



Romano



12 July 2010

Prime Minister Lars Løkke Rasmussen
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Re: Mass arrests and deportation of Romani EU citizens in Copenhagen

Honourable Prime Minister Rasmussen,

The European Roma Rights Centre (ERRC)¹ and Romano² express their concern regarding the reported mass arrest of 23 EU citizens of Roma ethnicity (EU Roma), for trespassing, illegal occupation of private property and alleged theft, in Copenhagen on 6 July 2010 and their subsequent deportation by the Danish Immigration Services on 7 July 2010 for posing a threat to public order. Furthermore, the ERRC and Romano are also concerned about anti-Roma speech by Danish officials, including the Lord Mayor of Copenhagen Frank Jensen and the Minister of Justice Lars Barfoed.

The Danish newspaper *Politiken* reported on 6 July 2010 that the arrest of 23 EU Roma followed racist statements of Lord Mayor Jensen, who called for measures to rid Copenhagen of “criminal Roma.” The Lord Mayor alleged that the EU Roma were responsible for a series of thefts and recalled the duty of police to expel criminal Roma; whereas Danish police stated they could not expel EU citizens with means of subsistence. In reaction, Minister of Justice Barfoed was reported to have stated: “It is completely unacceptable that we have people who evidently reside illegally in Denmark in order to commit crime. There will be a whole series of police actions and there will be no softness. If the Roma have no money on them when apprehended, they should be expelled immediately.”

No information was provided as to any formal charges or convictions brought against the Roma for the alleged thefts; such statements therefore appear unfounded and biased. Furthermore, the manner in which Danish authorities decided to expel the 23 EU Roma raises concern about obligations under Directive 2004/38/EC, which dictates the criteria on which EU citizens may be deported: only if they have been individually considered and found to have exceeded 3 months of residence in Denmark and are unable to prove sufficient means to stay or pose a “genuine, present and sufficiently serious threat [...] for public policy or public security.”³ Likewise, the decision to expel the 23 EU Roma potentially raises concerns under Article 4 of Protocol 4 of the European Convention on Human Rights, which prohibits the collective expulsion of aliens.

Honourable Prime Minister Rasmussen, the ERRC and Romano urge your office to:

- Ensure that no further arrests of Roma take place in Copenhagen absent individualised suspicion of involvement in a crime;
- Stop the collective expulsions of EU Roma from Denmark;
- Provide clarification of the reasons for the deportation of the 23 EU Roma;
- Guarantee that each individual who receives an expulsion decision is notified of the grounds for expulsion, given a minimum of a month to leave the territory and provided access to appeal in accordance with Directive 2004/38/EC; and
- Ensure that high ranking government officials refrain from making racist or inflammatory statements against Roma in Denmark.

Sincerely,

Robert Kushen
Managing Director, ERRC

Eric Støttrup Thomsen
Director, Romano

¹ The European Roma Rights Centre (ERRC) is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education: <http://www.errc.org>.

² Romano is a Danish Romani organisation, working since 1942 to show solidarity with and to increase public knowledge, understanding and appreciation for Roma, particularly migrant Roma: <http://www.romano.dk>.

³ Directive 2004/58/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the European Union and their family members to move and reside freely within the territory of the EU.