

# SNAPSHOTS FROM AROUND EUROPE



## News Roundup: Snapshots From Around Europe

The pages that follow include Roma rights news and recent developments in the following areas:

- Police brutality in **Macedonia**; and European Court judgment against **Greece**;
- Anti-Romani acts, initiatives and statements by state authorities and politicians in **Czech Republic, Finland, France, Italy, Kosovo, Romania, Serbia, Switzerland** and the **United Kingdom**;
- Compensation and/or judicial decisions in cases of discrimination against Roma in **Hungary** and **Slovakia**;
- ERRC victory against anti-Romani hate speech in the media in **Russia**;
- Roma rights legal challenges and access to justice issues in **Bosnia and Herzegovina, Czech Republic, Hungary** and **Turkey**;
- **France**'s equal treatment body sends recommendations to the Government for improving the situation of Roma and Travelers;
- European Parliament passes resolution for a European Roma Strategy;
- UN CERD highly critical of **Italy** during review;
- **Swiss** research on German speaking Roma forcibly removed from their families in 1926-1973;
- Roma, Ashkali and Egyptians in **Kosovo** face severe discrimination;
- Camp fire resulting from substandard housing conditions in **Turkey** leads to death of Romani infant and adult man;
- Romani families with EU citizenship exercising freedom of movement rights encounter problems in **Finland, Switzerland** and the **United Kingdom**.

## **BOSNIA AND HERZEGOVINA**

### **◆ Legal Challenge against the Constitutional Exclusion of Roma and Other Minorities from High Political Offices in Bosnia and Herzegovina**

According to the news portal BalkanInsight.com of 20 December 2007, the 3 cases were filed with the European Court of Human Rights in Strasbourg by citizens of Bosnia and Herzegovina seeking to change the country's constitution which discriminates against them because of their ethnic background; one of the applicants was a Romani man. Under the Dayton Constitution, Bosnia's

tripartite Presidency consists of one Serb, one Bosniak and one Croat representative. The president and two vice-presidents in the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska, are elected on a similar basis, and similar arrangements apply to other senior appointments, the theoretical object being to ensure equal representation of the constituent peoples. However, the same arrangements exclude those citizens who are not counted as "constituent persons" and are classified in the Constitution as "Others" including Roma, from being elected to the highest political offices (for more detail,

see the ERRC report "The Non-Constituents: Rights Deprivation of Roma in Post-Genocide Bosnia and Herzegovina" at: <http://www.errc.org/cikk.php?cikk=112>).

Bosnia and Herzegovina's Constitution commits the country to adherence to the European Convention on Human Rights. Bosnia and Herzegovina ratified Protocol 12 of the Convention, which plainly sets out that that electoral procedures for official posts must ensure equal treatment for all citizens, allowing all citizens to vote and all citizens to stand for election. (BalkanInsight.com)

## **CZECH REPUBLIC**

### **◆ Long Battle Continues for Romani Forced Sterilisation Victims in Czech Republic**

According to a report by Radio Prague of 13 December 2007, members of the Czech Human Rights Council were to vote on whether to propose that the government grant a public apology and financial compensation to Romani women, victims of coercive sterilisation, both under the former communist Czechoslovak government and following establishment of the democratic Czech Republic. According to Radio Prague, this was the third attempt to obtain governmental approval for reparation to be granted to all victims of coerced sterilisation practices in the country. The Council proposed

financial compensation of up to 200,000 Czech crowns (approximately 7,950 EUR) for individual victims. As of the end of February, the Czech government had not issued any form of apology or acknowledged the recommendation to provide the sterilised Romani women with compensation.

However, on 10 December 2007, one victim of coercive sterilisation, Ms Cervenakova, represented by the ERRC and the Czech League of Human Rights, was successful in her legal challenge and the Ostrava Regional Court awarded her compensation of 500,000 Czech crowns (approximately 19,870 EUR). However, the Ostrava City Hospital against whom the case was brought appealed the decision. For

further information on coerced sterilisation practices targeting Romani women and actions in support of the victims, see: <http://www.errc.org/cikk.php?cikk=2228>. (ERRC, League of Human Rights, Radio Prague)

### **◆ Czech Courts Fail to Recognise Burning of Romani Man as Racially-Motivated; Other Access to Justice Concerns**

According to a 24 November 2007 article on the Czech news website aktualne.cz, a Czech court ruled that the burning of a Romani man to death was not racially-motivated. The main perpetrator of the heinous act, in which a young homeless Romani man lost his life, was sentenced to 13 and a half years imprisonment.

Three co-accused men received only suspended sentences of 1 year imprisonment. aktualne.cz quoted the prosecutor in the trial as having stated, “Even though I have a reason to believe that the defendants are members of skinhead movement or some other extremist group, I do not propose to qualify their act as racist.”

In other news, on 15 November 2007, the Czech Romani informational service Romano Vodi reported that the Trutnov District Court issued suspended prison sentences to 3 men who police said attacked and brutally beat a group of Roma in Svoboda nad Upou, eastern Bohemia, one year earlier. The accused men – Petr Mysak, Lukas Pivko and Kamil Bazant – each received suspended sentences of between 9 months and 1 year 3 months imprisonment. According to Romano Vodi, on the date of the attack, the perpetrators arrived armed at a bar in Svoboda nad Upou because a waitress, reportedly their friend, complained that several Romani clients were making noise and behaving as if “they were at home”. Romano Vodi quoted the

state attorney as having stated that Mr Bazant was the first to attack the Roma while shouting racist insults at them. The brutal assault lasted some five minutes in the pub before it continued on the streets of Svoboda nad Upou.

