

SITUATION OF ROMA IN ITALY

and REPORT OF THE VISITS AND MEETINGS OF MARCO CAPPATO AND VIKTORIA MOHACSI (ALDE MEPs) IN ROME, 17/18 JULY 2008

OM, 24/7/2008

The situation of Roma in Italy - latest developments, further to the information contained in the EP resolution on the census of Roma in Italy based on ethnicity¹.

- the IT Ministry of Interior issued guidelines addressed to the Commissioners (the Prefects of Rome, Milan and Naples) concerning the application of the orders on the "emergency" concerning nomads' camps. The guidelines repeatedly underline that ordinary laws have to be applied in reference to data protection and privacy; identification procedures leave a margin of manoeuvre to the Commissioners, although limited by the applicable laws; data collected until now in a way incompatible with the guidelines cannot be used or retained; persons can be fingerprinted if it is not possible to identify them on the basis of available documents and trustful circumstances, on the basis of the ordinary law; minors can be fingerprinted as following: for those who are more than 14 years old, unless it is possible to identify them in other ways; for minors between 6 and 14 years old, only for the purposes of residence permit, when required by parents, on the basis of EU regulation 380/2008 (but it only concerns only residence permits for 3rd country nationals in relation to the possibility of fingerprinting minors from the age of 6, and the Commission has not yet adopted application measures!), or when necessary by the Judiciary Police and according to the rules of the Minors' Tribunal; between 0 and 6, only in exceptional cases, by the Judiciary Police, for minors in degrading situations or suspected of being a victim of a crime. Data can be gathered by the Red Cross, still it is necessary to send it to the police and judiciary; One of the aims is also to proceed to expulsions of those persons who are in an irregular situation, such as EU citizens or 3rd country nationals, and to eliminate "all the abusive settlements". The Commissioners are called to signal to the State authorities which interventions are needed. Taking into consideration that the IT law on citizenship is based on jus sanguinis and not on jus solis, a limited part of Roma will be allowed to access the IT citizenship, while a large part of them are stateless; most of them will be expelled to Romania or to other EU countries. In practice, although the operation is defined as a humanitarian operation, it is in reality a public order operation that will entail mass expulsions of Roma, taking also into consideration the fact that IT is reviewing its laws on free movement of EU citizens in a restrictive way.

- while Maroni stated that the **Data Protection Authority** approved the guidelines, the Data Protection Authority did not post any press release in this sense on the website, while when asked on the phone they said that the website is the reference on this issue: the last press release **denies having authorized the guidelines**.

- A fire burn in a Roma camp in Rome on the night of the 23 July; according to some, it was an **attack with Molotov bombs**; the police excluded that they could not find proofs, while NGOs have different views.

- **Two children of the Roma ethnic group drown in Naples**, while next to their lifeless bodies people continue to sunbathe, have fun and swim in the sea², followed by a polemic in Italy.

- **Maroni** stated on the 21st of July that he will propose to the government to grant Italian citizenship to Roma non-accompanied children born on the Italian soil. Critics underlined how this phenomenon is extremely limited, while others asked for a wider reform of the IT law based on the jus sanguinis and on the application of these measures also for other categories of Roma.

- **OSCE** sent a delegation to Italy to enquiry on latest developments and census³

- **Census in Rome**: the census started with a test on the 17th July in Corviale, but people run away. It went on on the 21st of July in a non-authorized camp of via della Magliana Vecchia / via Candoni. Over 50 Romanian Roma lived in 20 camping tents. 10 Red Cross operators gather data.

- **Census in Naples**: until the 21st of July, 750 nomads have been "censed" in the Naples province in 1 authorised camp and 1 non-authorized (Scampia, Casoria, Torre del Greco), covering approx. 15% of the Roma living in the province. The Immigration office of the Prefettura, the Red Cross, Opera Nomadi, Minors' Tribunal and law enforcement agencies. There are 16 camps approx. The data is examined by the permanent working group meeting twice a week in the Prefettura's offices.

¹ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0361+0+DOC+XML+V0//EN&language=EN>

² Pictures and report by EveryOne on:

http://www.everyonegroup.com/EveryOne/MainPage/Entries/2008/7/20_Two_children_of_the_Roma_ethnic_group_drown_in_Naples.html

³ see http://www.osce.org/odihr/item_1_32261.html

- **Census in Milan:** until the 21st of July, 750 Roma have been identified in Milan in the census procedures. There are 12 camps, and 7 have been already censused (via Impastato, Martirano, Chiesa Rossa, Barzaghi, Triboniano 1, Negrotto, via Idro), 5 others in the following months (via Bonfadini, 2 in via Novara and 2 in Triboniano 2 and 3)
- According to information provided by the NGO EveryOne: the press office of the Interior Ministry, contacted by EveryOne, stated that **blood samples** will be taken, particularly from the Roma children, with the purpose both of checking for viruses and for defining who the children's parents are; of the 30,000 Romanian Roma, less than 3,000 have remained in Italy and most of them went to Spain, France and Greece;

