

## **Orsus and Others v Croatia - Timeline**

This case involves 14 children attending mainstream primary schools in three different Croatian villages who were placed in segregated Roma-only classes due to alleged language difficulties. The applicants argued that actually, placement in these Roma-only classes stemmed from blatant discrimination based on ethnicity. The schools' policies were reinforced by the local majority population's anti-Romani sentiments. The applicants were supported by the European Roma Rights Centre (ERRC), the Croatian Helsinki Committee and local lawyer Lovorka Kusan. The timeline of the case's development through domestic procedures and at the European level is as follows:

**19 April 2002:** As part of a larger group of Romani pupils, 15 Romani applicants filed an action with the Municipal Court in Cakovec against the Republic of Croatia/Ministry of Education, the County of Medjimurje as well as the four primary schools in Orehovice, Macinec, Kursanec and Podturen complaining of racially segregated education.

**26 September 2002:** The Cakovec Municipal Court rejected the complaint.

**17 October 2002:** An appeal was lodged with the Cakovec County Court.

**14 November 2002:** The Cakovec County Court rejected the appeal and upheld the decision of Cakovec Municipal Court.

**19 December 2002:** The applicants filed a complaint with the Croatian Constitutional Court.

**15 December 2004:** Following two years of total silence in this case on part of the Constitutional Court, the ERRC and the Croatian Helsinki Committee jointly file an application against Croatia with the European Court of Human Rights in Strasbourg, France, on behalf of 15 Romani applicants who had been subjected to racially segregated education.

The applicants claimed violations of the European Convention on Human Rights including: Article 3 (prohibition of inhuman and degrading treatment); Article 2 of Protocol 1 to the Convention (right to education); Article 14 (prohibition of discrimination); Article 6 (right to a fair trial); and Article 13 (right to an effective remedy).

**18 July 2008:** In a setback for Roma rights, the Chamber of the European Court failed to find discrimination in education in regard to the Romani applicants.

**13 October 2008:** On behalf of the applicants, a request was submitted for referral to the Grand Chamber of the European Court.

**1 December 2008:** The Grand Chamber agreed to hear the appeal.

**1 April 2009:** A public hearing was held in the case before the Grand Chamber of the European Court of Human Rights and oral arguments presented.

**26 January 2010:** The final judgment was handed down by the Grand Chamber.

**16 March 2010:** Public announcement of the judgment in Strasbourg; the Court finds in favour of the applicants.