

To:

Basic Public Prosecutor's Office in Vršac  
Sterijina St. No. 60  
26300 Vršac

Re: KT.573/24

Dear Sir/Madam,

The European Roma Rights Centre (ERRC) is a non-governmental organization based in Brussels, Belgium, led by Romani people, and focuses on protecting the human rights of Roma and combating anti-Roma discrimination. One of the ways it operates is by providing legal support to Roma whose human rights have been violated, as well as representing victims before international bodies such as the European Court of Human Rights and United Nations treaty bodies.

We are writing to you regarding the case of harassment involving three minor Romani boys, D.D. (14), K.J. (14), and T.V.F. (15), which occurred on August 27, 2024, in the yard of Milica Tikic's house in Bela Crkva and at the "Agrodizel" gas station in the village of Grebenac. We commend the decision of the public prosecutor to initiate proceedings against the two suspects, Aleksandar Neškov and Milica Tikic, for the criminal offense of Abuse and Torture, and the court's order of a restraining measure preventing the suspects from approaching, meeting, or communicating with the boys. This order was adopted by the Basic Court in Vršac under case number KPP.69/24 on September 3, 2024.

However, we must express our disagreement with the decision to charge the suspects with the basic form of the crime of Abuse and Torture under Article 137, Paragraph 1 of the Criminal Code, which prescribes a maximum prison sentence of one year. We wish to draw your attention to certain circumstances and facts that were not included in the official record but are crucial for determining the complete facts of the case and the correct legal qualification of the crime. The following information has been directly confirmed by the parents of the affected boys, and their statements were published on the online portal [euromapress.com](http://euromapress.com)<sup>1</sup> along with a video titled "Kidnapped Roma Minors Beaten and Shaved Bald" based on footage from N1 television.

According to the victims, the following threats and insults were directed at them:

- They were told under gunpoint "If we stand up, they'll shoot us."

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<sup>1</sup> Available [here](#).

- “Better shave you than cut you.”
- “I must mark them.”
- Their mothers were insulted with racist slurs.

We also want to emphasize the psychological impact this event has had on the boys, who now live in fear and stress due to the threat of further violence. This is especially concerning as **they were reportedly threatened with a gun, a fact that was not recorded in the official notes despite being testified to before police officers, and one of the suspects who hit the boys is reportedly skilled in martial arts.**

Considering that force and threats were used against the victims, and they suffered severe torment because of their ethnic background, we believe all the elements of the qualified form of the crime of Abuse and Torture under Article 137, Paragraph 2 of the Criminal Code are present, for which a sentence of six months to five years of imprisonment is prescribed.<sup>2</sup>

Based on the above, we appeal to you to:

- Conduct a thorough and effective investigation to establish all the facts, particularly the psychological impact on the minor victims;
- Investigate whether the violence was racially motivated;
- Charge the suspects with the qualified form of the crime of Abuse and Torture under Article 137, Paragraph 2 of the Criminal Code, instead of the basic form of the crime under Paragraph 1 of the same Article, which carries a maximum prison sentence of one year.

Sincerely,

Đorđe Jovanović  
President, ERRC

Brussels, September 11, 2024

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<sup>2</sup> Abuse and Torture Article 137, (1) Anyone who abuses another person or treats them in a manner that insults human dignity shall be punished with imprisonment of up to one year.  
(2) Anyone who, by the use of force, threats, or other unlawful means, causes severe pain or suffering to another person in order to obtain a confession, statement, or other information from them or a third party, or to intimidate or unlawfully punish them or a third party, or does so out of any form of discrimination, shall be punished with imprisonment of six months to five years.  
(3) If the acts described in paragraphs 1 and 2 of this article are committed by an official in the course of their duties, they shall be punished with imprisonment of three months to three years for the offense in paragraph 1, and with imprisonment of two to ten years for the offense in paragraph 2.