



16 May 2008

To: Mr Giorgio Napolitano, President of the Republic of Italy
Palazzo del Quirinale
Piazza del Quirinale - 00187 Rome
Fax +39 06 46993125

Mr Silvio Berlusconi, President of the Council of Ministers
Palazzo Chigi, Piazza Colonna 370
00187 Rome, Italy
Fax: +39 06 6779 5342/5326

Mr Roberto Maroni, Italian Minister of Interior
Ministry of the Interior, Palazzo Viminale
00187 Rome, Italy
Fax: +39 06 46549815

Mr Marco De Giorgi, General Director
Ufficio Nazionale Antidiscriminazioni Razziali (UNAR)
Dipartimento Diritti e Pari Opportunità
Largo Chigi 19, 00187 Rome, Italy
Fax: +39.06 67792272

Procura della Repubblica Circondario: Roma
Piazzale Clodio
00195 ROMA (RM)
Via Gregorio VII, 122 (3° piano)
00167 ROMA (RM)
Fax: +39.06.39736135
procura.roma@giustizia.it

RE: Pogroms against Roma in Italy

Honourable Excellencies,

In response to anti-Romani pogroms taking place in Naples on 13 May 2008 and the subsequent developments in Italy, the European Roma Rights Centre (ERRC)¹ is writing to demand urgent intervention by Italian authorities to adequately protect Roma in the country from further acts of violent racist aggression and to diffuse the climate of anti-Romani hostility prevailing in Italy.

On 11 May 2008, Mr Roberto Maroni, Italy's Minister of Interior and member of the right-wing political party Northern League, stated publicly that "All Roma camps will have to be dismantled right away, and the inhabitants will be either expelled or incarcerated," according to the national Italian

¹ The European Roma Rights Centre is a public interest law organisation that works to combat human rights abuse of Roma in Europe.

newspaper La Repubblica. Two days later on 13 May, a mob of approximately 60 people reportedly razed 5 Romani camps in Naples with Molotov cocktails, according to the Italian organisation Osservazione. Similar violent outbursts have reportedly occurred in other Italian cities as well, such as Milan.

Displays of abhorrent anti-Romani hatred and violence by the general Italian public, fuelled by increasingly frequent and visceral expressions of anti-Romani sentiment by Italian public officials, have risen to levels reminiscent of pogroms against Romani communities in Romania in the early 1990s. The failure of Italian police to intervene and protect Roma living in the targeted camps has created an environment in Italy in which Romani individuals are living in fear for their lives and are hiding to avoid further violent clashes.

In addition, the ERRC is extremely alarmed that not only are most Italian authorities silent in response to such extreme violent acts, but rather they appear to institutionally condone such actions through their statements and through their policies targeting Roma; policy developments in Italy dating from late 2006 onwards with the institution of so-called "Pacts for Security" in various Italian cities including Naples, Rome, Milan and others, and the adoption of emergency decrees related to the stay of EU citizens in Italy have disproportionately affected Roma in Italy. Further, according to the French Press Agency, the Italian government is about to adopt yet another security decree to "control or expel immigrants, especially the Roma, if they are illegal, found guilty of offences or have no visible means of support."

Honourable Excellencies,

The European Court of Human Rights (ECHR) has since 2005 issued 3 judgments in cases filed by the ERRC and partners regarding anti-Romani pogroms in the early 1990s in Romania prior to Romania having ratified the European Convention on Human Rights for continuing violations of Convention rights, including the failure of government authorities to provide adequate redress by bringing the perpetrators to justice and providing adequate compensation to the Romani victims and their families.

In the first case, *Moldovan and others (2) v. Romania*,² while finding a violation of Article 3 of the Convention, the Court ruled that "the Applicant's living conditions [following the destruction of their homes during the pogrom] and the racial discrimination to which they have been publicly subjected by the way in which their grievances were dealt with by the various authorities, constitute an interference with the human dignity which, in the special circumstances of this case, amounted to "degrading treatment" within the meaning of Article 3 of the Convention."

