



ASSOCIAZIONE 21 LUGLIO ONLUS

Submission to the UN Special Rapporteur on the Right to Adequate Housing

Associazione 21 luglio Onlus – www.21luglio.org
Via Bassano del Grappa, 24 – 00195 ROMA
Tel. e Fax: 06 64815620
email: info@21luglio.org pec: associazione21luglioonlus@pec.it



Associazione 21 luglio Onlus is an independent¹ non-governmental organization committed to the protection of the individuals and groups in extreme segregation conditions mainly through the protection of children's rights and the fight against any form of discrimination as well as to the promotion of Roma and Sinti rights in Italy as they are one of the most marginalized and discriminated group living in Italy. Its main activities are human rights research and advocacy, human rights education and strategic litigation.

Associazione 21 luglio, as a member of the civil society, submits this contribution to the kind attention of the Special Rapporteur on the right to adequate housing in preparation for the next thematic report to the Human Rights Council at its 37th Session. Associazione 21 luglio submission focuses on issues concerning Roma and Sinti communities living in Italy, providing first-hand information and highlighting the main factors of concern in relation to the adequate housing issues.

Housing

The European Roma Framework has been formally transposed into the 2012 Italian National Roma Integration Strategy². The non-homogeneous territorial implementation of the NRIS as well as a rigid top-bottom approach of the NRIS can lead to the implementation policies in contrast with the principles of the NRIS as well as in contrast with the Committee on Economic, Social and Cultural Rights' general comment No. 4 on the predisposition of adequate housing solutions³. The following part highlights the housing policies targeting Roma implemented by some Italian local authorities, which contrast with the NRIS as they reiterate housing and social segregation, non-providing alternative and adequate housing solutions for those who have been forcibly evicted and for those who still live in the Roma-only settlements.

The authorized settlement "Camping River" in Rome⁴

The "Camping River" private camping structure, located at via Tenuta Piccirilli, is one of the "equipped villages" of Roma Capitale and is inhabited by 420 Roma individuals divided in 120 families. Since 2005, this structure has been used for the reception of Roma families originating from Kosovo, Romania and Bosnia Herzegovina, and was extended during the so-called "Nomad Emergency"⁵ for the reception of 173 individuals coming from the closure of the Casilino 900 "tolerated camp" in February 2010.

With letter dated 4 July 2017, the City of Rome announced that by 30 September 2017 all the individuals who were living in the camping had to leave the assigned premises free of persons or objects, while providing, at the same time, that those in need would have access to support measures provided for by Determination no. 105 of the Capitoline Council dated 26 May 2017 *Roma Capitale Plan for the Inclusion of Roma, Sinti and*

¹ In order to maintain its independence, Associazione 21 luglio cannot access Italian public funding by statute.

² Italian National Strategy for the Inclusion of Roma, Sinti and Caminanti (NRIS), February 2012. The NRIS foresees a set of integrated policies focusing on four key areas (Housing, Employment, Education, Health).

³ See: <http://www.refworld.org/docid/47a7079a1.html>.

⁴ The following reconstruction is the result of constant monitoring activity carried out by Associazione 21 luglio. All documentation mentioned in the text is housed in Associazione 21 luglio's archive.

⁵ Decree of the President of the Council of Ministers of 21 May 2008, Declaration of the state of emergency in relation to the settlements of "nomad communities" in the territory of the regions of Campania, Lazio and Lombardy.

Associazione 21 luglio Onlus – www.21luglio.org

Via Bassano del Grappa, 24 – 00195 ROMA

Tel. e Fax: 06 64815620

email: info@21luglio.org pec: associazione21luglioonlus@pec.it



Caminanti and therefore the families interested in said support measures would have to sign a pact of joint responsibility with Roma Capitale⁶.

