

CAPITAL SIN

Briefing on forced evictions of Roma communities in Rome in the context of the upcoming Jubilee of Mercy



October 2015

ASSOCIAZIONE
21 LUGLIO
ONLUS

Briefing on forced evictions of Roma communities in Rome in the context of the upcoming Jubilee of Mercy

Over the past 5 years, the stable presence of around 2.200 - 2.500 Roma living in precarious informal settlements, mostly of Romanian origin, was recorded in Rome. These so-called informal settlements are usually denominated by the local administration and most of the media, "illegal" settlements. In a town with 2.872.021 inhabitants, these people represent 0.9% of the population. The majority of them have been living in Rome for years; these are often families with children who migrate mostly for economic reasons. None of the families that Associazione 21 luglio has been in touch with throughout the years has a nomadic lifestyle; however most of them were repeatedly forced to find shelter in various areas of the town following the forced evictions they had been victims in a perverse and expensive "goose game" that systematically violates human rights.



FORCED EVICTIONS: DEFINITION

As also stated by the **United Nations Commission on Human Rights**, forced evictions «constitute a gross violation of human rights, in particular the right to adequate housing» and they can be defined as «the permanent or temporary removal

against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of and access to appropriate forms of legal or other protection». These protections must be put in place

regardless of the fact that the property or land at stake is owned, rented or occupied.

PROCEDURAL GUARANTEES

The **United Nations Committee on Economic, Social and Cultural Rights** specified that evictions may be carried out only as a last resort, once all feasible alternatives have been explored and only in case appropriate procedural protections are put in place, such as:

- A genuine and effective consultation with those affected
- Provision of and access to legal remedies and a right to adequate compensation for any property, both personal and real, which is affected
- Adequate and reasonable notice prior to the eviction and adequate information on the eviction procedure

- Representatives of the authorities are present and all those involved in the eviction can be easily identified
- Prohibition to carry out the eviction at night or in particularly bad weather
- Provision of alternative adequate housing solutions for those affected who are unable to provide for themselves
- Prohibition of rendering people affected by the eviction homeless or vulnerable to the violation of other human rights

Not all evictions carried out by force are forced evictions. An eviction that is objectively justified and is carried out respecting the dignity of people and in line with

international standards, even when carried out by force - provided that this is necessary and proportionate - is lawful and does not violate the prohibition of forced evictions. On the contrary, evictions that do not include the use of force, but that are carried out without procedural protections, are fully-fledged forced evictions.

During the years when the "Nomad emergency" was in force, authorities in Rome bluntly looked at the issue of informal settlements inhabited by Roma exclusively from a security point of view, in line with the implementation of the so-called

"Nomad Plan". The "Plan" resulted in repeated forced evictions. In recent years, despite the change in direction represented by the adoption of the "National Strategy for the Inclusion of Roma, Sinti and Camminanti", the inertia of the Roman administration did not

lead to any substantial change: **forced evictions continue to be the only response that the Roman authorities provide to the Roma who live in informal settlements.**

NUMBERS

2013: 54 forced evictions, around 1.250 people involved, estimated expense 1.545.000€

2014: 34 forced evictions, around 1.150 people involved, estimated expense 1.315.000€

2015 Before the announcement of the Jubilee: 7 forced evictions, around 100 people involved, estimated expense 120.000€

2015 After the announcement of the Jubilee (13 march 2015): 64 forced evictions around 1000 people involved estimated expense 1.225.000€



«The Committee deplores the targeted evictions of Roma and Sinti communities [...] [and] it is concerned that forced evictions have rendered several Roma and Sinti families homeless»

CERD, Concluding Observations on Italy, March 2012

Evictions affecting Roma families who live in informal settlements in Rome never involve the provision of adequate procedural protections as prescribed by international human rights standards. They are **collective measures** that do not take into account the individual circumstances of each family, that are too often notified only verbally and that are not accompanied, except in very rare cases, by a formal act that contemplates legal remedies. Frequently, during the evictions, the properties of the families

are arbitrarily destroyed. When an alternative housing solution is offered to evicted families, this only consists in temporary accommodation for mothers with children, a solution that is systematically refused, since it implies the separation of the family unit. Rarely the alternative housing solution offered implies the transfer to shelters for Roma only, where conditions are substandard and that are mono-ethnic, therefore inadequate. Forced evictions expose Roma families to further risks and other human

rights violations. They are a constant source of worry and uncertainty over the future and have dramatic consequences on the life of children, as well as a disproportionate impact on education and professional paths; they contribute to keeping the families trapped in a vicious circle of poverty and exclusion.

One of the main reasons that the Roman authorities use to justify forced evictions of Roma families is the inadequate hygienic conditions in the informal settlements. Although the housing conditions in the informal settlements are objectively inadequate, forced evictions do not solve the problem. Forced evictions do not lead to improved housing conditions; on the contrary, they replicate the same inadequate housing conditions elsewhere, while exacerbating the vulnerability and the living conditions of those affected, who end up being repeatedly moved from one end of the town to the other.

