employment for all Romani groups.²⁸⁹

Racism against Roma in the Present – Hate Speech

Coupled with a rising national consciousness amongst non-Roma populations, anti-Roma sentiments, repressed by the communist regime, began to thrive after the fall of the Iron Curtain. Early on in the transitional period right wing political forces were quick to notice the popular support for anti-Gypsy rhetoric throughout East-Central Europe, fostering a climate of verbal and physical violence against Romanies. Especially in the immediate years following the regime change there was little use (and, undoubtedly, little awareness) of politically correct wordings, and thus national television broadcasted as local residents cheered in the Czech town of Ústí nad Labem, when in 1993 a 17-year-old beauty pageant proclaimed that she would like to see her city cleansed of the Gypsies.²⁹⁰

Hate speech and anti-Roma agitation in the media serves as a legitimisation for exclusion or insult on both the structural level and in everyday settings. The consequences of hate speech are all the graver when undignified language is used by high-standing officials, such as in the 2007 case of the Romanian president Traian Basescu, who addressed a Romani female journalist with the words "You pussy, don't you have anything to do today?" and, unaware of the recording in progress, privately remarked "How aggressive that stinky Gypsy was".²⁹¹ Exploiting stereotypes, using demeaning imagery and supposedly innocent jokes is an often deployed method to ridicule Roma indiscriminately, as a group. Recently, television footage captured Slovak MPs in the parliament handing around and giggling over a sheet of paper with an image of a Roma man who

284 See Ibid, p. 128

285 Angus Fraser, *The Gypsies*. Oxford: Blackwell Publications, 1995, p. 156-8.

286 Cited by Zoltan Barany, 2002, p. 103. For more on Nazi Germany's anti-Gypsy politics see Zoltan Barany, "Memory and Experience: Anti-Rom prejudice in Eastern Europe," Woodrow Wilson Center (Washington, DC), Occasional Paper No. 50 July 1998), pp. 7-12.

287 Henry R. Huttenbach, "The Romani Porajmos: The Nazi Genocide of Gypsies in Germany and Eastern Europe," in Crowe and Koltzi, eds., *The Gypsies of Eastern Europe*. Armonk: M. E. Sharpe, 1991, p. 45.

288 Zoltan Barany, 2002, p. 115.

289 Will Guy, "Ways of looking at Roms: The Case of Czechoslovakia," in Farham Rehfish, ed., *Gypsies, Tinkers, and Other Travellers*. London: Academic Press, 1975, p. 222.

290 Michael Stewart, *The Time for the Gypsies*. Westview Press, 1997, p. 2.

291 Henry Scicluna, "Anti-Romani Speech in Europe's public Space – The Mechanism of Hate Speech". European Roma Rights Centre, 21 Nov 2007, available at: <http://www.errc.org/cikk.php?cikk=2912>

reminiscences about the large amount of groceries that one could get in supermarkets with little money during state socialism. The joke proceeds by the man lamenting that this is not possible anymore, as shops are now equipped with video cameras.²⁹² Playing on the image of the Roma as predisposed to crime is frequently supplemented with other demeaning representations, namely that of Roma as mentally inferior or Roma as inherently violent. The European Roma Right Centre (ERRC) has documented a case when the mayor of the Romanian town Craiova proclaimed on television that “if you put [Roma] in the zoo and showed them to kids saying ‘look at the monkeys’, they wouldn’t see any difference”.²⁹³ Poverty and low social status were equated with a criminal disposition in another case documented by the ERRC, when after a visit to Romani camps around the city Achille Serra, the Prefect of Rome, subsequently alleged that presumably the women from the camp were “at the metro stealing purses and the men were sleeping because perhaps they worked all night robbing apartments”.²⁹⁴

Similarly, a 1997 print media survey in Hungary found that 62 percent of all articles dealing with Roma-related issues report a conflict of some kind, while 90 percent of these conflicts are portrayed as conflicts between Roma and non-Roma.²⁹⁵ The authors remark that the number of articles implying “Roma criminality” is on the rise. In the early 2000s, EU enlargement was preceded by an intensive anti-Roma campaign in the United Kingdom, peaking in 2004. Amid a general mistrust of the potential adverse effects of migration from the Eastern EU countries, suspicion of Roma flowing to Great Britain to abuse the social benefit system was a prominent topic. Opinion polls all over Europe assist in demonstrating similar anti-Gypsyist sentiments, showing predictably repugnant images of the coexistence of Roma and majority populations. Even in countries where there is limited or no contact with the Roma such as Luxembourg,

