

OSCE-ODIHR

Human Dimension Implementation Meeting 26 September 2019

Written Statement by the European Roma Rights Centre

Concerning access to housing, and the continued blight of segregation and forced evictions on Romani communities in OSCE participating states; the ERRC's intervention focusses specifically on **Italy** and the **Slovak Republic**.

- The Italian government still seems to operate on the fundamental misconception that all Roma are nomadic, even though [only 3%](#) of the Roma in Italy are said to live this lifestyle. This conception has governed Italian policy towards Roma since the 1980s through the creation of so-called “nomad camps” - segregated government constructed camps which are often unfit for human habitation.
- Camps frequently have no access or poor access to drinking water, electricity or sewage. The accommodation is usually overcrowded and the camps are generally located on the periphery of cities and towns without good access to public services or employment opportunities. According to an EU Fundamental Rights Agency [report](#), these Italian camps have one of the highest rates of Roma living per room in Europe.
- The 2008 state of emergency, which used state powers to target and harass Romani people, was formally abolished in 2011 by the State Council and again in 2013 by the court of cassation. Nonetheless it has left a legacy of police raids and intimidation of Roma living in segregated settings. The systematic use of (often illegal) forced evictions against Roma, without offer of alternative accommodation, is still a common occurrence all across Italy.
- Despite the recommendations of the 2012 Italian National Roma Integration Strategy, Italian authorities have continued to approve the construction of new segregated Roma-only camps and shelters in the years since. At the same time forced evictions of formal and informal camps mean that Roma are faced with: ethnically segregated living in substandard conditions, or homelessness. Closures of segregated camps are to be welcomed, but not at the expense of having somewhere to live. Actions taken by municipalities to end one form of segregation lead to a further rights violation when illegal evictions occur without adequate alternative accommodation.
- The ERRC has been closely monitoring forced evictions of Roma in Italy for a number of years and have recorded at least 318 forced evictions since April 2014. ERRC field research has found that families living in informal camps are persistently and repeatedly evicted without respect for international protections and standards. Residents are frequently not consulted prior to eviction and do not receive formal eviction orders, making it difficult to challenge the evictions legally. The situation of schoolchildren, elderly people, pregnant women and people with health issues is often not taken into consideration. Most of the time the evictees are not offered alternative accommodation, which forces them into an endless cycle of repeat evictions from one camp to another.
- **The ERRC recommends that the Italian government:**
 - Establish, monitor and enforce policies which prohibit the use of housing funding to create or maintain ethnically segregated accommodation such as camps or shelters.
 - Fund projects providing for integrated housing settings and inclusion paths which ensure family are not separated.
 - Empower Roma to take control of their own housing fate; involve members of affected communities in the planning and implementation of all actions to address their housing situation from the earliest stages.
 - Immediately cease the practice of forcibly evicting Roma without undertaking any of the measures required by international human rights law to provide socially inclusive alternatives consistent with the commitments on housing for Roma made in the NRIS.

- **In the Slovak Republic** a substantial number of the Roma population are subject to residential segregation, substandard housing, lack of access to basic infrastructure and, all too often a lack of access to clean drinking water.
- Since around 2001, there has been some state policy addressing the situation of Roma and the development of improved housing with water and hygiene facilities (e.g. visible in improved access to tap water and hygienic facilities). However, this housing programme continues to residentially segregate Roma communities.
- According to the [Fundamental Rights Agency](#), Slovak Roma live on average in the lowest number of rooms per household in Europe. This is a result of residential segregation. Lunik IX has one of the [highest population densities](#) in Europe. Living in segregation often means substandard housing, with the associated health risks and lack of infrastructure, or behind a segregation wall that separates Roma from the rest of society.
- Many Romani families live under the threat of forced eviction due to insufficient legal protection from forced evictions and ineffective system of legalization procedure which could lead to home ownership. Many Romani dwellings are located either on state owned or private land as a result of the transition from communism and decentralization during that period.
- Public funds are frequently used to maintain residential segregation. Social accommodation is built on the margins of urban areas away from schools, health care services, grocery stores or pharmacies, and only ghettoizes the locality where Roma are placed. Such housing is also frequently of substandard quality in Romani areas, and the ERRC has documented cases where sewerage, water pipelines, or a stable electricity supply are still not present in homes a year after Roma have moved in. Accessing water for the community in many cases means a kilometre walk with containers to an untreated water source such as a river. Municipalities providing social housing to Roma majority areas all too often provide too few to meet the needs of the inhabitants also.
- The ERRC is also involved in, or has documented, cases of illegal forced evictions where adequate alternative accommodation is not provided, proper consultation has not happened with the inhabitants, and in some cases where the municipality does not even possess a court approved eviction order. Such cases are often left pending at the District Court level for so long that they do not constitute an effective remedy for the Romani applicants who are seeking justice.
- For years, the ERRC has been monitoring and intervening in incidents of violence against Roma perpetrated by the Slovak Police. Many of these cases involve indiscriminate raids on segregated Romani areas where verbal and physical abuse of Romani bystanders has been widely reported and documented. Police brutality is one of the consequences of residential segregation, such actions can be carried out with impunity against impoverished, ghettoised areas in a way which would be unfeasible in an integrated setting. Invariably the victims receive no justice from the courts or the Control and Inspection Service Section of the Ministry of Interior who find no wrongdoing on the part of the offending police officers.
- **The ERRC recommends that the Slovak government:**
 - Resolve urgent issues of land ownership arising from the transition to a market economy and decentralised governance;
 - Immediately cease illegal forced evictions of Roma; and ensure that evictions are a means of last resort which are carried out in accordance with both national and international obligations, including provision of alternative accommodation;
 - Ensure that social or alternative housing offered to Roma meets acceptable standards for human habitation;
 - Adopt law explicitly recognizing the human right to water and sanitation and ensure that all people in Slovakia enjoy access to safe drinking water and sanitation; and adopt policies and allocate budgets for connecting Roma settlements to public drinking water and sewage systems;
 - Stop targeting socially excluded Romani communities with higher policing; and establish a fully independent autonomous institution, outside of the structures of the Ministry of Interior that will be responsible for the investigation of complaints of alleged ill-treatment treatment by police officers as well as all complaints with a possible racial motive.