Besides systematically violating human rights, the approach of the authorities in Rome with regard to the issue of informal settlements inhabited

by Roma families, also fails to reach the stated objective of re-establishing decency and security, despite involving the expenditure of a significant amount of resources. **The result is a perverse "goose game"**

that violates human rights and consumes a significant amount of public funding without ever resolving the problems that it aims to address, but rather exacerbating them. Despite being manifestly ineffective,

forced evictions continue to be advertised by their promoters, often in order to gain electoral support.



«Over the past years, me and my family have been evicted many times, even within a short period of time. The police come, they destroy our shacks, our tents, our mattresses. Everything. And we are left with nothing, without ideas on our fate, just like today»

M., 23 year old Roma young woman evicted from Val d'Ala, July 2014

PROHIBITION OF FORCED EVICTIONS

Italy is party to several international human rights treaties that recognize the right to adequate housing, such as the **International Covenant on Economic, Social and Cultural Rights**, the **International Covenant on Civil and Political Rights**, the **Convention on the Rights of the Child**, the **Convention on the Elimination of all forms of Racial Discrimination** and the **European Social Charter** (revised). This implies the obligation to respect, protect and fulfill the right to adequate housing, including the prohibition of forced evictions



«I have 4 children who go to school. In twenty minutes they come back and they don't find our shack anymore. They don't know anything and in a few minutes they will find out that they don't have a home anymore»

M., Romanian Roma man, March 2011

«With the removal of the settlements, of the shacks and the caravans that are present illegally in our District, we want to give a concrete response on the issue of security, one of the most felt worries of the local population particularly in the suburban areas that also suffer from general neglect»

Andrea Santoro, President of District IX of Rome, April 2015

lack of a political vision, breaches human rights, does not solve "the problem" and is economically unsustainable.

In this context, the main actors

during an eviction are three: the **Mayor's cabinet**, the **Department of Social Policies** and the **Prefecture**. In simple terms, the procedure leading to a forced eviction usually follows the

pressure is reached, the Mayor's Cabinet, sometimes in cooperation with the districts, sometimes in collaboration with the Prefecture, gives the green light to the eviction.

The Department of Social Policies, the institution that by virtue of its mandate should be in charge of offering adequate alternative accommodation to the people evicted, only intervenes in the last phases, after being notified about the final decision to proceed with the eviction. In these cases, the reaction of the Department takes several forms: the Department can simply take note of the upcoming eviction, it can issue a communication stating that alternative accommodation cannot be provided and "discouraging" the authorities from proceeding with the eviction, or it can participate

to the eviction through the Social Operations Room.

This **extremely fragmented and confused intervention, lacking any coordination and marked by an emergency approach**, leads inevitably to failure to put in place appropriate procedural protections during the evictions. The lack of a social-inclusive approach to the issue and the lack of coordination among the key actors involved, inevitably and systematically lead to forced evictions and other human rights violations.

«The Commissioner therefore regrets the reports of continuing evictions of Roma and Sinti»

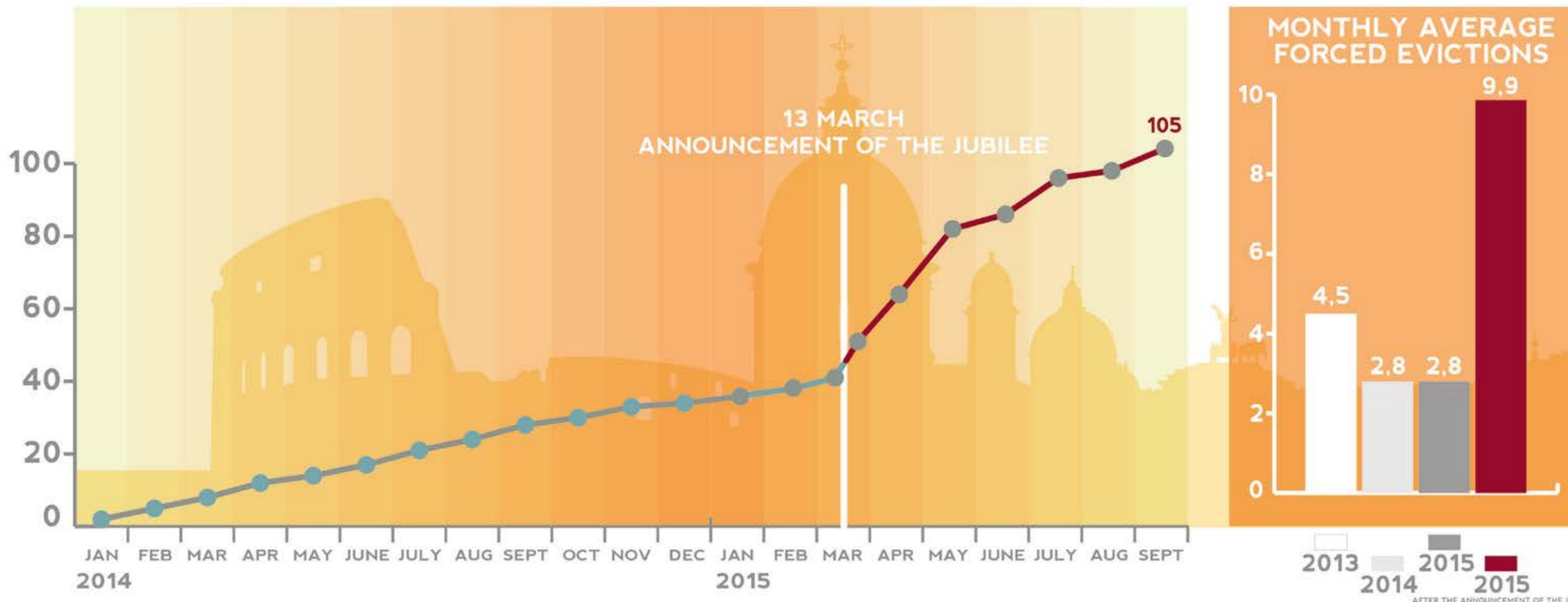
Commissioner for Human Rights of the Council of Europe, September 2012