The above rulings follow a long-standing practice in Czech courts to ignore and leave unpunished or under-punished the racial motives in crimes against Roma. For further information on access to justice issues in Czech Republic, visit the ERRC website at: [www.errc.org](http://www.errc.org). (aktualne.cz, Romano Vodi)

#### ◆ Czech Politician Cunek Insults Roma Again

On 14 January 2008, radio.cz published an article quoting controversial Czech Christian Democrat leader Jiri Cunek at a party conference stating that the social integration of Roma can only succeed where “the dependence on traditional family structures” can be weakened. As reported by radio.cz, Mr Cunek believes that close-knit, insular Romani families living on social security are contributing to their

own social exclusion. Mr Cunek reportedly stated that the cushion provided by the Romani family acts as a counter-incentive to venturing into mainstream society and finding gainful employment. On 1 November 2007, radio.cz quoted Mr Cunek recommending quick court proceedings, for instance expelling rent-defaulters from flats, as one option for changing the situation; stating “The irresponsible must be taught responsibility.”

These remarks are the most recent in a series of anti-Romani statements and actions by Mr Cunek. In 2006 and 2007, Mr Cunek was heavily criticised by Romani organisations and other human rights activists for making racist statements about Roma and for having forcibly evicted and relocated a group of Roma from dilapidated housing and relocating them to other substandard forms of housing; some hundreds of kilometres away. For further information on Mr Cunek’s record on Romani issues, please see: <http://www.errc.org/cikk.php?cikk=2820&archiv=1> and <http://www.errc.org/cikk.php?cikk=2770&archiv=1>. (ERRC, radio.cz)

### EUROPEAN UNION

#### ◆ European Parliament Passes Resolution for a European Roma Strategy; Launch of European Roma Policy Coalition

On 31 January 2008, the European Parliament passed a resolution on the need for a European strategy on Roma. The Resolution acknowledged

that the 12 to 15 million Roma living in Europe, some 10 million of whom live in the European Union, suffer racial discrimination and in many cases are subject to severe structural discrimination, poverty and social exclusion, as well as multiple discrimination on the basis of gender, age, disability and sexual orientation. The

Resolution also noted that anti-Gypsyism and Romaphobia is still widespread in Europe and is promoted and used by extremists, which can culminate in racist attacks, hate speech, physical attacks, unlawful evictions and police harassment.

In its Resolution, the European Parliament:

- Urged the new Agency for Fundamental Rights to place anti-Gypsyism amongst the highest priorities in its work programme;
- Called upon the European Commission to establish a Roma unit to coordinate implementation of a European framework strategy on Roma inclusion, facilitate cooperation between the Member States, coordinate joint actions between Member States and ensure the mainstreaming of Romani issues throughout all relevant bodies;
- Urged EU Member States to solve the problem of Romani camps, “where there are no hygiene or safety standards and where a large number of Romani children die in domestic accidents, particularly fires, caused by the lack of such standards;” and
- Urged EU Member States to combat the exploitation of Romani children through forced begging and school absenteeism and to make equal opportunity a relevant and accountable factor in the release of EU funding into private investments.

The Resolution of the European Parliament came on the heels of the establishment of a coalition of European Romani

and non-Romani organisations whose aim to lobby for the adoption of an EU framework strategy on Romani inclusion. Members of the European Roma Policy Coalition (ERPC) include the ERRC, the European Roma Information Office, the Open Society Institute, the European Roma Grassroots Organisation, Amnesty International, Spolu International, the European Network Against Racism and Minority Rights Group International. The official launch of the Coalition took place in Brussels on 6 March, followed by meetings with the European Commission DG Employment and Social Affairs Commissioner Vladimir Spidla. (ERRC, European Parliament)

## FINLAND

### ◆ **Finland Joins European Trend of Targeting Romanian Roma on Child Welfare Grounds**

According to a report published on 11 February 2008 by the Finnish newspaper Helsingin Sanomat, for reasons relating to “child welfare”, the Helsinki Social Services Department have started deporting a group of Romani mothers from Romania and their children back to their native country. A media scandal erupted on this issue in Finland after a 17-year-old Romanian Romani woman gave birth as Helsinki’s child welfare authorities had decided that she and her family must return to Romania on child welfare grounds. A week earlier, another Romanian Romani woman

and her daughter had been escorted by child welfare authorities by plane to Romania.

According to Helsingin Sanomat, the Finnish Minister of Migration and European Affairs, Ms Astrid Thors, favours the decision to return the female Roma concerned and their children back to Romania, reportedly because “the other alternative of taking the children into custody is problematic”. Finnish child welfare authorities have targeted the Roma in question due to their alleged involvement in begging, Helsingin Sanomat reported, while there was no indication of the in/ability of the families concerned to actually provide for their children.

In its article, Helsingin Sanomat highlighted that Romanians have a legal right to stay in Finland under EU freedom of movement rules, while pointing out that Helsinki police had previously deported Romanians found guilty of crimes committed in Finland, which leads the reader to link Romanian Roma with crime, regardless of their involvement in criminal activities.

The happenings in Finland are part of a wider trend in Western European countries to target Romanian Roma in police and child welfare service actions, during which children are frequently removed from their family’s care but returned after a short time. (Helsingin Sanomat)

## FRANCE

### ◆ **French Government Expels Romanian Roma**

In December 2007, Ms Letitia Mark, Director of the Association of Gypsy Women “For Our Children” (AGW), reported to the ERRC that 150 persons had, on 12 December 2007, been “repatriated” from France, including 120 Roma. The French Government reportedly provided each adult deportee with 300 EUR, while minors were given 100 EUR, then expelled them and barred them from returning to France for at least 3 months. According to Ms Mark, the French government did not explain the reasons for the deportation, but rather had indicated that the deportees had left the country of their own accord, which Ms Mark stated was untrue.

According to a report by france-info.com of 7 January 2008, France fell just short of a controversial target to deport 25,000 illegal immigrants in 2007, according to figures released that day by Immigration Minister Brice Hortefeux. Mr Hortefeux was quoted as having stated that French authorities deported between 23,000 and 24,000 immigrants in 2007 as part of a clampdown on illegal migration first launched when newly-elected President Nicolas Sarkozy was Interior Minister.

