

WINTER 2020

Homeless in Europe

A Magazine by FEANTSA



FEANTSA



ROMA EXPERIENCES OF HOMELESSNESS IN EUROPE

CONTENTS

- 6** Interview with a Roma woman living in homelessness in Brussels
- 10** Interview with DIOGENES outreach worker Daniela Novac
- 15** Homeless Roma in Sweden: Discrimination and Denial of Housing
- 20** Wandering: the main proposals from public authorities for Roma people after an eviction
- 25** When patchworks dissolve: perspectives on destitute Roma families' economic livelihoods
- 29** Gadje to gadje: we should listen more to Oslo's destitute Roma EU citizens
- 34** A brief insight into the systemic racism Roma face in accessing housing in Romania
- 40** Spain as a slum free country: it is possible
- 46** An Uncertain Future for Roma Rough Sleepers in a post-Brexit UK
- 52** Roma Strategy vs Reality: An Overview of Roma homelessness and housing exclusion in Europe
- 57** Forced evictions of Roma: "Europe's silent scandal"
- 63** Romani people and their right to housing: from rhetoric to reality!

FEANTSA dedicates their winter 2020 edition of the Homeless in Europe magazine to the Roma individuals and families who experience homelessness or are at risk of homelessness across the EU. The majority of the Roma people across the EU experience racialized poverty, including housing deprivation, at a much higher level than the non-Roma. Roma are also at a higher risk of becoming homeless and face more barriers in accessing support mechanisms when living in homelessness. The COVID-19 pandemic has deepened such inequalities.

People across the world have found themselves helpless and vulnerable in the face of the COVID-19 pandemic, a global health, economic, and social crisis. The lives of marginalized and oppressed groups, including homeless people, have been particularly shaken, not only by the pandemic, but also by the increase of pre-existing structural inequalities.

In October 2020, in the midst of the pandemic, a new EU Roma strategic framework for equality, inclusion and participation was adopted. One of the objectives of the European Commission under this framework is to improve housing conditions for Roma people. Member States are now preparing the national strategies for Roma inclusion for the next

ten years. Despite an improved framework, the post 2020 EU Roma strategic framework is regarded by some with scepticism. One area which is driving this scepticism is related to the limited results of the last decade of Roma inclusion. Housing was one of them. Inadequate housing, forced evictions, and homelessness among Roma as well as their multiple causes have been poorly addressed. Housing is the area of action with the least registered improvement.

While policies have been created, hate speech and discrimination against Roma have also acquired new levels and dimensions this year. Militarized operations were registered in Roma communities and people were at an even higher risk of homelessness and health threats since forced evictions continued in this period. Moreover, many continued to live in homelessness during the pandemic.

At FEANTSA, we have been working to underline the increasing need of support for Roma who experience homelessness in their origin countries as well as when they travel within the EU fleeing discrimination, looking for better lives and work opportunities. Migration for economic survival has led Roma from the poorer MS in the EU to countries of the south and, after the Euro crisis, further to the west and north.

EDITORIAL



By **Simona Barbu**, FEANTSA Policy Officer

In many of these host MS, mobile EU citizens face difficulties in accessing their social rights. Housing and shelter are not available, and people end up sleeping rough or counting on the homeless service providers for temporary shelter and counsel for their rights. Discrimination remains part of the lives of Roma when they travel. In testimony to this stand the cases where Roma experienced collective expulsions, abusive deportations from and imprisonment in host MS as well as hate speech and hate crimes. Despite these dire conditions Roma still travel abroad because the chances are still better, and in the words of the Roma woman interviewed for this magazine, “we have to.”

Indeed, anti-Roma racism targets Roma in many ways in their home countries. Housing deprivation and overcrowding, forced evictions, relocation to toxic areas as well as residential segregation are common and persistent problems that Roma communities face in many MS. The [walls that separate Roma from non-Roma](#) within the same neighbourhood or the same locality have shamed Europe internationally as blatant proof of anti-Roma racism while deepening their exclusion in countries like Czech Republic, Romania, and Slovakia.

The history of Roma in Europe is defined by a continuum of racial injustice. Anti-Roma laws appeared in Europe as early as Roma arrived on the continent. In Romania, Roma have been enslaved for almost 500 years, starting with the fourteenth century. Spain interned, subjected to forced labour, hurt and killed, 12 000 Roma for simply “being Roma” in 1749 during “The Great “G*psy” Round-up. Czech Parliament Law No 117 from 1927 (“On the fight against G*psies, vagabonds, and those unwilling to work”) established that all Roma should be registered and fingerprinted while their children were taken away and put in specially created institutions. During the Holocaust, an estimate of more than 500,000 Roma were murdered by the Nazi-occupation – at Auschwitz-Birkenau there was a “G*psy camp”

and people received a tattoo with a “Z” for “Zigeuner”. In Serbia, in 1941 ministerial laws prohibited access of Roma children to public education. The communist times continued the oppression of Roma: though many remember they had a job and a safe income; this period is also tainted with denial of the Roma culture and language as well as a continuous discrimination. Roma history is often unknown to larger society and, on a national level, Europeans have failed in addressing their consequences and implementing effective anti-discrimination measures and ensuring reparations. But the EU has indeed reached out to MS through the available legislation for more than a decade now in order to support the inclusion of Roma. An evaluation of these actions shows us that housing for Roma is one of the areas where continuous investment is required as “*Especially due to inadequate and segregated housing the housing situation remains difficult.*” However, Roma people continue to live in overcrowded housing, with no connection to water, with no toilet, shower or bathroom.

This winter edition of FEANTSA’s Homeless in Europe magazine speaks to these harsh realities and brings forward critical contributions from Roma and pro-Roma organisations, as well as Roma and pro-Roma rights activists and researchers. We aimed to give space to Roma voices in these pages, including Roma academics and activists. In particular, we wanted to interview a young Roma woman who has shared with us her experiences of homelessness in the streets of Europe’s capital, Brussels. Felicia [pseudonym] talks about the lack of opportunities at home in Romania “for us, Roma.” She has not heard much about the support measures that the EU framework should facilitate for Roma in MS like Romania, but her message is clear for the European Institutions: ***We need jobs, but jobs that we can work in here [in Belgium], so that we can support our families and to have a roof over our heads when we stay here. We need a place to sleep when we get here!***



The contributions in the magazine combine a European perspective with national analysis. At the national level, we started with our very own Belgium, the home of the EU institutions where Daniela Novac, outreach worker from DIOGENES, a Roma woman from Romania and a migrant herself talks to FEANTSA about the importance of a support system for mobile EU citizens in a host MS and that of an address. Moving forward, we explore the situation of Roma in Sweden for which Amnesty International's Johanna Westeson discusses the reports of hate crimes against Roma EU citizens in Sweden and their denied access to housing. Next, we look at Roma in France where Lila Cherief at the Collectif National Droits de l'Homme Romeurope condemns the lack of options that Roma face when evicted from informal settlements. In Denmark, destitute Roma couples use a patchwork economic strategy to support their families back home. Camilla Ida Ravnbøl from Copenhagen University presents the fragility of these strategies during a global health crisis. In another Scandinavian country, Norway, social workers from Kirkens Bymisjon support destitute Roma to claim their rights and Bianca Irina Cristea and Maren Stinessen raise a critical question: is society listening to Roma? Marian Mandache, Roma activist and former director of the oldest Roma NGO in Romania (Romani CRISS), gives an account of the bleak systemic racism Roma face in accessing housing in Romania. Belén Sánchez-Rubio, Carolina Fernández and Maite Andrés of the Fundación Secretariado Gitano signal the persistent and structural problems concerning the existence of slums across Spain where Roma continue to live. As Brexit unfolds, we also look at the repercussions for Roma who sleep rough – Rory Meredith and Matt Cary at the Roma Support Group discuss the future of Roma rough sleepers in the UK.

For a European perspective on the situation of Roma in homelessness and housing exclusion we invited two European Roma NGOs, the European Roma Grassroots Organisations Network (Amana Ferro and Isabela Mihalache) and the European Roma Rights Centre (Bernard Rorke) to contribute. Marius Tudor, Roma Senior Advisor within the European Parliament calls for a strategic document for the Inclusion of Romani people with a binding character for the Member States in terms of implementation.

Tens of thousands or maybe more Roma experience homelessness across the EU. Like Felicia, our interviewee, most of them maintain a hopeful attitude and tell everyone why they travel abroad from countries like Romania, Poland, Bulgaria, Slovakia or the Czech Republic, to name a few. While many passers-by wonder if it is worth it and reject people on the streets of the big European cities, Roma continue to struggle, to resist as they did in the past through the oppression they faced. Resistance and strength are not optional for oppressed peoples.

Roma and pro-Roma civil society and human rights activists have worked to raise awareness, to empower Roma communities and to realise Roma rights. It is timely that these efforts and struggles be met with concrete actions and support measures from Member States at national level in coordination with the EU. The place of Roma in society needs to be restored and for this we need reparatory and anti-racist measures.

With this issue of FEANTSA's magazine we aim at raising awareness on the particular need of quick intervention to improve living conditions for Roma and to prevent them from ending up in homelessness.

Homelessness is not a choice. Housing is a right.



INTERVIEW WITH A ROMA WOMAN LIVING IN HOMELESSNESS IN BRUSSELS

To truly understand the barriers encountered by Roma people and respond appropriately through legislation, it is first necessary to listen to their lived experiences. FEANTSA's Simona Barbu and Sergio Perez have interviewed Felicia (pseudonym), a Roma woman experiencing homelessness in Brussels. She explains how she and her family have come to be in this situation and the concrete barriers preventing her from participating in society fully.

It is a cold November evening in Brussels and we walk down the main shopping street in the city centre. All shops are closed, we are in the middle of the second wave of the coronavirus pandemic. There are not many people on the street as the curfew starts in a couple of hours. Suddenly, we see three young girls running around. Behind them there are around ten other people, adults. They are clearly getting ready to go to bed as they have laid down what seem to be mattresses and blankets arranged under a shelter that should cover them from rain.

The girls speak Romanian to each other and I say hello. When they hear I speak Romanian, people get curious immediately and raise their heads from their improvised beds. They all say hello and look curious. Felicia (pseudonym), a young woman in her mid-twenties comes closer and introduces herself while the girls run around us. We introduce ourselves as well, and we tell her we work at FEANTSA and would like to ask her some questions for our magazine which aims to present the situation of Roma sleeping rough. The girls look up attentively, while we talk to Felicia who agrees to let us tell her story under anonymity.

FEANTSA: Is this where you all sleep?

Felicia: Yes, we have been sleeping here since we arrived in the city, a week ago. I am here with my husband and the others are our relatives too; the girls are my nieces. They are here with their parents. We sleep here together. In the morning, we clean after ourselves and we put the foam mats we sleep on and the blankets behind the building, so that we can collect them in the evening. We don't have enough money to pay for rent here, it's expensive... (the wind blows and she looks to the street and continues) It's cold and it's hard to manage, but it gets really bad when it rains...

We are afraid to go to the shelters to be honest, because of this virus.”

FEANTSA: How old are you, girls?

The girls answer all at once: 8 and 9 years old.

FEANTSA: is it your first time in Brussels?

Felicia: No, I was here last year, but then I got pregnant and had to go home. Now I have a 10-month-old baby. I left him and my 5-year-old daughter in Romania with my parents.

FEANTSA: And how do you manage now, especially with the coronavirus? Do you use the social services in the city?

Felicia: No, we used to go to Samusocial [shelter for emergency aid to homeless people], but now we don't go anywhere. We are afraid to go to the shelters to be honest, because of this virus. There are many people there usually and we don't think it's safe to be inside with a lot of people. We have masks, somebody gave them to us from the pharmacy close by here, for free. It is difficult, and now with the restrictions, the stores are closed and the toilets as well, so we can't use the public ones anymore. You know, as a woman it is very difficult not to have a place to wash up, but we manage as we can, we have to...

FEANTSA: *Have you been told that you have to quarantine when you entered in Belgium?*

Felicia: No, nobody told us anything about that.

While we talk to Felicia, the girls ask if we have any clothes. We explain we do not, but we can try to ask if any shelters give clothes for children. After calling one of the shelters in the city, we explain that they would have to go there to get help, including clothes, and Felicia looks a bit confused. When we try to explain that it's not too far from where they sleep, Felicia explains.

Felicia: I don't know, I need to ask their parents, because they are not my daughters, and you know how it is, you are not allowed to have children on the street. There was another Roma woman who had her daughter with her and the Belgian state took the girl. So people who have children here are scared to be seen by authorities.

FEANTSA: *And what do you do here, how do you manage?*

Felicia: We beg, to tell you the truth. I ask people for spare change, but I don't insist and I don't like to make people feel obliged, they should give only if they want to. Now it's not going so well since this virus appeared. Some days I make only 5 euro. It's bad compared to before. Everything is closed, and people don't give so much money. But we still need to come here, because in Romania there is nothing for us. You know, we are Roma, and there aren't many opportunities for us there to get a job. It's difficult for men back home as well, but as Roma women it is even harder... It's hard to get an education and then sometimes we are being told that we are 'g*psies'... When it's possible we work daily jobs for the other people in the community, but it's not enough to earn money to support our families. And I have two children at home, the little one needs his bottle of milk every day. I need to send money to them. This is why we came here.

“There was another Roma woman who had her daughter with her and the Belgian state took the girl. So people who have children here are scared to be seen by authorities.”

FEANTSA: *And how do people treat you here, did you have any problems?*

Felicia: They treat me fine. I also know some Romanians who help me sometimes. We didn't have problems with the police or anything. I think we will stay here for one month at least, because we also need money to pay for the bus ticket to go back to Romania. It's 100 euro per person.

FEANTSA: *Do you know that there is a Roma strategy at European level which allows for countries like Romania to implement activities to improve the situation of Roma in the poor communities?*


No, what is that? They should help us? No, that never happened, especially back home in Romania. Maybe here. Yes, Belgian people give us some money, but we didn't get any help from elsewhere and especially not in Romania.

FEANTSA: *What message would you like to send to the institutions here in Brussels working at European level to improve the situation of Roma through our magazine?*

Felicia: We need jobs, but jobs that we can work here, so that we can support our families and to have a roof over our heads when we stay here. We need a place to sleep when we get here. I would like to wake up, go to work like everyone else and then have a place to come back to, a home and a bed to sleep in. I want to work here in Belgium, as the salaries are better.

While we speak, the spotlights from the mall under which the group of people is gathered go off - it is getting late and even the few essential stores that stay open during the pandemic are closing. We all look up since the lights turn off suddenly, and Felicia's face turns into a smile as she comments in Romanian: "*S-a luat curentul, n-am plătit factura!*" [The electricity is off, because we didn't pay the bill!] and she chuckles.

Felicia has a positive attitude; she is strong and resilient and finds the strength to make jokes despite the prospect of having to spend at least one more month on the street. Her thoughts always go back to her children at home, telling us how she calls them every day from the mobile phone which she charges in a shop inside the metro station. She feels sorry she does not have enough battery to show us photos of her kids, but asks us to come back again to talk and she will show them to us then. She waves and says good night, returning to the aligned foam used instead of mattresses where the young girls are braiding each other's hair getting ready for sleep.

 I would like to wake up, go to work like everyone else and then have a place to come back to, a home and a bed to sleep in."

INTERVIEW WITH DIOGENES OUTREACH WORKER DANIELA NOVAC

FEANTSA's Simona Barbu sits down with Daniela Novac, who has been an outreach worker with DIOGENES for 17 years. Daniela talks about how the work has changed over the years, the tangible barriers for Roma trying to obtain supports, such as having a fixed address, and the disconnect between the policy work being done at EU level and the challenges that she comes up against on the ground.

About Daniela Novac

DIOGENES is a service dedicated to outreach work with homeless people in the Brussels-Capital Region. The organisation focuses on building a bridge between the street and the rest of society and their mission is to have contact with everyone who lives on the street. Daniela Novac has been part of the Diogenes team since 2003. Daniela is from Romania and she is Roma herself. Since she joined the DIOGENES team in 2003 she has worked on the cultural mediation program and has focused on interacting with Roma living in destitution and in homelessness. With over 17 years of experience, Daniela agreed to share with us her extensive knowledge on the situation of Roma in Brussels.

Tell us about the beginnings of the project and how you started working at DIOGENES.