Malta and Denmark, between 15 and 30 percent of respondents declared that they do not wish to have Roma as their neighbours.²⁹⁶

Increasing education, visibility and awareness of the harmful effects of skewed representations of Roma in the media are central to the development of a more healthy self-consciousness of Roma and a friendlier perception of Romanies by majority populations. Encouraging examples of pro-Roma media initiatives are the weekly online newsletter of the European Roma Information Office (www.erionet.org) which collects and processes media coverage on Roma as well as current events and issues pertaining to their lives. Supported by the Council of Europe, the Dosta! campaign aims to deconstruct already existing stereotypes of Roma (www.dosta.org).

Racism against Roma in the Present – Racially Motivated Violence

Allowing racist, populist discourse to flourish is tantamount to open support for violent articulations of anti-Gypsyism. Expressions of racial animosity in the media go hand in hand with hate crimes in the form of mob violence, arson attacks against life or property, or support of physical assault against Roma. Members of Roma communities all over Europe are particularly vulnerable to unequal treatment by the police, but are often subject to scapegoating in schools, hospitals or other public spaces, too. Instances of violence against this ethnic group have, however, transformed in nature throughout the last two decades. Remarkably, the ad hoc, impromptu mob violence against Roma of the 1990s has given place to carefully organized anti-Gypsy demonstrations, threats or other violent assaults, serving clearly identifiable political needs.²⁹⁷ It must be noted that first-hand experiences of racially motivated crimes or distress about the safety of one’s family are some of the main impetuses driving Romanies to migrate westwards.²⁹⁸ When deliberating

292 TV Noviny.sk, “KDH-áci sa priamo v parlamente zabávali rasistickým vtípom o Rómoch”. 28 March 2011, available at <http://tvnoviny.sk/sekcia/spravky/domace/kdh-aci-sa-priamo-v-parlamente-zabavali-rasistickym-vtipom-o-romoch.html>

293 See Henry Scicluna, 2007.

294 Ibid.

295 Minority and Human Rights Foundation, KEJA pamphlets 2, “Roma Representation in the Media”, 2007, pp. 7-8.

296 Cited in Valeriu Nicolae, “Towards a Definition of Anti-Gypsyism,” available at: www.ergoentwork.org/media/userfiles/media/ergo/Towards%20a%20Definition%20of%20Anti-Gypsyism.pdf

297 Andrzej Mirga, “The Extreme Right and Roma and Sinti in Europe: A New Phase in the Use of Hate Speech and Violence?,” Roma Rights Journal, European Roma Rights Centre No. 1, 2009, p.6. According to the author, these political parties include, but are not limited to, the Bulgarian Ataka party and the Bulgarian National Union, in Romania the New Right party, in Slovakia the Slovak National Party, in Hungary the Jobbik party and its associated Hungarian Guard, in Italy the Northern League, and the Worker’s Party in the Czech Republic.

298 For the unlawful and degrading treatment of recent Romani migrants in France see ERRC, “Always Somewhere Else: Anti-Gypsyism in France” Country Report Series No. 15, November 2005.



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the relationship between migration and violence against Roma, a note is due concerning the plight of hundreds of thousands of Roma who became internally displaced people or fled to the West from the South-East European regions, as they were frequently caught between and assaulted by both Serbian, Croatian, Albanian and Bosnian military forces during the Balkan wars.²⁹⁹