Romania acceded to the European Union in January 2007, and its citizens have a legal right to stay in France under EU free movement of citizens’ rules. However, since early 2007, Western European

countries have devoted significant attention to the presence of Romanian Roma in their countries, targeting them in violent police actions and on child welfare grounds, often removing the children from their families for short periods of time. No other group of EU citizens living in Western European countries has received such widespread negative attention. (Association of Gypsy Women, france-info.com)

### ◆ **French Equal Treatment Body Sends Recommendations to the Government, Saying Discrimination against Travelers an “Everyday Phenomenon”**

According to the High Authority for the Fight Against Discrimination and for Equality (HALDE), the French equal treatment body, the approximately 300,000 Travelers living in France are institutionally discriminated against on grounds of their origin in many fields of the everyday life. On 17 December 2007, the authority transmitted recommendations to the French Prime Minister, the Minister for Education and to the Commission nationale consultative des droits de l’homme (CNCDH – the National Consultative Commission on Human Rights) on a variety of different issues such as national I.D. acquisition, schooling of Romani and Traveler children, the process of inscription into electoral rolls which restrict the voting rights of Travelers, circulation authorisation on the territory imposed upon Travelers and the

controls of which they are the object. The main recommendations were as follows:

- HALDE appears to attach significant attention to the issue of circulation documents. It provides an overview of the legal instruments regulating the possession of such document by Travelers only. It then goes on to note that the imposition of sanctions to Travelers for e.g. non validation or the very onerous conditions laid down appear to be in contravention, *inter alia*, of Article 14 (prohibition against discrimination) of the European Convention of Human Rights read in conjunction with Article 2 of the Protocol to the Convention regarding freedom of movement. HALDE recommended an overhaul of the relevant framework.
- Concerning the acquisition of a national I.D., HALDE recommended that Travelers should be given I.D. cards (specifying that no mention should be made of their ethnic origin or other pieces of information that could indirectly lead officials to identify them as Travelers).
- Concerning voting rights, HALDE requested that the government abolish the different legal framework regarding electoral rights of Travelers, noting that it appears to violate a series of domestic and international provisions, including Article 14 of the European Convention of Human Rights in conjunction with

Article 3 of Protocol 1 to the Convention (right to vote freely).

- Concerning education, HALDE noted that it has been seized with numerous applications regarding the refusal of local authorities to admit Traveler children to their schools. Although as HALDE observes there are no reliable figures concerning this issue, the situation gives rise to “serious concerns” and no prospects of improvement are in sight.
- On a more general note, HALDE requested that the 2000 Besson Law be implemented effectively, which would enable solutions to many of the accommodation problems experienced by Travelers if implemented effectively.

At the time of submitting its recommendations, HALDE requested to be informed within 6

months of any actions taken pursuant to its recommendations. The ERRC has published several full length reports in the past few years will illucidate the problems which HALDE refers to above. For more information on the situation of Roma and Travelers in France, see the ERRC reports *Always Somewhere Else: Anti-Gypsyism in France* (<http://www.errc.org/cikk.php?cikk=2421>) and *Social Inclusion Through Social Services: The Case of Roma and Travelers* (<http://www.errc.org/cikk.php?cikk=2737>). (ERRC, HALDE)

#### ◆ **Respite for French Municipalities, No Respite for Roma**

In yet another step that upsets the delicate balance established by the 2000 Besson Law relating the provision of halting sites for Travelers, the French Government proceeded by virtue of

Article 138 of Law 1822/2007 to extend the time limit for municipalities to comply with its provisions until 31 December 2008. This is in fact the second time such an extension has been granted to municipalities who have effectively failed to set up halting sites for Travelers. The “penalty” for these municipalities which will benefit from the new extension will be that the subsidy to be paid by the French state will be lowered from 70% to 50% of the total cost. At the same time, however, these municipalities will also be able to make use of the draconian eviction measure laid down in the 5 March 2007 Law Relating to the Prevention of Delinquency, something that they formerly could not. In other words, even those municipalities that have not provided Travelers with an alternative relocation site are now able to ask the Prefect to proceed with the eviction of Travelers without first securing a judicial decision to that effect. (ERRC)

## GREECE

#### ◆ **European Court Finds Greece Responsible for Police Assault of Pregnant Romani Woman**

According to 6 December 2007 press release of the Greek Helsinki Monitor, the European Court of Human Rights (ECHR) found Greece in violation of the European Convention for the Protection of Human Rights and Fundamental Freedoms in a case in which Greek police assaulted a pregnant Romani woman in 2002. The assault took place on 28 January 2002 during a police raid of the Nea

Zoe Romani settlement in the town of Aspropyrgos in the Attica region, in an apparent search for drugs. According to research conducted by the ERRC and GHM in partnership at the time, Ms Yannoula Tsakiris, a 21-year-old Romani woman, who was in the early months of pregnancy, was reportedly standing outside one of the sheds, along with her grandmother and a 13-year-old disabled boy who could not walk. One of the officers allegedly shouted at the boy to stand up, and grabbed him to lift him when he did not

comply. Ms Tsakiris reportedly informed the officer that the boy was disabled and could not walk and that she was pregnant. Ms Tsakiris stated that the officer then dropped the boy and shouted insults at Ms Tsakiris, kicking her in the lower back, which caused her to fall to the ground.

The day after the raid, the ERRC/GHM met with Ms Tsakiris, who began bleeding shortly after the officer kicked her; Ms Tsakiris was still bleeding the day after. On 1 February 2002, Ms Tsakiris

suffered a miscarriage while still in hospital. On the same day, GHM submitted a complaint against the police on behalf of Ms Tsakiris, which moved through various levels in Greece before being filed with the European Court of Human Rights (for further information on this case, see:

<http://www.errc.org/cikk.php?cikk=755&archiv=1>).

