

DIGNITY



DEMAND DIGNITY



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STOP

FORCED EVICTIONS OF ROMA IN EUROPE



**HOUSING IS A
HUMAN RIGHT**

**AMNESTY
INTERNATIONAL**



Forced evictions are cruel, humiliating and in breach of international law. In Europe, they happen all too often and affect those who are least able to resist. Romani people are one such easy target; they are poor, socially excluded, and treated with hostility by the public. This is why governments are able to forcibly evict them and show little regard for their human rights. It is time to end this injustice.

European governments forcibly evict thousands of people from their homes. They ignore their obligations under international law and commit human rights violations.

Most of those who are forcibly evicted are people who live in poverty or on the margins of society. They are discriminated against and are sometimes treated like criminals. Many live in fear of being forced from their homes.

The effects are catastrophic. Forced evictions often result in people losing their personal possessions, social networks, and access to work and services such as schools and health care. People may become homeless or find themselves living in worse situations than before.

In Europe, Romani communities are regularly targeted for forced evictions. In recent years Amnesty International, together with local NGOs, has documented cases of forced evictions of Romani communities in Bulgaria, Greece, Italy, Romania and Serbia.

Roma are one of the largest ethnic minority groups in Europe. Nearly 80 per cent of the European Roma population, around 10 million people, live in European Union (EU) member and candidate-member states.

Across the region, Romani communities are often denied equal access to adequate housing, education, health, water and sanitation. This widespread discrimination makes them an easy target for forced evictions. Discrimination in the labour market makes it difficult for them to rent homes. Being effectively excluded from access to social housing schemes leaves them no choice but to find accommodation wherever they can – often in informal settlements. Without security of tenure, they are vulnerable to forced evictions and other human rights violations.

In most cases of forced evictions, the authorities make no attempt to offer Roma residents adequate alternative housing and many continue to live in temporary and makeshift accommodation for years after they have been evicted. Many are also likely to be evicted again and again. With even less chance of finding permanent employment and forming stable support networks, they are at risk of becoming poorer and more marginalized.

Romani communities across the region are trying to claim their rights. Governments in Europe have acted and continue to act in violation of regional and international human rights standards, including the European Convention on Human Rights and the International Covenant on Economic, Social and Cultural Rights. This injustice must stop.



WHAT ARE FORCED EVICTIONS?

A forced eviction is the removal of people against their will from the homes or land they occupy, without legal protections and other safeguards.

Evictions should not be carried out until all other feasible alternatives have been explored, genuine consultation has taken place with the affected communities and appropriate procedural protections are in place. In particular, there should be adequate and reasonable notice for affected people before any eviction, and no one should be rendered homeless or vulnerable to other human rights violations as a consequence of eviction. Where those affected are unable to provide for themselves, the government must ensure that adequate alternative housing, resettlement or access to productive land is available.

Not every eviction that is carried out by force constitutes a forced eviction – if appropriate safeguards are followed, a lawful eviction that involves the use of force does not violate the prohibition on forced evictions.

above: Roma who were forcibly evicted from their homes in 2004 now live in metal cabins next door to a sewage plant, Miercurea Ciuc/Czikszereda, Romania, 17 January 2009.

cover: Roma on the outskirts of Miercurea Ciuc/Czikszereda, Romania, 18 January 2009. © Amnesty International



BULGARIA

A Romani family found this temporary shelter after their home was demolished, Gorno Ezerovo, 10 September 2009.

© Daniela Mihaylova/EOA

FAMILIES HAVE NOWHERE TO GO

At least 200 Roma, including children and elderly people, were left homeless when local authorities forcibly evicted them and demolished their houses in the Gorno Ezerovo and Meden Rudnik settlements in the Black Sea city of Burgas in September 2009, according to NGOs Equal Opportunities Initiative and Bulgarian Helsinki Committee.

Gorno Ezerovo and Meden Rudnik are both informal settlements that have existed for more than 50 years. The Bulgarian authorities have provided them with public services such as water, sanitation and electricity. Around 84 Romani households received the first eviction orders in 2007, based on legislation which allows for the demolition of housing built without the proper permits. The authorities did not engage in meaningful consultation with members of the two communities. Some of the residents appealed against the eviction orders but without success. The Bulgarian national law does not provide for redress in such situations and no legal aid was offered to the residents by the authorities.