I was hired in 2003. I really liked it because I felt very productive and I could also use my experience which was very good. At the beginning of the project we were working in a pair, so I had another colleague. We worked with everyone, but my focus was on Roma. This allowed me to learn a lot about how things work on the street and I could learn about what rights people have and do not have when living on the street. My colleague would learn about the Roma as well, and together we found the few services that could help people that still exist today. For a while now I have worked alone and in a very independent manner, reporting back to my other colleagues. I go into the field and I contact people and together we try to find out what their needs are and where we can go to ask for help. And I do it together with the people I'm trying to help, depending on what they say and in their rhythm.

What are the needs of people, what are their main requests?

In the beginning, we were met with different situations and the legislation was also different in Belgium for Roma who came from countries like Romania, because we were not in the EU yet. The people that we started working with succeeded in becoming regularised with the help of lawyers that we found for them. There were pregnant women who did not know where they could receive health care, children who were not vaccinated. People told me that they were sick and did not know where to go to apply for regularisation here in order to obtain a registered status and be able to access medical services or welfare benefits.

Back then, there were few requests from people who did not have somewhere to sleep. How should I explain this... it was because we Roma function around the concept of family, not as individuals. So those who came here first would help their relatives when they would first arrive, at least to offer them accommodation until they found a place of their own. After Romania entered the EU more communities arrived in Brussels who were new. Some of them had the opportunity to obtain an independent status and they opened companies, for instance in construction. They had this opportunity and then they supported other people from their community by offering them a work contract. So, people could obtain this temporary regularised status and a big group started working in constructions, for men, and women work a lot in cleaning services. Now we also have a lot of people who do Uber, there are many jobs that people do. (...)

The last group I worked with is the group of people who are homeless. I first noticed that many new people came to Brussels from France after they were expelled in large numbers. They did not have relatives

“...in Roma’s minds there still is this stamp of discrimination and a question mark about what motivations lie beneath anything that is proposed to them.”

here. Starting from 2015 they started coming more and more and they went straight to sleeping on the street. And they did not have help from anyone, not even the Roma groups who were here already. We keep our traditions within each Roma community, but there are also differences between our groups. These people come and stay for several months after which they go to help their families back home. For them we try helping by suggesting the shelters for homeless, but some of them refuse to go there because of the codes that we the Roma have. For instance, families do not accept sleeping in a big room with many women and men all together, as we have a rule about purity and impurity¹. We have some restrictions that do not allow this. So, then they find abandoned places to sleep in or they sleep in the streets and police sometimes go to evacuate these places. Then we also collaborate with the associations who work in the camps to facilitate vaccinations or consultations for pregnant women. We do all possible kinds of mediation, both on behalf of Roma and on behalf of other services if needs be.

Roma are not all the same, they have different statuses – those who were able have integrated and they have lived here for many years,

they have children who go to the university. Then we have the very destitute groups who live in the streets. The issue is that these people are the most visible. The ones who are integrated do not have an interest in being exposed and showing off their status. I also think that in Roma’s minds there still is this stamp of discrimination and a question mark about what motivations lie beneath anything that is proposed to them.

What made a difference between those who integrated and who did not?

When you arrive in a foreign country without knowledge of the rules and no support you cannot manage. In big water you cannot swim on your own all the time if nobody is there to help you. Of course, if you come to a new place and you have access to accommodation, already you are out of homelessness, you are not visible in the street. You have access to information, and you know where to go, you do not wander the streets looking for help. This is a big problem that we have in Belgium for families who arrive here – there is no service to counsel people, to give them guidance in the beginning. I also

noticed that many Roma who come here already carry a stigma of themselves, because they have felt discriminated against back home for being Roma, because they are poor, because they don't have rights back home either... the list is long. So, when they come to ask for recognition of these things in another country, they actually find out that there is nobody to recognise this, nobody is receiving them and listening to their needs.

(...)

During this spring you managed to obtain accommodation for several Roma families who were homeless in Brussels. How did you manage to do that and what did this mean for the families?

These families were homeless, and we had known them for a while. In the spring the opportunity to house some people appeared for a short term of 6 months and we were told to think about people who could be helped by the fact that they would have an address. After being registered with this address they could access their rights. One of the families I worked with was from Slovakia and they were on the street, they did not have anything. What we did was ensure support from many sides: first we registered them at the municipality. After that, I helped them register at the job centre to be able to look for jobs. They were here for quite some time already and even if they lived outside on the streets, they managed to learn French somewhat. So now they could be registered because they had an address, which is the biggest problem that people face. Not having an address means that they cannot get access to support services. Then I also registered them at a Roma service for school mediation and there the mother also received help to get a job. This service found the mother

a job exactly towards the end of the accommodation period. After she got the job, she was able to receive the residence card and she can now get welfare benefits, as she works part time, and she can get supplementary support from the state. The children can receive allowances. So in time, slowly, she can get out of this situation and reach a good position in society. So the key was the address! As well as the support she got from the services.

And can they continue to stay at the same address?

Unfortunately, the day when she was starting work there was a fire at their building, so they had to move to the Red Cross. We are looking for another place to rent for them. The mother still goes to work in these conditions, which proves her huge motivation. In all these unfortunate conditions her thoughts are still on her job, because she knows that this is her only chance to have a better life.

“Not having an address means that they cannot get access to support services.”

What do you think about the impact of the EU framework and the results it has on the field and what would you recommend for improving this work?

I see that there are different possibilities of securing help for Roma, some are more useful than others. I think that people should be supported to become autonomous. They should be supported in understanding what rights and obligations they have. A good example is what we at Diogenes achieved with this family. The address meant a lot for this family, but that is not enough. People also need support to stand on their own and become independent, support themselves.

There are strategies, but in the area where people need practical help there is no news. And I regret that I'm not able to be more involved at EU level. I went to several conferences and to the European Parliament, but I felt I could have used that time better, maybe helping someone to get help at the hospital. I really want to be involved more as I have a lot of knowledge in the field collected over 17 years and I would like to raise awareness on the situation of Roma at a higher level, to show people how things are in the field and to make them understand better, but I always get the feeling they are not interested. This discourages me in the end. More practical things that

are noticeable and which make a difference should be implemented. Sending money [to Member States] is just not enough.

People should be offered at least the chance to have an address to register and access to a good service that could support them in finding a job. And then, when you offer people a solution to accessing jobs you can also have requests and sanction those who do not comply. But punishing people just because they are poor and you are bothered by their presence in the streets, when they are not being offered any support - that is not right. This is how I see things. Because people are capable and motivated, otherwise they would not come here. Generally, all those who come are motivated and willing to work. Because life in the street and making a living through begging, not having any security for the future and living from one day to another is very difficult. There is no harder thing than this life.

ENDNOTE

- 1 Purity laws ("marime" or "marhime") are part of the Romani traditions and are still present currently within some of the Roma communities across the EU. You can read more information on pure and impure rules [here](#).

“More practical things that are noticeable and which make a difference should be implemented [by the EU]. Sending money [to Member States] is just not enough.”

HOMELESS ROMA IN SWEDEN: DISCRIMINATION AND DENIAL OF HOUSING

A national housing crisis and a pervasive misunderstanding that state obligations vis-à-vis human rights are limited to citizens, underpinned by anti-Roma rhetoric in Swedish public debate, pose a huge challenge to ensuring the right to housing for destitute EU citizens in Sweden. Amnesty International identifies an urgent need for a broader, and human rights compliant, approach to housing and homelessness in Sweden.



By **Johanna Westeson**, Legal adviser on discrimination and economic, social and cultural rights, Amnesty International Sweden

DISCRIMINATION OF ROMA HOMELESS MOBILE EU CITIZENS IN SWEDEN

Following the enlargement of the European Union in 2007 and especially since the 2008 economic crisis, many EU citizens have migrated to other countries in the Union. Among them, an estimate of between 4,000 and 5,000 Romanians and Bulgarians have ended up in destitution and homelessness in Sweden. The presence of destitute EU citizens, most of whom are Roma, has stirred strong reactions in Sweden despite the relatively small number of individuals. Many of these destitute EU citizens support themselves by begging, can-collecting for recycling or taking occasional jobs, and most are living in situations of homelessness. In Sweden, where exposed poverty in the form of street homelessness is widely perceived as an anomaly that is inherently “un-Swedish,” many EU migrants have been met with suspicion, fear, and outright racism. Anti-Roma sentiments and anti-begging rhetoric permeates the Swedish debate. In August 2018, teenagers in the small Swedish city Huskvarna assaulted a Romanian man sleeping rough and supporting himself by begging; the assault resulted in his death. In Skåne, in the south, service-providing partners of Amnesty International report that hate crimes against Roma EU citizens are common, but rarely lead to criminal charges. Municipal bodies and national agencies have been slow or unwilling to assume responsibility for meeting the EU migrants’ basic human rights. Their main argument is that it is not Sweden’s obligation to guarantee the human rights of citizens of another EU country. To support this argument, politicians, spokespersons for municipalities and government authorities, and the media have consistently referred to principles of EU law, according to which EU citizens taking advantage of their freedom of movement in the Union can expect very little support from the host state. Equally consistently, they have ignored universal human rights principles set forth in instruments to which

“In Skåne, in the south, service-providing partners of Amnesty International report that hate crimes against Roma EU citizens are common, but rarely lead to criminal charges.”

Sweden is party—principles that establish far greater responsibilities of the host state vis-à-vis all human beings in the territory.

In 2018, Amnesty International published a report on Sweden’s treatment of so-called “vulnerable EU citizens,”¹ without a right of residence, and their access to basic rights (to housing, water, sanitation, health, and to not be subjected to harassment or other discriminatory treatment by police) grounded in international human rights principles.² The report was based on interviews with 58 Romanian nationals, most of whom self-identified as Roma, in six different Swedish municipalities, and with representatives of national,

regional and local governments, police, and national agencies. The report concluded that the Swedish state fails to recognize and take responsibility for the rights of destitute EU migrants in Sweden and, as a result, that individuals live in a social and legal limbo for several years, without even a minimum level of protection or support.

Most of the people interviewed for the report said their main concern in Sweden was the lack of a secure, safe, and stable place to sleep, and that this was a source of enormous stress, fear, and anxiety. Access to housing and homeless shelter for vulnerable EU citizens in Sweden varies widely from one municipality to the other. In two small municipalities we visited, Gotland and Lund, long-term shelter was provided combined with social support, but in the major urban areas this was not the case. In the big cities, many interviewees slept in cars, under bridges, in tents made of plastic sheets or in shacks in the woods. Some spent occasional nights at a shelter but shelters for EU migrants in the biggest cities set limits for the number of nights that people could stay. Thus, after three or five nights the vulnerable EU citizens resorting to shelters were left to sleep rough again. One of the major cities, Malmö, did not have any shelter open to this group at all from the end of March to the end of December. Many spoke about the insecurity of having nowhere to go and the constant fear that the police would find them and force them to relocate.

HOUSING AS A BASIC HUMAN RIGHT FOR ALL NOT RECOGNISED IN SWEDEN

The UN Special Rapporteur on the right to adequate housing has stressed the link between addressing homelessness and ensuring the right to life, not the least with regard to lack of protection from inclement weather. This rings true in a country like Sweden where

severe winters can make sleeping in the open directly threatening to life and limb. Because of the inherent connection between life, dignity, bodily integrity and adequate housing, several human rights bodies have emphasized the state's positive obligations to provide housing for all within its territory. We found, however, that Swedish officials on national and municipal levels showed a striking lack of awareness of the state's human rights obligations. The Swedish government has failed to acknowledge that the right to adequate housing applies to all, and that duty-bearers in all Swedish municipalities must take steps to fulfil their obligation to protect the lives and health of EU citizens living in destitution in Sweden.

The release of our Amnesty report in 2018 led to strong reactions in Sweden from politicians, media and the general public. The aspect that triggered most criticism was the report's claim that non-citizens have a right to housing, or at a minimum long-term shelter, while in Sweden. We assume this hostility at least in part is linked to the fact that there is a general housing crisis in Sweden, where many citizens themselves are struggling to find affordable housing and structural homelessness is on this rise.³ Amnesty International pointed to the human rights obligations of Sweden for all human beings within its territory. Nevertheless, members of the public, media, and representatives of political parties from right to left rejected the notion that homelessness is a violation of human rights that must be addressed by Swedish duty-bearers regardless of the legal status of the individual concerned. Amnesty International has, in dialogue with duty bearers on national and local level, found it difficult to challenge the idea (based on EU law) that Sweden's responsibility for destitute nationals of other EU member states is limited to emergency support and a ticket back to their home countries.

Since the publication of the report, the situation for homeless, destitute EU citizens in Sweden has worsened. The long-term

shelters for EU migrants in Lund and Gotland, highlighted as best practices in the report, have both closed due to lack of resources and municipal commitment. Housing arrangements for EU migrants in other municipalities are also at risk of closing. A national coordinator, who was assigned by the government to coordinate between state, regional and municipal bodies, and civil society actors in addressing the needs and challenges of vulnerable EU citizens, ended his assignment with a report in February 2020 in which homelessness was hardly addressed at all, let alone the right to housing.

COVID-19 AND HOMELESS ROMA IN SWEDEN

Since the onset of the COVID-19 pandemic, the situation for homeless people in Sweden, citizens and non-citizens alike, has become even more desperate. According to service-providing organizations, while many Romanian and Bulgarian citizens quickly travelled to

their countries of origin, a large proportion of destitute EU migrants returned to Sweden within a couple of months, due to the desperate economic and social situation in their home countries because of the pandemic. Reports also suggest that the discrimination of Roma during the crisis has become even more critical. The returnees deemed that their chance to make a living was, although slim, still better in Sweden than in Romania and Bulgaria. Sweden has not yet introduced a full lockdown, but corona-related restrictions have made making money from begging and can-collecting for recycling even more difficult.

Amnesty International Sweden called for a moratorium on all evictions, and for a human rights-compliant emergency plan to protect all people living in homelessness against the pandemic, no matter their legal status or citizenship. Despite an initial positive response from state agencies to Amnesty International's call, very few concerted efforts have been taken to protect people experiencing homelessness

Amnesty International has, in dialogue with duty bearers on national and local level, found it difficult to challenge the idea (based on EU law) that Sweden's responsibility for destitute nationals of other EU member states is limited to emergency support and a ticket back to their home countries.

from the pandemic. Homelessness schemes are a municipal matter in Sweden and, therefore, government and state agencies did little to address homelessness on a national level. In a meeting with Amnesty International in April, the Director-General of the National Board of Health and Welfare acknowledged that, in contact with social services, they had not raised questions about the situation of EU citizens living in homelessness, and thus that the Board had no information at all about how this particularly vulnerable group was affected by the pandemic.

Municipal efforts to address homelessness in the context of COVID-19 differ wildly in scope and ambition. Some municipalities, Amnesty International has learned, have organized new emergency housing and better outreach schemes, whereas others simply report that no steps had been taken at all. Service providers supporting people living in homelessness in Sweden tend to be civil society organizations and churches, albeit often with municipal funding. Many of these, due to social distancing restrictions and the fact that many of their volunteers are themselves in risk groups, have had to cut down their hours of service and number of beds available. Almost no municipality reported that they had taken extra steps to reach out specifically to and/or support vulnerable EU citizens living in homelessness.

CONCLUSION

The COVID-19 pandemic has highlighted the importance of having a home to protect oneself and others from the virus. Having closely monitored the situation of EU migrants living in homelessness in Sweden for the past two years, there appear to be two main challenges to ensuring that the right to adequate housing for all is

upheld: Sweden's serious housing crisis, marked by an increase in general homelessness, and the pervasive misunderstanding that state obligations vis-à-vis human rights are limited to citizens only. There is an urgent need for a broader, and human rights compliant, approach to housing and homelessness in Sweden.

Service-providing partner organizations tell us that in this regard, human rights organisations can play a key role. By insisting that housing is a human right, and one upon which the enjoyment of many other rights depends, including the right to health, we can influence the narrative about and approach to the issue of homelessness as such. It is equally important for human rights organisations to emphasise that it is incumbent upon states to uphold the human rights of all and ensure that no one, including migrants, is left behind. The right to housing for Roma EU migrants in Sweden must be addressed within broader efforts to guarantee a systemic, human rights compliant, and inclusive solution to the growing housing crisis in Sweden.

ENDNOTES

- 1 A term used in Swedish legal and policy documents to refer to citizens of other EU countries who live in destitution in Sweden.
- 2 Sweden has human rights obligations toward all people in the country, including non-citizens; a principle stemming from binding human right instruments and authoritative interpretations from UN and European human rights bodies. Indeed, both the [UN Human Rights Committee](#) and the [UN Committee on Economic, Social and Cultural Rights](#) have criticized Sweden for not including EU migrants living in destitution in the rights protection awarded to Swedish nationals.
- 3 Structural homelessness refers to lack of housing for economic reasons, not necessarily linked to other social problems such as mental health issues, substance abuse, etc.