On 22 August 2017, a substantial part of the families hosted in Camping River signed to participate in the project to get away from the “camp”. Despite the Determination of the Capitoline Council no. 201 dated 15 September 2017⁷ establishes the possibility to use support measures for housing inclusion for those families hosted in Camping River, the effectiveness of the aforementioned disposition lacks in providing alternative adequate housing solutions.

The continuous monitoring activity of Associazione 21 luglio has also allowed us to ascertain that, during the personal interviews between the Municipality of Rome and the families residing at the Camping River, the families were simply presented with a proposal to provide for a stipulation of a housing contract themselves for which the Administration would provide a subsequent and partial contribution. The real estate agents that were contacted for this purpose rejected the requests presented by several River residents as they did not present minimum guarantees and long-term economic sustainability in order to access to lease contracts on the private real estate market⁸.

Faced with the objective impossibility of the families to find an alternative and adequate housing solution, there is currently a situation of uncertainty, precariousness and lack of concrete solutions. A situation that could degenerate in that the water supply, the water pump has been malfunctioning and residents are currently being supplied with only 13 water bottles per family by the local Civil Protection to meet the daily requirement of water, the provision of electricity and sewer maintenance may soon be limited or not provided for since the living costs for Camping are now borne only by the private owners who possess the property of the area.

Eviction of the Gianturco Roma slum in Naples⁹.

On 22 March 2016, the competent authorities notified approximately forty people with proceedings that enforced the Decree of Preventive Seizure, issued on 23 January 2016 by the Tribunal of Naples, of the area between Via Brecce in Sant'Erasmo nos. 106/108 and no. 123 in the district of Naples called Gianturco. The

⁶ The Pact provides as the main commitment of the families to leave the village by 30 September 2017 at the latest date in order to receive support for inclusive housing (which involves sharing the costs for the beneficiaries who have minimum economic conditions to bear their relative expenses) and support for job inclusion (favouring training and formation courses as well as activation of traineeships).

⁷ Determination of the Capitoline Council no. 201/2017 establishes the possibility to access to reception structures intended for temporary hospitality from 30 September 2017 until 31 March 2018, relieving the Capitoline Administration from any responsibility concerning the reception structure, both for the payment of hospitality expenses as well as for the permanence in said structure.

⁸ The economic aid provided by the municipal authorities to the residents leaving Camping River is set at a monthly ceiling of 800 euros per household. In addition, the granting of this contribution is for a very limited period (1 July 2017 - 31 December 2018) in addition to being provided subsequently following the individual payment by the lessee of any deposit and rental fees.

⁹ The following reconstruction is the result of constant monitoring activity carried out by Associazione 21 luglio. All documentation mentioned in the text is housed in Associazione 21 luglio's archive.

Associazione 21 luglio Onlus – www.21luglio.org

Via Bassano del Grappa, 24 – 00195 ROMA

Tel. e Fax: 06 64815620

email: info@21luglio.org pec: associazione21luglioonlus@pec.it



areas in question have seen the rise of informal slums predominantly composed of Roma families from Romania.

On expiry of the term of eviction for the Gianturco camp, scheduled on 10 January 2017, no provision was made for the eviction from the settlement nor a further extension. From that date onwards, intense pressure from the authorities and law enforcement have begun, which has exacerbated the concerns of Gianturco's Roma families for an imminent eviction, causing dozens of families to leave the settlement autonomously, in the absence of any alternative and adequate housing arrangements from the municipal authorities, in a dynamic that can be qualified as an induced eviction.

On 7 April 2017, in the absence of any alternative and adequate housing offered by the municipal authority, the remaining of the approximately 1300 Roma of Romanian nationality who had been living for years in the Gianturco informal settlement were evicted, producing a true diaspora of the Roma communities on the territory of the city. On the same date approximately 200 people from the Gianturco eviction were transferred to a newly built mono-ethnic settlement. The internal space of the area, located in via del Riposo in Naples, is inadequate as well as the asphyxiated housing units located therein - 28 small containers (approximately seven by three meters).