On 6 December 2007, the ECHR found Greece in violation of Article 3 (prohibition of torture) and Article 14 (prohibition of discrimination) for the treatment suffered by Ms Tsakiris. With this latest case,

Greece has now been convicted in seven cases of police violence before the European Court. The first ever ruling, issued on 13 December 2005, concerned the beating of Mr Lazaros Bekos and Mr Eleftherios Koutropoulos in May 1998, another case filed by the ERRC and GHM. (ERRC, GHM)

## HUNGARY

### ◆ Human Rights Groups Seek Disbandment of Far-Right Racist Group in Hungary

According to the Hungarian News Agency (MTI), on 9 December 2007 over 300 members of the ultra-right paramilitary group Magyar Garda staged an anti-Romani demonstration in Tatarszentgyorgy, a small town near Budapest with a sizable Romani population. At the same time, Mr Biber Jozsef, deputy head of the far right political party Jobbik, which assisted in the formation of the Magyar Garda, was quoted in national Hungarian newspaper Nepszabadsag as saying "It is the layer of the Gypsy community that lives in a subculture at the level of the caveman degenerated through incest that breeds Gypsy crime." Magyar Garda is a paramilitary group established in August 2007 with the stated purpose of protecting Hungarian culture and the Hungarian nation.

MTI reported that the Hungarian cabinet condemned the group, stating in a press release: "We support all compatriots who have been frightened by the hate

speech and actions, and assure them that as leaders of Hungary's government we will do everything in our power to protect them all from exclusion and any direct expression of hatred."

On 13 December 2007, the ERRC and the Legal Defence Bureau for National and Ethnic Minorities (NEKI) submitted joint requests to the Hungarian Prosecutor General and Chief of Police of Hungary regarding racist, anti-Romani activities of the Magyar Garda. In their request to the Chief of Police of Hungary, the ERRC and NEKI requested that the activities of Magyar Garda be monitored and that explicitly anti-Romani demonstrations and other activities be stopped. In their letter to the Hungarian Prosecutor General, the ERRC and NEKI asked that Magyar Garda's registration documents be reviewed according to the actual and racist activities of the group and that the Prosecutor General seek the revocation of the Garda's permit (the full text of the letters can be viewed at:

<http://www.errc.org/cikk.php?cikk=2928>).

A trial took place on 12 March 2008, at which the proposed ban of Magyar Garda's activities was reviewed. The ERRC attempted to attend

the trial, however Magyar Garda members prevented anyone not a part of Magyar Garda from entering the court. A new hearing was set for May 2008.

The Christian Science Monitor reported on 13 February 2008 that Budapest Mayor Gabor Demszky called on municipal officials across the country not to attend the events of Magyar Garda, while Hungary's president, Mr Laszlo Solyom, described Magyar Garda's rallies as "immensely damaging", and Prime Minister Ferenc Gyurcsany called them "the shame of Hungary." (Christian Science Monitor, ERRC, MTI)

### ◆ Hungarian School Desegregation Efforts Failing

The national Hungarian newspaper Nepszabadsag reported on 3 January 2008 that sociologists researching the recent increase in government funds for local schools to eradicate the classroom segregation of Romani pupils claim that the funding has had negligible, if not negative, results so far. According to the article, schools taking part in the government's so-called



integration programme, which qualify for extra funding, end up stigmatised. Middle-class (non-Romani) par-ents end up withdrawing their children, sending them to better schools elsewhere.

Researchers further suggested that some schools have applied for a range of at times conflicting programmes in order to secure extra income. In some cases, these schools reportedly try to attract as many poor and disadvantaged children as possible in order to secure a better financial situation but then pay lip service to incorporating new teaching methods and integrating pupils, the researchers found.

School desegregation efforts by the national government in Hungary have been amongst the strongest in the Central European region, which is plagued by the widespread

segregation of Romani children in substandard schools and in schools and classes for disabled children. However, their efforts have yielded worrying results, according to researchers, due to barriers set at the local level to the actual achievement of integrated education for Romani children. For further information of the impact of government policies to desegregated schools in Hungary and other Central European countries, see the ERRC report “The Impact of Legislation and Policies on School Segregation of Romani Children” at: <http://www.errc.org/cikk.php?cikk=2743>. (ERRC, Nepszabadsag)

#### ◆ Hungarian Pizzeria Fined for Refusing Service to Roma

All Hungary News (AHN) reported on 19 December

2007 that the Hungarian Equal Treatment Authority (EBH) imposed a 600,000 Hungarian forint (approximately 2,250 EUR) fine on a pizzeria in Jaszapati, in Jasz-Nagykunszolnok County, for not serving Romani customers. The news service reported that the owner of Guri Pizzeria, Mr Imre Urban, placed a sign outside the establishment in November 2006 that said: “We don’t serve Gypsies.” Mr Urban claimed that he had asked local police before putting up the sign whether it was acceptable, and he was told that he could display it. However Police Spokeswoman Agnes Kovacs Pasztorne was quoted in AHN as having stated that the police did not authorise the placement of the sign. (AHN)

## ITALY

#### ◆ Italian Pacts for Security and Emergency Decrees on the Expulsion of EU Nationals Heighten Forced Eviction and Hate Speech against Roma; UN CERD Highly Critical During Italy Review

Monitoring of Italian media and first-hand research in Romani camps by the ERRC and its partner organisations osservAzione and the Centre on Housing Rights and Evictions (COHRE) since the fall of 2007 indicate that the so-called “Pacts for Security” adopted in Italy in 2006 and 2007 (for background information on the Pacts, see: <http://www.errc.org/c>

[ikk.php?cikk=2796&archiv=1](http://www.errc.org/cikk.php?cikk=2796&archiv=1)) and two emergency decrees on the expulsion of EU nationals have primarily impacted immigrant Romani communities in Italy; in particular, Roma from Romania.

Since the adoption of the Pacts for Security, Italian authorities have regularly conducted raids on Romani camps, often forcibly evicting Roma from their homes throughout the country. Information gathered by the ERRC and its local partners indicate that, in many instances, affected individuals are neither provided with due process, nor with alternate accommodation, and their personal property is often

destroyed by police during said evictions. The rates of evictions have been made worse with the enactment of 2 emergency decrees regulating the expulsion of EU nationals from Italy. Enacted following the violent death of an Italian woman for which a Romani man was suspected, anti-Romani media attention surrounding the emergency decrees reached hysterical levels near the end of 2007, and lead to an intensification of the situation of police harassment and forced evictions experienced by Roma living in Italy.