In Central Europe the number of brutal, violent crimes against Roma rose sharply between 2008 and 2011.³⁰⁰ A sad inventory of these cases is the following: in Hungary 48 violent attacks against Roma, in the Czech Republic 19 attacks, and at least 10 attacks in Slovakia with a total number of 11 fatalities.³⁰¹ Within this time frame, in the Czech Republic alone the ERRC documented 16 serious casualties, the use of eight Molotov cocktails and one tear gas grenade, two attacks on Romani minors, six cases when Roma were beaten and one case when shots were fired at Roma.³⁰² An infamous case of merciless racial violence took place in 2009 in the Czech town of Vítkov, when Molotov cocktails were thrown into the house of a Romani family. The three people injured included the family's two-year-old daughter Natálka, who suffered serious burns and was in critical condition for many months to come. The case shocked the Czech public and the three per-

petrators received an exceptionally harsh prison sentence.³⁰³ Within the same period in Slovakia, 8 injuries were suffered by Roma as a consequence of racially motivated violence, two Roma were murdered, shots were fired in five cases and in at least one case Roma were attacked by a group.³⁰⁴ Another disturbing case involving the torture of a group of Romani children came to light in the spring of 2009, after the mobile phone recordings of police abuse were publicized. Recorded by the perpetrators themselves, the footages show policemen in the city of Košice ordering six Romani minors between 11 and 16 years of age to strip, kiss, and beat each other under the threat of further punishment, amid laughter and derogatory remarks.³⁰⁵ Yet in contemporary Europe the gravest documented attacks on Roma were committed in Hungary, which left dozens of Roma injured, claimed nine lives (including two children), saw 12 instances of Molotov cocktail and two cases of hand grenade use, and 12 cases of shots at Roma.³⁰⁶ Recent years has seen an unprecedented increase in extremist marches in Hungary, a leading example of which were those of the Hungarian Guard, which was banned in 2009. Wearing uniforms and with the support of local civilians, volunteer members of the Guard conducted regular marches in a number of Hungarian villages, thereby further escalating the tensions between Roma and non-Roma villagers.³⁰⁷ The serial murders of Roma started in November 2008 and continued until August 2009, until four suspects were arrested in September 2009.³⁰⁸ The scenario of the killings was similar in most cases: Roma were shot dead when escaping as a grenade or Molotov cocktail was thrown at their houses. Seven deaths resulted from these attacks, including the death of a 5-year-old Roma boy who, after their home was set on fire by an exploding Molotov cocktail, was shot together with his father as they were fleeing the building. Ineffective and insufficient police and governmental response to this exceptionally brutal series of killings came under heavy criticism by non-governmental organizations.

299 See United Nation Development Programme, "At Risk: Roma and the Displaced in Southeast Europe," Bratislava, 2006.

300 Based on Eurostat statistics of the 27 EU member states, Mirga notes the lack of evidence pointing to a correlation between the increase of hate crimes and the current economic crisis. See Mirga, 2009, p. 7.

301 European Roma Rights Centre, "Factsheet: Roma Rights Record," 8 April 2011, available at: <http://www.errc.org/cikk.php?cikk=3828>

302 European Roma Rights Centre, "Attacks against Roma in the Czech Republic: January 2008 – April 2011," 4 May 2011, p. 1.

303 For details of the affair see *Idnes.cz*, "yharstvi ve Vitkove", available at: <http://zpravy.idnes.cz/zharstvi-ve-vitkove-011-/krimi.aspx?o=0&klic=64086>

304 European Roma Rights Centre, "Attacks against Roma in Slovakia: January 2008 – December 2010," 8 February 2011, p. 1.

305 *Sme*, "Policia mucial romských chlapcov," available at: <http://www.sme.sk/c/4383566/policia-mucila-romskych-chlapcov.html>

306 European Roma Rights Centre, "Attacks against Roma in Hungary: January 2008 – July 2011," 11 July 2011, p. 1.

307 A similar paramilitary group patrolled the village Gyogyospata for 16 days in March 2011.

308 European Roma Rights Centre, "Imperfect Justice", 2002, p. 24. Although there is little doubt that these killings were racially motivated, there is no evidence of the perpetrators' relation to the Hungarian Guard. Currently, court hearings are in progress.