WANDERING: THE MAIN PROPOSALS FROM PUBLIC AUTHORITIES FOR ROMA PEOPLE AFTER AN EVICTION

In France, systemic racism and anti-Roma sentiment culminate in the eviction of Roma or those thought to be Roma from informal settlements. However, there are frequently no supports and housing solutions offered to Roma after they have been removed from these sites. When they are offered, they are often inadequate and act as little more than a stopgap between the eviction and the Roma person's re-entry into homelessness. While it is a widely held view that Roma in a precarious situation do not attempt to integrate into French society, Lila Cherief explains how they are being prevented from doing so.



By **Lila Cherief**, Lawyer and Research Analyst, Collectif National Droits de l'Homme Romeurope

ANTI-ROMA SENTIMENT IN FRANCE

Everywhere in Europe, Roma people remain victims of structural racism, which has multiple consequences for their lives, and France is no exception. The European Commission regularly tries, through ten-year plans, to improve the living conditions of Roma people, by asking Member States to present national strategies and report on their implementations. The latest plan proposes minimum goals to be reached for 2030 in areas such as fighting discrimination, combating poverty, facilitating children's education, closing the gender gap in employment and promoting access to housing and drinking water.

Back in 2013, the former French Prime Minister Manuel Valls, made racist and intolerant remarks against the Roma, stating they were inherently "different" from the French population and "will have to return to their country." This gave the feeling of impunity to the many local public authorities and the general public who shared his views.

This racism is still vividly present today in the French society; *le Défenseur des droits*¹ in his report "Discrimination and origins: the urgency to act"² denounced the systemic nature of discrimination in France, in particular against Roma people: "People of foreign origins or perceived as such are disadvantaged in access to employment or housing and more exposed to unemployment, to precariousness, poor housing, police checks, poor health and educational inequalities."

In France, the repeated evictions experienced for many years by Roma people living in informal settlements are among the most visible expressions of racism against Roma people in very precarious situations.

The European Court of Human Rights (ECHR) regularly reiterates that Roma people constitute a "disadvantaged and vulnerable minority." As such, the Court ruled in a 2020 decision condemning France that "this socially disadvantaged group" and their particular needs must be taken into account in "the proportionality assessment that the

In France, the repeated evictions experienced for many years by Roma people living in informal settlements are among the most visible expressions of racism against Roma people in very precarious situations."

national authorities were under a duty to undertake, not only when considering approaches to dealing with the unlawful settlement but also, if eviction was necessary, when deciding on its timing and manner and, if possible, arrangements for alternative accommodation.”³

EVICTIONS OF ROMA FROM INFORMAL SETTLEMENTS IN FRANCE

Between 1st November 2019 and 31st October 2020, a coalition of 7 organisations including Romeurope monitored all evictions from informal settlements, squats, camps etc., and identified 1,079 evictions in metropolitan France.⁴

The towns of Grande-Synthe and Calais alone represent 88% of the evictions reported for the entire metropolitan territory. Most of them are not Roma but live in very similar and inadequate housing (tents, shacks, etc.).

Among those 1,079 evictions, 122 were reported outside Calais and Grande-Synthe and our organisations noted a greater presence of certain nationalities, in particular: Romanian, Bulgarian, Albanian, Moldavian, Ukrainian. In these countries, Roma communities represent an important part of the population and suffer from extreme racism and discrimination. Although they are far from constituting the totality of the inhabitants of squats and slums, it is important to note that Roma are highly represented. Exclusion, racism and discrimination therefore constitute the harsh reality in



Of **122** reported evictions,
46% have targeted Roma occupied living spaces

France for Roma communities, who are disproportionately impacted by poor housing and evictions. Of these 122 reported evictions, at least 57 have targeted living spaces occupied by Roma people or people perceived as such, which represents 46% of evictions.

The proposal of a stable solution to people after they are evicted is very rare. The proposals made after these 57 evictions which targeted informal settlements occupied by Roma people or those perceived as such were the following:

- For 29 evictions, all or some of the evicted persons were not offered any solution, (i.e. 50.87% of the evictions).
- For 24 evictions,⁵ all or part of the evicted people were put in temporary shelters (school, gymnasium, social hotel, CHU, CAO, CAES, CPO, HUDA, AT-SA, PRAHDA;⁶ 42.10% of the evictions).
- For 1 eviction, some of the evicted people were oriented towards a longer-term housing solution with a dedicated social worker to help improve their situation (1.75%).
- For 13 evictions, no information is available.⁷

SUPPORTS AVAILABLE TO EU CITIZENS VS NON-EU CITIZENS

In France, Roma people (or people perceived as such) inhabiting these informal settlements who are European citizens (mainly Romanian or Bulgarian citizens), have a better access to temporary shelters compared to non-European citizens. They benefit from a governmental policy for the “slum clearance” which is driven by the January 25th 2018 bylaw “aiming at giving a new impetus to the slum clearance” signed by eight ministers.⁸ Its scope essentially targets the metropolitan territory and the Government’s actions are directed towards the social inclusion of European citizens.

However, many Roma and non-Roma people living in informal settlements are not European citizens, and therefore cannot benefit from this public policy which aims at more social inclusion. Moreover, even if some European citizens living in informal settlements have access to housing, school, employment or health, thanks to those

programs financed by the government, a lot of them are still being evicted on a regular basis. “Wandering” - moving frequently - is the only solution left.


ROMA PEOPLE IN FRANCE: VULNERABLE DESPITE THE CRITERIA

In the context of a housing and temporary accommodation crisis in France, only people considered to be the most vulnerable (which is based on extremely variable criteria), are likely to be oriented towards an accommodation solution after an eviction. Indeed, in some regions, the vulnerability criteria necessary to benefit from shelter are particularly restrictive, for instance:

- Parents of children under the age of 3 (children under the age of 1 in certain areas)
- Pregnant persons
- People affected by a visible vulnerability

These criteria go against the law guaranteeing unconditional accommodation in France.

When a proposal is made following an eviction, it is temporary, usually only for a few days. This only briefly postpones a return to the streets. These unsustainable solutions do not allow the evicted Roma people to escape their precarious situations for a long period, nor to plan for the future or anchor themselves in one place.



When support is offered following an eviction, it is temporary, usually only for a few days. This only briefly postpones a return to the streets.”

Repeated evictions and the absence of permanent rehousing solutions thus lead to lack of healthcare and schooling, while also violating the right to housing and compromising the possibilities of social inclusion of Roma people.

These systematic eviction policies reinforce the precariousness of Roma people and people living in informal settlements in general, and result in situations of instability and constant wandering. They also feed the racism that is very present in French society. The latest report from *la Commission Nationale Consultative des Droits de l’Homme*⁹ on the fight against racism, anti-Semitism and xenophobia reminded us that Roma people are the most poorly perceived minority by the French people.¹⁰ To illustrate, 53% of the people questioned within the framework of this report consider that “the Roma do not want to integrate themselves in France.” However, the question remains: “does France offer them a fair chance to do so?”

ENDNOTES

- 1 The « Défenseur des droits » (Defendor of Rights) is an independent state organization. This organization has two missions: defend people whose fundamental rights are not respected and provide equal access for every person to those fundamental rights.
- 2 Le Défenseur des droits, *Discriminations et origines : l’urgence d’agir*, 2020 [[available here](#)]
- 3 ECHR, May 14 2020, *Hirtu and others v. France*, req. n° 24720/13
- 4 L’Observatoire des expulsions de lieux de vie informels, *Note annuelle 2020*, Novembre 2020 [[available here](#)]
- 5 For 104 evictions (including the Calais territory and the town of Grande-Synthe), all or part of the evicted people were put in temporary shelters (school, gymnasium, social hotel, CHU, CAO, CAES, CPO, HUDA, AT-SA, PRAHDA...) (9,63%)
- 6 These acronyms refer to different temporary rehousing solutions provided by the French State: the solutions offered may vary depending on a person’s administrative statute.
- 7 For one eviction, a contributor from the Observatory of evictions from informal living spaces can report that different solutions were offered by the state, for instance a mid-term/long-term rehousing solution for some people, while some will receive no solution. Indeed, inside one eviction the solutions offered by the State will vary depending on the profile of the evicted persons and the criteria implemented by prefectures to benefit from a temporary shelter (serious vulnerability, professional integration, children’s schooling, administrative statute).
- 8 This instruction is [available here](#). The government’s actions towards “slums/informal settlements” are presented here (content in French and newsletter in English available) : <https://www.gouvernement.fr/resorption-des-bidonvilles>
- 9 The « Commission Nationale Consultative des Droits de l’Homme » (National Constitutive Commission for Human Rights) is the national institution in charge of promoting and protecting Human rights in France.
- 10 Commission Nationale Consultative des Droits de l’Homme, *rapport 2019 sur la lutte contre le racisme, l’antisémitisme et la xénophobie*, 2020

WHEN PATCHWORKS DISSOLVE: PERSPECTIVES ON DESTITUTE ROMA FAMILIES' ECONOMIC LIVELIHOODS

In Denmark, as in many other European cities, Roma people are often seen engaging in forms of informal and low-income labour in order to make a livelihood. While many people might not bat an eye at this, Camilla Ida Ravnbøl scratches beneath the surface to uncover just how precarious reliance on this type of income really is for Roma families, showing how the economic situation of Roma people can be viewed as a patchwork pattern about to fall apart at the seams.



By **Camilla Ida Ravnbøl**, post doc., University of Copenhagen¹

INTRODUCTION

Standing in front of a grocery store, a Roma woman smiles, as she extends her arm to offer you a homeless magazine. In the city centre, another Roma woman moves swiftly through the crowd, carrying a large plastic bag full of refundable beverage containers collected from garbage bins across town. Closer to the larger waste bins, a Roma man pauses for breath before lifting a pile of heavy old items and scrap materials to carry it away. These are all images that European citizens have become so accustomed to that they hardly question them. When they do, the question raised by many is how such income strategies can be viable for the Roma women and men, who seem to be earning mere pennies from hard manual labour with scrap, recycling materials, and magazine vending. Can it be worth it, considering the many hours of intense work, while living far from their families often in dire conditions and even homelessness? These questions are complex and can hardly be answered in brief. However, this short article will present some insights into the economic livelihood of homeless Roma people in Copenhagen, seeking to broaden our understanding of the complexities they experience in a contemporary European context.

This article builds on ongoing ethnographic fieldwork, initiated in 2014 among a group of 40 Roma from Romania experiencing homelessness in Copenhagen, Denmark. They sleep rough in side streets and green areas around the city. Money earned on the streets of Copenhagen is transferred to their children and older relatives, living in poor dwellings on the outskirts of a large Romanian city. This article explores the contexts of the poverty facing these Roma families and their trajectories to Denmark. It relates these findings to an analysis of the families' household finances. Finally, it discusses the impact of the ongoing covid-19 pandemic on their livelihood.

HOMELESS ROMA IN COPENHAGEN

The Roma families in this article have not travelled to Denmark as a first choice. Their primary goal was not to live and work on the streets of a cold Nordic city, far away from their children. The majority of those who are now in their 50's (and older) used to work in factories or collective farms during the socialist period in Romania. They lost their jobs when such facilities closed in the years following the political changes of 1989. The transition to a liberal market economy was accompanied by rising levels of poverty and ethnic discrimination for the Roma minority in Romania. Subsequent to the opening of the Romanian borders and diminishing opportunities for work, many began travelling abroad in search of a better livelihood. In fact, the majority of my interlocutors have worked in Italy, Spain and Portugal for up to 12 years, prior to their arrival in Denmark. They had moved to these countries with their children, and mostly took jobs in construction, agriculture, the restaurant business, and in the care sector. Conditions were informal and unstable, and when the economic crisis and EURO zone crisis affected southern Europe, they were one of the first groups to lose their jobs. Following these changes, my interlocutors began travelling north in search of new income opportunities. As one Roma woman uttered in frustration: "Where could I go next, other than the North Pole?" The reasons for this woman's frustration lie primarily in the lack of employment opportunities in Denmark. The Roma women and men whom I work with lack the educational background and language skills to access the highly regulated Danish job market. Most significantly, they are hindered by an administrative barrier, upon which access to a social security number (CPR number) depends on having an employment contract and a residential address. However, many employers and landlords request CPR registration when foreign nationals contact them. Consequently, low-skilled migrants frequently find themselves

in a catch twenty-two situation of mutually excluding barriers. Consequently, the people I spoke with were pushed into homelessness and working in an informal and low-income street economy.

‘STITCHING TOGETHER’ AN ECONOMIC LIVELIHOOD

The Roma families in my research are mainly couples who travel to Denmark together. The wives usually sell homeless magazines and collect refundable beverage containers, while the husbands search for scrap materials that they can bring or send home to Romania to re-sell at flea markets. During the summer, when the city’s inhabitants drink more beverages outdoors, the Roma couples focus their attention on collecting refundable beverage containers. Each item is worth less than one euro but over the course of a warm summer, with many outdoor music festivals, the couples can earn up to two thousand euro. This of course requires intensive work with finding, carrying and sorting refundable containers at all hours of the day and night. During the winter, when income is low in Denmark, many return home to Romania, in the hope of finding day-labour jobs at local farms or in wood cutting. If they can, they go to countries where begging is legal, such as Sweden or France.

I have previously proposed the concept of a ‘patchwork economy’ to frame the various income opportunities through which poorer Roma families generate income.² This concept is an analogy of a patchwork pattern. A patchwork is made from separate squares of left-over fabrics that are sewn together and then attached to a larger background material. Whereas this material is clearly defined (such as a square quilt or pillowcase), the patchwork pattern can take numerous forms. I see the ‘patchwork economies’ of the Roma families in a similar way. They ‘stitch together’ different sources of income that are not connected and often scrap-based. None of these minor income streams are reliable in the long run and cannot alone support a family. Hence, it is an unstable household economy, which depends on continuously inventing new income opportunities as old ones fail. It becomes a continuous crafting process of replacing squares of fabric, so to speak. Significantly, the analogy of the patchwork refers to two layers (a pattern and a quilt) that are also at stake in the household economies of the Roma families. If the income sources constitute a patchwork pattern, then the background material of these informal income sources is debt. The debt is the quilt, in other words. The families struggle to purchase basic amenities and have therefore over the years taken out expensive loans with local money lenders and private money lending companies. Due to extortionate interest rates, they are now caught in spirals of debt. Thereby, debt constitutes the background material against which their household

“For some Roma families, festival cancellations meant a drop in annual income of up to 3000 Euro.”

economy is constantly configured, both as a possibility for credit, when they take up new loans, and as a burden of debt repayment that absorbs most of the families' incomes.

Employing the analogy of the patchwork as a concept when approaching the economic situation of Roma families living and working in the streets of Europe, allows us to understand the instability and fragility of their economic livelihoods. When a Roma woman sells a magazine, this practice cannot, in itself, support her family. Neither can the sale of old items or income from refundable beverage containers. However, the Roma combine all these initiatives, constantly considering how to purchase food and basic amenities for their families and how to repay their debt. A financial crisis appears when too many economic strategies fail, just like a patchwork pattern would dissolve if too many squares of fabric were missing.

PATCHWORK ECONOMIES FOR HOMELESS ROMA IN THE TIMES OF THE CORONA VIRUS

When Europe was confronted with the global Covid-19 health crisis in early 2020, many states closed down public spaces and put a limit on social activities. In Denmark, the crisis led to the closure of night clubs and cancellation of larger music festivals over the summer. This resulted in an immense drop in income for the homeless Roma families relying on earning large parts of their annual income during the summer in Denmark. A major part of this income is usually earned during music festivals, where they collect refundable beverage containers. For some Roma families, festival cancellations meant a drop in annual income of up to 3000 Euro. Consequently, these Roma families have had to take out new loans with local money lenders and private money lending companies at high interest rates. Furthermore, the closure of national borders, to limit entry to residents

and migrants with working contracts and/or residence permits, have become a large barrier for many of these Roma families. They can no longer travel to Denmark and other countries in Europe which have imposed similar restraints on migration to curb the spread of Covid-19. Again, the consequence is that many families find themselves in a financial crisis, which is not likely to diminish as long as the pandemic continues.

