

# URGENT ACTION



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11 November 2009

UA 304/09

Forced eviction

ITALY

Roma Community

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City authorities in the Italian capital, Rome, have forcibly evicted a community of about 400 Roma people. The majority of these homeless people, numbering some 100 families, have occupied an abandoned factory nearby. If evicted from the factory, the families face living in harsh conditions at another makeshift camp, or may even be forced to live out in the open.

According to local NGOs and media, early on 11 November, around 150 police officers evicted the families from the Via Centocelle camp, in the east of the city. All the community's shelters were destroyed and around 20 Roma men were arrested, although it is not known what charges they face. Local NGOs say that the community was never notified or consulted about the eviction, and the municipality offered short-term shelter only to some of the Roma women and small children, in the city's dormitories for homeless people. Under domestic law, the authorities should notify each individual, or publish an order or notice. However, as the order was not formalized in this way, the community could not challenge it through the courts, and stop or postpone the eviction.

The factory the families are now living in is privately owned, and therefore they could be removed from there at any time. The community includes around 140 children, 40 of whom attend schools nearby. The eviction threatens to interrupt their schooling and seriously disrupt their education.

Most of those living in the Via Centocelle camp have previously experienced at least one forced eviction. Previous forced evictions involved the destruction of shelters, clothes, mattresses, and sometimes, medicines and documents. All these evictions are believed to have been carried without the procedural safeguards required under regional and international human rights standards.

## BACKGROUND INFORMATION

For at least the last 10 years, numerous forced evictions of Roma communities have been carried out in Italy. Forced evictions became more frequent after special agreements (*Patti per la Sicurezza*) were signed by the national government and local authorities, including those of Rome, on 18 May 2007. As a result of these special agreements some powers were transferred from within the Ministry of Interior's remit to the local authorities, with the aim of addressing perceived security threats, including those supposedly posed by the presence of Roma communities in these cities.

In May 2008 a Decree by the President of the Council of Ministers (DCPM 21 May 2008) conferred emergency powers to the *Prefetti* (who are permanent representatives of the national government in the territory) for one year, in order to solve the "nomad emergency," while using a law of 1992 enacted to provide for emergency powers in case of natural disasters. This decree (which was subsequently extended by DCPM 28 May 2009) gave the *Prefetti*

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powers to derogate from a number of laws. The power can be exercised against people of any nationality who are deemed to be “nomads”. They appear to disproportionately affect Roma people.

Under international law forced evictions - which are evictions carried out without appropriate procedural guarantees, including the possibility of seeking redress through the courts, and without assurances of adequate alternative housing - are a gross violation of a range of human rights including the right to adequate housing. Evictions may be carried out only as a last resort, once all other feasible alternatives to eviction have been explored and only when all appropriate procedural protections, in accordance with international and regional human rights standards, are in place. Italy has come under severe criticism from international and regional human rights bodies, including the European Committee on Social Rights, which found Italy in violation of the European Social Charter. Italy has however failed to implement these recommendations and has on the contrary continued and in some cases escalated forced evictions of Roma communities.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:**

- Condemning the forced eviction of 400 Roma people living the Via Centocelle camp;
- Urging the authorities to ensure that all the families who were forcibly evicted are provided with adequate alternative accommodation as a matter of urgency, and compensation for all possessions they lost when they were forcibly evicted;
- Reminding the authorities that forced evictions, carried out without legal and other protections, are prohibited under international law as a gross violation of a range of human rights; in particular, the right to adequate housing.

**APPEALS TO:**

**Rome Prefetto (Representative of national government)**

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**PLEASE SEND APPEALS IMMEDIATELY.**

**Check with the AIUSA Urgent Action office if sending appeals after 23 December 2009.**