No. 07-00-89/2017-02 Date: 7 July 2017

**OPINION**

The present opinion was issued following a complaint procedure lodged by S.S. from N. against N.S. from N. In her complaint the complainant stated that on 7 December 2016 at the premises of the employer, Gerontology Center in N., N.S. said to the complainant: “Go back to that Gypsy caravan you came from, that is where both you and your father belong,” and that the complainant’s father is of Roma nationality. In the declaration, a point was made that words: “Go back to that Gypsy caravan you came from, that is where both you and your father belong,” had not been uttered in a way S.S. claimed and that the context itself gave no reason to S.S. to feel insulted when instructed to “go back to the Gypsy caravan” as the meaning was in no way offensive. In the course of the complaint procedure it was ascertained beyond any reasonable doubt that N.S. had indeed said: “Go back to that Gypsy caravan you came from, that is where both you and your father belong,” as well as that such statement was in fact offensive bearing in mind socio-economic position of the Roma population living in Serbia and the fact that Roma are frequently exposed to discrimination, stereotypes, prejudice and violence. The Commissioner for the Protection of Equality issued an opinion stating that by saying: “Go back to that Gypsy caravan you came from, that is where both you and your father belong” on 7 December 2016, N.S. had indeed upset S.S. and violated her dignity on the grounds of her father’s personal characteristic, i.e. there had been a violation of provisions of the Law on the Prohibition of Discrimination. In addition, the Commissioner for the Protection of Equality recommended to N.S. that he should apologize to S.S. in writing for his discriminatory statement made on 7 December 2016 which insulted her and violated her dignity on the grounds of her father’s personal characteristic, within 15 days from receiving the present opinion containing recommendation for achieving equality, and that he should take precautions in the future and refrain from violating anti-discrimination regulations with his statements and actions.

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| COMMISSIONER FOR THE  PROTECTION OF EQUALITY |
| Brankica Janković |