

CONTINUED INJUSTICE FOR ROMA IN CZECH REPUBLIC

Romani children in the Czech Republic are still facing massive barriers to inclusive education, five years after a landmark ruling from the European Court of Human Rights. The ERRC and Amnesty International jointly conducted research this year in Ostrava, where the original applicants in the case were based. **Five more years of injustice: Segregated education for Roma in the Czech Republic** provides evidence that Romani children continue to be overrepresented in schools and classes designed for children with mild disabilities, and Roma-only schools. The report exposes the short-

comings in the Czech educational system that exclude Romani children from integrated mainstream education.

On 8 November, the European Roma Rights Centre and Amnesty International held a media event in Prague, with a symbolic activism event where a pyramid of books was chained up and then unlocked. ERRC staff including the lawyer and researcher for the Czech Republic also participated in a series of events held around the anniversary of the judgment, on 13 November. The ERRC is focused on work that will see real change

in the Czech education system with a full implementation of the judgment and a change to the educational approach

The ERRC, together with Amnesty International, the Open Society Justice Initiative, Česká Odborná Společnost Pro Onkluzivní Vzdělávání (COSIV) and the League of Human Rights [Czech Republic] (LIGA), jointly submitted a **report** to the Council of Europe's Committee of Ministers – the intergovernmental body charged with overseeing how States put decisions from the European Court into practice.

ERRC WINS PRESTIGIOUS STOCKHOLM HUMAN RIGHTS AWARD 2012

This year's prestigious **Stockholm Human Rights Award** was presented to the European Roma Rights Centre and Thomas Hammarberg at an award ceremony in Stockholm on 26 November 2012. The event, which took place in the Bewaldhallen in front of an invited audience of lawyers, activists and Swedish media, was hosted by the Swedish Bar Association. Thomas Hammarberg has devoted most of his professional life to the promotion of human rights in Europe. From 2006 to 2012 he was the Council of Europe's Commissioner for Human Rights, where he was an extremely dedicated advocate for Roma rights. His work includes spells as Secretary General of Amnesty International and Swedish ambassador for human rights.

Speaking at the award ceremony, ERRC Executive Director Dezideriu Gergely said, "The ERRC is delighted to receive this award. We are particularly honoured to receive it alongside Mr Hammarberg,

whose work at the Council of Europe and beyond has done so much to advance the cause of Roma rights."

The Stockholm Human Rights Award was launched in 2009 by the **International Bar Association (IBA)**, the **International Legal Assistance Consortium (ILAC)** and the **Swedish Bar Association**. It is awarded annually to a person or an organisation for outstanding services in the support of human rights and the rule of law. The 2012 award especially honoured the memory of Swedish diplomat Raoul Wallenberg who was born 100 years ago. Wallenberg single-handedly saved the lives of thousands of Jews in Nazi-occupied Hungary before mysteriously disappearing in the Soviet Union in 1945. His sister attended the event in Stockholm.

The presentation was followed by a panel discussion of the situation of Roma in Europe. The two laureates were joined by

Elisabet Fura, Chief Parliamentary Ombudsman and former Judge at the European Court of Human Rights, and Ailsa Spindler, ERRC Development Manager, and the discussion was moderated by Todd Benjamin, former anchorman for CNN. In a wide-ranging discussion the panel agreed that, while much had been achieved in the fight for Roma rights, much more remained to be done if all Roma in Europe are to live their lives free from discrimination and repression.

THE ERRC COMBATS RACISM AND DISCRIMINATION AGAINST ROMA AND EMPOWERS ROMA TO DEFEND THEIR OWN RIGHTS.

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The Panel discussion gave prize winners and the audience a chance to discuss the situation of Roma in Europe.

PHOTO CREDIT: TOM KNUTSON

ERRC BACK IN TURKEY FOCUSING ON EDUCATION AND HOUSING RIGHTS

In 2012, the ERRC started a new research project to identify the problems and discriminatory practices that Romani children face in primary education. The research is being carried out in three cities, Edirne, Mersin and Antakya and conducted in partnership with local Roma rights organisations, Edirne Roma Association (EDROM), Akdeniz Roma Federation and Antakya Dom Association (DOMDER).