The pandemic is a concern not only for the group of Roma experiencing homelessness in Denmark, but for the vast majority of Roma families living in destitution across Europe. Not only are they experiencing a significant health threat, but they are also confronted with growing discrimination and prejudice during the pandemic.³ On top of this, they are experiencing increased poverty, as their former income strategies are shut down along with the closing of public events and national borders. In other words, and returning to our analogy, the patchwork economies of the destitute Roma families in this study are gradually dissolving as one of the many socio-economic consequences of the pandemic. The many income streams that used to support their annual budgets are missing, and they now have to find new income opportunities to cover the basic needs of their families and repay their ever-increasing debt. The patchwork pattern must be changed once again because in this current moment in time, most of what is left is a background of debt.

ENDNOTES

- 1 Department of Anthropology, University of Copenhagen, camilla.ida.ravnbol@anthro.ku.dk
- 2 Ravnbøl, C.I., Patchwork Economies in Europe: Economic strategies among homeless Romanian Roma in Copenhagen. In *Constructing Roma Migrants: European Narratives and Local Governance*. Edited by Magazzini T., & Piemontese S., IMISCOE Research Series Springer, (2019).
- 3 Matache, M., & Bhaba J. (2020). Anti-Roma racism is spiraling during COVID19 Pandemic. *Health and Human Rights Journal*, (7 April 2020).

GADJE TO GADJE:¹ WE SHOULD LISTEN MORE TO OSLO'S DESTITUTE ROMA EU CITIZENS

Roma people make up a large proportion of the people supported at the Department for Destitute Migrants of the Church City Mission in Oslo. The Department is doing important work to aid the social inclusion of Roma people. They focus particularly on Roma women, providing them with both practical skills and knowledge around hate crimes and discrimination in order to help them recognise if they have been victims of such acts. There is also a big emphasis on activism, challenging the stereotypes that perpetuate Roma's extremely marginalised status and listening to Roma people's first-hand accounts of discrimination.



By **Bianca Irina Cristea** and **Maren Stinessen Bøe**, Social workers at Kirkens Bymisjon, Bymisjonscenteret

THE CHURCH CITY MISSION'S DEPARTMENT FOR DESTITUTE MIGRANTS: A BACKGROUND

The Department for Destitute Migrants at the Church City Mission² in Oslo was founded in November 2018 to provide essential social services to economically marginalised migrants. In addition to covering basic human needs, the centre specialises in social work and more elaborate case work. The department's staff consists of 20 employees with a range of academic and professional backgrounds and language profiles in order to best meet the needs of the diverse target group. Among the department's projects are an emergency shelter for women and couples, a cafe that offers cheap food and counselling, weekly outreach, a laundry service, storage boxes and a soup kitchen that serves free food during the weekends. We also run a three-year project called V4, which consists of three flats where destitute migrants can stay for short periods of time while a nurse, a social worker and a lawyer work on their cases. This diverse range of services offers the organisation a broad access to the target group which includes people from many European countries that are in Norway either for a limited period of time or are looking to establish a new life in Oslo. Though data on ethnicity is not collected, the majority of our service users are Romanian citizens who identify as Roma. Many earn their incomes from street related activities like begging, collecting plastic bottles, busking or selling magazines. Many have little to no formal education, lack a foreign language and possess little understanding of the Norwegian system and its laws and regulations. This leaves them vulnerable to being exploited in the informal labour market, receiving little to no pay, working overtime without compensation, and generally facing working conditions which do not correspond to Norwegian labour regulations, such as a lack of access to sanitary facilities and/or having to live on the working


site. At the same time, many experience homelessness as mobile EU citizens living in Norway.

Since the services that fulfil basic needs are provided by the private NGO sector and not the municipality, one can observe that homelessness becomes a lifestyle defined by the different opening hours of the services people access. The homeless need to plan ahead when and where they can have a shower, wash clothes, eat for free and ask for help or counselling. This scheduling becomes an obstacle to generating income.

FOCUS ON THE NEEDS OF ROMA WOMEN LIVING IN HOMELESSNESS

There has been an increase of destitute Romanian Roma women in circular migration to Oslo, which has challenged the way homelessness is understood by the Norwegian system. Homelessness caused by discrimination and generational poverty, as opposed to drug addictions and mental health issues have challenged the existing efforts in place to combat homelessness. The church city mission is thus active in fighting poverty and discrimination as the cause to homelessness, by focusing on empowerment, social entrepreneurship and political movement.

The Church City Mission in Oslo has run several sewing courses geared toward Roma women in the period 2013-2018. This culminated in the SyRom project which between 2016 and 2018 had a total of 47 participants that finished the courses. The aim of the project was to give Roma women a real and sustainable alternative to begging. A Romanian speaking social worker has also organised political workshops.



The sense is that many of the department's guests might be victims (of discrimination) without being aware of it or without being aware of their right to object.”

The Department for Destitute Migrants in Oslo is now planning to focus more on working against hate crime and discrimination, particularly in the case of women. The sense is that many of the department's guests might be victims without being aware of it or without being aware of their right to object. This is a consequence of a lack of knowledge of the concepts as well as a pervasive notion of gender ideologies which does not leave room to complain. A first component in the department's work, then, is to organise focus groups in order to identify what level of knowledge our guests have of concepts like hate crime, hate speech and discrimination, and fill in the gaps. A secondary feature of this new focus is the instruction given to the police by the Ministry of Justice in 2013 which states that European citizens can be expelled from Norway for committing minor offences, justifying it as a threat to the well-being of Norwegian society. The City Mission's position is that these instructions are being unfairly enforced by the police and appear to be targeting European destitute migrants and especially Roma individuals who are allegedly guilty of misdemeanours. The organisation is currently drafting a complaint to The Anti-Discrimination Tribunal and is also considering a complaint to the EFTA Court. Furthermore, the Department is lobbying with a political party that has sent an open letter to the Ministry of Justice asking that the instruction is withdrawn.

Recently, the Department of Destitute Migrants has reinitiated the so-called "Roma network in Oslo", which consists of several NGOs, public institutions, and the University of Oslo. The focus of the network is to provide a platform for stakeholders that work with the group to share information and cooperate on issues that are considered as discriminatory and/or unjust. The previously mentioned instruction given to the police is one of the subjects that receives a lot of attention in the network. Discrimination and anti-Roma racism/antiziganism are also central here, and thanks to this discourse, the Equality and Anti-Discrimination Ombud intends to launch a page where victims and witnesses can register hate crimes in Oslo. Due to the aforementioned complication that many migrants do not perceive themselves as victims, the platform will also serve to inform social workers of how widespread the phenomenon is in Norway right now and how to better address it in a structured way.

SOCIAL WORK IN A GADJE WORLD

The social work team at the Church City Mission consists of people with various backgrounds and experiences, from countries like Romania, Sweden, Hungary, Poland and Norway. Some are men, most are women, nearly all are white, and none are Roma. Over many years the team has grown, and the Church City Mission has become an important driving force for destitute mobile Roma rights, empowerment and an opposing force to stereotypes and discrimination. There is no lack of commitment or good intentions, and the team is proud to have several social projects running progressively for many years. However, we will, inevitably, make mistakes. The world cannot however be built on good intentions alone.

A core part of social work is advocacy and building platforms for oppressed groups to be able to raise their voice. At the Church City Mission, we have had political workshops, focus groups on discrimination, Roma women activists, demonstrations, policy writing and media involvement. Roma people have been speaking out about the barriers they face for a long time, and at a certain point we must ask ourselves, have we really been listening?

Some of the most important movements of our time, or perhaps historically, are #metoo and #BlackLivesMatters. It can be very challenging to explain these movements and the complexity contained in those short hashtags to someone who has never felt in their hearts, on their skin or in their stomach what it means. Anti-Roma racism/Antiziganism is an intersectional phenomenon and a complex form of discrimination which deserves the same visibility as the aforementioned movements. It is important to remember that we are constantly (re)shaping the world with our language, not only for ourselves, but also for people around us. An example of the language that non-Roma "Gadje" have created (and sadly still prevails) is a

Roma people have been speaking out about the barriers they face for a long time, and at a certain point we must ask ourselves, have we really been listening?"

stereotypical descriptive of Roma as 'lazy' and 'dishonest'. These stereotypes represent a considerable obstacle affecting the work at the Department for Destitute Migrants, and it needs to be addressed, loud and clear.

Our destitute mobile Roma have experienced being kicked and spat on, making it dangerous to beg with a visible Roma ethnicity. Many have requested that the social workers print pictures of their children, to help convince the passers-by of the sincerity of their claims to poverty and need for assistance. Many guests repeated that they would not have left their families and children if it was not out of absolute

necessity. They are not looking for pity, they are stating the obvious: we are all people with basic human needs. It is utterly unbelievable that others can deny this shared humanity, even when generationally accustomed to such extreme discrimination. As with #metoo and #BlackLivesMatters, those who hold the power have the ability to change things, and they must be the ones to initiate the change.

RESPECT, JUSTICE AND CARE

The Church City Mission's vision of respect, justice and care for all is at the core of the organisation's values. Like the global ethical principle of social work, it demands that we actively involve ourselves, educate ourselves, do not accept oppressive practices and speak up. Respect means to look more deeply and broaden our perspective. Are our laws and social policies fair? Oslo created laws against sleeping in public places and EU citizens are being expelled and banned from re-entering the country for petty crimes. Both these laws target destitute mobile Roma EU citizens and both are based on racist stereotypes of unsettled and dishonest people. Justice means that no

one should experience discriminatory, racist and oppressive practices. Poverty cannot be fought with high fines and expulsion and neither can racism. We are greatly concerned for destitute mobile Roma citizens during the COVID-19 pandemic and feel helpless as we get reports from Roma families with no access to food and water in some of the hardest hit zones of Eastern Europe. In addition to this extreme poverty, uncertainty, illness, hunger and desperation they face, we read that the Roma are scapegoated as the carriers of the pandemic and attacked on the streets. We are horrified, but sadly not surprised.

Care means taking responsibility for tearing down anti-Roma racism/antiziganist structures, starting at the roots: Gadje to gadje.

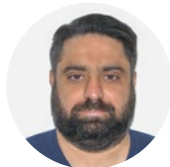
ENDNOTES

- 1 The term *gadje* means "Non-Roma" in Romani. For more detailed explanations on the term read the [CoE Glossary of terms relating to Roma issues](#).
- 2 The Church City Mission (Kirkens Bymisjon) was founded in 1855 and is an open and inclusive humanitarian non-governmental organization active throughout Norway, working with people who face difficulties in their everyday life. Its vision is that all people should experience respect, justice and care.

In addition to this extreme poverty, uncertainty, illness, hunger and desperation they face, we read that the Roma are scapegoated as the carriers of the pandemic and attacked on the streets.”

A BRIEF INSIGHT INTO THE SYSTEMIC RACISM ROMA FACE IN ACCESSING HOUSING IN ROMANIA

In order to understand the current state of extreme disadvantage and vulnerability that Roma are subject to today in Romania, it's necessary to dig deep into the roots of the systemic racism and discrimination Roma faced in history. This is exactly what Marian Mandache does, while also explaining how this deeply rooted anti-Roma racism seeps into housing law and legislation in Romania in the form of forced evictions. Also discussed are the measures that need to be taken by both the Romanian government and the EU to adequately address the profound marginalisation of Roma people in Europe.



By **Marian Mandache**, Roma activist, former director of Romani CRISS
(Centre for Social Interventions and Studies), Romania


A BRIEF HISTORY OF ANTI-ROMA RACISM IN ROMANIA

Roma face systemic racism in accessing and maintaining housing in Romania, particularly in larger urban settlements, throughout the country. Whilst Roma do face similar problems throughout Europe, this article focuses on the specific situation in Romania. Roma access to housing (and real estate in general for that matter) is marred by a history of targeted exclusion embroiled with the current widespread anti-Roma racism.

Roma were enslaved in the Romanian Principalities for some five centuries (spanning from 1370 or 1371 to 1856), which amounts to one of the longest continuous periods of chattel slavery on the face of the Earth.¹ Following the emancipation of the Roma from enslavement, Romanian authorities failed to take any steps to support the newly freed human beings. Furthermore, the agrarian reform of 1864 which led to many peasants acquiring land excluded Roma people.² During the Holocaust in World War II, 25,000 Roma were deported by the Romanian state to Transnistria, of those 11,000 perished at the hands of Romanian authorities; they were shot and killed and were also subject to harsh living conditions, starvation, disease, etc.³ After the fall of Communism in 1989, Romanian citizens were entitled to reclaim properties they had possessed prior to WWII. However, most Roma could not benefit from this policy since they generally had not previously owned property. Nevertheless, the Roma did have to contend with an increased wave of racism, which included housing discrimination, pogroms, police brutality, hate crimes, and school segregation. The specific historic anti-Roma racism faced by our people caused, perpetuated and deepened the entrenched economic and social inequalities.

SYSTEMIC VIOLATION OF ROMA HOUSING RIGHTS

At present, the unequal access of Roma to housing takes various forms, which include: the demolition of property, the impediment of the legalisation of informal settlements, forced evictions, environmental racism, residential segregation, discrimination in accessing public housing, and sub-standard living conditions.⁴ The first four of these will be further discussed in this article.

 **The specific historic anti-Roma racism faced by our people caused, perpetuated and deepened the entrenched economic and social inequalities.”**

One of the characteristics of anti-Roma racism is the fact that, whilst certain violations of housing rights may affect non-Roma, these tend to occur more on an individual basis, whereas Roma are collectively targeted by local authorities and are subjected, in corpore, to collective discriminatory measures. Simply put, the notion of demolishing the homes of an entire non-Roma neighbourhood and forcing them to relocate to a highly polluted area constitutes an inconceivable thought for any Mayor in Romania. Swap the Non-Roma for Roma in the previous statement and it constitutes just another routine administrative undertaking, despite its despicably racist and inhumane nature.⁵

Non-Governmental Organizations and Roma activists have consistently condemned and fought against the violations of the right to adequate housing perpetrated by the Romanian authorities, particularly local authorities.⁶ Criticism has also been levied by European institutions and the international community.⁷

CASES OF FORCED EVICTIONS OF ROMA

In 2001, the first case of a housing rights violation was documented by Romani CRISS – Roma Center for Social Intervention and Studies in Piatra Neamt. The Mayor evicted the 150 Roma families from the town and relocated them to former commercial poultry sheds located about 7 km outside the town.⁸ Despite continued efforts by the civil society and international organizations like the OSCE, the situation in Piatra Neamt worsened as local authorities continued to move Roma out of the city and relocate them to segregated areas, such as the eviction of 35 Roma families in 2006 from Piatra Neamt.⁹

In May 2004, 100 Roma people were relocated by the Council from the social houses in downtown Miercurea Ciuc to the outskirts of

the locality, on a piece of land that borders the town water-waste plant. There are signs hung on the common fence around the plant warning of the dangers of the toxic effects. Despite legal action, the families remain in that same location at the present date.¹⁰

The practice of local authorities evicting Roma and demolishing their homes has not subsided. If anything, it has intensified. In 2010, the Cluj Napoca Council evicted 300 Roma from a neighbourhood within the city and relocated them to Pata Rat, on the garbage dump of the town. Despite civic protests, legal action, and interventions funded through Norwegian funding, the situation persists today.¹¹

In 2017, the Council of Alba Iulia decided to evict 104 families living in a block of flats in the centre of the locality, out of which about one third owned their flats and the rest were social housing tenants. The local authority decided that the building would to be demolished to allow for the construction of a parking lot. The locality has no other social housing.¹² Mircea Hava, the Mayor who evicted the Roma, was elected as a Member of the European Parliament.

Even during the height of the coronavirus pandemic, forced evictions of Roma continued. The law mandated that they be briefly suspended, namely for the duration of the COVID 19 state of emergency (which lasted from mid-March to mid-May 2020), but not outside of this timeframe, despite the continued crisis affecting vulnerable people in particular.¹³

LEGAL TENURE AND INFORMAL HOUSING

Another matter of utmost concern is the precarious legal tenure of the Roma on their own houses. In Romania, the number of people who live in houses that do not have a clear legal status is extremely high.

In Bucharest alone, some NGOs estimated that about one third of the total number of existing buildings do not have a clear legal status in terms of ownership. This disproportionately affects members of vulnerable groups, especially Roma.¹⁴

The process of legalising an informal home is unduly cumbersome, particularly for those belonging to vulnerable groups. The hurdles include disproportionate financial obstacles, as well as the prohibition of legalising homes that were built without building permits. No distinction is made as to the primary dwelling of a family and other kinds of real estate.¹⁵ The adoption of new legislation aimed at legalising informal housing in 2019 was a mere statement of good intentions. It limits itself to the collection of an inventory of the informal settlements and mandates the formation of local commissions, but it fails to eliminate even a single one of the pre-existing legislative and financial obstacles that make legalising informal settlements a strenuous process.¹⁶

In summary, the prospect of legalisation of informal Roma dwellings in Romania in a timely manner and at reasonable costs remains purely illusory, even though some Roma families have lived in their homes for several generations.

