

Gypsies Gain a Legal Tool in Rights Fight

By OTTO POHL
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MISKOLC, [Hungary](#) — For the Gypsies of Eastern Europe, like Agnes Krappai, life never seems to improve. She lives in an impoverished section of this Hungarian town, in a house with no running water. Her neighbor washes a rug in the street, coaxing water out of a hand-pumped well. "It's a constant crisis, if there is such a thing," Ms. Krappai says.

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Anne Sherwood for The International Herald Tribune

In Miskolc, 200 Gypsy families live in squalid houses without running water. Silvia Batyi scrubs her rug.



But now, some leaders of the Gypsies, or Roma, are looking to a new model to try to achieve equality: the civil rights struggle of black Americans. More and more, the Roma are going to court to secure their rights, and doing so where they think it will have the best chance for success — among the new East European members of the [European Union](#) and those trying to join, which are seeking to impress Western Europe with strict interpretations of their new antidiscrimination laws.

The Roma strategy was rewarded in October, when a Bulgarian court for the Sofia district ruled for them in a school segregation case. "This is Brown v. Board of Education in Europe," said Dimitrina Petrova, executive director of the European Roma Rights Center, recalling the 1954 Supreme Court decision that the official system of "separate but equal" school segregation by race was unconstitutional.

"This is a purely American paradigm," said Ms. Petrova, whose group filed the suit. "It's not a right if you can't defend it in a court."

An appeal is under way, but the Bulgarian government has already begun enacting changes in state education policy, and the Romani Baht Foundation, the Bulgarian rights group that argued the case, said it planned about 50 more school segregation cases in the fall.

In 2002, the foundation filed suit against a coffee shop in Stara Zagora, [Bulgaria](#), for refusing to serve Roma.

The foundation won, and has since filed suits against nightclub owners, hospitals and

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other companies, charging that they refuse to hire or serve Roma.

The cases cited antidiscrimination laws enacted to prepare Bulgaria to join the European Union, which it hopes to do next year.

Some of those working on behalf of the Roma say these efforts offer a model for helping other groups that face discrimination.

[George Soros](#), the billionaire who is one of the biggest donors to Roma rights groups, promises that "a similar effort will be made with the Muslim minority" of Europe once Roma gains have been secured.

However, European law is based on civil law, meaning that a court decision does not automatically become the law of the land — and that court victories achieved in campaigns of strategic litigation do not necessarily have far-reaching effects.

Still, Panayote Dimitras, executive director of the Greek branch of Helsinki Monitor, a human rights group that also operates in the Balkans, said he had cited court decisions from Eastern Europe in his Roma cases in [Greece](#).

Ms. Petrova said she hoped the gains made in Eastern Europe would reverberate in Western Europe, where Roma also struggle for their rights.

The Roma efforts go beyond legal challenges. In December, Gyorgy Makula, a young police officer in Budapest, founded the Roma Police Association in Budapest. He modeled it on the National Black Police Association, a group founded in Illinois in 1972 to help black officers around the United States fight racist law enforcement practices and create a more positive relationship with minority communities.

For the first time, there is even Roma representation in Brussels. After Hungary joined the European Union in 2004, it elected two Roma to the union's Parliament.

Still, there is no unified Roma movement and no leader like the Rev. Dr. [Martin Luther King Jr.](#) to help create one, nor galvanizing figures like Malcolm X or Rosa Parks.

And not all legal cases succeed. The European Court of Human Rights in Strasbourg rejected a case about 18 nonhandicapped Czech Roma children allowed to enroll only in schools for the handicapped. Estimates are that up to 75 percent of Roma children in the Czech Republic are shunted to special schools. The case has been resubmitted.

Roma are believed to have migrated from India to Europe up to 1,000 years ago, bringing nomadic ways, dark skin, insular culture and strange customs that paved the way for permanent marginalization.

The Nazis considered the Roma racially inferior, grouping them with Jews and the disabled, and killed half a million in concentration camps in World War II.

Even today, much remains unclear about the Roma. There is no agreement even on their numbers in Europe. Estimates range from 7 million to 15 million, and 5 percent to 10 percent of the population in many Eastern European countries.

In Hungary, the struggle to desegregate schools has come here to Miskolc, one of the poorest regions in the European Union. Andras Ujlaky, president of the Chance for Children Foundation, a Hungarian group that focuses on Roma schooling, recently visited Roma community leaders here to discuss integration of a school near the neighborhood of scores of squalid buildings where Ms. Krappai lives.

Mr. Ujlaky drank instant coffee as he sat on a worn couch in the small, tidy home of a

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community leader and discussed plans for children to refuse to enroll in the all-Roma school nearby.

If the children have trouble transferring, he said, he plans to file a discrimination suit, hoping to prompt a procedural review that would close the Roma-only school.

"Now that the law is in place we should use it," Mr. Ujlaky said.

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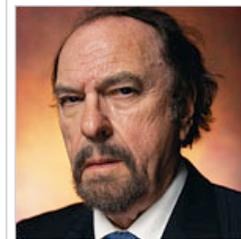


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