As the first step, a training programme was organised in Edirne on 5-8 September 2012 for the research team composed of activists from three local partners. ERRC staff, the ERRC Turkey monitor and the research team discussed Turkey's education system and discussed the research methodology. ERRC staff also gave training on interview and reporting skills. Following the training, the research team conducted the first phase of the research and interviewed Romani children and their parents. The second phase of the research took place in Mersin with the same methodology and interviewers. The research in Antakya will be conducted in December.

The ERRC also organised advocacy training for young Roma rights activists in Turkey from 5-8 October 2012. The training, held in Ankara, provided in-depth information on international and national legal frameworks and policies in the field of education and housing rights, improving the advocacy and campaigning skills of the participants in these fields. A total of 23 participants, from several cities



Participants from across Turkey attended the three-day training on education and housing rights, where experts provided information on the relevant national and international legal and policy frameworks.

PHOTO CREDIT: EDROM

across Turkey, attended the training. All of the participants were of Romani origin and most of the participants were either university students or graduates.

At the end of the training, participants drafted a policy statement targeting policymakers in education and housing rights. These papers were presented at a workshop attended by Government officials, representatives of rights organisations and representatives of inter-governmental bodies. At the workshop, there were also presentations on the ERRC, the Decade of Roma Inclusion, Roma and Problems in Accessing Edu-

cation in Turkey, Roma and EU Integration Process, Roma and Citizenship in the Context of New Constitution Process and Roma and Housing Rights in Turkey.

Finally, the ERRC organised a dinner in Ankara on 7 October 2012 to meet with the representatives of prominent human rights organisations and activists. At the meeting, the ERRC presented its work, as well as the situation of Roma in Europe. The ERRC also presented its past work in Turkey, ongoing activities and future plans. Participants stated interest in cooperating with the ERRC and provide more focus on Roma issues.

ERRC TRAINS COMMUNITY PARALEGALS IN UKRAINE

The ERRC recently organised two training events within its community legal empowerment project in Odessa, Ukraine. The first course was held from 28-30 September 2012 while the second event was held from 15-19 November. Participants in the training courses were Romani individuals living in communities in and around Odessa. The main aim of the community paralegal training project is to build capacity among Romani individuals from these communities in areas relating to human rights. Such areas include access to personal documents which can in turn help facilitate access to education and healthcare.

The training courses used non-formal education methodology based on 'learning by doing' principles. Participants were

introduced to concepts of human rights protection, equality of treatment, and community solidarity, activism and empowerment in the first seminar. In the second seminar, the concept of a community paralegal was introduced and developed, with an emphasis on the functions of a paralegal and the skills needed for this work. Participants were then introduced to the fundamental principles of human rights research, including interviewing skills. The seminar continued with the participants working on the processes involved in obtaining birth certificates.

Previous ERRC research in Odessa region has shown that the lack of personal documents is a significant problem, which has an impact on access to education and health services and to employment.

The training focused primarily on the role of paralegals in helping people to acquire their personal documents, using the assistance of lawyers where necessary. Participants reacted positively and enthusiastically to the idea of learning how to use existing mechanisms in order to help others within their communities.

Following the second series of seminars in November a press event was held for local media. This press event outlined the situation of Roma in Ukraine and locally in Odessa, highlighting discrimination and violence against Romani individuals, and also the serious problems associated with lack of personal documents in Odessa. Together with ERRC representatives, one person from the paralegal training took part in the media event.

ERRC WINS ANOTHER CASE BEFORE THE EUROPEAN COURT, PREPARES NEW ONES

The ERRC won another legal victory before the European Court of Human Rights against Ukraine. The legal team was also very busy with the preparations of new litigation to advance the rights of Roma in Slovakia.