following steps:

- Residents exasperated by the administration's total neglect of the issue, complain to the institutions through reports, letters, demonstrations and reports to the prosecutor's office.
- The complaints are channeled to the Mayor's Cabinet Office, through the districts, the municipal departments (for example the Department of Environment), politicians and the Local Police.
- Once a certain level of



FORCED EVICTIONS 2014/2015



On 13 March 2015 Pope Francis announced the Extraordinary Jubilee of Mercy. A special coordination mechanism involving the Government, the Municipality of Rome, the Lazio Region and the Vatican was set up to manage the organization of this big event which will begin on 8 December 2015 and will end on 20 November

2016, and that will bring millions of pilgrims and visitors from all over the world to the Italian capital.

Following the announcement of the Jubilee, the number of forced evictions of Roma families in Rome significantly raised, going from an average of less than three evictions per month in the first

trimester of the year, to a monthly average of almost ten from March to September 2015. Associazione 21 luglio expressed concern since the very beginning, fearing the reiteration of situations where the organization of big events in the Italian capital corresponds to a significant rise in the number of evictions.

The forced evictions carried out on the occasion of the Jubilee of 2000 for example, led many to call the event "the black Jubilee of the gypsies". Associazione 21 luglio's concerns were voiced in a formal request of information addressed to the authorities in Rome, that to date remains unanswered.

«Forced evictions of Roma and Travellers have continued in a number of European countries in recent years, including Albania, the Czech Republic, France, Greece, Hungary, Italy, Romania, the Russian Federation, Serbia, Turkey and the United Kingdom»

UN High Commissioner for Human Rights, September 2015



AN EMBLEMATIC EXAMPLE: THE REPEATED FORCED EVICTIONS IN VAL D'ALA

On 9 July 2014 some Roma families, 39 people in total including several minors and a baby, are forcibly evicted from an informal settlement nearby the Val d'Ala station in Rome. The eviction is communicated only verbally, it is not preceded by any consultations, it is not accompanied by a formal notification and people are not compensated for destroyed properties. The bulldozers demolish the makeshift dwellings and families are left on the street.

After a few days of sit-in in front of the Department of Social Policies and the

seat of District III – which had initiated the eviction – families are offered alternative accommodation at the "Ex Fiera di Roma". After 5 days without electricity and heating, on 30 November 2014 the families are repatriated to Romania. At the end of February 2015, during a routine visit, representatives of Associazione 21 luglio meet the same families who in the meantime had settled in the same spot from where they had been evicted in July.

On 14 July 2015 the same families are again evicted by the authorities and their

dwellings destroyed without notice and without a formal decision. Only temporary shelter for mothers with children is offered as alternative accommodation, a solution that is refused by the families. After four days of sit-in in front of the Department for Social Policies with temperatures reaching 40°C, the families are transferred to the "Roma gathering center" in via Salaria, a sub-standard facility which accommodates only Roma. Authorities spent an estimated 219.589€ for the above evictions.



«The eviction and clearance in via Val d'Ala of the areas of the natural reserve of Valle dell'Aniene are underway. This is an intervention implemented thanks to the coordination between the Prefecture, the Mayor's Cabinet and the District. Now, we will have to gather all citizens' and volunteer's initiatives active in the area to preserve and enjoy on a daily basis the park, so that it does not fall into complete neglect again»

Paolo Emilio Marchionne, President of District III of Rome, July 2015

Cover photo and page 4: Lorenzo Moscia/Popica Onlus
Graphic project: Veronica Schembri
Translation: Valentina Vitali

STOP FORCED EVICTIONS
DURING THE **JUBILEE!**



STOP THE BULLDOZER,
SIGN THE PETITION



#CAPITALSIN

ASSOCIAZIONE
21 LUGLIO
ONLUS

SIGN the petition to ask the Municipality of Rome to institute a moratorium on forced evictions of Roma during the Jubilee of Mercy on www.21luglio.org/en/peccato-capitale