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Factsheet: Roma Rights in Jeopardy

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Violence against Roma: In cases brought by the ERRC in **Croatia, Bulgaria** and **Macedonia**, the European Court of Human Rights has confirmed that the state is obliged to investigate and prosecute persons who commit violence against Roma, whether they are private actors or state officials. Despite this, most perpetrators of violence against Roma in Europe act with impunity. Since 2008, the ERRC has registered at least 48 violent attacks against Roma in **Hungary**, at least 40 attacks in the **Czech Republic** and at least 13 attacks in **Slovakia** resulting in a combined total of at least 11 fatalities. The attacks involved Molotov cocktails, hand grenades and guns, police violence, arson attacks, mob violence and demonstrations. ERRC monitoring of a selection of 44 of these cases found that, in the vast majority, no perpetrator has been punished; indeed, police suspended investigations without identifying any suspects in nearly one third of the cases. (See “Fact Sheet: State Response to Violence Against Roma” for a more detailed analysis.)

Attacks continued throughout 2011 and 2012. In March 2011 a Romani boy was attacked and insulted on the way to school by three men in **Serbia, which also witnessed several cases of police violence against Roma**. In Macedonia, in October 2011, a 17-year old Romani boy was attacked and stabbed at school by a non-Roma boy because of his Roma ethnicity. Starting in early August 2011, a wave of anti-Roma demonstrations took place in cities across the **Czech Republic** and Romani settlements were targeted by mobs. In **Bulgaria**, the death of a young man, who was hit by a vehicle on the night of 23 September 2011, triggered violent anti-Roma protests across the country. In 2011 the ERRC monitored four violent mass attacks against Roma in **Italy**: three involved setting Romani homes on fire; the other was an armed attack by non-state actors. In Northern **Italy** a false rape accusation against a Romani man resulted in a series of violent attacks on a Romani settlement in December. ERRC research carried out in **Italy** in 2011 revealed that 26% of the Romani women interviewed had suffered attacks perpetrated by the police including physical violence, degrading treatment, verbal assault and sexual harassment. In **France** several attacks targeting Roma were reported and complaints filed; however few have been investigated and prosecuted. Most common are arson attacks on Roma property, of which seven were reported resulting in at least one death and multiple incidents of property damage. In **Russia** several cases of police violence against Roma were reported. In January 2012 police carried out an organised raid on one of the Roma settlements in Uzgorod, Ukraine. Romani individuals, including women and children, were beaten, verbally abused and had tear gas used on them.

Freedom of movement: **Germany** paid more than 100 Roma to return to Romania in June 2009. **Finland**, amid public outcries about public security, threatened expulsions in 2010 and also paid Roma to return to Bulgaria and Romania in 2010-11. In many cases, police action has been concurrent with statements by public officials that Roma as an ethnic group are predisposed to crime and antisocial behaviour.

In **France** the repatriation of **Romanian** and **Bulgarian** Roma is an ongoing issue of discriminatory practice, which is in violation of the fundamental rights of these European Union citizens. Throughout 2011 the ERRC monitored the situation of Romani communities with respect to expulsion orders and

detention. During this period the ERRC found that Roma who had received expulsion orders were being placed in detention centres even before their 30-day window to leave the country had expired. **Denmark** summarily expelled 23 Roma to Romania in July 2010, 24 hours after they were detained. ERRC appeals against these deportation orders were sustained by a Danish court, which ruled the deportations illegal. **Sweden** expelled 50 Roma to Romania in 2010. In both **Serbia** and **Macedonia** several hundred Romani individuals were illegally prevented from travelling outside the country, because of a perception they could be seeking political asylum in EU Member States.

Extremist political parties and hate speech: Extremist political parties and politicians have stepped up their anti-Romani rhetoric and actions in many European countries. In **Hungary**, the Magyar Garda (banned in 2009), Szebb Jövőért Polgárőr Egyesület and related organisations engaging in paramilitary activities with an explicitly racist agenda continue to operate openly. In Gyöngyöspata the groups patrolled a Romani neighbourhood for 16 days in March 2011, intimidating and harassing Romani residents. Shortly afterwards, the group was disbanded by order of Hungarian courts. Jobbik, an extremist party with an overtly anti-Romani platform, won four seats in the European Parliament elections in 2009 and 47 seats (17% of the vote) in the national parliament in 2010. In **Italy**, the Government has continued to use anti-Romani rhetoric to harden public opinion against Roma and Sinti and has moved aggressively to evict Roma from their homes and move them into controlled camps. Italy went so far as to declare a “state of emergency” with regard to the Roma in 2008. In a case brought by the ERRC, Italy’s highest court last year ruled the state of emergency to be illegal. In **Slovakia** in 2010, the far-right Ludova Strana Nase Slovensko has been increasingly active with rhetoric, specifically referring to “Gypsy criminality”. Before the upcoming elections (March 2012) the Slovak National Party, which is currently in parliament and was one of the coalition parties in the previous government, has put up billboards that target Roma, and perpetuate myths about the minority. Slogans include: “Let’s not feed those who don’t want to work” and “How long are we going to lose on the gypsies? Let’s change it!” In the **Czech Republic** the Foreign Minister referred to the idea of moving Roma out of the country as a “solution for the evil”. In February 2010 the **Romanian** Foreign Minister made public statements suggesting that Roma are genetically predisposed to criminality and media reported that the President defended the Minister. Romanian MPs also attempted to officially change the name of Roma to “Gypsies” to avoid confusion with “Romanians”. During the media frenzy surrounding the expulsion of Roma from France, the **Bulgarian** Prime Minister and the **Romanian** President erroneously referred to the Roma as nomads.