Fedorchenko and Lozenko v. Ukraine

On 20 September 2012, the European Court of Human Rights (ECtHR) delivered a judgment finding discrimination in the case of **Fedorchenko and Lozenko v Ukraine**. Five Romani people, including three children, died after a violent arson attack, which took place on 28 October 2001 in the Kremenchug region of Ukraine. Three men deliberately set a family home on fire, breaking into the house to spray it with flammable liquid then barring the door of the house from outside and fleeing. Five members of the applicants' family died from extensive burns and smoke inhalation, including children who were three, six and 15 years old. After a severely flawed investigation by the Ukrainian authorities into the incident which did not result in any effective outcomes, and nobody was prosecuted for the death of these five people, the ERRC represented Mr Fedorchenko and Ms Lozenko (the parents and grandparents of the arson victims) in an application to the ECtHR in 2002, claiming that among those responsible for the arson attack was a senior police officer, and that the whole incident had not been properly investigated. The applicants also claimed that both the attack and the subsequent failure to investigate were linked to widespread discrimination against Roma in Ukraine. Ten years after this case was filed, the ECtHR found that Ukraine had failed to meet the procedural requirements of Article 2 of the European Convention of Human Rights (right to life), by failing to conduct an effective investigation into the deaths, and in doing so also violated breached Article 14 (right to be free from discrimination).

The ERRC welcomed the judgment, which again draws attention to the

widespread violence which Romani individuals and communities experience across Europe. Many states, including Ukraine, do not work enough to prevent, investigate or prosecute violent attacks against Roma. Sadly, Mr Fedorchenko passed away since filing this case; Mrs Lozenko continues to mourn the loss of her family. The ERRC hopes that the Ukrainian Government will take into account ECtHR's findings in the case and improve its systems to prevent and deal with violent attacks.

New housing case in Slovakia

In October 2012, the ERRC started a new housing case in Plavecky Stvrtok, Slovakia, challenging the actions of Slovak authorities which are trying to demolish buildings in a Romani settlement. The authorities claim the buildings were illegally constructed on the land, which according to information from Slovak authorities themselves, belongs to the State and is close to active gas pipelines. The information coming from different sources (Plavecky Stvrtok municipality, Slovak gas company) is contradictory, and is not sufficient to be grounds for demolition. The ERRC has been monitoring the situation in Plavecky Stvrtok since 2010 and has been providing support to the community through continuous advocacy efforts, dialogue with the authorities and constant presence on the ground. Despite these efforts, in September 2012 the inhabitants of the Romani settlement were served with demolition orders. The ERRC has started legal action in order to challenge the conduct of the Slovak authorities. Submissions to review the legality of demolition orders are now pending in front of the Regional Building Office in Bratislava.

Police raids in Romani settlements in Slovakia

In October 2012 the ERRC started new litigation aiming to challenge police bru-

tility in Slovakia. The cases concern incidents which took place in August 2012 in three Romani settlements in the Kezmarok District (Strane pod Tatrami, Huncovce, Podhorany) that were allegedly raided by the police. The ERRC conducted field research to learn more about the actions of the police. According to information gathered during this research, no arrest warrants or search warrants were presented to the inhabitants of the settlements. The police entered their houses and searched them. Some people, including elderly and disabled individuals, claimed that they were physically and verbally abused. The spokesperson of the Presov Regional Directorate of Police Forces Daniel Dzobanik informed the media that the police actions were in conformity with the law, despite suspicions of possible violations of rights of those living in the settlements. The ERRC contracted a Slovak lawyer to protect the rights of the Romani inhabitants, and challenge the legality of the police actions.

Evictions based on environmental law

The ERRC has learned that a forced eviction and demolition of houses in a Romani settlement in the area Nizne Kapustniky (Kosice, Slovakia) took place on 30 October 2012. Reports in the media indicate that 156 people, including 63 minors, were evicted. As a result of the eviction, they became homeless. It was reported that the eviction was based on environmental law and that the homes in question have been treated as communal waste. In the response to the ERRC's request for information, the municipality confirmed that environmental law served as the grounds for demolition. The ERRC is deeply concerned that neither Slovak nor international law seems to have been respected in Kosice. The ERRC will closely monitor what happens to the Romani people who were evicted, and will try to prevent further evictions based on environmental law.

ERRC CONTINUES MONITORING EVICTIONS AND ATTACKS IN FRANCE

Despite the worsening weather conditions, the French authorities continue to evict Romani migrants in France. On 28 September 2012, the ERRC wrote a **letter of concern** to the French authorities in an attempt to halt the planned eviction of a settlement in La Courneuve. Most

of the people in the settlement were in France for several years, with many children born there and all of them going to school. Despite these efforts, the eviction eventually took place and since then, the families are still living in caravans on a sidewalk.

