

# Roma Women on the Frontlines of Strategic Litigation — Why It Matters Now More Than Ever

By **Senada Sali**, Legal Director at the **European Roma Rights Center**



Civil society organisations have been central to defending Roma rights across Europe. Through strategic litigation, advocacy, and monitoring, CSOs have upheld justice and equality where states have failed to do so. In particular, Roma-led civil society — and Roma women advocates — have played a critical role in advancing access to justice, challenging systemic discrimination, and ensuring that the lived experiences of Roma women and girls are brought before courts, policymakers, and international human rights bodies. At a time when the global community is focusing on access to justice at the Commission on the Status of Women, their work demonstrates how strategic litigation can transform individual grievances into structural change.

The European Roma Rights Centre, founded in 1996 and led by Romani activists and lawyers, is not only Europe’s only international public interest law organisation exclusively dedicated to combating anti-Roma racism through strategic litigation but it is virtually the only international human rights organisation focused specifically on Roma rights across Europe.

For nearly 30 years, strategic litigation has been our core tool. Through domestic courts, the European Court of Human Rights and UN treaty bodies, we have challenged forced evictions, school segregation, police brutality, discriminatory child removals, coercive sterilisation, environmental injustice, and denial of access to housing and health care. These cases do more than provide remedies to individuals. They expose systemic issues. They create binding precedent. They transform routine discrimination into recognised legal violations.

Our 2007 victory in [D.H. and Others v. the Czech Republic](#) reshaped European jurisprudence on racial segregation in education. The judgement paved the way for desegregation litigation across Europe and reshaped how segregation in education was understood. What had long been normalised as “separate schooling” was finally recognised as discrimination.

A key lesson from our work is that litigation must be community driven. Roma communities, and especially Roma women - must lead. Women often carry the dual burden of defending their children’s education, health, and safety while confronting structural discrimination.

Take the [Elmazova case against North Macedonia](#). Seriha, a Roma mother, challenged the systemic segregation of her children. The European Court confirmed that even without explicit discriminatory intent, the practice amounted to segregation. That precedent protects hundreds, potentially thousands, of children. Read more about the case of Elmazova [here](#).

But ERRC's role goes beyond litigation. We monitor, document, and expose human rights violations that would otherwise pass without scrutiny or consequence. In many contexts, we are the last independent watchdog for Roma rights in Europe. Without our investigations, research, and legal follow-up, many abuses would remain invisible.

Strategic litigation has long been at the heart of the ERRC's work. Yet today, even this essential watchdog role is under pressure due to significant funding cuts. The ERRC is not closing and will continue its work. However, the strategic litigation that has defined our mission for nearly three decades is now under serious threat. Paradoxically, as we approach our 30th anniversary, we are being forced to scale back the very legal work for which the organisation has been internationally recognised.

Over the past three decades, the European Roma Rights Centre has received numerous prestigious international awards in recognition of its strategic litigation work. Most recently, in 2025, ERRC received the EU Award for Roma Integration for advancing equality in education. In 2018, ERRC was awarded the Raoul Wallenberg Prize by the Council of Europe for outstanding contributions to Romani human rights, the Columbia Global Freedom of Expression Prize for impactful litigation, and the Access to Justice Award. Earlier recognitions include the Stockholm Human Rights Award (2012); the Justice Prize of the Gruber Foundation (2009) for excellence in human rights litigation; the Silver Rose Award of SOLIDAR (2010); the Max van der Stoep Award (2007); and the Geuzen Medal of Honour (2001). Together, these awards reflect international recognition of ERRC's pioneering role in advancing accountability, combating antigypsyism, and using strategic litigation as a tool for systemic change.

Yet today, the very work that has driven progress on Roma rights is under serious threat. Funding cuts from U.S. support under the Trump administration, combined with the Swedish International Development Agency's phase-out of regional support, have placed enormous pressure on our programmes. EU Member States are not stepping in to fill the gap. On the contrary, EU funding calls explicitly state: *"Please note that under this priority the litigation fees will not be funded."* When litigation fees are excluded, access to justice becomes rhetorical rather than real. Read more about the EU CERV 2025 call and its limitations of funding for strategic litigation [here](#) (see page 13).

Strategic litigation is resource intensive. But it is also the most powerful mechanism to hold governments accountable - especially in times of democratic backsliding and rising far-right politics. The consequences are not institutional. They are human. As a result, we are being forced to close over 170 active cases across 15 countries, terminate contracts with lawyers, and let go of colleagues who have dedicated their lives to defending Roma rights.

When independent legal advocacy disappears, impunity grows. The practical consequences are devastating. Families face eviction without legal support, children remain in segregated schools, and victims of police violence are denied justice. In the current European political climate - where countries such as [Slovenia enact laws that criminalise entire Romani settlements](#) while simultaneously restricting access to free legal aid - the absence of independent legal advocacy becomes even more dangerous.

Roma women are particularly affected. They often carry responsibility for their children's education, health, and safety while navigating systemic discrimination. When strategic litigation disappears, so does the possibility for them to challenge these injustices.

And the implications extend beyond Roma communities. The jurisprudence created through ERRC cases has strengthened protections for all racialised minorities and marginalised groups. Weakening Roma-led litigation weakens democratic safeguards.

So what can institutions do — particularly at a moment when the global community is debating access to justice at the Commission on the Status of Women?

- First, ensure sustained and flexible funding specifically for Roma-led strategic litigation. If access to justice is truly a priority, litigation fees cannot be excluded from funding frameworks.
- Second, protect civic space by recognising Roma-led civil society organisations as essential democratic actors and partners in implementing equality and anti-discrimination commitments.
- Third, invest in cross-border legal expertise and emergency litigation funds so communities are not left without representation when political contexts turn hostile.

Strategic litigation is not only about winning cases. It is about transforming norms, holding power to account, and ensuring that rights written in law remain enforceable in practice.

If Roma-led civil society cannot litigate, the most marginalised — especially Roma women, children, and survivors of violence — will be left without defenders.

As governments gather at CSW to reaffirm commitments to gender equality and justice, supporting Roma-led strategic litigation should be understood for what it is: not charity, but a democratic necessity.

### **More about the author:**

*Senada Sali serves as the Legal Director at the European Roma Rights Center based in Brussels. She holds an LLM in Constitutional Law from the Law Faculty "Iustinian Primus" in Skopje and an MA in International Relations and European Studies from the Central European University in Budapest, Hungary.*

*Since joining the European Roma Rights Center in July 2014, Ms. Sali has made remarkable contributions, notably becoming the first Romani woman to hold the position of lawyer within the organization. Her work encompasses a different spectrum, involving community organizing, evidence gathering, and litigation.*

*She has taken a pioneering role in groundbreaking human rights litigation, appearing before domestic courts in several Western Balkan countries, the European Court of Human Rights, the European Committee of Social Rights, and various UN Committees. Ms. Sali's portfolio spans cases addressing issues such as racial profiling at borders, the tragic incidents of Roma deaths in prisons, mistreatment of Romani children under state care, discrimination in access to essential resources like water and public utilities, school segregation, and the forced evictions of Roma and Travelers.*

*In recognition of her impactful work, she was honored with the 2018 USAID Civic Engagement Award and the 2025 EU Award for Roma Integration in the Western Balkans and Turkiye . Demonstrating her commitment to education, Ms. Sali began teaching a course on International Protection of Minorities for MA students at the Law Faculty in Lille, France, starting from October 2023. Her dedication to advancing the rights of marginalized communities stands as a testament to her unwavering commitment to social justice.*