On 8 September 2009, the authorities forcibly evicted 27 families in Gorno Ezerovo and demolished their homes. Fifteen other homes were demolished in Gorno Ezerovo in the days that followed. In some cases, the residents themselves dismantled the houses so they could keep some of the building materials. On 24 September, the authorities forcibly evicted 15 Romani households in Meden Rudnik and demolished their homes. In both cases, police oversaw the evictions: In Gorno Ezerovo, police officers reportedly kicked some of the residents and dragged them away.

The authorities have not offered alternative housing to any of those who were forcibly evicted or threatened with forced evictions and none of the residents has received remedies or compensation. Many of those who were evicted in September moved in with their relatives in the same area. Many others remain unprotected from future evictions, harassment, or other threats.

GREECE

The forced eviction of Romani residents in Votanikos,
1 June 2007.



© Greek Helsinki Monitor

FORCED TO MOVE FROM PLACE TO PLACE

In June 2007, more than 100 Romani families, living in Aghiou Polykarpou Street in the area of Votanikos, near the centre of Athens, were forcibly evicted from the land where they had been living for 10 years. According to local NGO Greek Helsinki Monitor, this was not the last time that these families would be evicted from their homes.

With no alternative accommodation offered by the authorities, the families moved into an abandoned factory in Iera Odos. They were forcibly evicted from there by the police just a few days later. Again, the authorities made no attempt to provide them with adequate alternative accommodation.

A few months later, they were forcibly evicted for the third time after they moved to land owned by a private company in Aegaleo, Athens. This time the eviction was ordered by the Magistrates Court of Athens. In January 2008, they relocated again to an unattended plot nearby. The families say that they were visited and harassed by the police shortly afterwards. They were then ordered to move again.

The families were forcibly evicted four times, yet not once were they consulted or offered alternative accommodation. Sixteen members of the community have now appealed to the European Court of Human Rights and are seeking justice.

This is only one story of one Romani community. Local authorities in Greece have forcibly evicted a large number of Romani families in the past decade and are continuing to ignore their obligation under international law.

KNOW

YOU

You have a right to protection from forced evictions whether you rent, own, occupy or lease the home or the land on which it is built.

Your government – like many others around the world – committed itself to protecting your right to adequate housing, your right to privacy and other human rights. This means it is obliged not to forcibly evict you from your home.

Your government should not evict you before it has completed a number of actions, including:

- Give you prior adequate notice, in writing, of the date of eviction.
- Give you information on the proposed evictions and the purpose for which the land or housing is to be used if you are evicted.
- Offer you a chance to appeal against the eviction order, including giving you information about legal remedies and legal aid if you need it to seek redress from the courts.
- Ensure that you are not left homeless if you cannot afford another place to live.
- Involve you in the process, from beginning to end. Your government should engage you in an open process of consultation, where you are provided with all relevant information, including on resettlement options, and give you an opportunity to provide your views on the options proposed and to suggest alternatives plans.
- Ensure that if you are relocated, you are protected from forced evictions and have access to services and infrastructure such as water, energy for cooking, heating and lighting, and sanitation. Your accommodation should be affordable, protect you from the weather and keep you physically safe. The location should allow you to access your place of work, schooling, health care and other services and should not be on or near sources of pollution.
- Offer you compensation for any losses, such as loss of property or goods.

You may only be evicted as a last resort, once all other feasible alternatives have been explored!



YOUR RIGHTS!

During the evictions, you should:

- Be given reasonable time to remove your possessions and to salvage building and other materials from your home, if you wish to do so.
- Be given information about legal remedies and if possible, legal aid, if you need it to seek redress from the courts.
- Be aware that there are guidelines for the conduct of police and other officials who may carry out the evictions and on the manner in which the eviction may be carried out. For example, evictions should not be carried out in bad weather, during festivals or religious holidays, before elections or during or just prior to school examinations.
- Know that government officials have to be present during the eviction and that they should clearly identify themselves and present the formal authorization for the eviction action.
- Be aware that the demolition of your home should not happen before you are relocated in adequate alternative housing.