Meanwhile, the French Minister of the Interior, Manuel Valls, visited Romania in September and according to media reports, an agreement regarding the scheme of "return aids" has been signed between the two countries. The ERRC filed a request under freedom of information structures in

both countries on 9 November 2012, asking for the details of the agreement.

Another alarming development in France took place in Marseille on 27 September 2012, when a group of 35 Roma, including 15 children, were forced to leave the

piece of land where they were living by local residents, who later returned and set fire to their belongings. The incident took place in Les Créneaux, in the northern district of Marseille in the early evening. According to media reports, police witnessed verbal insults against the

Roma and separated the groups, before the Roma fled. The Roma had been living there for four days, after they had already been evicted from their previous housing. The ERRC sent a **letter** to authorities to call on them to investigate and prosecute the perpetrators.

ERRC: ITALIAN COURTS MUST APPLY HUMAN RIGHTS STANDARDS

The legality of the infamous La Barbuta, a segregated camp for Roma built by Rome authorities, is being challenged before the Italian courts. The ERRC **called** for Italian courts and authorities to uphold human rights standards when addressing Roma housing in a hearing which took place on 7 November 2012.

The La Barbuta case started with pleadings from ASGI and Associazione 21 Luglio, who challenged the relocation of about 650 people, and the discriminatory features of the new segregated camp, which is monitored by private guards, fences and cameras. The camp is located far away from the city of Rome and basic services such as schools, public transport and hospitals.

La Barbuta is one of the last remnants of the **State of Emergency** declared in 2008 and overruled by the **Council of State** with a November 2011 decision. The Council of State decision has been a turning point for Italian policy towards Roma people, and the **“National Strategy for the Inclusion of Roma, Sinti and Caminanti Communities”** issued in February 2012 should be seen as a clear cut with the past approach based on security concerns.

Unfortunately, the supposed shift in Italian policy towards Roma – as seen in documents such as the National Roma Inclusion Strategy - has yet to be put into practise. The La Barbuta case will test the authorities’ new commitment.

ERRC monitor meets with evicted Roma in Rome

On 17 October 2012 the ERRC monitor visited Roma who were forcibly evicted from the semi-formal camp of Tor de Cenci on 10 October and moved to the formal camp of Castel Romano where about 900 Roma already live. The newly-arrived Roma said that, unlike Tor de Cenci, the Castel Romano formal camp is 20 kilometres away from the city, located near a ring road: “They arrived at 8:00 AM and evicted us, then we went to a shelter. They did not give us the time to get our things because they said we would find everything in the new containers. But we did not find anything” said one Romani man talking to the ERRC monitor. “Go to Tor de Cenci and then come here and you will see the difference!” added another evicted individual. Evicted Roma reported that the municipality had forced them to go to a shelter where they slept all together in the same

room. Then they moved them to Castel Romano: “We are like parcels.”

ERRC submits comments to Milan municipal plans for Roma

The ERRC was invited by Milan municipal authorities to the presentation of their proposal called “Project on Roma, Sinti and Caminanti 2012-2015” on 6 July 2012 and provided its comments to the authorities. The Proposal claims to be in line with Italy’s newly adopted National Strategy for the Inclusion of Roma, Sinti and Caminanti. However, Milan’s proposal lacks two elements that the National Strategy strongly underlines: The active participation of Roma, Sinti and Caminanti (RSC) in policies, projects and decision making concerning them and ending the emergency approach of the past. The absolute exclusion of employment and health related measures in the Proposal is a major oversight that should be corrected. The ERRC also noted that the draft Proposal lacks reference to concrete measures to combat racism and discrimination against RSC communities, to promote good relations between RSC and the majority of society. In addition, it lacks clear benchmarks, targets and indicators or any reference to funding with respect to the vast majority of the planned actions.

GEORGE SOROS VISITS ERRC



George Soros, founder and chair of the Open Society Institute, visited the ERRC office on 16 November 2012. During the visit, ERRC staff members briefed Mr Soros on the organisation’s current activities and the strategic vision for coming years. Mr Soros and ERRC staff members discussed the situation of Roma in Europe and major challenges to the ERRC’s work. They also discussed recent political and social developments in Europe and how they may affect Roma rights.