State response to violence against Romanies is often weak or contingent on international media attention.³⁰⁹ A large amount of race crimes, however, remain unreported by victims or unidentified by the police as racially motivated atrocities. Seldom collected and rarely publicly available in the form of statistical figures, a comprehensive monitoring on racially motivated violence against Roma is essential if the precise extent of this pressing problem is to be mapped. Accessible data is fragmentary, yet recently, cases of hate crime were reported by non-governmental organizations, for example, in Bulgaria, Croatia, the Czech Republic, Georgia, Hungary, Italy, Latvia, Romania, Serbia, Slovakia, Sweden,³¹⁰ Slovenia,³¹¹ Turkey and Northern Ireland.³¹² Governments are reluctant not only to collect data on hate crimes, but also to implement programmes or activities in response to such incidents.³¹³ Suggestions to curb the incidence of violence against Roma include the further education of law enforcing officials to achieve an easier recognition of hate crimes, and support for a growing minority group membership in police forces.³¹⁴ Furthermore, it would be advisable for national courts to make a fuller use of the legal frameworks provided by the European Court of Human Rights concerning hate crimes and racist violence.³¹⁵ Amongst OSCE states, the Contact Point for Roma and Sinti Issues within the Office for Democratic Institutions and Human Rights (ODIHR) serves as an active promoter of Roma rights and anti-discrimination measures.

Unequal before the Law

Of all high risk groups, Roma are emphasized as especially vulnerable to discrimination.³¹⁶ The impression of being discriminated against is a



frequent experience among Roma,³¹⁷ and translates into practice in a myriad ways. Unfortunately, this often includes legal measures that are identifiably discriminatory towards this ethnic group. Out of the ample international evidence of discrimination on racial/ethnic grounds, two case studies are introduced, which point to the im/possibilities of justice.

In Italy, accompanied by strengthening prejudice and xenophobia, explicitly discriminatory government policies³¹⁸ exacerbate the everyday lives of Roma. An estimated 140 000 Roma live in Italy, of whom 80 000 possess an Italian passport, the rest being recent migrants mostly from Romania.³¹⁹ The erroneous perception of Roma as nomads who prefer to live in camps, separated from the majority population lies at the core of a number of discriminatory policies.³²⁰ Preceded by an intensive media campaign with the active support of the Italian right wing, a set of repressive anti-Roma measures were taken, starting in 2007.³²¹ After a series of presumed or actual criminal activities of Romanian Roma, the Council of Minis-

309 Concerning state response to the recent upsurge of violence against Roma in the CEE region see "Imperfect Justice: A Report by the European Roma Rights Centre – Anti-Roma Violence and Impunity," March 2011.

310 See OSCE/ODIHR, "Hate Crimes in the OSCE Region – Incidents and Responses." Warsaw, 2009, pp.53-55, available at: www.osce.org/odhir/73636.

311 For Slovenia see European Roma Rights Centre, "Romani Community Relocated Following Death Threats in Slovenia," 18 May, 2007, available at: <http://www.errc.org/cikk.php?cikk=2787>.

312 European Roma Rights Centre, "Violence Against Roma," 8 April 2011, available at: <http://www.errc.org/cikk.php?cikk=3828>.

313 In 2009 the OSCE/ODIHR did not receive any official information from national governments on this issue. See OSCE/ODIHR, 2009, p. 55.

314 Ibid, p. 86. Also see ERRC, "Imperfect Justice", 2002, p. 31.

315 Andrzej Mirga, 2009, p. 9.

316 European Network Against Racism, "Racism in Europe: ENAR Shadow Report 2009-2010," Brussels, March 2011, p. 5.

317 See European Union Agency for Fundamental Rights, "EU-MIDIS European Union Minorities and Discrimination Survey 2009: Main Results Report," Vienna, 2009.

318 For a detailed account and analysis of these policies and their aftermath see the joint report of the European Roma Rights Centre, The Roma Center for Social Intervention and Studies, Roma Civic Alliance, The Centre on Housing Rights and Evictions, and The Open Society Institute, *Security a la Italia: Fingerprinting, Extreme Violence and Harassment of Roma in Italy*. Budapest: Fo-Szer Bt, 2008.

319 Henry Scicluna, "The Life and Death of Roma and Sinti in Italy: A Modern Tragedy," *Roma Rights Journal*, European Roma Rights Centre No. 2, 2008, p. 9.