In the second³ and third⁴ judgments, the Romanian government admitted that such actions amounted to violations of the rights enshrined in the European Convention for Human Rights, stating:

"The government sincerely regrets the failure of the criminal investigation to clarify fully the circumstances which lead to the destruction of the applicant's homes and possessions, which left them living in improper conditions, rendered difficult their possibility of filing a civil action for damages, as well as the exercise of their right to respect for home, private and family life. The government also regrets that remedies for the enforcement of rights in the Convention generally lacked at the time when the applicants were seeking justice in domestic courts, and that certain remarks were made by some authorities as to the applicants Roma origins. It is therefore accepted that such events constitute violations of Article 3 (prohibition of torture), Article 6 (right to a fair trial), Article 8 (right to respect for family and private life), Article 13 (right to an effective remedy), Article 14 (prohibition of discrimination) of the Convention."

Further, as a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Italian government committed, at Article 2, to "[...] condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial

² *Moldovan and Others v. Romania*, Applications nos. 41138/98 and 64320/01, judgment no. 2, 12 July 2005, rendered final on 30 November 2005.

³ *Kalanyos and Others v Romania*, Application no. 57884/00, judgment of 26 July 2007.

⁴ *Gergely v Romania*, Application no. 57885/00, judgment of 26 July 2007.

discrimination in all its forms and promoting understanding among all races, and, to this end: [...] (c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.”

The events taking place in Italy, particularly in the last year and a half, indicate a complete breakdown in the mechanisms of protection and respect for the human rights with regard to Roma in Italy. The Italian government should follow the example of the Romanian government in the Kalanyos and Gergely ECHR judgments, and acknowledge its role and responsibility in the events to date and announce specific measures to end the climate of hostility against Roma in Italy and improve their living situation in the country.

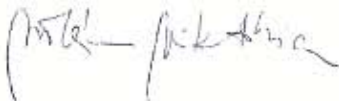
Honourable Excellencies, the ERRC calls on you in your respective capacities to:

1. Provide adequate protection to all Roma in Italy against violence racist attacks and other discriminatory actions;
2. Firmly denounce the pogroms which have taken place to date;
3. Ensure adequate and effective investigation of the events in Naples, Milan and elsewhere, and prosecute to the fullest extent of the law all responsible persons, including public officials making hostile statements about Roma which incite racial hatred; and
4. Fully co-operate with intergovernmental institutions, international organisations and domestic civil society to swiftly and effectively end the human rights emergency of Roma in Italy.

The ERRC respectfully requests to be informed of all actions undertaken by your respective offices in this regard.

Thank you very much for your attention to this most urgent matter.

Sincerely,



Viktória Mohácsi
Co-Chair of the Board of Directors



Tara Bedard
Programmes Coordinator

Copy to:

Mr Jose Manuel Barroso
President of the European Commission
European Commission
1049 Brussels, Belgium
Fax: +32 2 295 0138/39/40

Mr Hans-Gert Pöttering
President of the European Parliament
European Parliament,
Rue Wiertz, PHS 11B011, 1047 Brussels, Belgium
Fax: +32 2 28 49769

Mr Vuk Jeremić
Minister of Foreign Affairs of the Republic of Serbia
Chair of the Council of Europe Committee of Ministers
24-26 Kneza Milosa St., 11000 Belgrade, Serbia
Fax +381 11 3618-366

Ms Polonca Koncar
Chair of the European Committee of Social Rights
Secretariat of the European Social Charter, Directorate of Human Rights
Council of Europe, F-67075 Strasbourg Cedex, FRANCE

Fax: +33 3 88413700

Mr Thomas Hammarberg
Council of Europe Human Rights Commissioner
Office of the Commissioner for Human Rights
Council of Europe
F-67075 Strasbourg Cedex, FRANCE
Fax: +33 3 90215053

Mr Miloon Kothari
UN Special Rapporteur on Adequate Housing
Office of the United Nations
High Commissioner for Human Rights
UNOG-OHCHR, 1211 Geneva 10, Switzerland
Fax: +41 22 9179006