Visits and meetings of ALDE MEPs Marco Cappato and Viktoria Mohacsi in Rome, 17/18 July 2008

ALDE MEPs Marco Cappato and Viktoria Mohacsi took part in a series of events on Roma in Italy upon invitation of the European Union office in Rome. Cappato intervened in a public debate at La Sapienza University, met with the Prefect of Rome Carlo Mosca (together with Radical MPs), participated together with Viktoria Mohacsi and other MEPs in a closed doors meeting with Joachim Ott of the EU Commission and NGOs dealing with Roma. Viktoria Mohacsi also visited the Roma camp of Tor di Quinto, during a field mission organised by the NGO EveryOne.

Meeting with the Prefect of Rome, Carlo Mosca, with Marco Cappato (ALDE MEP), Rita Bernardini (MP, Radicals), Marco Perduca (Senator, Radicals)

During the meeting, that took place at the office of the Rome Prefect at 7 pm of the 17th of July, the Prefect explained that:

- there are in Italy almost 140.000 Roma or Sinti or Italians living in settlements, half of which have until 6 years
- in Rome, according to data of April 2008, there are between 10 and 15.000 persons in settlements, minors are between 5 and 7.000, only 1.500 go to schools (3/4 of minors don't attend schools); the trend in schooling and education is following a u curve (few in kindergarten, more in elementary schools, less in secondary schools, few at university).
- many of the persons in the settlements are stateless coming from former Yugoslavia and are not registered in Italy in any way
- he conceives the operation as a humanitarian, social and health intervention; he does not want to define it as a "census" or "identification" procedure, but as "recognition", and talks about "settlements" and not "camps"
- the aim is to create a global plan and an intervention, from first aid to labour insertion through micro-credits or qualification (craftsmanship for instance); the aim is to protect citizens' civil and social rights
- the (civil) Red Cross carries the operations in the settlements, while the police is not present, only civilians are present (contrary to what happens in Naples and in Milan)
- the Red Cross gathers data on a card, that is held by the Red Cross, and the law on data protection is applied; documents are requested, including on vaccinations, pictures are taken, no data is gathered on religion or ethnicity (as it was done in Naples initially), assistance is provided for mothers, children;
- the procedure is on a voluntary basis in practice, while in theory if a person refuses to identify himself/herself, the person is taken to a police office for identification (photo, description / fingerprints / dna or other, on the basis of the proportionality principle)
- minors: mothers are requested to provide information on vaccinations, fingerprints are taken only if there are doubts on the identity of the child and on the parents, and following the rules provided by the Minors' Tribunal
- it is not possible to order blood samples and medical tests (for instance to check vaccinations)
- the Minister of Interior has issued guidelines for the Prefects of Rome, Naples and Milan, that have in the meantime been approved by the Data Protection Authority in Italy (we are checking if the information provided by the Interior Minister are true)
- the data collected will also be accessible by judicial authorities, on the basis of ordinary laws; they will also be transmitted, in an anonymous way, to a research institute (Tagliacarne Institute) to be analysed and to make a map of nomads in Rome

Further information:

- the Rome Prefect and the Interior Minister have been reported in the press as having different views on how to proceed with the "census"
- polemics have arisen on the role of the Red Cross in the census procedures, as a so-called humanitarian intervention could become a police operation as soon as the Interior Ministry will want to access the data

Meeting with the Commission and NGOs

A meeting took place at 10.30 at the EU office headquarters in Rome, with the participation of NGOs and of the **European Commission official Jochen Ott**, who stated that there is a shared responsibility concerning Roma issues, involving EU institutions and MSs, as underlined by the European Council of December 2007⁴; in the Staff Working Paper, the Commission highlighted that there are legal, political and economic instruments that have to be mobilized and that there is still a large margin for improvement; a network has been set up on the initiative of the SP Ministry of Social Affairs with the participation of all MSs and of the COM to examine best practices and positive examples;

- **Roberto Malini, EveryOne** group denounced the role of the official NGOs in supporting the repression against Roma; their activities in trying to block the dismantling of the camps; the fact that there is a humanitarian emergency for the 40.000 Roma that will be in the streets during the winter; the fact that the authorities are using the law on parental responsibility to take away Roma children to give them to Italian families, notably in hospitals when mothers give birth to children; Roma are "nomads" in Italy because of authorities' repression on camps; police abuses, as in the case of the Covaciuc family;

- **Carlo Casini, EPP MEP** said it is necessary to know the reality of the camps; excludes that children are taken away by judges to Roma families on the sole basis of lack of job or house; wrote to the IT authorities to ask for a European citizenship for Roma; asked if Roma are nomad because of choice or necessity? who is living in the camps?