On 4 November 2007, the Italian national newspaper

Corriere della Sera published anti-Romani statements by Mr Gianfranco Fini, leader of the right wing political party National Alliance, made 3 days after the arrest of a Romanian Romani man in the suspected murder of the Italian woman in Rome. According to Corriere della Sera, Mr Fini said Gypsies [Roma] considered “theft to be virtually legitimate and not immoral” and felt the same way about “not working because it has to be the women who do so, often by prostituting themselves.” He was quoted as having he claimed that Roma “have no scruples about kidnapping children or having children [of their own] for the purposes of begging.” Mr Fini reportedly added that, “To talk of integration with people with a ‘culture’ of that sort is pointless.”

On 2 November 2007, Mr Franco Frattini, Vice President of the European Commission and responsible for Justice, Freedom and Security, was quoted by the Italian newspaper *Messaggero* as having stated: “What one must do is simple. One goes into a nomad’s camp in Rome [...] and one asks those who live there: what do you live by? If his answer is ‘I don’t know,’ one sends him back to Romania. This is the way the European Directive works. Simple and effective. And Romania cannot say: I will not take them back since it is obliged by the fact itself of being an EU member State. Then one must go on and destroy immediately all nomad’s camps, just like France did: expulsion and destruction of all shantytowns.”

Civil society organisations in Naples reported on 1 December

2007 that circa 50-70 Romanian Romani women, men and children had been evicted from an unused former psychiatric hospital called “Frullone”. The Roma concerned were rendered roofless by the eviction.

The mainstream Romanian television station ProTV broadcast the wholesale destruction by public officials with bulldozers and other heavy machinery on 25 November 2007 of two Romani settlements in Rome. A number of the camp’s inhabitants were reportedly forcibly expelled from Italy; the rest were issued with expulsion orders and instructed to expel themselves; a further group of the Roma concerned were left homeless by the forced eviction.

During a 13 November 2007 interview with the ERRC in Rome, Mr S., a 19-year-old Romani man born in Italy to Montenegrin parents, stated that at 7:00 AM on 30 October Italian police destroyed 7 containers in Rome’s Gordiani authorised camp belonging to Roma from the former Yugoslavia. Police had notified the inhabitants 2 days prior to the eviction. According to Mr S., the police stated that the containers, 2 of which were lived in at the time, had been used for drug trafficking purposes. Mr S.’s family, who had in the past been involved with drugs but had for some time reportedly been out of the business, lived in one of the destroyed containers.

The “Pacts for Security” and the emergency decrees have led to whole Romani settlements being dismantled; and Romani-looking persons throughout

Italy have been subjected to rigorous document checks, presumably for the purposes of determining whether they should be expelled from Italy.

With regard to the application of the emergency decrees, human rights organisations have raised serious concerns about the numbers and profiles of persons expelled within the context of the decrees; however, very little clear information has been made public by Italian officials. As of the end of December 2007, more than one hundred persons had reportedly been expelled from Italy, and at least 1,000 Romani homes in Rome alone had been summarily destroyed by Italian authorities, forcibly evicting the inhabitants.

Mr S.’s testimony illustrates several points of concern which are common to many Romani individuals in Italy: “suspected” criminals and their entire families are targeted during eviction operations by police; in addition, as Mr S. stated, police do not attempt to gather evidence of crimes during their raids on camps but rather seek to punish “suspects” before they are found guilty.

In January 2008, the ERRC, COHRE, *osservAzione* and the Romani organisation *Sucar Drom* submitted a parallel report to the UN Committee on the Elimination of All Forms of Racial Discrimination on the situation of Roma and Sinti in Italy for the Committee’s February 2008 review of Italy. The report, which focused mainly on these issues, was very well received by the Committee, which took quite seriously Italy’s mistreatment of Roma.

On 7 March 2008, the Committee released its Concluding Observations on Italy, which focused almost entirely on the problems highlighted by the ERRC and its partners. The Committee issued a series of recommendations for the Italian government, including the following:

As regards the issue of hate speech, CERD noted that the “State party should increase its efforts to prevent racially motivated offences and hate speech, and ensure that relevant criminal law provisions are effectively implemented. [...] It also recommends that the State party take resolute action to counter any tendency especially from politicians to target, stigmatize, stereotype or profile people on the basis of race, colour, descent, and national or ethnic origin or to use racist propaganda for political purposes.” It also recommended that the media be encouraged to “play an active role in combating prejudices and negative stereotypes which lead to racial discrimination and that it adopt all necessary measures to combat racism in the media” The Committee also requested that the Italian government adopt a code of conduct of journalists.

Regarding the prevailing pattern of police ill-treatment and forced evictions of Roma living in camps, the Committee recommended that the Italian government, “take measures to prevent the use of illegal force by the police against Roma, and that the local authorities take more resolute action to prevent and punish racially motivated acts of violence against Roma and other persons of foreign origin.” Further, the Committee condemned the racial segregation of Roma in the field of housing, and recommended that the government “act firmly against local measures denying residence to Roma and the unlawful expulsion of Roma, and to refrain from placing Roma in camps outside populated areas that are isolated and without access to health care and other basic facilities.

