

Forced eviction of Roma families must stop

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In recent months a number of Roma families in several European countries have been evicted by force from their homes. In most cases the decisions were taken by local authorities. The tenants were not given adequate notice or offered a real alternative. It is clear that several of these evictions violated European and international human rights standards.

Several serious cases have been reported to me. In the Dorozhny village in Kaliningrad more than 200 Roma were evicted in late May – early June and had their houses bulldozed to ruins. This followed speedy court procedures which were criticised by reliable non-governmental organizations for being unfair to the Roma.

In the village of Elbasan in Albania a similar action was taken in July against 109 Roma residents. It is reported that they were not allowed to remove their personal belongings before the destruction of their homes and that many of them now are homeless. **In Patras, Greece, 13 homes of Makrigianni Roma who were away for seasonal work elsewhere were demolished in late July.**

I have also received information about evictions or planned such actions in other parts of the Russian federation and in Bulgaria, the Czech Republic, France, Turkey, and the United Kingdom. In several cases the destruction of homes and property has been accompanied by violence and racist language.

These reports, many of them confirmed by the European Roma Rights Centre in Budapest, raise several concerns. One is that there appears to be an alarming element of racism or anti-ziganism behind these actions and the way they are enforced.

Another is, of course, the dramatic consequences for the families themselves, including their children. Without a real home they also face difficulties in enjoying other rights, such as the right to education and health. A pattern of social segregation is perpetuated.

An argument put forward for the evictions in several cases has been the need to construct new, more modern buildings in the same area. However, Roma families are seldom offered accommodation in such new houses. Indeed, they are still disproportionately represented among the homeless and those living in sub-standard housing. Roma ghettos and shanty towns can still be found on our continent today.

My predecessor as Commissioner for Human Rights reported several times that poor housing conditions is a major cause of Roma exclusion in Europe. He did not accept, rightly so, the old “argument” that Roma people are nomads and therefore do not want or need proper housing.

Decisions that some people have to move because of new city plans are of course sometimes justified. However, the manner in which such initiatives are prepared and implemented should be in accordance with agreed human rights norms and procedural safeguards.

The consequence of these norms is that forced evictions only can be carried out in exceptional cases and in a reasonable manner. Everyone concerned must be able to access courts to review the legality of planned evictions before they are carried out – this requires the existence of both legal remedies and legal aid possibilities. Alternatives to evictions should be sought in genuine consultation with the people affected, while compensation and adequate resettlement have to be offered when forced evictions take place.

These norms also apply to local authorities. That abusive decisions sometimes are taken on local level does not absolve the central government from responsibility under its international obligations. The state should exercise oversight and, if necessary, regulate local action.

The monitoring mechanisms of the European Social Charter have already found several countries at fault of their treaty obligations regarding the housing rights of Roma. Furthermore, the European Court of Human Rights has judged that poor housing conditions can, in certain cases, amount to breaches of the prohibition of torture and inhuman and degrading treatment under the European Convention. The UN Committee against Torture has taken a similar position.

National, regional and local authorities have to take action now. In a recommendation dating from 2005, the Committee of Ministers of the Council of Europe has given clear guidance to all member states on improving the housing conditions of Roma. Instead of evicting Roma families their right to adequate housing should be respected. One precondition is an effective consultation with the Roma themselves.

Europe has a shameful history of discrimination and severe repression of the Roma. There are still widespread prejudices against them in country after country on our continent. This makes it particularly important that governments are alert to the risk of unfair and degrading treatment of Roma – also by local authorities.

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