Adequate alternative housing:

The state has a duty to ensure that no one is left homeless because of an eviction. If you are unable to afford or get alternative housing for yourself and your family, the authorities must provide you adequate alternative housing whether you are a man or a woman head of household.



ITALY

Romanian Roma in Via Contocelle camp, Rome, September 2009.



© Amnesty International

NO HOMES, NO RIGHTS, NO SAY

For the past decade, Roma and Sinti communities have been regularly subjected to forced evictions by the Italian authority. However, since 2007, evictions have become more frequent than ever.

Romani settlements in Italy fall under three categories. Some settlements are “authorized” and maintained by local authorities; some are “tolerated” and receive some support from the city councils/municipalities; and some – the vast majority of settlements – are considered “irregular”. Residents in “irregular” settlements live in hastily constructed shacks and have limited access to basic services such as clean drinking water and sanitation. They are also the ones most vulnerable to forced evictions.

When forced evictions take place, they are often carried out at short notice and without any prior consultation with the communities. The authorities do not inform residents about alternatives to eviction and do not offer them adequate alternative accommodation. Many are evicted before they have the opportunity or the time to challenge their eviction. The majority are forced to find shelter in unauthorized areas where they may again be forced to move.

A new scheme is now threatening to make this dire situation even worse. In May 2008, a Presidential Decree, which declared a “Nomad Emergency”, conferred special powers on the prefects (permanent representatives of the national government in a particular territory) in Lombardy, Campania and Lazio, and subsequently in Piemonte and Veneto. The “Nomad Plan” in Rome is the first scheme set up based on these special powers. It paves the way for the forced eviction of thousands of Roma from all type of settlements in the capital. The plan, which has been developed without any genuine consultation with Roma and with scant regard for rights, provides for resettlement of the Romani communities in new or expanded camps located on the outskirts of the city. These camps will continue a pattern of Roma living in poor and segregated conditions and will disrupt the lives of the communities. Most disturbingly, official estimates project that at least 1,200 people, most of them foreign nationals, will be left out of the resettlement process. The real figures are likely to be higher.



ROMANIA

Roma who were evicted from the centre of Miercurea Ciuc/Czikszereda in 2004 now live next to a sewage plant on the outskirts of town. 18 January 2009.

DUMPED BY A SEWAGE PLANT

In June 2004, around 100 Roma, including families with young children, were forcibly evicted by municipal authorities from a crumbling building located on Pictor Nagy Imre Street in the centre of Miercurea Ciuc in central Romania. Some of them were moved to the outskirts of the city next to a sewage treatment plant. For more than five years, around 75 Romani people have been living in eight metal cabins provided by the authorities, as well as in 14 self-constructed shacks in an area deemed unfit for human habitation.

In 2001, the authorities told the residents of the building on Pictor Nagy Imre Street that they needed to move for their own safety. But there was no genuine consultation with the community, residents were not sufficiently informed about the situation and they were not given the opportunity to suggest alternative solutions. Residents claim the authorities assured them that the metal cabins were temporary and that proper housing would be made available in due course.

The authorities assigned temporary contracts for the metal cabins only to families who had been legally residing in the building on Pictor Nagy Imre Street. Others were forced to build makeshift shacks and may be forcibly evicted again in the future.

The metal cabins are overcrowded and the sanitation facilities are inadequate. The cabins and shacks do not offer adequate protection from damp, heat, rain and wind. In winter, the temperature in Miercurea Ciuc can go below -25°C . Those who live next to the city's sewage plant need to endure an unpleasant smell of human excrement. A sign on the plant's fence warns about "toxic danger".

More than five years later, and after various court cases, the communities are still unable to realize their right to adequate housing.



SERBIA

A Serbian police officer confronts Roma as a bulldozer destroys their ramshackle cardboard house in a poor settlement under the bridge over the Sava river in Belgrade, 31 August 2009.