RECOMMENDED ACTIONS FOR ROMANIA AND EUROPE

As the European Court of Human Rights established, when violations of the Convention appear, national authorities consider the impact on the persons affected by the forced evictions. They must also ensure the proportionality of measures taken in order to recover possession of the public buildings and lands, even when these are unlawfully occupied.¹⁷

Rather than following the mandatory lines set by the ECHR, the Romanian Government has been complicit with local authorities for decades in abusing Roma people. For example, pursuant to current legislation, Prefects of Government can appeal any unlawful decision taken by local authorities in court, but have failed to do so in all instances in which Roma face housing rights violations.¹⁸

At a minimum, the Romanian Government must refrain from such unlawful behaviour and provide quick and complete redress to all individuals affected by these systemic racist measures. It must also

“Rather than following the mandatory lines set by the ECHR, the Romanian Government has been complicit with local authorities for decades in abusing Roma people”

adopt and effectively enforce at once legislation to forbid forced evictions, residential segregation and hazardous living conditions. Government Prefects must be instructed to take prompt legal action against local authorities who perpetrate such violations against Roma, and sanction them if they fail to do so. It must also provide effective and dissuasive sanctions against the local authorities themselves, pursuant to the art. 15 of the EU Race Equality Directive.¹⁹

The European Commission has largely failed to initiate infringement procedures concerning discrimination against Roma by its Member States. Its recent undertaking against school segregation of Roma children constitutes a rather isolated event as the EC has failed and even refused to systematically address the pervasive and blatant violations of the European anti-discrimination legislation by the Member States in relation to the Roma.²⁰ For example, the European Commission consciously chooses to ignore the systemic discrimination of Roma in access to public housing, employment, freedom of movement and other fundamental rights guaranteed by law to EU citizens, despite continuous reports from various stakeholders, including its own bodies such as the Fundamental Rights Agency.²¹ The institutional cognitive dissonance reaches perilous heights with the EC itself making statements and reports about the widespread discrimination of the Roma,²² whilst refusing to initiate infringements procedures.²³

As a matter of urgency, the EC must initiate infringement procedures against the Romanian Government for its blatant disregard for the provisions of the Race Equality Directive, particularly insofar as it pertains to the observance of the art 2, 3 and 15. It must ensure that the Romanian Government swiftly provides concrete and substantial redress not only in the form of legal amendments but also in the form of definitive actions to reverse the terrible and continuous wrongdoings against Roma families and individuals.

ENDNOTES

- 1 See Petre Petcut, *Romii. Sclavie si libertate. Constituirea si emanciparea unei noi categorii etnice si sociale la nord de Dunare* [Roma. Slavery and Freedom. The Creation and Emancipation of a New Ethnic and Social Category North of the Danube], available in Romanian at <http://cncr.gov.ro/wp-content/uploads/2015/08/Romii.-Sclavie-si-libertate.pdf>, pages 34 and 102, presenting the fact that the first written account of the presence of the Roma in the Romanian Principalities dates as of 1385 and it describes the donation of 40 Roma families as slaves by to an Orthodox monastery around 1370 or 1371, as well as expressing that the abolition of slavery started in 1843 and ended in 1856.
- 2 See Petre Petcut, pages 151-152.
- 3 See International Commission on the Holocaust in Romania, *Rinal Report*, available at http://www.inshr-ew.ro/ro/files/Raport%20Final/Final_Report.pdf, page 241.
- 4 For a more detailed account, please see the reports and the work of the Romani CRISS – Roma Center for Social Intervention and Studies (www.romanicriss.org and www.drepturile-omului.info), the RomaJust – Association of Roma Jurists (<https://www.facebook.com/asociatiajuristilorromi/>), CRJ – Center of Legal Resources (www.crj.ro) or the Block for Housing (<https://bloculpentrulocuire.ro/>).
- 5 See also the arguments made by the parties in the decision of the European Court of Human Rights in the case of *Yordanova v. Bulgaria* (request no. 25446/06), para. 90, presenting some of the differences between the demolition/forced evictions in the cases of Roma and non-Roma.
- 6 See, inter alia, the Romani CRISS – Roma Center for Social Intervention and Studies *Romani CRISS, Accesul romilor la locuire* [The Access of the Roma to Housing], available in Romanian at <http://drepturile-omului.info/wp-content/uploads/2015/06/Accesul-romilor-la-locuire-Romani-CRIS-2016.pdf>, CRJ – Center of Legal Resources report on housing rights available at <http://www.crj.ro/antidiscriminare/publicatii-si-rapoarte/> or the Block for Housing, *Raport asupra evacuarilor fortate din Romania petrecute in perioada 2008-2017* [Report on Forced Evictions in Romania for the period of 2008-2017, available in Romanian at <https://bloculpentrulocuire.ro/wp-content/uploads/2019/04/Raport-Cercetare-Evacuari-2008-2017.pdf>.
- 7 See, e.g. the Fifth Report of the ECRI – European Commission against Racism and Intolerance on Romania, available at <https://rm.coe.int/fifth-report-on-romania/168094c9e5>, para. 76-80, criticizing the take of the Romanian Government on the forced evictions, house demolitions or

- discriminatory access to social housing when it pertains to the Roma. See also the Department of State of the United States of America, Romania 2019 Human Rights Report, page 28, available at <https://www.state.gov/wp-content/uploads/2020/03/ROMANIA-2019-HUMAN-RIGHTS-REPORT.pdf>, noting that many Roma are facing difficulties in acquiring ID papers due to the fact that their homes are not legally registered.
- 8 See Romani CRISS, Jurisprudence Report, pages 61-67, available in Romanian at <http://www.romanicriss.org/Juristprudenta%202004.pdf>.
- 9 See Romani CRISS, Accesul romilor la locuire [The Access of the Roma to Housing], pages 13 – 15, available in Romanian at <http://drepturile-omului.info/wp-content/uploads/2015/06/Accesul-romilor-la-locuire-Romani-CRIS-2016.pdf>. See also Romani CRISS, Anexa 1: Cazuri: Evacuare, excludere sau marginalizare a romilor cu privire la dreptul la locuire in Romania [Annex 1: Cases: Eviction, exclusion or marginalization of the Roma with regard to the Right to Housing in Romania, pages 7-9, available in Romanian at <http://www.romanicriss.org/Raport%20drepturile%20omului%20%20RCRIS-202006.pdf>.
- 10 See also Romani CRISS, Anexa 1: Cazuri: Evacuare, excludere sau marginalizare a romilor cu privire la dreptul la locuire in Romania [Annex 1: Cases: Eviction, exclusion or marginalization of the Roma with regard to the Right to Housing in Romania, pages 5-7, available in Romanian at <http://www.romanicriss.org/Raport%20drepturile%20omului%20%20RCRIS-202006.pdf>.
- 11 See the protest letter and march organized in 2012 by various NGOs and local Roma activists, Romania: aduceti romii inapoi in orasul Cluj-Napoca [Romania: Bring Roma Back to the city of Cluj-Napoca] available in Romanian at <https://www.amnesty.org/download/Documents/20000/eur390132012ro.pdf>. For a more detailed presentation of the case, see ERRC – European Roma Rights Center, Mutati din oras [Moved Out of the City], available in Romanian at http://www.errc.org/uploads/upload_en/file/romania-report-pata-rat-17-dec-2012-ro.pdf.
- 12 See Center for Legal Resources and Romani CRISS, Comunitatea Turturica - Alba Iulia [The Community of Turturica - Alba Iulia], available in Romanian at www.crj.ro/wp-content/uploads/2020/02/Studiu-locuire-romi-Alba-Iulia.pdf.
- 13 See Libertatea, Sute de oameni evacuati din locuinte chiar de primarii. Legislatia interzice asta! [Hundreds of People Evicted from Their Homes by the Mayoralties. The Law Forbid This!], available in Romanian at <https://www.libertatea.ro/opinii/sute-de-oameni-evacuati-din-locuinte-chiar-de-catre-primarii-in-plina-pandemie-legislatia-interzice-asta-3293813>.
- 14 See Center for Legal Resources, General Presentation of the Observance of the Right to Housing in the Case of the Vulnerable Groups and Proposals for Statutory and Public Policy Changes, available in Romanian at <http://www.crj.ro/wp-content/uploads/2020/02/policy-paper-final.pdf>, arguing that the poor job done by the Romanian authorities has also led to numerous condemnations of the Romanian state before the European Court of Human Rights (see also the pilot decision in the case of Maria Atanasiu and others v. Romania pertaining to the shortcoming associated with the restitution real estate).
- 15 For a more detailed presentation of the legal hurdles in legalizing homes in Romania, see Center for Legal Resources, Comunitatile de romi din zona Hotar – municipiul Aiud [the Roma Communities from the Hotar – Aiud Municipality Area, available in Romanian at <http://www.crj.ro/wp-content/uploads/2020/02/Aiud-final.pdf>.
- 16 See Law no. 151/2019 adopted by the Romanian Parliament.
- 17 See the decision of the European Court of Human Rights in the case of Yordanova v. Bulgaria (request no. 25446/06), para. 166.
- 18 According art. 3 of the Law no. 554/2004 the decisions of the local authorities that have been contested by the Prefect in court are suspended de jure.
- 19 Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.
- 20 See Euobserver, EU's Roma Policy Struggles to Produce Results, available at <https://euobserver.com/justice/138834>, announcing that the European Commission has launched infringement procedures against the Czech Republic, Slovakia and Hungary.
- 21 See the reports of the Fundamental Rights Agency on the discrimination of Roma, available at <https://fra.europa.eu/en/themes/roma>.
- 22 See the work of the European Commission on Roma, available in part at https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-eu/roma-equality-inclusion-and-participation-eu_en.
- 23 See, for example the outrageously lenient decision of the EC to discard the complaints made by Romani CRISS against France in 2010 by refusing to initiate infringement procedures, effectively allowing the racist collective deportations of Roma from France to continue to date, available at <http://www.romanicriss.org/Raspuns%20Franta%20EC.pdf>. The EC completely looked the other way in the case of the massive deportations of Roma from Italy in 2008.

Acknowledged by the European Commission for having “significantly reduced the prevalence of shanty towns over the past 15 years,” the problem of shanty towns or slums persists in Spain, disproportionately affecting the Roma population. Three authors from the Fundación Secretariado Gitano, explain that to overcome this residual but structural problem political will must be combined with available funds.

SPAIN AS A SLUM FREE COUNTRY: IT IS POSSIBLE



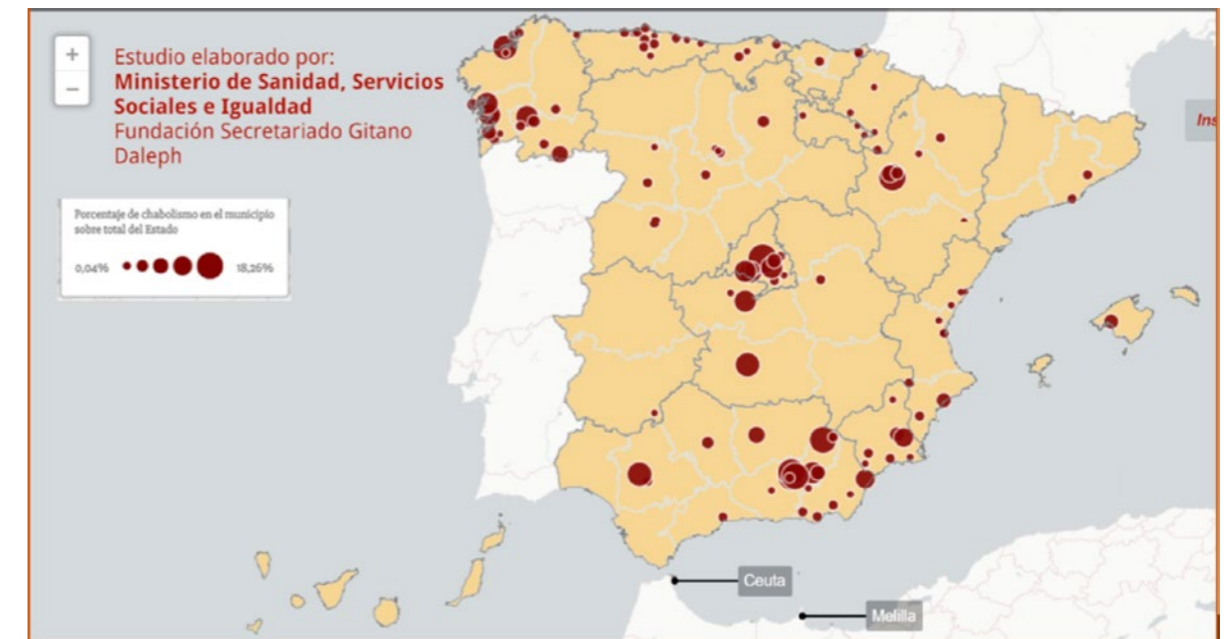
By **Belén Sánchez-Rubio, Maite Andrés** and **Carolina Fernández**,
Fundación Secretariado Gitano¹

HOUSING SITUATION OF ROMA IN SPAIN

The housing situation of Roma in Spain has improved significantly in the last decades. According to the latest research on the housing situation of Roma in Spain² carried out in 2015 by the Fundación Secretariado Gitano and the Ministry of Health, Social Services and Equality, many Roma families have gained access to standard housing and basic housing utilities have also improved considerably: 92.88% of the Roma live in urban areas with a growing tendency towards standardisation with overall Spanish society (which dismantles the social image that most Roma live in slums or segregated settlements in Spain); 91.37% live in standard housing (houses or flats); 54.5% are social housing/public subsidised housing (either for rent or property), with an average of 4.74 persons per household.

But these data also show the persisting existence of 8.63% of sub-standard housing³ (over 9,000 Roma persons), being 2.17% of it, of slums (over 2,200 Roma households, over 11,000 Roma persons). While it is true that the dimension of slum-housing of Roma has been declining in the last years in Spain (down from 10% in 1991, to 3,9% in 2007 and 2,17% in 2015), this severe residential exclusion persists and seems to have stagnated. Its persistence is threatening the guarantee of the fundamental rights of Roma families, having a much graver impact when it comes to children with the risk that their development will be affected for life.

LOCATION OF ROMA SLUMS IN SPAIN

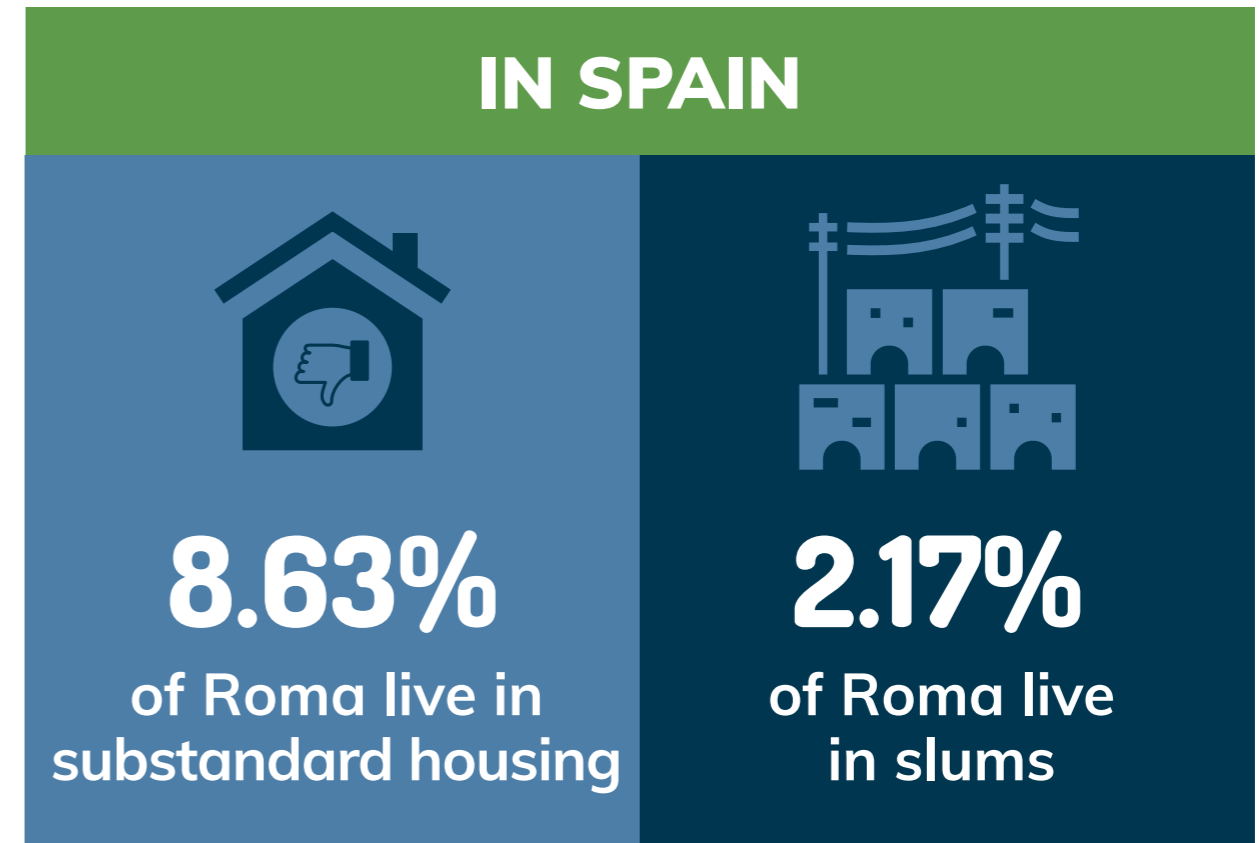


Study-Map on Housing and the Roma population in Spain, 2015
<https://www.mscbs.gob.es/ssi/familiasInfancia/PoblacionGitana/informesyEstudios.htm>

Ethnic discrimination against Roma is another key element, impacting Roma's right to adequate housing. While underreporting of discrimination cases in relation to housing is very common, we have gathered over 242 discrimination cases through our work on the ground in over 60 Spanish cities.⁴ Although these cases are not a representative sample, they show the existence of a generalised problem of racial or ethnic discrimination when accessing ordinary housing.

