

Resolution 2017-03

Central Council of German Sinti and Roma

The Delegates of the Member Organisations of the Federal Union of European Nationalities (FUEN) adopted the following resolution at their Assembly of Delegates in Cluj-Napoca / Kolozsvár / Klausenburg, Romania, on 20 May 2017:

FUEN calls for immediate action in order to stop the violation of human rights against the Roma in several European countries, which result partly in the complete exclusion of the Roma from the communities they live in. They are deprived of access to housing, education, occupation, social and health services and condemning a high number of Roma children into suffering from malnutrition, diseases and lack of education.

FUEN underlines the fact that stopping the violation of human rights against the Roma and the recognition of antigypsyism as the underlying cause for the desperate situation, which huge parts of the Roma population has to face, is the only way towards a sustainable development for communities where the Roma and the majority population are living.

FUEN calls upon the Commissioner for Justice of the European Union and the Commission for Human Rights of the Council of Europe, to closely monitor all cases of antigypsyism, and investigate the reported forcible evictions and school segregation cases and to use its diplomatic and political channels to stop these and solve the damages caused.

FUEN urges the European Commission and the national governments to effectively implement the EU Framework for National Roma Integration Strategies up to 2020. The adoption of the document in 2011 meant an important step in recognizing the complexity of the Roma situation. However, many of the findings and recommendations are not implemented in the daily life of the member states' Roma communities. Stopping the violation of human rights against the Roma, antigypsyism and its negative impact on their social inclusion needs to be addressed urgently on European, national, regional and the local level. FUEN also recalls on its "Eisenstadt Declaration" adopted in 2011.

In this context, FUEN monitors with major concern the large number of recent cases in Europe, where Roma are the victims of forcible expulsions by local authorities. Some examples:

- On 21 June 2016, approximately 75 Roma-families were forcibly evicted from the camp of Masseria del Pozzo, in the town of Giugliano in Campania, close to Naples. They were transferred to an abandoned industrial site, without adequate housing accommodation, sanitary infrastructure or access to healthcare.¹

¹ <http://appelli.amnesty.it/italy-stop-roma-segregation/>

- In the summer of 2016, in the small town of Garmen in Bulgaria also many houses were demolished, ordered by the town administration. Also in this case the forced eviction and destruction of the houses took place despite the fact that no alternative housing was available at the time. 22 families were left to their own devices. The authorities did not even provide temporary accommodation.²
- In May 2015, the highest Hungarian court convicted the town of Miskolc because of the systematic expulsion of more than 160 Roma-families from the town. Under the pretext of an infrastructure project, Roma-families who lived for decades or sometimes for generations in Miskolc were evicted from their houses and resettled to far-off locations outside town.³
- On 17 December 2010, 300 persons belonging to the Roma-minority in Cluj-Napoca in Romania were expelled from the centre of Cluj without prior notification or legal procedure. The families were resettled to Pata-Rat, in barracks located directly adjacent to the enormous city waste dump. The families had been living in Cluj for more than twenty years. Although the Romanian Council for Combating Discrimination classified this action of the city administration of Cluj as an act of ethnic discrimination and ordered the city administration to pay a fine of 2,000 Euro (sic), even five years after the expulsion, the families are still suffering from the poison and health risks of the waste dump and they live under inhumane conditions.⁴

This method of systematic, forcible expulsions of Roma has become a transnational phenomenon and it the expression of increasing racism and increasing discrimination against Roma. Similar expulsions happen in almost all surrounding countries, and forced evictions are often staged when there are local or national elections and politicians from the right-wing or nationalist parties want to raise their profile against the Roma. The victims are the Roma-families, who are unprotected against this type of racism.

Forced evictions are a gross violation of several internationally recognised human rights treaties. These include the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination. The Commission on Human Rights stated this in its Resolution 1993/77, in which it affirmed that “the practice of forced eviction constitutes a gross violation of human rights, in particular of the right to adequate housing.”

² <https://www.amnesty.de/urgent-action/ua-169-2015-1/drohende-zwangsräumung>

³ <http://www.housingrightswatch.org/content/evictions-and-harassment-miskolc-residents-declared-unlawful-and-anti-constitutional>

⁴ <https://www.amnesty.org/en/press-releases/2014/01/romanian-court-victory-forced-eviction-roma-cluj-napoca-illegal/>

FUEN therefore calls upon the national governments, in whose countries the Roma are affected by forced evictions, from the Commissioner for Justice of the European Union and the Commission for Human Rights of the Council of Europe:

- to start an investigation into the incidents and to create political pressure to realise an immediate stop to these forcible expulsions
- to ensure that forced evictions can only be legitimately take place under extraordinary conditions and in accordance with the relevant provisions of international human rights and humanitarian law (General Comment No. 7 of the Committee on Economic, Social and Cultural Rights 1977), and that
- the basic principles and human rights guidelines of the United Nations for development–based displacement are respected (E / CN.4 / Sub.2 / 1997/7, Annex).
- to guarantee that comprehensive antidiscrimination-legislation is introduced and that discrimination of Roma in relation to housing and accommodations is effectively sanctioned;
- to create an institution on European level that can implement programmes – especially in the area of housing – to improve the situation of the Roma, that is able to intervene locally, without being reliant on the respective bureaucracies of the different states.