- **Paolo Ciani, Comunità di Sant'Egidio**, said that Roma are in Italy since 1.400; in 1999 the law on national ethnic-linguistic minorities excluded them from legal recognition; the legal status of Roma from former Yugoslavia is uncertain, as they are de facto stateless but Italy does not recognise them; it is necessary to recognise their statelessness and grant residence permits for humanitarian reasons; nomads' camps have been invented in the 70/80, but 90% of Roma in Italy are residential and not nomads; the IT authorities talk about "nomads' camps", but who lives there if not Roma? it is necessary to ensure access to schooling, training, education, university; the main problem is today of cultural nature: even after the Roma holocaust, it is possible to be anti-gypsies!

- **Mario Quinto, University Professor** of intercultural mediation, member of the working group set up by the Rome Prefect, explained that he proposed to circulate a questionnaire among Roma to know their needs, hold a conference with 100 Roma, ensure first support measures (housing, etc), create a table for negotiations chaired by the Prefect, grant an administrative recognition of Romas in the first place.

- **Rita Cesarini Sforza, Organisation fight against poverty**, stated that projects for Roma are badly managed and are mainly short-term interventions, the national plan on inclusion is supposed to be issues in September but its fate and contents are not known, there has been a polemic between Barroso and the IT government on the EU funds and how they are used; poverty is overcome with participation

- **Perrini Paolo of ARCI** stated that they work on schooling, education and insertion in the labour market; in some schools Roma are assimilated to handicapped and granted a supporting teacher for 4 hours a week.

- **Prof. Brazzoduro of the organisation Federation of Rom and Sinti Insieme**, stated that the situation in Italy is a catastrophe, a European scandal; their weak legal status allows them to be arrested and expelled as they have no residence permit; most of them are stateless, and consequently when they get to 18 they cannot work as the employer is arrested if he/she employs clandestines; women who are pregnant have a right to stay for 6 months; the census is a trick, as the main aim as declared also by the Interior Minister is to proceed with expulsions as 80% of those in the camps are not legal residents;

- **Gjorgja Mirko** of Ermes, is in Italy since 1961; illustrates that Roma are not a security threat as they do not make wars, are not terrorists, have no Ministers and only few of them acceded to the high spheres; problems with acceding to citizenship; what Roma need is health, housing, work, school; the EU has to encourage the IT gov to act;

- **speaker from the camp Casilino 900** in Rome (biggest camp) asks for the IT gov to speak directly with Roma people; describes the relatively "good" conditions of the camp; says that the census in reality has been already made, as the

⁴ see point 50 at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/97669.pdf : "Active inclusion policies should combine integration in the labour markets, mobility of the workforce, motivation to actively search for a job, adequate income support and quality, accessible and effective social services. The European Council also reaffirms its commitment with the decent work agenda as a global instrument to promote employment, better labour standards and foster development. The European Council welcomes the results of the European Year of Equal Opportunities for All and invites Member States to strengthen efforts to prevent and combat discrimination inside and outside the labour market. In this connection the European Council, conscious of the very specific situation faced by the Roma across the Union, invites Member States and the Union to use all means to improve their inclusion. To this end it invites the Commission to examine existing policies and instruments and to report to the Council on progress achieved before the end of June 2008."

municipal police and the Prefect have already made a census and the Questor has access to them; it is necessary to develop a Roma representation and collaboration with the authorities; creation of small camps could be a solution;

- (non-Roma) **speaker from the Casilino 900** from Montenegro explains that his group managed to block the dismantling of the camp in the past; there are many organisations that are divided and not coordinated, not listened by authorities, have no access to funds, while some NGOs live on funds for Roma;

- **representative from the Ciampino camp**, who is also member of a federation of 22 associations in 12 regions of Italy, asked for a EU Roma strategy, training on how to access to EU funds for Roma so that also Roma and their associations can access to them;

- **Matteo Pegoraro of EveryOne** stated that the dismantling of Roma camps is standard practice as it happened also in Sesto fiorentino (Florence area), where trucks came to destroy the camp, leaving 130 persons without a roof; recalls the Covaciuc case; denounces the practice of taking away children to Roma families by the municipal police, taken in communities without letting the parents know where they are;

- **President of the Ermes cooperative** recalls that camps are there since 30 years without any housing intervention and have grown bigger; in the '80 some Roma have been transferred to public buildings; drugs addition is a growing problem in camps; it is necessary to review the IT law on national minorities to include Roma as well as the law on citizenship to allow jus solis and not only jus sanguinis; in the short term, camps have to be restructured, and in the medium term access to public housing has to be ensured;