Finally, the Committee called on the Italian government to “adopt and implement a comprehensive national policy as well as legislation regarding Roma and Sinti with a view to recognizing them as a national minority and protecting and promoting their languages and culture” and “strengthen its efforts to support the inclusion in

the school system of all children of Roma origin and to address the causes of drop-out rates [...]” (ERRC, COHRE, osservAzione, ProTV, Sugar Drom )

#### ◆ **Councillor Quits After Call for Separate Buses for Romani Children in Italy**

According to the French Press Agency (AFP) of 13 January 2008, a Rome city councillor was forced to resign by his own party on the same day after calling for separate school buses for Italian and immigrant Romani children. Mr Lucio Conte, a member of the Communist party for Rome’s 7<sup>th</sup> district, lined up with right-wing colleagues in attempting to support the proposition. Quoted by AFP, Mr Conte said parents had complained that Italian and Romani children had been fighting on the buses in his district. In a welcome rebuke, Rome’s Mayor Walter Veltroni reacted with indignation, saying: “Children are all equal [...] and they must continue to travel to school together.” (AFP)

## **KOSOVO**

#### ◆ **Roma Discriminated against on Public Transport in Kosovo**

During an interview with the ERRC and the Roma and Ashkalia Documentation Centre (RADC) in December 2007, Mr F.M., a 21-year-old Romani man, reported that

Roma in Kosovo experience discrimination in access to public services. According to Mr M., on 4 December 2007, he and Mr A.M. were made to pay bus fare to travel from the central Kosovo village of Plemetina to the Serbian enclave in Gracanica, while two ethnic Serb passengers who

boarded at the same time were not. Mr M. and Mr M. told the ERRC/RADC that they had protested their treatment, but without result. Two days later, Mr F.M. was taking a train from Plemetina to Mitrovica, riding beside an ethnic Albanian man. Again, the train conductor demanded that Mr M. pay for

his ticket while allowing the Albanian passenger to travel for free. (ERRC, RADC)

### ◆ RAE Returnees in Kosovo Face Desperate Situation

According to research conducted by the ERRC and the Roma and Ashkalia Documentation Centre (RADC) on the situation of Roma, Ashkali and Egyptians returned to Kosovo from Western European countries, little to no support is available to help persons forced to go back to Kosovo resettle.

The ERRC and RADC interviewed Mr B.B., a 65-year-old father of 3, who along with his family was forcibly repatriated from Germany in 2002. After 5 years, Mr B.'s family has no source of income they continue to live in an old and deteriorating shelter in the municipality of Istog, in the Peja region. Another returnee, Mr D.K. and 4 members of his 8 member family were returned to Kosovo on 11 December 2007 after having lived in Germany for 17 years. Mr K. and his family were returned to the village of Cerrc where they lived before the war, but during

the Kosovo conflict, their home was destroyed.

The situation of RAE returnees in Kosovo is particularly worrying in light of Kosovo's recent declaration of independence and the expected flood of Romani, Ashkali and Egyptian asylum seekers back to Kosovo as Western European governments take the opportunity to deport RAE in their countries. Kosovo authorities are clearly unable to cope with those RAE already returned, and many of those RAE in Kosovo have found themselves without any real support and living in desperate conditions.

According to information published by the Kosovo Roma Website (KRW) on 10 December 2007, the German green party and the refugee organisation Pro Asyl asked the German government for a six month moratorium on forced repatriations to Kosovo. KRW quoted Germany Green Party leader Claudia Roth as having declared that people belonging to ethnic minorities are particularly affected by the lack of stability. Director of Pro Asyl, Günther Burkardt, stated that there are currently

some 23,000 Kosovo Roma in Germany. (ERRC, KRW, RADC)

### ◆ Kosovo Roma Fleeing in Fear

According to a December 2007 report by the Roma and Ashkalia Documentation Centre (RADC), Roma started to leave Kosovo fearing an outbreak of new violence in the country. RADC reported that at least 7 Romani families had left the Serbian enclave in Gracanica where they had been living. According to RADC, the Roma were fleeing in fear that they would become targets of violent attacks following a unilateral declaration of independence by Kosovo's ethnic Albanian leaders, which happened on 17 February 2008. Many Roma have expressed concern that the neither the international forces stationed in the country nor the local military will offer them any protection. The Romani community in Gracanica is one of the largest remaining Roma communities in Kosovo. An estimated 4,000 Roma live there, many of the former residents of the destroyed Romani Mahala in Pristina. (RADC)

## MACEDONIA

### ◆ Romani Man Who Won Police Assault Case before European Court of Human Rights Beaten by Macedonian Police Again

The Macedonian Roma Association "Cerenja" reported that on the evening of 2

November 2007 in the town of Stip, local police took a 16-year-old Romani youth named Turkmen and 45-year-old Perusan Jasar into custody on the basis of unproven accusations of theft. At the entrance of the police station, an unknown police officer reportedly hit Mr

Jasar on the head, then grabbed his head and continued to hit him. A short time later, 2 other unknown police officers began to assault the victim, Cerenja reported. According to Cerenja, the police also hit Turkmen on the head during this time. At one point, an officer took Mr Jasar

into the washroom, where he continued to assault him.

Later, Mr Jasar's wife arrived at the station, where she was verbally abused by police officers. A short time after that Mr Jasar's screams for help went silent; one of the officers in the washroom was reportedly heard calling for an ambulance. Cerenje reported that upon arrival at the local hospital,

Mr Jasar was unconscious and had sustained serious injuries, including two broken ribs. Mr Jasar was hospitalised for 2 days before he was released.

This was the second time that police had brutally beaten Mr Jasar; 9 years ago Mr Jasar suffered a similar assault and in February 2007 won a court case against the Macedonian government at the European

Court of Human Rights, where he had been represented by the European Roma Rights Centre (details of this case are available at: <http://www.errc.org/cikk.php?cikk=2815&archiv=1>).