320 Ibid, p. 10.

321 Henry Scicluna aptly describes this process as "the abandonment of rule of law, allegedly in defence of law and order". Ibid, p. 15.

ters endorsed an emergency decree, allowing for the expulsion of citizens of other European Union countries on the basis of fundamental rights to public safety.³²² This decree violated a number of international treaties and met with unanimous international disapproval.³²³ While the European Commission's reaction can be described as equivocal at best, the European Parliament set a radically different example by reasserting the importance of free movement within the EU,³²⁴ and the Council of Europe pledged for the rights of Roma.³²⁵ Yet this was of little effect when after the 2008 elections, Prime Minister Berlusconi publicly announced that a zero tolerance would be implemented toward Roma and criminals.³²⁶ The situation deteriorated when another decree was passed, commanding the monitoring of Romani camps as well as the identification and census of those living in camps, allowing for the expulsion of irregulars.³²⁷ In spite of international disapproval, public sentiments radicalized culminating in support for ethnic profiling by the police and the fingerprinting of all Roma, including minors.³²⁸ In spite of pressure by human rights organizations, the situation of Roma in Italy remains desperate.

Even in cases when discrimination is confirmed by a high level court decision, the implementation of these victories outside the court room is immensely difficult. Even victories at the European Court of Human Rights level can often remain no more than symbolic as in practice, many of the measures imposed by the judgment are too general and remain largely disregarded.³²⁹ For Czech Romani pupils this holds true in spite of the fact

that a 2010 Council of Europe High Level Meeting on Roma reminded all Member States to take the Court's decisions fully into account.³³⁰ A pivotal example of how injustice remains in spite of groundbreaking human rights victories on the judicial level is the case of *D.H. And Others vs. the Czech Republic*. In 1998 the ERRC started the litigation of the case of inferior education for Romani pupils in the country, where abundant evidence suggests that Romani children are channelled to special education facilities for the mentally disabled in disproportionate numbers.³³¹ Obviously, gaining inferior education in comparison to their peers hinders the chances of employment and opportunities for personal growth for these children. When the Constitutional Court failed to acknowledge discrimination on racial grounds, 18 Romani applicants from the Czech city of Ostrava filed a submission with the European Court of Human Rights claiming that they were subjected to psychological and emotional damage, as well as educational disadvantage as a result of their placement in these substandard schools. The decision of the Court came in 2007, holding the Czech Republic accountable for racial discrimination with regard to access to public education, being the very first decision of its kind.³³² A further significance of this victory was that the Court reminded that discriminatory/segregationist tendencies in the education of Romani children were prevalent in many other European states.³³³ While the case was still pending on court, as early as 2005 the Czech government took measures to transform its educational system by abolishing the institution of special schools, and, instead,

322 Directive 2004/38/EC concerns the right of free movement and residence of EU citizens within member states. See *Ibid*, p. 15.

323 It was strongly condemned by the European Council, The ERRC, the European Information Office, the Open Society Institute and accused by the latter three organizations of violating the EU Charter of Fundamental Rights, the spirit of Maastricht, Amsterdam and Nieve Treaties and Directive 2004/38/EC. Cited in *Ibid*, p. 16.

324 Franco Frattini, the Commissioner for Justice and Civil Liberties was criticized for making demeaning remarks on the account of Roma. See *Ibid*, pp. 16-17.

325 *Ibid*, p. 18.

326 *Ibid*, p. 19. This may have fed anti-Roma sentiments and resulted in a series of arson attacks and pogroms on Roma camps throughout the country.

327 *Ibid*, p. 21.

328 *Ibid*, p. 23. As a result of international disapproval, Italy later announced that all its citizens were to be fingerprinted and their fingerprint put on their ID, starting in 2010. Also see Piero Colacicchi, "Ethnic Profiling and Discrimination against Roma in Italy: New Developments in a Deep-Rooted Tradition," *Roma Rights Journal*, European Roma Rights Centre No. 2, 2008, pp. 35-44.

329 Robert Kushen, "Implementing Judgements: Making Court Victories Stick," *Roma Rights Journal*, European Roma Rights Centre No.1, 2010, p. 5.

330 See paragraph 15 of the "Strasbourg Declaration on Roma," 20 October 2010. Cited in Amnesty International Public Statement, "Romani children continue to be trapped in separate and unequal education, despite judgments by the European Court of Human Rights," 15 November 2010, available at:

<http://www.amnesty.org/en/library/asset/EUR01/029/2010/en/dd0701df-fc2f-4fe0-8dd4-2c906e8d6d17/eur010292010en.pdf>

331 In many of the special schools visited by the European Roma Rights Centre the ratio of Romani students was more than 80 percent. European Roma Rights Centre, *Persistent Segregation of Roma in the Czech Education System*, 2008, p. 25.