The 2008 economic crisis also affected the socio-residential situation of the Roma population through: a downward trend in the access to free-market housing (which is considered an important element of social inclusion processes); an increase in social housing (which means that many families had to resort to public support); and an increase in other forms of access to housing (an indicator that housing needs have not been fully covered and families have been forced to look for non-standard options like self-construction or living in other types of constructions).

While it is true that the dimension of slum-housing of Roma has been declining in the last years in Spain, this severe residential exclusion persists and seems to have stagnated.”



As a consequence of that economic crisis, the most vulnerable neighbourhoods had been the most neglected in terms of public investment, and faced the deterioration of their utilities, facilities and services.

In 2020, with the arrival of COVID-19 in Spain, the residential and social exclusion of many Roma households has been aggravated, placing broad sections of the Roma population in a situation of serious lack of protection with regard to the enjoyment of their fundamental rights. COVID-19 has had a greater negative impact in contexts of serious residential exclusion or segregation such as

neighbourhoods with substandard housing, particularly slums and segregated settlements.⁵

Therefore, and despite significant advancement in the housing situation of Roma in Spain in the last decades, there is still a need to solve the overcrowding in some households and other problems such as the precariousness of services and deterioration of housing and the surrounding urban environments. While most of these circumstances are shared by other disadvantaged groups in Spain, there are two specific housing features that characterise the situation of the Roma: the prevalence of slums and the discrimination when accessing housing, both matters relate to the lack of a human rights guarantee.

SLUM ERADICATION IN SPAIN: A RESIDUAL BUT STRUCTURAL PROBLEM THAT NEEDS TO BE TACKLED

While fighting against discrimination is a long process, throughout which different instruments come into play (legislation, awareness-raising, funding, political will, action plans...), slums in Spain have a minor dimension. While the presence of slums can be considered a residual problem, it must also be understood as a structural problem given its persistence in time. That is why political determination, together with financial support, is needed to eradicate slums in Spain in the short-term.

Roma parent after being relocated to ordinary housing from a slum, North of Spain: *“Then, they asked me what I wanted: To get out! I got an apartment for rent and my first job for 6 months (...) I had happiness, dreams, pull forward, I made friends ... We are very pleased, it changed our lives. (...) My friends came for coffees (...) Now, I value every little thing a lot: buy a chair, very simple things, go to a gym and register, pay by bank... it is different”.*

As part of the implementation of the National Roma Integration Strategy 2012-2020, Spain has been acknowledged by the European Commission for having “significantly reduced the prevalence of shanty towns over the past 15 years leading to desegregation as part of an integrated approach with sustainable improvements in education, health and employment,” with the support of local, regional governments and NGO.⁶

Indeed, although Spain has broad experience in housing relocation programmes that have failed, it has an ever longer experience of programmes that learnt from failures and have had very good results. Experience shows the best path to follow. It demonstrates not only that the eradication of slums is possible, but the best methodology for achieving a long-lasting positive effect on the Roma population that is moved out of slums into ordinary, non-segregated housing. Cooperation between NGOs, local and regional authorities has been key to success.⁷

On the other hand, despite having European funding at their disposal, public authorities have neglected to develop and use research on how best to carry out re-housing programmes, an improved welfare system for social, educational and health services, an increased awareness of the right to decent housing, and better qualified Roma NGOs, thus missing the opportunity to fully eradicate slums.

There have been several initiatives under EU Funds in the current programming period to tackle housing segregation and slums, for instance, through the so called EDUSI (Sustainable and Integrated Urban Development) with the support of ERDF and specific regional multi-fund Operational Programmes (ESF/ERDF).⁸ However, in too many cases most of these planned actions benefiting Roma families were left aside, prioritising other types of actions for other target groups and, in sum, not implemented as foreseen. This is an example of how too often most disadvantaged social groups, such as Roma, are left out and disregarded as housing policy priorities. There needs to be a monitoring and follow-up mechanism in place that make public authorities accountable for not complying with the implementation

of the assigned targets regarding eradication of poverty or housing needs of the most disadvantaged groups.

In the other cases where the political will to eradicate slums for Roma exists, the bureaucratic procedures to manage funds for the acquisition of (social) housing or the rehabilitation of houses usually blocks such initiatives. Apart from some European rules, Spanish national and regional administrative rules on housing down and block the use of EU Funds for eradicating slums, as also happens in many other EU Member States. These national and regional limitations need to be simplified as they have become one of the main barriers to fully implement EU Funding for the housing needs of the most disadvantaged groups, such as Roma. In many other cases, short-term initiatives lacking an integrated approach when planning a housing relocation process (socio-labour measures along with residential infrastructures) have led not only to failures in terms of social inclusion impact on Roma families, but they have been a waste of public resources.

“Two specific housing features [...] characterise the situation of the Roma: the prevalence of slums and the discrimination when accessing housing, both matters relate to the lack of a human rights guarantee.”

There is a need for a determined political impetus to solve this structural and residual problem, not only for social justice but to comply with international human rights standards.⁹ We now have the best ever political and financial instruments to do so: the new EU Strategic Framework for Roma equality, inclusion and participation 2021-2030¹⁰ establishes the common commitment for Member States, including Spain, to increase effective equal access to adequate desegregated housing and essential services in order to ensure that by 2030 the majority of Roma do not face housing deprivation, no longer live in overcrowded households, and have access to tap water. Residential segregation and unregulated housing will be also be in the agenda.

At the same time future EU Cohesion Funds will allow for investments towards the eradication of slums, mainly through ERDF Specific objective 4.3 which is aimed at increasing the socioeconomic integration of marginalised communities, migrants and disadvantaged groups, through integrated measures including housing and social services. It could also be developed complementarily with ESF+ Specific objective 8 (a) which is devoted to promoting socio-economic integration of marginalised communities such as the Roma.

Investments are urgently needed to tackle the most severe conditions within substandard housing situations affecting 2,273 Roma families across Spain who need to be resettled in adequate housing in an inclusive surrounding. Now, it is the time for public authorities (national, regional, and local) to commit to the eradication of slums, to guarantee the right to decent housing. To that end, they can take advantage of

the opportunities offered by next EU Cohesion Funds programming period to eliminate; Roma slums and settlements; support Roma families in the relocation process into a new non-segregated home with social accompaniment; and offering structural and definite solutions, avoiding the trap of temporary and cheaper solutions that maintain existing problems.

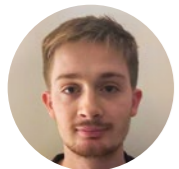
Let's do it!

ENDNOTES

- 1 [Fundación Secretariado Gitano](#), Spanish Intercultural NGO working for Roma equal opportunities and treatment in Spain and in Europe.
- 2 [Study-Map on Housing and the Roma population](#), 2015. FSG/ Ministry of Health, Social Services and Equality.
- 3 Following [ETHOS Typology on Homelessness and Housing Exclusion](#)
- 4 [Discrimination and the Roma community. Analysis of Discrimination in the access to housing](#). Fundación Secretariado Gitano, 2019
- 5 [Impact of the COVID-19 crisis on Roma Population](#), Fundación Secretariado Gitano, 2019
- 6 [Report on the implementation of national Roma integration strategies – 2019, COM\(2019\) 406 final final_report_on_the_implementation_of_national_roma_integration_strategies_en.pdf](#)
- 7 As examples: Housing relocations in Pena Moa, A Coruña, and in Segovia among others.
- 8 <https://www.rediniciativasurbanas.es/convocatoria-de-ayudas/estrategias-dusi>
- 9 [International Covenant on Economic, Social and Cultural Rights](#)
- 10 https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1813

AN UNCERTAIN FUTURE FOR ROMA ROUGH SLEEPERS IN A POST-BREXIT UK

Over the the last ten years Roma rough sleepers in the UK have been extensively targeted with arrest, detention, and deportation. Now Brexit threatens to undo the few protections UK Roma rough sleepers have. In this article, the Roma Support Group call for more support for Roma rough sleepers, from altering the discourse that underpins discrimination against Roma to standing up for their human rights.



By **Rory Meredith**, Policy and Campaigns Project Volunteer and
Matt Cary, Policy and Campaigns Project Worker, the Roma Support Group

THE UK'S ROMA ROUGH SLEEPERS

Over the past decade, Roma rough sleepers in the UK have been extensively targeted - facing arrest, detention, and deportation. Now Brexit threatens the few protections UK Roma rough sleepers have. Removal of protections in EU law, combined with the criminalisation of rough sleeping and new immigration penalties, increase the risk to rough sleepers of being removed from the UK. The Covid-19 pandemic places further pressure on rough sleepers, and there is little Roma-specific support. In an increasingly 'hostile environment', and with the government pursuing aggressive immigration enforcement, it is vital to defend the fundamental rights of Roma rough sleepers, not least their right to remain in the UK.

WHO ARE THE UK'S ROMA ROUGH SLEEPERS?

A 2013 report estimated there were 200,000 migrant Roma living in the UK.¹ Many migrated after European integration, following the accession to the EU of 8 countries in 2004, and of Bulgaria and Romania in 2007.

Roma people have migrated to the UK in response to systemic discrimination and racism. After a thousand-year history of slavery, persecution, and prejudice, the Roma now face multiple, harsh disadvantages. A 2014 World Bank report found that in Romania "merely 'being a Roma' remains a key determinant of living in poverty," and that few factors have an impact of similar magnitude on the likelihood of being in poverty.² Roma people face poorer health, lower education outcomes and high unemployment.

Brexit threatens the few protections UK Roma rough sleepers have. Removal of protections in EU law combined with the criminalisation of rough sleeping and new immigration penalties increase the risk to rough sleepers of being removed from the UK."

A 2016 Roma Support Group (RSG) report found Roma people who became homeless had come to London to find employment but experienced a lack of support upon entering the UK.³ Almost all had difficulty securing a job and 87% had limited interaction with homelessness services.

Government data shows an 141% overall increase in UK rough sleeping from 2010-2019.⁴ Covid-19 has seen many of those who had been brought off the streets return.⁵ More than a quarter of rough sleepers are thought to be foreign nationals. Determining the exact number of Roma rough sleepers is difficult, but it is clear they are among those at the centre of the UK's growing homelessness crisis.⁶

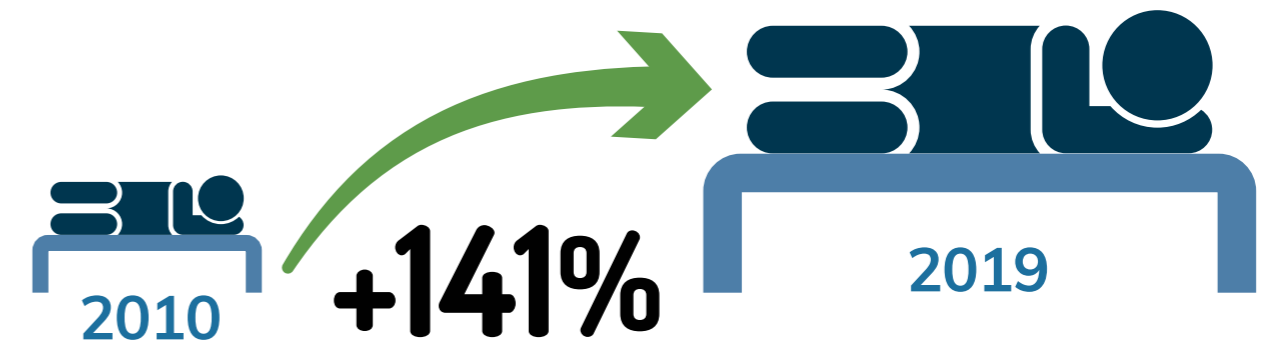
Roma rough sleepers have been pervasively criminalised in UK public debate. The media has represented them as transgressive public nuisances, as dangerous organised mafiosos or as helpless victims of crime.⁷ As with elsewhere in Europe, public discourse and policy have been framed by popular, unsubstantiated myths. The true nature of the Roma's mobility is far more complex.

A DECADE OF DETENTION AND DEPORTATION

Rough sleeping has a long history in UK criminal legislation. The Vagrancy Act of 1824, still in use today, criminalises rough sleeping and begging under certain conditions.

Recently, the government has used the criminalisation of rough sleeping – embedded in both legislation and public discourse – to justify the detention and deportation of EEA nationals. Between 2010 and 2017, the Home Office introduced a succession of policies aimed at removing EEA rough sleepers from the UK, coordinated with some local councils and homelessness charities. The Home Office accused

UK rough sleeping from 2010-2019

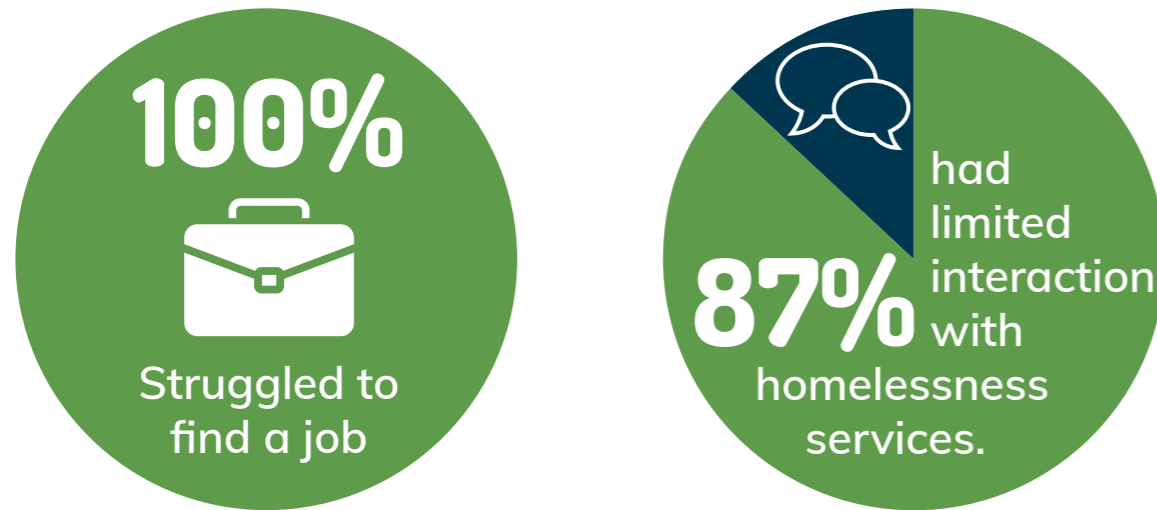


rough sleepers, mainly Eastern Europeans, of abusing their EU free movement rights, and subjected them to administrative removal from the UK, often holding them in a detention centre for months prior to deportation. Many of those detained were in work.