© AP/PA Photo/Srdjan Ilic

THEIR RIGHTS IGNORED

On 3 April 2009, the Serbian authorities forcibly evicted 250 Roma, including young children, elderly persons and infirm individuals, from a temporary settlement in New Belgrade. Parts of the settlement, known as Blok 67, were being cleared in order to make way for a new road ahead of the Student Games, a major sports event. For many of the residents, who were originally displaced from Kosovo, this was not the first time they were being torn away from their homes.

The authorities offered the families containers in another area of Belgrade as temporary housing, but local residents tried to set the containers on fire in order to stop Roma from moving in. There was no further attempt to offer the families alternative adequate housing; after spending several nights without a roof over their heads, 60 of them accepted alternative accommodation at the Orlovsko Brdo barracks where they had no access to water or electricity. Others found temporary accommodation elsewhere in Belgrade. The majority of Roma, their homes destroyed, stayed at Blok 67, trying to make do with whatever shelter they could find.

The authorities erected a fence around the community on 17 June for the duration of the games. Police and private security services guarding the fence arbitrarily decided whether or not people could leave the area, preventing residents from going to work and restricting their freedom of movement.

This and several other evictions took place in Belgrade despite the fact that the Serbian government, which currently occupies the Presidency of the Decade of Roma Inclusion, has committed itself to prioritizing the provision of adequate housing to Romani communities.



“I WOULD LIKE TO LIVE IN A BETTER PLACE, WHERE ANY HUMAN BEING COULD LIVE.”

María Dumitru (quoted above) and Marius Alexandru are 28-year-old Roma of Romanian origin, who have three small children. Since they arrived in Italy in 2004, they have been forcibly evicted from camps five times, and were never offered any kind of alternative accommodation. Most recently, on 11 November 2009 they were forcibly evicted from an unauthorized camp near Via Centocelle in Rome and moved to a squat nearby.

“We came to Italy six years ago to earn some money but we still do not have any,” says María Dumitru. “We first went to Ponticelli camp, in Naples, but after a while the police evicted us. They told me that if they saw me again in that area, they would take my kids away from me and put them in an orphanage.”

They had similar experiences in Caivano (Naples) and in a camp near Cristoforo Colombo (Rome). “The police destroyed everything”, says Marius Alexandru. In the early months of 2008 his family settled in Via Centocelle camp and in April the same year they were evicted, although they returned immediately. “Now we will sleep in the street”, he says. “What can we do? ... We have been in seven different camps in five years. It is difficult, very difficult.”

Life has not been easy for this Romani family. “My husband scavenges for iron and copper in the rubbish to sell and earn a little bit of money so we can buy food”, says María. “He also gets clothes from the rubbish because we do not have money to buy them at the shop. It is only thanks to him that we have something to eat. If it was not for him, we would live on the street.”

above: María Dumitru and her children, Via Centocelle camp in Rome, Italy, 14 January 2010.

RECOMMENDATIONS

Amnesty International calls on governments in Europe to:

- Immediately stop forced evictions and ensure that evictions which are carried out in compliance with international and regional standards.
- Legislate and enforce a clear prohibition against forced evictions. Adopt national guidelines for evictions, which should be based on the Basic principles and guidelines for development-based evictions and displacement and comply with international human rights law.
- Take concrete measures to ensure a minimum degree of security of tenure to all people currently lacking such protection, including by developing a plan for regularizing or upgrading settlements, in consultation with affected communities. Such a plan should identify measures to improve living and housing conditions and to enable people to access services, which are essential for human rights, such as clean water, sanitation, education and health services.
- Any alternative housing which is offered to people should comply with international standards.
- Resettlement options should comply with international standards, aim to reduce racial segregation in housing and should also include access to social housing and other housing programmes.

Amnesty International calls on the European Union (EU) to:

- Call on EU Member States to stop forced evictions.
- Put in place safeguards to ensure that EU funds do not contribute to or result in violations of human rights such as forced evictions. Funding for housing programmes should not support discrimination or segregation.
- Promote and abide by the Basic principles and guidelines for development-based evictions and displacement and other international and regional standards on adequate housing.

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Amnesty International is a global movement of 2.8 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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