332 European Court of Human Rights, *D.H. And Others vs the Czech Republic*, paragraph 209. Cited in Lydia Gall and Robert Kushen, "What Happened to the Promise of *D.H.?*," *Roma Rights Journal*, European Roma Rights Centre No.1, 2010, p. 39.

Each applicant received a compensation of 4,000EUR.

333 *Ibid*, p.40.

renaming them as practical school that are now recategorized into mainstream primary education.³³⁴ Although this permitted access to secondary education for those who completed this type of school, the actual effect of this amendment was nothing but symbolic – only the name of the schools were changed. The proportion of Romani pupils, the low level of education, and decreased career chances after the completion of practical schools remained identical to the situation before the court case.³³⁵ This major breakthrough in the field of human rights law thus holds little promise of a fairer future for Romani children. The ERRC, the Roma Education Fund and the Open Society Institute continue to fight for the implementation of the Court's decision.

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Green initiatives

6.1 / Building defences against the “brown sludge” – Progressive responses to anti-Roma extremism in Hungary Kristóf Szombati

My country, Hungary, made international headlines in 2010 when the reservoir of the Ajkai Timföldgyár alumina plant collapsed, freeing about a million cubic meters of liquid waste from red mud lakes and flooding the village of Kolontár and the town of Devecser. The tragedy condensed into one powerful symbol the deepening gloom of a society gripped by recession, social polarization and the near-ubiquitous feeling that its citizens are victims of forces beyond their grasp. Tellingly,

one day before the incident Hungarians had for the first time elected representatives of a xenophobic hard-right party (Jobbik) into the councils of all 19 counties. The far right, which had vowed to throw cold water on the nation's internal and external enemies and restore Hungarians' sense of pride, became the second largest political force in the country's North-eastern periphery. While the red wave caused several injuries and deaths and polluted a large area, the less visible “brown sludge” presents a grave danger to the whole society's health.

In the village of Gyöngyöspata – where Jobbik organised a demonstration “in defence of Magyars” on 6 March 2011 and activists of paramilitary organizations patrolled the streets to prevent “Gypsy criminals” from stealing and harassing “innocent people” – the intervention of far-right forces led to the breakdown of interethnic relations and paved the way for the success of Jobbik's candidate who was elected to the post of mayor at the elections of 17 July 2011. The most dangerous aspect of this dramatic turn is that citizens of Gyöngyöspata (and other places “visited” by extremist groups) tend to perceive members of Jobbik and the Civil Guard Association for a Better Future³³⁶ as well-intentioned people fighting for respectable goals – such as the restoration of order and morality – with the help of unorthodox, at times questionable, means. This benign (mis)reading of far-right politics – the causes of which I do not have space to examine here³³⁷ – prompts members of the ethnic majority and local politicians to remain passive in cases when the rights of minority groups are threatened. This, in turn, may lead to the outright oppression or dispossession of these groups if and when the authorities responsible for the protection of personal, political and social rights fail to act swiftly and decisively. The Gyöngyöspata case³³⁸ has demonstrated the plausibility of such a negative chain reaction.

What can Greens do?

What can territorially unrooted progressive political forces endowed with meagre human and financial resources do to mitigate the damages caused by the “brown sludge” and prevent its continued

334 Ibid, p. 40. For a detailed analysis of the Czech educational system, the case of D.H and Other vs. the Czech Republic and the aftermath of the Court decision see Amnesty International, *Nedokonceny ukol: Romsti zaci v Ceske Republice stale celi prekazkam ve vzdeleni*. Amnesty International Publications, 2010.

335 An identical elementary school system with identical “changes” to the system of special schools is in effect in Slovakia.

336 The civil guard was formed in April 2010 by members of the Hungarian Guard which was dissolved by Budapest's Court of Appeal on 2 July 2009. Attila László, head of the association, had previously been the Hungarian Guard's captain in Békés County.

337 But see my analysis written for the Heinrich Böll Foundation (before the local election): www.boell.cz/web/52-989.html

338 For an overview of the case see the Athena Institute's summary: www.athenainstitute.eu/en/infocus/read/8