- **Viktoria Mohacsi, ALDE MEP, HU**, recalled her and the EP activities on the issue (free movement resolution, resolution on a EU Roma Strategy, resolution on Roma in Italy, parliamentary questions, etc); criticised the intention of the IT gov to proceed notwithstanding the criticism of international and European bodies; underlined that a Roma strategy is necessary to manage funds and support policies for Roma integration; highlighted that laws have to be applied, for IT citizens as for Roma; asked for a common plan between NGOs, MPs and MEPs to ensure monitoring of the situation in Italy, that Roma have access to lawyers to bring their cases to tribunals, that citizenship is granted, that stateless status is granted, that the census does not infringe IT and EU laws, that IDs are given; current laws have simply to be applied, when insufficient changed, support policies for homeless persons have to be applied;

- **Isabela Mihalache from OSI** stated that there the issues to be solved are legal: respect of the free movement directive s it is now violated (the COM shall do an enquiry on the census made until now and in the future months); respect of anti-discrimination directives and policies (the COM cannot tolerate current IT policies of ethnic profiling); and social-cultural policies are needed (concrete actions and funding are awaited)

- **Marco Cappato, ALDE MEP, Radicals, IT**, stated that the EU has competences in the field as well as MSs, and that a common work should be done for Roma; the idea of European citizenship for Roma is fascinating, although of difficult application in the current legal EU asset; funds available for projects for Roma should be traceable and transparent, so that it is clear who received them, how much, to do what, what are the results achieved;

- **Jurgen OTT of the EU Commission** concluded by stating that it is necessary to keep the dialogue alive with MSs, as the EU has shared competences with them and cannot do everything, it is not a super-state, but is can coordinate actions; a question open is: specific projects for Roma or inclusion of Roma issues in general projects? on the 16th of October there will be a very important conference on Roma Strategy in Brussels organised by the Commission: it is necessary to build concrete actions; the "no action" option is not a political option anymore: we cannot only ignore or repress, it is necessary to proceed with a 2 ways integrations process⁵.

Visit in the Roma camp of Tor Di Quinto in Rome

In Tor di Quinto Roma camp Viktoria met:

- **Rebecca Covaciu**, who was beaten up by Italian police officers in Milan on 17th and 20th of June, together with her father Stelian and younger brother without any reason. Rebecca, who was recently awarded the 2008 Unicef Prize for her artistic gifts, lives with her family in the south of Italy⁶

- **Grancea**, a Roma singer who sings against racism and whose pregnant wife (as reported in the press) was beaten up in Rimini in broad daylight in front of dozens of indifferent people

- **Silvana Gorgevic**, witness of endless cases of abuse against Roma citizens told Viktoria Mohacsi of the tragedy of the women, children and men living in the camp; the cruelty of the authorities, the lack of any serious health, social, professional, and scholastic projects for their integration

⁵ please note that these are summing up versions of the speeches and have not been checked with the speakers.

⁶ see article appeared on front page of El Pais at:

http://www.everyonegroup.com/EveryOne/MainPage/Entries/2008/7/22_Querida_Europa.html

- **Ionit Ciuraru**, a young Romanian Rom, then reported the phenomenon of the children being taken from their parents by the institutions,
- **Victor and Elena Lacatus**, parents of a child murdered in the fire in Livorno in August 2007, still living without any assistance, without the possibility of finding work, and living in a makeshift shelter near Pisa station with no electricity, running water or sanitation.
- **Piero Terracina**, a survivor of Auschwitz, that testified how similar the treatment the Roma people are receiving today is to the treatment reserved for the Jews in the years of the racial laws and the Holocaust⁷.

Attachments and links:

- EP resolution on the situation of Roma in Italy: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0361+0+DOC+XML+V0//EN&language=EN>
- Commission Letter to Italian authorities
- Naples form
- Red Cross form
- Linee Guida del Ministero dell'Interno
- Security a la Italiana: fingerprinting, extreme violence and harassment of Roma in Italy, by ERRC, CRISS, ACRR, COHRE, OSI
- Red Cross of Rome publishes daily information on the census on its website: <http://www.criroma.org/modules.php?op=modload&name=News&file=article&sid=456&mode=thread&order=0&thold=0>
- EveryOne organisation: www.everyone.com

⁷ whole report of the meetings and discussion of Viktoria (often in HU or Romani) available at: http://www.everyonegroup.com/EveryOne/MainPage/Entries/2008/7/22_Gypsies_Everyone_Group_visits_Tor_di_Quinto_in_Rome_with_the_Euro_MP_Viktoria_Mohacsi.html