

URGENT ACTION

ROMA COMMUNITY FACING FORCED EVICTION

City authorities in Milan, northern Italy, are preparing to forcibly evict a community of about 200 Roma people living in Rubattino area in the east of the city. According to local NGOs and media, they have announced that they will carry out the evictions at some point before 21 September.

According to the information received by Amnesty International, It is not clear what alternative accommodation will be offered to the community living in the Rubattino area. They have not been consulted on the proposed evictions, and the authorities have made no attempt to identify with them any feasible alternatives to the evictions. When the city authorities have previously evicted Roma communities, they have offered some form of shelter in the short term (weeks or a few months), and only to women and small children, in the city's dormitories for homeless people. Without alternative accommodation, the families face living in harsh conditions at another makeshift camp, or they may be left without basic shelter, meaning that they would be living outdoors including in harsh weather conditions.

The community includes around 70 children, 40 of whom attend schools nearby. The eviction threatens to interrupt their schooling and seriously disrupt their education

Under domestic law, the authorities should notify each individual, or publish an order or notice, but, according to the information available to Amnesty International, they have not done so. Because the order has not been formalized in this way, the community cannot challenge it through the courts, and stop or postpone the eviction.

Most of those living in the Rubattino camp have previously experienced at least one forced eviction. Previous forced evictions involved the destruction of shelters, clothes, mattresses, and sometimes, medicines and documents. All these evictions are believed to have been carried out without the procedural safeguards required under regional and international human rights standards.

PLEASE WRITE IMMEDIATELY in Italian, English or your own language:

- Urging the authorities not to forcibly evict the Roma families now living in Rubattino area;
- Reminding the authorities that forced evictions, carried out without legal and other protections, are prohibited under international law as a gross violation of a range of human rights; in particular, the right to adequate housing;
- Urging the authorities to ensure that evictions are carried out only as last resort, and only in full compliance with the guarantees required under regional and international human rights standards, including through genuine consultation with residents of the areas affected and to explore feasible alternatives; providing to them adequate and reasonable prior notification; guaranteeing the right to legal redress, including to challenge the order in court and legal aid; providing adequate alternative housing and compensation for all losses; and ensuring no ill-treatment of Roma.

PLEASE SEND APPEALS BEFORE 21 SEPTEMBER 2009 TO:

Milan Prefetto

Dott. Valerio Lombardi
 Prefetto di Milano
 Palazzo Diotti
 Corso Monforte, 31- 20122 Milano
 Italy

Email: prefettura.milano@interno.it

Salutation: Egregio sig. Prefetto

And copies to

Deputy Mayor of Milan
 ViceSindaco Riccardo De Corato,
 Piazza Scala, 2 – 20121 Milano
 Italy

Email:

vicesindaco.decorato@comune.milano.it

Salutation: Egregio Vicesindaco

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

For at least the last 10 years, numerous forced evictions of Roma communities have been carried out in Italy. Forced evictions became more frequent after special agreements (*Patti per la Sicurezza*) were signed by the national government and local authorities, including those of Milan, on 18 May 2007. As a result of these special agreements some powers were transferred from within the Ministry of Interior's remit to the local authorities, with the aim of addressing perceived security threats, including those supposedly posed by the presence of Roma communities in these cities.

In May 2008 a Decree by the President of the Council of Ministers (DCPM 21 May 2008) conferred emergency powers to the *Prefetti* (who are permanent representatives of the national government in the territory) for one year, in order to solve the "nomad emergency," while using a law of 1992 enacted to provide for emergency powers in case of natural disasters. This decree (which was subsequently extended by DCPM 28 May 2009) gave the *Prefetti* powers to derogate from a number of laws. The power can be exercised against people of any nationality who are deemed to be "nomads". They appear to disproportionately affect Roma people.

Under international law forced evictions - which are evictions carried out without appropriate procedural guarantees, including the possibility of *seeking* redress through the courts, and without assurances of adequate alternative housing - are a gross violation of a range of human rights including the right to adequate housing. Evictions may be carried out only as a last resort, once all other feasible alternatives to eviction have been explored and only when all appropriate procedural protections, in accordance with international and regional human rights standards, are in place. Italy has come under severe criticism from international and regional human rights bodies, including the European Committee on Social Rights, which found Italy in violation of the European Social Charter. Italy has however failed to implement these recommendations and has on the contrary continued and in some cases escalated forced evictions of Roma communities.

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