According to Cerenje, Mr Jasar believed that some of the same officers were involved in this latest incident. As of March 2008, Mr Jasar was pursuing a new legal case against the police officers. (Cerenje, ERRC)

## ROMANIA

### ◆ **Romanian Anti-Discrimination Body Refuses to Sanction Anti-Romani Speech by Politician**

According to the online news source Divers of 19 November 2007, Romania's National Council for Combating Discrimination (NCCD) decided to abstain considering a

complaint submitted by the Romani organisation Romani CRISS on anti-Romani speech by a prominent Romanian politician. Romani CRISS filed the complaint against Foreign Minister Adrian Cioroianu's statement that he was "thinking about buying a piece of Egyptian desert to send there all criminals", referring to Roma during the highly-charged media

scandal about Romanian Romani immigrants in Italy in the fall of 2007. According to Divers, the NCCD refused to investigate the complaint, stating that it had already made its opinion on the case known when it publicly condemned the statement and would therefore not investigate. Mr Cioroianu therefore goes unpunished for his serious anti-Romani comments. (Divers)

## RUSSIA

### ◆ **ERRC Victory against Anti-Romani Hate Speech in Russian Media**

On 28 February 2008, the Public Collegium of the Russian Union of Journalists (Collegium) made public a decision against the Russian national television station First Channel (ORT) concerning the spread of anti-Romani sentiment. The Collegium's decision, issued on 22 February 2008, relates to a complaint filed by the ERRC on 23 July 2007 against ORT General Director Mr Konstantin Ernst following the broadcast of a

programme entitled "Man and the Law" on 8 February 2007.

The substance of the complaint related statements made by the anchorman, a Mr Pimanov, who stated, "[...] today we shall talk about the other Roma, whom you meet on the train stations, in trains, in subway. You have to know only this – they are the members of organised criminal groups." Mr Pimanov then asserted that despite the existence of different groups of Roma, all of them are entirely criminals: "Romani women, whom Rustem Davidov (the journalist of a broadcast)

interviewed conducting a special operation, are called kalderary on a criminal slang. There are also lovari – resident thieves, servi – pickpockets, ungri, vlakhy, plaschuny, and cherni. Davidov was lucky that there were no plaschuny near kalderary. Those could kill, not merely rob". For further details on this case, please visit the ERRC website at: <http://www.errc.org/cikk.php?cikk=2733&archiv=1>.

The ERRC filed its complaint after first having sent a letter of concern on 19 March 2007 to Mr Ernst, copied to the

Federal Administration of Rosohrancultura, which was not answered.

During the proceedings, in which the ERRC was represented by Ms Irina Sergeeva of the Moscow Helsinki Group, Mr Ernst denied having received “any claims regarding the programme, or in particular mentioning of the people of Roma ethnicity”. Ms Nadezhda Demeter, a Romani activist from Moscow, gave testimony during the proceedings, stating that “such statements are very harmful for Roma.”

In its decision, the Collegium, taking into account all arguments:

1. Considered the programme to be an insulting gesture towards Roma, in particular as broadcasted by First Channel.
2. Suggested First Channel should consider coming back to this topic in future segments of “Man and the Law” and explain the previous segment in order to avoid the development of hostile attitudes toward Roma.
3. Suggested the journalists should respect the professional and ethical rules and avoid intolerant statements in their publications and programmes related to race, sexual orientation, language, religion etc.
4. Requested that First Channel and Ostankino, its partner in the proceedings, discuss the decision with their staff and inform the Collegium of the results of their discussion.
5. ORT was further requested to publish the Collegium’s decision in the Russian magazines “Journalist” and “Information Law”, discuss the decision with journalism students at the Moscow State University, and inform the Federal Administration of Rosohrancultura and Commission of the Public Collegium of the Russian Federation on Communication, Information Politics and Freedom of Speech in the media about the decision. (ERRC)

## **SERBIA**

### **◆ Serbian Authority “Wishes” to Put Romani Community Behind Barbed Wire**

Mr Dragan Jovanovic, President of the municipal council in the northern Serbian city of Topola, was quoted on 8 December 2007 by the Serbian radio station B92 as having stated that he wished he could put a planned Romani community “behind barbed wire.” At an official presentation of the

Sumadija municipality, Mr Jovanovic said that the new Romani community would be put behind barbed wire to prevent them walking the streets. He was further quoted by the newspaper as saying “I can’t allow Roma into the centre of the town” and that he “guarantees” that the townspeople “won’t have any undesired contact with them.”

Mr Jovanovic’s statements were made at a time when anti-Romani speech by public

officials in Europe was at its peak, with similar statements coming out of Italy, Romania and Czech Republic, to name a few. At the same time, most statements go unpunished and result in widespread anti-Romani sentiment in society. For further information on hate speech against Roma, please visit the ERRC website at: [www.errc.org](http://www.errc.org) and search thematically for “hate speech”. (B92)

## **SLOVAKIA**

### ◆ **Slovak Court Finds Café Owner Guilty of Racial Discrimination**

On 29 January 2008, the Slovak organisations Poradna and Nova Cesta announced that an access to public accommodation case involving Roma was being reviewed for the second time by the District Court in Michalovce. The incident happened in April 2005, when three Romani activists were denied an access to a local café called IDEA, in Michalovce, Eastern Slovakia. The café personnel claimed that the café was a private club

and thus, in order to enter it, patrons had to purchase “club membership”. However, white patrons were served without such membership cards and the alleged club membership served only as a disguise to prevent Roma from entering the café. After the incident, the case was filed with to the District Court in Michalovce which issued its first decision 31 August 2006. Originally, the District Court partially ruled in favour of the Romani complainants, but said that the discrimination was not based on ethnic origin. At the same time, the District

Court failed to clarify the ground of discrimination. The complainants appealed the decision to the Regional Court in Kosice, which cancelled the first instance court’s decision and returned the case to the District Court for retrial. At the second hearing, the District Court found that the café had discriminated against the three Romani activists on racial grounds. The Court ordered the café owner to send a written apology to the plaintiffs, but rejected claims for damages and did not order any financial compensation. (Nova Cesta, Poradna)

## **SWITZERLAND**

### ◆ **Swiss Government Caught Up in Europe-Wide Anti-Romani Hysteria**

According to an article published by the Swiss daily newspaper Bieler Tageszeitung on 3 January 2008, the Swiss Secretary of State for Economic Affairs, Mr Jean-Daniel Gerber, compared the opening of EU borders to a war-time invasion in that the opening of the borders will automatically compel a new wave of Romani migration. According to Bieler Tageszeitung, Mr Gerber said that a quick intervention was essential in order to prevent a situation such as that happening in Italy, “The slogan is to intervene quickly and expel. Then, the assault will stop rapidly.” Mr Gerber’s statements followed media frenzy in Switzerland regarding a group of approximately 50-