In December 2017, the High Court ruled in favour of a Judicial Review by the Public Interest Law Unit (PILU) that the Home Office's policy of detaining and deporting EEA-national rough sleepers was unlawful.⁸ The court concluded rough sleeping was not an 'abuse of rights' under EU legislation, and the policy therefore discriminated against EEA nationals and rough sleepers. The Home Office quickly updated its guidance to remove references to rough sleepers and stopped targeting rough sleeping EU citizens for removals in "immigration raids." The number of EU citizens in detention fell from 5,319 in 2017 to 4,185 in 2018.⁹ Some homeless people successfully claimed compensation.

London's rough sleeping Roma community faced the brunt of these policies of detention and deportation. Many Roma rough sleepers spoken to during a 2018-2020 outreach project run by RSG and PILC (Public Interest Law Centre, former PILU) knew people who had been arrested, detained, or deported. There have been only limited

Homeless Roma people in the UK



improvements for Roma rough sleepers since the Judicial Review. The RSG/PILC project found support services remain inadequate, with a lack of community outreach and a specific shortage of Romanes-speaking advocates. Many rough sleepers have regular engagement with police and council enforcement but are still not directed to support.

Another concern is the 'reconnection' policies of some local authorities and support services. They insist these offers of help to return rough sleepers to their place of origin are voluntary. However, there have been reports of them being presented as the only viable option, with no offer of alternative support.¹⁰

From 2014, the UK government has also cultivated a 'hostile environment' which makes living in the UK extremely difficult for migrants,¹¹ including among other policies restricting access to welfare through 'no recourse to public funds' and access to housing through 'right to rent'. The 'hostile environment' has undermined fundamental

rights whilst also decentralising immigration enforcement – border patrol has effectively been extended to police, to local authorities, to landlords and employers, and even to some homelessness charities.

THE IMPACT OF BREXIT ON ROMA ROUGH SLEEPERS

Brexit has highlighted the vulnerability of Roma rough sleepers, bringing major new challenges.

Firstly, EEA nationals must apply to the EU Settlement Scheme (EUSS) to secure pre-settled or settled status – the right to lawfully remain in the UK. Roma rough sleepers often fall through the gaps, frequently failing even to apply. A principal challenge is that it is applied for and held digitally; a lack of digital access and literacy are significant problems for Roma rough sleepers.¹² Additionally, Roma rough sleepers often only possess national ID which must be sent to the Home Office to be checked. Many are sceptical of this, worried both about losing their only identification and that the information might be used to identify and deport them.

RSG/PILC interviews found that although many Roma rough sleepers were now aware of the need to secure status from a 'residence system' (few knew its name), the majority hadn't applied. Some have given up, articulated one interviewee:

This government wants to get rid of us anyway. It doesn't matter if we apply or not. I will stay here and work and save money as much as I can until the very last day. And when they ask me to go, I will go.

Covid-19 has exacerbated these problems. More people are at risk of homelessness because of loss of income amongst self-employed and informal sector workers, some migrants have been refused Universal Credit, and the government has rescinded the 'Everyone In'¹³ support offered to rough sleepers during the first lockdown. Providing support under social distancing and lockdown restrictions is also much more difficult.

If these issues persist, many Roma rough sleepers and informal workers will be left without legal status after June 2021, when the EUSS deadline closes. Many organisations are campaigning for an extension of the EUSS deadline and are seeking clear guidelines on acceptable grounds for late application.

The second major implication of Brexit is that the few legal protections which Roma rough sleepers have are now under threat. In the absence of the EU legislative umbrella which protected them in the 2017 High Court ruling, new immigration rules have been announced that re-introduce immigration enforcement for rough sleeping migrants, including those EU citizens who arrive after 31 December 2020.¹⁴ From December 2020, Home Office caseworkers can refuse or cancel permission to stay for those who have been rough sleeping. While this won't compromise EUSS applications, it is unclear whether past or current rough sleeping may result in future revocation of EUSS status.

Moreover, EEA nationals will be subject to a policy of deportation for people with criminal convictions with sentences of over 1 year.¹⁵ The full implications of these changes remain unclear; however, they will enable further deportations.

FACING AN UNCERTAIN FUTURE

For the last decade, local authorities, successive governments and public debate have treated Roma rough sleepers as a problem. Immigration enforcement has combined with 'hostile environment' policies to undermine the lives of migrant rough sleepers, simultaneously restricting access to welfare and housing as well as eroding trust in the limited existing systems of support.

The Home Office used detention and deportation to remove EEA rough sleepers until these policies were deemed unlawful in 2017. 'Reconnection' has continued to be exercised alongside extensive police and council enforcement presence. With the loss of EU legislative protection resulting from Brexit, Roma rough sleepers are at increased risk of being targeted and deported in future.

It is crucial to continue to provide support to Roma rough sleepers, to challenge the government over draconian immigration policies, and to fight for the fundamental rights of Roma rough sleepers. The discourse surrounding Roma rough sleepers must change, to use the government's own words, "no-one should be criminalised simply for having nowhere to live."¹⁶

In an increasingly ‘hostile environment’, and with the government pursuing aggressive immigration enforcement, it is vital to defend the fundamental rights of Roma rough sleepers, not least their right to remain in the UK.”

ENDNOTES

- 1 <http://hub.salford.ac.uk/care-shusu/projects-migration-and-integration/migrant-roma-in-the-united-kingdom-population-size-and-experiences-of-local-authorities-and-partners/>
- 2 The World Bank Group, Diagnostics and Policy Advice for Supporting Roma Inclusion in Romania, 2014, p.6
- 3 <https://www.mungos.org/app/uploads/2017/07/Rough-sleeping-Roma-in-the-City-of-Westminster.pdf?x74044>
- 4 <https://www.gov.uk/government/publications/rough-sleeping-snapshot-in-england-autumn-2019/rough-sleeping-snapshot-in-england-autumn-2019>
- 5 <https://hansard.parliament.uk/commons/2020-11-11/debates/680C8511-FCCE-411F-858E-D595F6EB94F7/Covid-19LockdownHomelessnessAndRoughSleepers>
- 6 Taking London for example, the CHAIN report 2019/2020 recorded that 6% of those sleeping rough self-identified as Gypsy, Roma or Traveller. 15% of those sleeping rough also identified as Romanians. RSG’s experience indicates that the majority of those identified as Romanians are actually of Roma heritage. This makes the Roma the biggest cohort of non-UK rough sleepers in London. <https://data.london.gov.uk/dataset/chain-reports>
- 7 <https://www.mungos.org/app/uploads/2017/07/Rough-sleeping-Roma-in-the-City-of-Westminster.pdf?x74044>
- 8 <https://www.judiciary.uk/judgments/gunars-gureckis-and-others-v-secretary-of-state-for-the-home-department/>
- 9 <https://www.gov.uk/government/publications/immigration-statistics-year-ending-december-2018/how-many-people-are-detained-or-retained>
- 10 <https://ukandeu.ac.uk/deportation-and-reconnection-of-homeless-eu-nationals-in-the-uk/>
- 11 <https://www.freemovement.org.uk/home-office-targets-rough-sleepers-again/#:~:text=From%201%20December%202020%20Home,9.21.>
- 12 https://www.romasupportgroup.org.uk/uploads/9/3/6/8/93687016/statement_on_the_impact_of_the_eu_settlement_scheme_digital_only_status_on_roma_communities_in_the_uk_final_oct_2020.pdf
- 13 <https://www.insidehousing.co.uk/insight/insight/rough-sleeping-in-lockdown-20-is-the-governments-everyone-in-policy-on-the-way-out-68594>
- 14 <https://www.theguardian.com/uk-news/2020/oct/21/foreign-rough-sleepers-face-deportation-from-uk-post-brexit>
- 15 <https://www.freemovement.org.uk/eu-settled-status-criminal-convictions/>
- 16 [Written questions and answers - Written questions, answers and statements - UK Parliament](#)

ROMA STRATEGY VS REALITY: AN OVERVIEW OF ROMA HOMELESSNESS AND HOUSING EXCLUSION IN EUROPE

While European policy has been progressing (if unambitiously at times) both on Roma and homelessness fronts, there has been little attention paid to the intersectional way in which Roma people, as Europe's largest ethnic minority, experience homelessness and housing issues. Roma people are consistently pushed to the fringes of society, denied even the basic right to housing. Amana Ferro and Isabela Mihalache analyse the European policy instruments that advocate for the social inclusion of Roma and what measures are needed to ensure their situation in European society improves.



By **Amana Ferro**, Senior Policy Adviser and **Isabela Mihalache**, Senior Advocacy Officer — European Roma Grassroots Organisations (ERGO) Network

INTRODUCTION

On 19 February 2020, the UN Commission for Social Development adopted, at the end of the 58th session, a historical first United Nations resolution on homelessness. Serious violations of human dignity, homelessness and housing deprivation are affecting people all over the globe, of all ages and from all walks of life. Europe is no exception, as for many Roma¹ - Europe's largest ethnic minority - face severe obstacles in accessing quality, affordable housing, and live in substandard conditions, in squalid shantytowns and illegal settlements, often in environmentally hazardous areas, while constantly being evicted from these settlements. Segregation is strikingly evident in many Member States and Western Balkans countries, sometimes because of deliberate government policy.

The lack of security of tenure is a significant issue for many Roma living in houses without municipal authorisation or lease contracts or in informal settlements. They are particularly vulnerable to forced evictions. There are often instances of forced mass evictions of Roma without prior notice and involving police violence and destruction of personal property. When evictions happen, oftentimes authorities fail to provide the evicted families with alternative housing, and many end up living in camps or homeless. In the case of Traveller communities, the scarcity of adequate temporary halting sites and intolerant attitudes of municipalities affect Travellers from freely exercising their freedom to move.

According to EU reports, antigypsyism acts as a powerful barrier to accessing suitable accommodation, with 41% of Roma feeling discriminated against when looking for housing ([FRA 2017](#)) by both the majority population as well as local authorities. Travellers in Ireland are significantly overrepresented in the homeless population,

yet one third of local authorities failed to utilise their ring-fenced Traveller accommodation budgets in 2018², due to opposition by the public and local and national representatives.³

The Covid-19 pandemic has evidenced that poor housing conditions represent a systemic risk for public health, placing an undue burden on Roma people. During national lockdowns, several Roma communities were cut off from the wider community, including through military presence, as it was deemed that the residents did not have access to water or sanitation facilities to observe hygiene protocols. While people were left to starve in their homes, no effort was made to tackle the underlying causes of Roma people's limited access to hygiene facilities or to guarantee access to services.

SHORT ANALYSIS OF EUROPEAN POLICY INSTRUMENTS ON ROMA HOUSING AND HOMELESSNESS

Encouragingly, at European policy level, increasing effective equal access to adequate desegregated housing is taken up by the European Commission. On 7 October 2020, the Commission published a Communication for a new EU Strategic Framework for Roma Equality, Inclusion and Participation. The document acknowledges that Roma people's housing situation remains difficult, especially due to inadequate and segregated housing. It calls on national governments to fight spatial segregation, prevent forced evictions without alternative housing, and regularly collect equality data on experiences of discrimination in their national strategic frameworks. In addition, it calls on Governments to support the cultivation of outcome-oriented projects addressing access to housing, utilities,

When evictions happen, oftentimes authorities fail to provide the evicted families with alternative housing, and many end up living in camps or homeless.”

basic public infrastructure and services, as well as include a target to halve overcrowding in Roma dwellings in their National Strategic Roma Frameworks.

Government response and measures should be rooted in the implementation of the concept of “adequate housing” for all citizens including Roma, as defined by the United Nations⁴, the rule of law and human rights. A systematic review of housing legislation, policies and practices at national and EU level could remove all provisions and procedures that result in direct or indirect antigypsyism. Such a review would also include setting up adequate mechanisms to ensure compliance with anti-discrimination laws, with the full involvement of Roma representatives.

While the new EU Roma Strategic Framework includes a target to reduce housing deprivation by a third from 61% baseline, this seems very unambitious. Substantial resources should be made available for investment in sustainable solutions to provide affordable, quality, desegregated social housing that is also accessible to the Roma. This can be achieved by increasing supply and capping rents and property prices. Governments should also fully implement Principle 19 of the

European Pillar of Social Rights regarding *Housing and assistance for homeless*.

Housing is also a key dimension under Sustainable Development Goal 11 (Sustainable Cities and Communities), which states one objective is to ‘make cities and human settlements inclusive, safe, resilient and sustainable’. Under Article 13 of the European Social Charter and Articles 30 and 31 of the revised Social Charter, governments have an obligation to promote effective access to a range of services, including housing, and to promote access to housing of an adequate standard, to prevent and reduce homelessness with a view to eliminate it gradually, and to make the price of housing accessible to those without adequate resources. Europe should honour its commitments and deliver on adequate housing for all, including the Roma.

Unfortunately, the new EU Roma Strategic Framework does not mention housing segregation or forced evictions, two key manifestations of antigypsyism in housing. At the municipal level, urban planning and targeted investment in neighbourhoods can be employed to reconvert slums and informal settlements, so that both urban and rural spatial segregation are addressed. Segregated

communities give rise to a divided society and contribute to Roma marginalisation, while also impeding their access to services, resources, and social participation. Segregation in housing must be made illegal, as per the International Convention on the Elimination of All Form of Discrimination (Article 3), which obliges parties to “prevent, prohibit and eradicate” apartheid and racial segregation, including “an obligation to eradicate the consequences of past policies of segregation, and to prevent racial segregation arising from the actions of private individuals.”

PROACTIVE ACTIONS TO ACHIEVE BETTER HOUSING AND TO END HOMELESSNESS AMONG ROMA COMMUNITIES ACROSS THE EU

What is needed is a rights-based legal framework to provide effective protection against unlawful mass evictions and homelessness, as well as investment in legalisation surrounding informal settlements and property rights. Moreover, the EU should continue to pursue infringement proceedings against Member States in cases of forced evictions.

Legislation must enshrine the right of people to pursue a nomadic lifestyle, as well as provide the necessary quality infrastructure (camping sites etc.) for such lifestyles. Settled Roma often cannot legally prove ownership of the family abode that has been used for generations, and also struggle to meet housing and utility costs. In blatant displays of antigypsyism, local authorities move the Roma to unsuitable encampments out of sight.

Europe’s commitment to a socially just green transition must also include tackling the environmental hazards that Roma face. Roma communities across Europe live close to waste dumps, and many Roma settlements face pollution and environmental degradation stemming from landfills, contaminated sites, or dirty industries. The Sustainable Development Goals provide an excellent opportunity to reconsider transport systems and participatory planning and urban regeneration, as well as air quality and waste management. At municipal level, this can include desegregation, retrofitting houses for better energy efficiency and sanitation, and upgrading public spaces. A new policy focus on environmental justice must include the disproportional exposure of Roma to environmental degradation, pollution and natural hazards, the denial of environmental services, as well as the relationship between environmental degradation in segregated settlements and poor health outcomes.

PANDEMIC RECOVERY AND ONWARDS

In relation to the ongoing pandemic, recovery efforts must include temporary suspension of mortgage payments and utility bills, as well as a moratorium on shutting off utilities and evictions for families at risk as a result of the pandemic, particularly those already experiencing difficulties, such as the Roma. In the medium-term, access to sanitary infrastructure and free water as a public good must be ensured for all.

Decent and affordable housing is a right in itself, and a precondition for the fulfilment of other rights in fields such as education, health and employment. Pro-active action is needed now more than ever, to ensure the implementation of housing policies and practices for Roma, involving Roma representatives throughout the process. Investing in adequate housing is investing in people, their wellbeing, and their potential. Ringfenced EU and national funds can play a key role in addressing Roma housing exclusion by providing better quality housing and living conditions. Otherwise, millions of people in the richest continent of the world will continue to be banished to the margins and to experience hardship and exclusion.

ENDNOTES

- 1 The umbrella term “Roma” encompasses the 10-12 million people living in Europe (of which roughly 6 million in the EU) and it covers diverse groups such as Roma, Sinti, Kale, Romanichels, Boyash/Rudari, Ashkali, Egyptians, Yenish, Dom, Lom, Rom and Abdal, as well as Traveller populations (gens du voyage, Gypsies, Camminanti, etc.), in accordance with terminology used by the [European Commission](#).
- 2 Input by Deputy Eoin O’Broin, Sinn Fein, to [Dáil Eireann debate, 20 February, 2019](#).
- 3 Department of Housing Planning and Local Government (July 2019). Op cit. and RSM (June 2017). [Review of Funding for Traveller Specific Accommodation Programmes](#). The Housing Agency, Dublin.
- 4 Paragraph 60 of the United Nations Habitat Agenda, and General Comments Nos. 4 and 7 of the UN Committee on Economic, Social and Cultural Rights (CESCR).