Systemic segregation in education: The European Court of Human Rights has affirmed that school segregation of Romani children (in schools for children with disabilities and in separate schools or classes in mainstream schools) constitutes illegal discrimination in judgments against the **Czech Republic** (2007), **Greece** (2008) and **Croatia** (2010). Despite these rulings, educational segregation of Romani children is systemic in many European countries: **Bulgaria**, the **Czech Republic**, **Greece**, **Hungary**, **Romania** and **Slovakia** are noteworthy, with credible reports of segregation in **Macedonia**, **Northern Ireland (UK)**, **Portugal** and **Spain**. At the end of 2011, a district court in Eastern **Slovakia** confirmed segregation at one of the local schools and ordered the school to introduce measures to integrate Romani children into mainstream mixed classes.

Widespread residential segregation and forced evictions: An October 2009 report of the European Union Agency for Fundamental Rights, prepared by the ERRC, found that “segregation is still evident in many EU Member States, such as **Bulgaria**, the **Czech Republic**, **Greece**, **Spain**, **France**, **Cyprus**, **Hungary**, **Italy**, **Lithuania**, **Poland**, **Portugal**, **Romania**, **Slovenia** and **Slovakia**, sometimes as a result of deliberate government policy.” In **Italy**, the placement of Roma and Sinti in “nomad camps”, which offer substandard conditions and are located outside the city, constitutes an official policy to segregate Roma and Sinti from the Italian majority. Evictions of Roma, many of which violated international law, have been carried out in **Albania**, **Bulgaria**, **France**, **Italy**, **Macedonia**, **Romania**, **Serbia**, **Slovakia** and the **UK**. **Italy** has been particularly active in conducting hundreds of evictions, affecting thousands of Romani people in both Milan and Rome in recent years. Between April and December 2011 ERRC monitored 131 evictions in Italy. In Cluj, **Romania**, approximately 250 Romani persons were evicted from their homes in the centre of the city by the Municipality of Cluj and relocated to the site of a former dump on the edge of the city in December 2010. The housing provided is segregated, substandard and disconnected from public transportation into the city. In June 2011, the Municipality of Baia-Mare in Romania built a concrete wall in the town to separate the Romani community from the rest of the city. Since April 2011, forced evictions of Roma have continued in **Slovakia**: in July 2011, the homes of 80 Romani persons, including women,

children and the elderly, were demolished in a Romani settlement on the outskirts of Kosice without an offer of alternative accommodation. In November 2011, **Portugal** was found to be in violation of the Revised European Social Charter in regards to housing, in a case brought by the ERRC to the European Committee of Social Rights. In the **UK**, the Irish Travellers at Dale Farm lost a 10-year struggle before domestic courts for their homes, which were demolished in October 2011 by the authorities without an offer of culturally adequate alternative accommodation for the affected families. Systematic evictions of Roma in **France** are continuing. From April to October 2011, the ERRC recorded 46 forced evictions in **France** involving 5753 people.

Trafficking in human beings: Low socio-economic status, low educational achievement and high levels of unemployment, compounded with high levels of discrimination and racism, place Roma at an inordinately high risk of becoming victims of human trafficking. A 2010 US State Department report discusses the overrepresentation of Roma as victims of trafficking and their high vulnerability to sexual exploitation, forced labour and child begging in nearly half of the European countries covered. ERRC research in **Bulgaria**, the **Czech Republic**, **Hungary**, **Romania** and **Slovakia** during early 2010 indicated that Roma represent 50-80% of victims in **Bulgaria**, at least 40% in **Hungary**, 70% in **Slovakia** and up to 70% in parts of the **Czech Republic**.

Failures in child protection: In many countries, Romani children make up a disproportionate number of the children in state care, suggesting a failure of the state in preventing family break-up. In **Bulgaria**, Romani children account for around 50% of the children in the State-run children's homes and about 33% of the children in State-run homes for children with intellectual disabilities. In the **Czech Republic**, around 40% of the children in a sample of 17 children's homes visited by the ERRC in five regions were Romani. During research in five counties in **Hungary**, Romani children were found to represent 65% of the children in State care. The General Directorate for Social Assistance and Child Protection in **Romania** reported that Romani children constitute up to 80% of the population in children's homes in some regions. In **Slovakia** social workers and child protection officials report that Romani children compose at least 70% of the children in institutional care.

Denial of access to health care and social assistance: Discrimination remains a barrier to health care and social assistance for Roma in many European states. In a 2009 case brought by ERRC, the European Committee of Social Rights found **Bulgaria** in violation of the European Social Charter twice by failing to ensure that Roma have adequate access to the health care system and to social assistance, prompting the Government to amend the law on social assistance. In **Kosovo**, lead contamination of IDP camps housing Roma in Northern Mitrovicë/Mitrovica is considered one of the biggest medical crises in the region. Despite significant international and EU attention, Roma continue to live in one of the camps after more than 10 years, exposed to lead contamination which has reportedly resulted in dozens of deaths.

Coercive sterilisation of Romani women: In **Hungary** the ERRC has documented sporadic cases of the coercive sterilisation of Romani women, most recently from 2008. **Czech** cases have also been reported as recently as 2007. In November 2009 the **Czech** Government expressed regret about the individual sterilisation of Romani women, but no Government has adopted a comprehensive plan to compensate all victims or adequately reformed health care law regarding informed consent. Although numerous cases have been documented in **Slovakia**, there has been no Government response to date.