60 Romanian Roma that had appeared in downtown Geneva. (Bieler Tageszeitung)

### ◆ **590 Jenisch Children Forcibly Removed From Their Families Between 1926 and 1973 in Switzerland**

According to a report published on 11 December 2007 by the Scientific National Fund of Switzerland (SNF) and research institution Pr Sablonier, the Pro Juventute association forcibly removed 590 Jenisch children from their families and placed them with either reception families or private clinics and institutions. The Jenisch of Switzerland is a group of German speaking Roma. The forced removals were part of a programme aimed at forcing the traveling Jenisch families to become sedentary,

within a programme entitled “Project for the Children of the High Road”. This issue received media attention in the past although crucial details such as the number of children involved and their fate were lacking. The Pro Juventute organisation has issued a public apology for this in the past and stressed that the service of the association in charge of the project was dissolved in 1973. Pro Juventute noted that it was only one agency involved in the project that was administered by the Swiss Confederation. The Naschet Jenische Foundation has financed projects and initiatives designed to reunite the separated families, help them in securing access to their files and to ensure that their rights be respected. For further information on this issue, please see: <http://www.errc.org/cikk.php?cikk=1203&archiv=1>. (Scientific National Fund of Switzerland)

**TURKEY****Another Romani Child Dies in Camp Fire in Turkey**

According to ERRC research conducted in January 2008, 2 Romani individuals, including a 10-month-old baby girl, died late on 2 January 2008 after a fire broke out in a tent, spreading to neighbouring tents in the makeshift Yeni Mahalle Romani encampment in Istanbul's Silivri area. Newspaper reports from the Dogan Press Agency of 3 January 2008 suggested that the fire was caused by an overturned stove that quickly set alight the plastic and wooden shelter and 3 nearby shelters which were, at that point, unoccupied. Mr Levent Bey, a witness, informed the ERRC that the fire spread very quickly and the baby's uncle tried to toss the 10-month-old out of the tent in an effort to save her, but the tent collapsed trapping both. Mr Bey, who was nearby, tried but was unable to reach and save the baby and her uncle. The fire spread quickly, forcing the would-be rescuers away and fire-fighters were hindered by the conditions of the site. The fire-fighters were also hampered by the lack of nearby water supplies, once the fire tanks were depleted.

This tragedy resulted from deplorable living conditions prevailing in many Roma settlements in Turkey. Widespread poverty and access to regular housing means that shanty dwelling such as that in the Yeni Mahalle encampment are common, especially amongst Roma. Increasing numbers of Roma are living in

shelters like these as a direct result of urban regeneration programmes undertaken by Turkish authorities, which are displacing hundreds of families with no hope of alternative accommodation. As a consequence, the number of accidents and tragedies that will inevitably result is expected

the ultra-nationalist organisation Turkist Pro-Society Budun Association (Budun) set up a street stand in the coastal city of Izmir and distributed leaflets stating, "Dear Turkish woman and man! Make another child for Turkishness. Because you are being marginalised; instead, the betrayers, pickpockets, drug



*Two Romani individuals, including a 10-month-old baby girl, died late on 2 January 2008 after a fire broke out in a tent, spreading to neighbouring tents in the makeshift Yeni Mahalle Romani encampment in Istanbul's Silivri area.*

PHOTO CREDIT: ADRIAN MARSH/ERRC

to rise in the near future and especially over the coldest and hardest months of the year. For information on similar incidents in Turkey, please see: <http://www.errc.org/cikk.php?cikk=2837&archiv=1>. (ERRC, Dogan Press Agency)

**ERRC Legal Action against Racist Organisation in Turkey**

According to ERRC research in Turkey, towards the end of 2006

dealers are being populated. We are the Turkish Pro-Society Budun People who can give their deserved reply to the Kurdish and Gypsy gangs and bigots." The Police dismantled the stand after a negative public reaction to the campaign but the association continued its campaign via the Internet. The Contemporary Jurists' Association, a nationwide NGO comprised of members of the legal profession, filed a case against the head of the ultra-nationalist association, citing Article 216 of the Turkish



Penal Code, which states that it is a crime “to incite the public towards hatred and enmity”. In early January 2008, the Izmir

Republic Attorney General decided to pursue the case against the Budun association, which now faces closure. As

of March 2008, the ERRC had become an applicant against the Budun association in the case. (ERRC)

### **UNITED KINGDOM**

#### **◆ UK Police Target Immigrant Romani Families from Romania**

The BBC reported on 24 January 2008 about a police operation coinciding with various media organisations being invited to the location, which consisted of heavily equipped police officers charging into the homes of Romanian Roma living in Slough, UK, in the early hours of the same morning. During the raid, 10 Romani children, including a baby less than a year old, were reportedly taken from their parents and placed under child protection with the Slough Borough Council. The

parents of children who were removed were arrested, accused of “immigration breaches,” amongst other offences. The BBC quoted Ms Ruth Bagley, chief executive of the Slough Borough Council, as having stated, “Our main focus in this operation is on the welfare of the children who are potentially being exploited.” In its report, the BBC noted that the police suspected that the children had been taken from or sold by their parents in Romania to “criminal gangs” who were forcing them to beg and steal in the UK.

However, the police action did not appear to find evidence

of this claim. During discussions with the ERRC at the end of February, BBC reporters stated that almost all of the children taken into protective custody had been returned to their parents. British social workers providing services to immigrant Romani communities in the UK told the ERRC that there was a general skepticism about the very public manner in which the police raided the Romani community concerned and the presence of the media, as well as a perception that the action had in fact been planned so publicly in order to send a message to immigrant Roma in the UK and dissuade them from staying in the country. (BBC, ERRC)