

CASE LAW MOSAICS

A complainant of Roma origin objected to the possession protection procedure of the notary of the competent municipality due to an alleged discriminatory treatment related to her nationality. At the end of the procedure, the Minority Ombudsman drew the attention of both the complainant and the municipality to the possibility of using the conflict management and dispute settlement procedure.

A Roma citizen of a large municipality turned to the Minority Ombudsman with a complaint related to the right of pre-emption of real estate, objecting to the notification obligation of the local government. The complainant complained that the municipal announcement regarding the exercise of the right of pre-emption was only published on the Internet, but was not on the municipal notice board, and he also held that they wanted to evict him and his family from their current place of residence because of his Roma origin.

The Minority Ombudsman investigated the application of a complainant of Romanian nationality, who was insulted by her neighbors also because of her origin. Criminal proceedings were initiated in the case for nuisance.

A Roma citizen repeatedly lodged a complaint to the Minority Ombudsman in his enforcement case. He complained that the applicant for enforcement refrained from any kind of agreement, and also from authorizing the payment of the complainant's debt in installments. The Minority Ombudsman facilitated the complainant's legal enforcement options by providing detailed information.

A complainant of German nationality alleged that a private person's post on his Facebook page, accessible to the general public, violated his right to honor and reputation, as well as the dignity of the German community, in connection with his nationality.

A Roma complainant turned to the Minority Ombudsman for help in his housing case, also sharing his difficulties in starting a life and making a living. He held that he was at a disadvantage when applying for municipal rental housing because of his Roma origin.

A person of Roma nationality lodged a complaint to the Minority Ombudsman against a district nurse. In her application, she objected to the nurse's measures taken in the context of her pregnancy care.

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In the complainant's petition, she complained that her neighbors who work in the penitentiary service have been "harassing" her and her family for months, and also using derogatory terms regarding the complainant and her young children, also due to their ethnic origin. The complainant called the police one night because her neighbors were making noise and setting off fireworks. After the police left, a dispute arose between the complainant and her neighbors, during which the complainant, who was holding her nine-month-old child in her arms, was pulled by his neighbor. The complainant filed a report with the police and contacted several authorities.

Based on the complaint, the Minority Ombudsman contacted the head of the local police station.

According to the captain's information, in the specific case, following the complainant's report, the police officer took action on the spot and issued a warning to the people who were making noise. The complaint filed for the offense of nuisance was transferred to the investigative prosecutor's office, which has the authority to continue the investigation. Pursuant to the Act on Criminal Procedure, only the competent investigating prosecutor's office is entitled to conduct an investigation for a crime committed by a professional member of the penal system.

Given the ongoing investigation, the Minority Ombudsman closed the case due to lack of authority, however, she informed the complainant in detail about the victim's rights that can be exercised during the investigation.