ERRC BRIEFS GROUPS ON ROMA RIGHTS

The ERRC hosted several study visits in the autumn months of 2012 with groups of political science, law and social sciences students, as well as young professionals interested in minority rights in Europe. During these visits, the ERRC gave a broad perspective of its work, Roma issues and Roma rights in Europe. The ERRC received groups from organisations

including the **Michigan Calvin College**, **BKTF Coalition**, **Colgate University** and several other institutions. There is a wide interest in the human rights based approach that the ERRC takes. The ERRC's visitors were also highly interested in the daily work of an NGO and especially in our advocacy work at an international level and the empowerment component of our

work when it comes to Romani individuals and/or structures (including organisations, political parties, and networks, etc). Hosting study visits is an important part of the ERRC's public relations work as a way of welcoming and engaging in dialogue with academia on challenges, limitations as well as the successes of the human rights movement against discrimination.

ERRC WELCOMES NEW TEAM MEMBERS

Kieran O'Reilly Research and Advocacy Officer

In September 2012 Kieran O'Reilly joined the ERRC as Research and Advocacy Officer, working primarily on Romania, Russia and Ukraine. Kieran holds a BA in Russian Language and History and an MA in International Relations. He is currently completing a PhD on international human rights law in post-Soviet states, and in particular the protection provided to minorities. Kieran has lectured on international human rights law with both Dublin City University and Boston University. He has also worked as a volunteer with Frontline Human Rights Defenders in Dublin since 2007. He has previously lived in Russia and conducted field research in several post-Soviet states.

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Marcello Cassanelli Legal Fellow

In September 2012, Marcello Cassanelli joined the ERRC team as a Legal Fellow to mainly work on Italy. Marcello graduated with a Masters in Law from the Università degli Studi di Milano. He practiced as a lawyer in Milan, before enrolling in a Masters course in International Cooperation and Development. Subsequently, he worked as a refugee caseworker with Amnesty International Australia and then as a teacher in a Burmese refugee camp on the Thai/Burma border where he got first-hand experience dealing with human rights abuses. In 2011 he worked in Craiova, Romania, where he focused on education and social inclusion programmes targeting the city's Romani communities.



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Michal Zalesak Legal Fellow

Michal Zalesak joined the ERRC in October 2012 as a legal fellow dealing with litigation and research in the Czech Republic and Slovakia. He holds a Masters of Law (Mgr.) degree from the University of Matej Bel in Banska Bystrica, Slovakia, and a Masters of Law in Human Rights with specialisation in EU Law (LL.M) degree from the Central European University in Budapest, Hungary. He was an intern at the Ministry of Foreign Affairs of the Slovak Republic in 2008 and at the ERRC in 2010. In 2010, he also attended a Summer University in Budapest with a special focus on EU law, which was taught by the Total Law team, led by Professor Joseph Weiler. Later, he worked as

a legal trainee in a law office and also for Ludia proti rasizmu/People Against Racism as a project manager in Slovakia.

INTERNS AND RESEARCH FELLOWS



Vera Kurtic (Serbia)
Gender Fellow

Vera Kurtic is one of two Gender Equality Research Fellows conducting research in Romani communities in 2012 and 2013. She explains more about her research and why it matters: The research I am conducting deals with Roma women of different sexual orientations; particularly lesbians living within Romani communities in Serbia. Multiple discrimination and intersection of gender, race, class and sexual orientation fall under the area of my work, but the Roma activist milieu seems to insufficiently deal with these topics. This topic is often regarded as sensitive, even for the international Roma academic and activist community, so through supporting this research the ERRC sends a message of being an organisation that genuinely works on human rights. I am very grateful to the ERRC for accepting the proposed research subject and I hope the research results will reach a greater number of individuals and organisations, so that more studies will be conducted regarding prejudices we as Roma have towards other social groups.

My visit to the ERRC office in Budapest was a very valuable experience and after its completion I realised the importance of more European activists being part of ERRC team, even for a short period of time, since they can then transfer the experience to their places of work and their communities. The atmosphere at the ERRC is very supportive and encouraging, and my research presentation to the ERRC team was very interesting and constructive. Many of the staff were interested to hear more about my work and provided their input. I am sorry to have been only there for just a few days as my research is mostly done in the field in Serbia, because interns and fellows can learn a great deal at the ERRC.