“Decent and affordable housing is a right in itself, and a precondition for the fulfilment of other rights in fields such as education, health and employment.”

Roma people are targeted particularly harshly with forced evictions. This trend, which has risen in many EU countries and persisted throughout the covid-19 pandemic in which housing is the first line of defense, remains at the heart of the fight for the European Roma Rights Centre.

FORCED EVICTIONS OF ROMA: “EUROPE’S SILENT SCANDAL”



By **Bernard Rorke**, Advocacy & Policy Manager, European Roma Rights Centre

The [forced eviction of five Romani families](#) in the Hungarian town of Nyíregyháza on the 6th of October, marked a definitive end to the moratorium on evictions during the Covid-19 pandemic. The evictions, which left a total of 17 people homeless, were challenged by dozens of protestors, and condemned by the Vice-president of the local Roma minority self-government, László Glonczy, who criticized the municipality for its failure to engage in constructive dialogue on debt repayment. He described putting families with young children out on the streets during a pandemic as 'outrageous'.

At the European Roma Rights Centre, we consider forced evictions, which flout the law and target racialized minorities and other vulnerable people, to be 'outrageous' at any given time, but especially repugnant amid this pandemic. As [Leilani Farha, the UN Special Rapporteur](#) on the right to adequate housing put it: "In the face of this pandemic, being evicted from your home is a potential death sentence". The rapporteur declared that the right to adequate housing is not subject to derogation¹ in times of emergency. Limitations to this right are permissible "solely for the purpose of promoting the general welfare in a democratic society." In Hungary, it is unclear how forced evictions of Roma could conceivably serve the purpose of promoting general welfare.

Fighting forced evictions of Roma has long been one of ERRC's priorities and it remains one of the most intractable areas of our work. From Italy and France to Macedonia and Ukraine, we have taken local authorities and landlords to court; campaigned alongside local rights groups to protest and prevent coercive evictions – often carried out in the depths of winter and in defiance of international law and constitutional obligations; and, we have often sought, and sometimes obtained, interim measures to halt impending evictions of the very young and very old, heavily pregnant, ill and disabled persons, to prevent them ending up on the streets.

Nils Muižnieks former Council of Europe Commissioner for Human Rights, described Roma evictions as 'Europe's silent scandal'. He dismissed the wrong-headed notion that there is something inevitable about poverty among Roma, and described the appalling housing conditions as the most visible result of discrimination and social exclusion:

Roma are regularly forced to live in segregated settlements. Lacking basic infrastructure, they are victims of repeated forced evictions, and face much discrimination in attempting to access social housing or rent accommodation in the private market. With access to education, health care, and other social services – not to mention employment opportunities – often dependent on the possession of an official address, the lack of proper housing only reinforces Roma marginalisation.





Discrimination in the rental sector has forced some **100,000 Roma into **4,000** substandard hostels and dormitories**

The [EU Framework for National Roma Integration Strategies up to 2020](#) called on Member States to draw up national integration strategies to prioritize access to education, employment, healthcare, and housing for Roma. By the 2020 end-date, the verdict from [civil society](#), a range of expert opinions, and the European Commission itself, was that in terms of implementation and actually making a difference to the lives of Roma, those national strategies were, by and large, a dismal failure.

Housing is the least successful policy area and forced evictions and demolitions continued apace, with many Roma 'relocated' to remote, sometimes toxic sites, with no access to basic services. Such actions serve to banish Roma, [to uproot and displace communities even further out of sight and out of mind](#).

The recent Communication from the European Commission on the new [Roma framework up to 2030](#), blandly notes that "the housing situation remains difficult," and aims to reduce the gap in housing deprivation by one third, cut overcrowding by half, and ensure that at least 95% of Roma have access to clean water – all very commendable 'quantifiable headline targets' – but the Communication makes no mention of 'Europe's silent scandal' and nowhere calls on Member States to halt forced evictions of Roma.

EVICTION SNAPSHOT EUROPE 2020: CORRUPTION, CRUELTY AND 'CLEANSING'

In 2020 Europe, thousands of Roma continue to live in squalid conditions in segregated camps and emergency shelters, in slum neighbourhoods and irregular settlements, under constant fear of eviction, harried and harassed, without any security of tenure and no prospect whatsoever of social integration. Worse still, evictions often serve to 'cleanse' certain municipalities of their Romani inhabitants, banishing them to remote outskirts or containing them in segregated slums.

According to [the European Agency for Fundamental Rights \(FRA\)](#) the Czech Republic has the largest share of Roma (almost half) that

perceive themselves as threatened by evictions. Discrimination in the rental sector has forced some 100,000 Roma into 4,000 substandard hostels and dormitories, where they are charged up to three times the market value of an ordinary flat by slumlords. The [European Commission against Racism and Intolerance \(ECRI\)](#) stated:

Housing support is provided for tenants to pay exorbitant rents to the 'slumlords' and ECRI is astonished that the authorities are complicit in this corrupt and degrading practice, which is contributing further to the segregation of Roma, and calls for a halt to this practice.

Czech Roma are increasingly being evicted from developed urban areas to structurally disadvantaged regions and socially excluded localities. Frequent policy changes concerning subsidies for people living in hostels have made things even more precarious, by allowing local governments to curtail such benefits. [Legal provisions adopted in 2017](#) enabled municipalities to designate whole territorial areas as ineligible for certain forms of housing support (officially known as OOP but referred to informally as "benefit-free zones"). The explicit justification has been to combat exploitation of poor people, but in reality, municipalities that have instituted these bans see them as a way to rid their territories of the mostly Romani people who draw on such benefits. [As of November 2018](#), over 80 municipalities had implemented an OOP, or announced an intention to do so. Legal challenges were initiated, and joint complaints are currently pending in the Constitutional Court.

In neighbouring Slovakia, housing policy has long been characterized by mass forced evictions and the erection of walls separating Roma from non-Roma. Surveys have confirmed that increasing numbers

of Roma in Slovakia live in poor and segregated settlements in substandard housing, unprotected from environmental hazards that include toxic industrial waste, rubbish tips, seasonal flooding, and the intermingling of waste and drinking water.

According to the [Slovak Anti-Poverty Network](#) "housing and the protection of the right to housing is the weakest component of public policies". There is an acute shortage of affordable accommodation; just 2.7% of dwellings are publicly owned (EU average 18%). [Commissioner Nils Muižnieks](#) noted that partly as a result of lack of tenure, many Roma in Slovakia live with the threat of forced eviction and that although there are several state mechanisms allowing for the construction of flats for marginalised communities, housing interventions remain limited, with many municipalities reluctant to use existing resources to promote inclusion.

Between 2015 and 2020, the situation in Bulgaria worsened considerably. Evictions of Roma in 2015 were precipitated by violent anti-Roma protests orchestrated by nationalist groups and gangs of football ultras laying siege to Roma neighbourhoods. In response to such pressure, a number of local authorities followed up with forced evictions and house demolitions. Such actions prompted the [UN Committee against Racism and Discrimination](#) to issue a blunt rebuke to the Bulgarian authorities:

Stop the persistent practice of forcibly evicting and destroying Roma settlements without offering alternative housing or adequate compensation, and take measures to legalize existing settlements to the extent possible while facilitating access to basic services in these settlements.

This call has had little effect and has gone largely unheeded. In 2019, as more 'spontaneous' far right attacks on Roma neighbourhoods took place, Deputy Prime Minister Krasimir Karakachanov, head of the extremist Internal Macedonian Revolutionary Organization party (IMRO), upped the tension by calling for harsh measures "because Gypsies in Bulgaria have become exceptionally insolent." This was followed by local authorities demolishing fifteen family dwellings as a form of collective punishment. Video footage of the violence in Gabrovo showed the mob attacking houses, throwing rocks through windows and demolishing chimneys, while bystanders cheered and applauded. Over recent years one clear pattern has emerged in Bulgaria: anti-Roma rhetoric, forced evictions, and attacks on Roma neighbourhoods coincide with electoral cycles.

Some sense of the gravity of the situation in Romania can be garnered from the [end-of-mission statement by Professor Philip Alston](#), United Nations Human Rights Council Special Rapporteur on extreme poverty and human rights:

The structural problem in many places is that Roma lack security of tenure. Either they have no property title or rental agreement, or they live in 'formerly nationalized houses'. At any time, they can be evicted from their homes, with all of the attendant stress. All too often, evictions have taken place with little advance notice, have been carried out in an abusive fashion, result either in homelessness or relocation far away from jobs, schools, hospitals, and other facilities, and end up reinforcing residential segregation of a discriminatory nature.

In the European Union, despite inclusion frameworks and the Race Equality Directive, forced evictions of Roma without the provision of adequate housing alternatives continue unabated, causing untold trauma to their lives.

International standards clearly provide that a state's right to evict must be counterbalanced by its duty to provide adequate alternative housing, respecting people's dignity, and to provide those being evicted with an effective chance to seek judicial redress. The ECtHR established that forced evictions could amount to an infringement of the right to respect for the home and right to family life. In several other judgments, the court has underscored that Roma "require special protection" because of their specific disadvantages and vulnerability and that evictions should not result in homelessness.

In addition to this legally binding jurisprudence, European countries have committed to uphold other standards they themselves adopted, within the Council of Europe, the UN, the EU and the OSCE, many of which they transposed into domestic legislation.

Yet, this wealth of legal standards and international commitments add up to very little, and unnecessary coercive approaches continue to be the norm in too many places and far too often. In the European Union, despite inclusion frameworks and the Race Equality Directive, forced evictions of Roma without the provision of adequate housing alternatives continue unabated, causing untold trauma to their lives, displacing them, and deepening their exclusion from their localities and the wider society.

There is no room in a civilized society for such willful cruelty. The indifference of the majority to these forced evictions is a measure of the extent to which anti-Roma racism is embedded in the social, economic, and political structures of our societies. At the ERRC we continue the fight against this form of barbarism in the wider struggle for justice and equality for Roma.

ENDNOTE

- 1 Derogation: the suspension or suppression of a law under particular circumstances

The EU faces an unprecedented opportunity to ensure Roma people can access their right to housing, however, argues Marius Tudor, if they continue to rely on soft policy rather than legislative tools it is doubtful real progress will be made toward Roma inclusion.

ROMANI PEOPLE AND THEIR RIGHT TO HOUSING: FROM RHETORIC TO REALITY!




By **Marius Tudor**, Senior Advisor, European Parliament

I was 8 years old when I had to sleep, for one single night and the only one, on the street. The darkness was my friend and at the same time my worst enemy, as I had to keep my sister, who was 6, safe from something that could harm her and existed only in my mind, the mind of a child. It was cold outside; it was winter and I did my best to keep my sister safe from freezing.

I did not sleep on the street because I did not have a house! No, I had a house, a warm one. However, my parents worked a lot, my father, as an engineer and my mother, a French teacher. On that particular day it happened that my dad had to work during the night and my mom was in the city, 30 km away, having an examination and had to wait until late-morning the next day for the result. They gave our house-key to our grandmother but something happened, and she never came to clean us, to warm the house, and to feed us. My sister and I played with our friends all day, but as night fell we were faced with the sadness of being alone, without the warmth of the oven and the security of our house. We could not enter our house, we did not have the key and though I tried to enter by squeezing through the protective metal bars in front of the window, I only got stuck there. Having released myself, I went outside to the yard. We had a pillar just in front of our fence and we sat there. We laid down on the ground and we hugged each other. We were so hungry and cold. I remember how I put my arms around my sisters' body to keep her warm and safe, She was crying, I was crying. She fell asleep but I did not, I was awake until 5 o'clock in the morning. I was so afraid and shaking, until a neighbour came from work and she saw us. She started to cry, then she took us into her home, she cleaned us and made food for us, and then we went to bed, a warm one. My parents came back, the at midday the next day. They did not find us and they got scared as they thought my grandmother was taking care of us. They started to call our names and then our neighbour called them into her house. We were there, safe. Since then, that neighbour is like a grandmother to me.

Having experienced that one night on the street, without food or water, being cold and afraid, I can hardly begin to understand, nowadays, how millions of my people feel and struggle, faced with a lack of adequate housing. For I am Roma, the son of an engineer who was raised on the money made from begging.



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In the EU there are more than 6.5 million Romani people, 80% of whom are living in extreme poverty. The housing disparities continue to be significant, with about 30% of Roma still living without water within their dwellings, 36% without a toilet, shower, or bathroom. I could continue speaking about data, but anyone can look these up and I prefer to share the reality of my experience as a member of the Roma community. I am from Romania, a country in which more than one third of the population live in extreme poverty. In Romania, there are more than 2 million Romani people and many of these people must face the feeling that I had, 25 years ago, daily. They grow up in small adobe houses, by candlelight, their window is a sheet of nylon, and pieces of plastic or wood are the rooves over their heads, they sleep, three or four, in an old, shabby bed and share a piece of bread, when they have it. There are many Romani people and they belong to Romania and the EU.

EU has strategic documents for the inclusion of Romani people and for improving their housing situation. However, as a soft policy tool, it provides only a skeleton for policy coordination, consultation and monitoring, and targeted policy recommendations for National Romani Integration Strategies. It is at the discretion of national, regional, and local governments to translate the recommendations into administrative capacities and concrete policy actions and, as a consequence, the evaluation of the EU Roma Framework up to 2020 shows that the housing situation remains difficult.

The [new framework](#) proposal has ambitious targets on housing such as to make sure that by 2030 the majority of Roma do not face housing deprivation. I dream that this target be realised, but the soft character of this framework tells me this is unlikely. So, what do we need to make sure Romani people will enjoy their right to housing? The main strategic documents for the Inclusion of Romani people must have a binding character for the Members States in

terms of Implementation, adequate budget, progress and success indicators and monitoring mechanism. This would be possible through a Directive. The first step was already done through the [resolution](#) developed by the MEP Romeo Franz and adopted on 17th September 2020, which asks, for the first time in the history of the European Parliament, for an EU Law to uphold Equality, Inclusion and Participation for Romani people and to Combat Anti-gypsyism .I am pleased to have been part of this process.

Among the housing priorities, we called on the Member States to: invest in social and affordable housing and to ensure that Romani people are duly registered with ID papers and birth certificates, that their properties (land and house) are equally registered and to ensure more flexible legal and administrative procedures for the future; to adopt a comprehensive mechanism to ensure that discrimination and abuse against Romani people in the field of housing is prevented and sanctioned, to address the issue of homelessness and to prevent further forced evictions of Romani people by ensuring that such practices always take place in full compliance with International, European and national law, and point out that no evictions should take place without the provision of substitute standard, affordable and quality housing in a desegregated setting, which has access to public services; to overcome segregation and to promote spatial desegregation, to adopt urgent measures to address the lack of water, adequate sanitation, electricity and needed infrastructure in poor Romani communities.

The next step must be taken by the Commission. The Commission must be more ambitious and courageous to develop a legislative text proposal. If there is no legal obligation for implementation, in a world in which extreme right and racism against Romani people is on rise, changes will remain only on paper. It remains to be seen if the Commission will step up to ensure Romani people no longer face

housing deprivation. In the meantime, we will continue in the European Parliament to make the Directive a reality, and in 2021 we will develop a legislative report. The only way to ensure access to quality housing for Romani people, for my people, is through the political will of the national governments, and if this was not possible until now through soft policies, we hope it will be possible through law, especially given that the EU has this historical opportunity for recovery: to leave no one behind.

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FEANTSA is grateful to all contributors for sharing with us their experiences and knowledge on the situation of Roma in housing and homelessness across the EU. We are especially grateful to the Roma women and men who have indirectly or directly shared what it means to be homeless or to live in poor and inadequate housing. For any queries related to this issue of the magazine, please get in contact with us at simona.barbu@feantsa.org.

Cover art by Renata Mihaly, realised through a mixed technique: manual illustration, digital illustration and collating.

The cover of the magazine is a creation of the young Roma artist Mihaly Renata. A student at the University of Art and Design Cluj-Napoca, Romania in the fashion section, clothing design Renata has participated with her art in international exhibitions and in European projects volunteering her work. Renata also engages in volunteer actions meant to empower Roma youth from Romania through her work at the Young Roma Maramures association Baia Mare, but also in Cluj-Napoca, in the informal group INTERSECT.

“For me, art is everything, through art I express myself and it helps me render my personal vision related to any theme, subject, context.”
Signed, A young Roma artist.

Renata can be followed online on [Facebook](#) and [Instagram](#)

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