As a result of Gianturco's eviction, dozens of families have in fact been rendered homeless. However, it seems that they have not left the city but rather they have spread fragmentally over the territory, as they are families that have been rooted for years in the urban fabric. In fact, approximately 160 people, including women and children, who had previously been evicted from the Gianturco slums, sought shelter in the private property of a disused factory, the former "Manifattura Tabacchi" of the City of Naples. On 6 July 2017, the Local Police of the City of Naples warned the Roma families to immediately release the premises in question. Approximately 250 people, the 160 individuals present in the former "Tabacchi Manifattura" factory, along with other people from the original evicted nucleus of the Gianturco settlement, sought shelter in another area, called "ex mercato ortofrutticolo", former fruit and vegetable market.

On 3 August 2017, the Tribunal of Naples ordered the sequestration of the abovementioned former market area. On 14 August 2017, the maximum term of 8 September 2017 was granted to families as the last date for the release of the occupied area. On 11 September 2017, the competent authorities issued a Provisional Decree on the Execution of the Preliminary Seizure Decree of the area called "ex mercato ortofrutticolo" providing that the execution of the eviction will resume from 11 October 2017; said term has been extended again to 24 October 2017 and again to 7 November.

The absence of a concrete disposition of alternative adequate housing solutions, as seen in the management and concretization of policies adopted in Italy, such as in Naples and Rome, undermines fundamental rights and at the same time risks making more vulnerable those who are already socially fragile. In order to build an all-encompassing family-by-family approach based on the real needs of people living in a housing



emergency and in order to implement an effective policy of overcoming Roma camps, Associazione 21 luglio deems necessary the following¹⁰:

- Program new interventions that guarantee to all those concerned (without skimming, whether they live in a formal or informal camp or in an assisted residency) an adequate housing solution;
- Use available economic resources diversely to improve living conditions and reduce distress for the entire citizenship;
- Regularize individual legal and administrative situations in order to implement effective inclusion policies and facilitate access to services. The lack of recognition of legal status excludes many Roma from actions involving housing, education, health and work;
- Provide a variety of housing integration tools with adapted and customized solutions to offer case by case, family by family: ordinary housing, private production to support purchase (with support instruments in order to gain access to mortgages and capital support); ordinary housing, private production, to be rented on the private market; self-made constructions accompanied and supported by cooperative movement; restructuring of disused housing by direct beneficiaries; residential areas for extended family groups; rental of farms in disuse that are publically owned;
- Identify for each family the most appropriate instrument to promote integration and autonomy. That is, discuss with the families, nucleus by nucleus, presenting the real possibilities, and discussing with each one of them regarding the costs and the reciprocal commitments relative to each;
- Define assured individual budgets, for a household, that enables the evolution for an internal allocation to gradually promote autonomy;
- Develop a strategic Municipality by Municipality plan able to clearly define the available resources and establish a plan for overcoming the housing segregation of Roma people;
- Build consensus favoring those working in the media and for the society in order to weave networks and solidarity.

¹⁰ Associazione 21 luglio remains available for further clarifications and/or requests for more information. Due to the given limited space established for the present contribution cuts has been made; in order to have an integrated view see: Associazione 21 luglio, *Centri di raccolta S.p.a., I centri di assistenza abitativa per soli rom. I costi a Roma nel 2014 e i percorsi per il loro superamento*, May 2015: <http://www.21luglio.org/wp-content/uploads/2015/05/centridiraccoltaspa.pdf> and Associazione 21 luglio, *Roma: oltre le baraccopoli, Agenda politica per ripartire dalle periferie dimenticate, Elezioni amministrative 2016*, September 2016: <https://spire.sciencespo.fr/hdl/2441/7eutvpa2v78csbd3opegdb6qcr/resources/vitale-oltre-le-baraccopoli-web-2-2.pdf>, the final part of the text uses the studies and contribution of Professor Tommaso Vitale, Sciences Po (Université Sorbonne Paris Cité).