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Dominik Havor (Austria)

I have been working at the ERRC as an intern since September 2012. I was born and raised in Vienna but due to my Hungarian roots I heard a lot of negative things about Roma from my grandparents during my childhood. I personally did not believe the stereotype of all Roma being “thieves” and “cheats”, and after graduating from high school I decided to find more information about their situation in Europe, especially in Hungary. I have to complete a civil service project abroad, and my first choice was the ERRC, based in Budapest. During the last three months I have received a good introduction to the basic structure of an NGO and the conditions of Romani people. It is a great pleasure to work in the area of human rights and I am enthusiastic to start studying law after my one-year internship in Budapest.



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Nicole Currie (Scotland)

I decided to apply for an internship with the ERRC after working with a Romani community in Kyustendil, Bulgaria, for the past four years. My voluntary experience exposed me to the deep-rooted discrimination and segregation of Roma in Eastern Europe and the continuous denial of their basic human rights. The community I work with is ghettoised, with no running water, dilapidated housing and poverty is rife. After witnessing the reality on the ground I wanted to gain an idea of the changes taking place on a European level in areas of legislation, research and advocacy. Throughout my internship my tasks have been interesting and varied, and I was even given the opportunity to participate in a hate speech training workshop for online activists, and speak at a

Council of Europe conference on combating hate speech.

Working in an NGO environment has given me the opportunity to understand the systematic discrimination of Roma across Europe; the intersectional discrimination of women, segregation within education, dissemination of prejudice through media, governmental complicity in the oppression of Roma, and personally to think critically about the way change can be sought. One important aspect I have come to realise is, the importance of Roma heading the forefront of change and the necessity of NGOs to communicate and work directly with communities. I have worked with many great, inspiring people during my time here and it has empowered me to continue in the struggle for Roma rights and equality.



Jan Balaz (Slovakia)

Currently I am a student studying social work, focusing on Romani communities. Prior to starting my internship programme with the ERRC in September 2012 I was really excited about the idea of having the chance to work in an organisation with international outreach. After three months here, I can describe the internship programme structure as personally very useful. In the first weeks of the internship I developed my writing skills, language skills and communication skills. From my personal perspective, it was interesting to learn more about the research focused on Slovakia. I have worked on several tasks such as documenting extremist movements in Slovakia, the right to water, updating lists of attacks against Roma in Slovakia and writing advocacy letters

to Slovak authorities regarding the threat of a forced eviction in Krasnahorske Podhradie, Slovakia. My field trip was a great experience to see how ERRC works: collecting evidence, interviews and to better understand how far discrimination can go, based on my personal feelings from this trip.

This internship has helped me to better understand human rights and it has fully met my expectations. It is one of the ways to fight against discrimination because many Roma people cannot defend themselves due to several reasons, such as lack of education or insufficient funds. For my professional development, this internship offered a lot to my future professional life because in my next step of my life I want to continue to work closely with human rights. I'm very pleased to have had the chance to meet new, great people and to be a part of the ERRC.

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László Fejős (Hungary)

I first learned about ERRC in a European minority policy course during my university studies. I thought that it is one of the strongest and most influential organisations that could adequately advocate for Roma rights. Later, I used several ERRC sources for various university courses to write papers and prepare presentations. Fortunately, at the point when I was finishing my studies, there was a call for interns and I successfully applied to become a member of the ERRC team for three months.

One of the greatest parts of the internship period was that I was able to become an equal and respected member of the organisation's staff. I received several tasks and most of them were in my interest. In the beginning I mainly worked on the topic of violence against Roma helping to develop attack lists. These lists gathered cases from various countries in which Roma were targets of violence. Later, I also worked on yearly human rights reports about Hungary and prepared a presentation about far-right terrorism.

I believe my internship period was very useful in many ways. It helped me to learn more about advocacy and policy work of an international organisation. I also developed my policy research skills and gained the skill to look at a policy problem from a human rights perspective. For these reasons I think ERRC is a great place to do an internship. The ERRC team is very helpful and they will likely find tasks for future interns that will help develop their skills.

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We recently uploaded our newest video message, which focuses on empowering Roma activists through human rights education. You can watch it here.