

ROM, SINTI, CAMINANTI

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Focus

The progress of the National Strategy for the inclusion of Roma, Sinti and Caminanti and present-day unsolved contradictions

The political and legislative framework applying to the decisions and measures concerning Roma was redefined in March 2012, by introducing the National Strategy for the inclusion of Roma, Sinti and Caminanti (hereinafter NS).

This document provides the Italian Government with a national reference framework aiming at including, promoting and guiding all actions undertaken by local bodies – which have been considered so far the main actors in the management of the “Roma¹ issue” – and the initiatives carried out by the individual ministries, which from the 1960’s have tackled Roma-related issues sectorally and without a coordinated approach.

According to the schedule set up by the European Strategy 2020, by the end of 2013 the first phase of implementation of the national action plans should be concluded; the phase refers to the completion of resource analyses and ongoing projects along with the identification of new operational guidelines at a national and local level. Accordingly, also in our country the implementation of actions foreseen by the NS did not lead to substantial interventions or changes in Roma people’s daily life. The main area in which the effects of the NS can be seen is the institutional one, although this sector also features many diverse situations in terms of involvement and interaction between the individual geographical areas and the central and local² administrative bodies.

1 -This term will be used as an all-encompassing word to indicate different groups of Roma, Sinti and Caminanti (hereinafter RSC) living in Italy

2 -The following data were collected through interviews and meetings with UNAR consultants and collaborators, local managers, experts

The National Plan

At a Governmental level, after a long intermission the interviewees accounted for by referring to the political instability and the changes that had happened at the top managerial level of UNAR, the political control room/ interministerial political forum- i.e., the top layer of the new governance system outlined by the NS- resumed his activities only in September 2013.

Below the political control room, the five interministerial committees working on the interventions outlined by the NS have reached -as of today- different activation levels which we cannot analyze in detail; the most active forum is the one examining the legal status of Roma. This forum devoted special attention to the many thousands of Roma that are currently “*de facto* stateless”. This mainly applies to youths born in our country, sons and nephews of migrants from the former Yugoslavia who in turn are not compliant with administrative requirements. Vis-à-vis this complex problem, the participants in the forum outlined - also by monitoring local practices - several proposals, which once endorsed by the political control room will impact the legislative, administrative and diplomatic level. On the other hand difficulties in setting up and starting the committee (or forum) on housing issues must be reported. According to sector operators and observers, the difficulties stem mainly from the potential political consequences of any kind of intervention related to housing policies for Roma at local and National level. Although the presence of Roma encampments, either authorized or spontaneous, represents the main violation imputed to our country by all international counterparts and it is also the main problem for local administrations in managing Roma presence, local and national administrations are forced or often choose to remain inactive. They are afraid that any improvement in their housing predicament might be manipulated by the political debate or simplified by the press.

Besides, difficulties arise also in communicating with representatives

and activists belonging to the volunteering sector – to whom we address our heart-felt thanks. Furthermore we examined the draft Report no.29 of 18/12/2013 of the extraordinary meeting of the Committee for the protection and promotion of Human Rights, which debated the “Follow up of the research on the protection of human rights and the mechanisms in force in Italy and within the International context: public hearing by the Minister for the integration on the national strategy of inclusion of Roma, Sinti and Caminanti” The document is available for reference in the on-line archives of the Senate of the Republic.

of the various Roma groups especially on the housing subject as they have different needs and requests according to their settlement and migration experiences, therefore creating further differences and sometimes tension regarding the distribution of resources between Roma and Gagè.

Remaining at central level, at least one initiative undertaken by UNAR is worth mentioning: in collaboration with ANCI and ISTAT a pilot survey was launched in 5 local administrations aiming at identifying all statistical sources available on Roma presence and regarding the relevant measures. This type of research is important as it should bring about the creation of a system to systematically verify the impact of the measures implemented³.

Local administrations

The NS implementation process foresaw the definition of a governance model to be applied also at a local level with the creation of Regional Committees/Forums which will support the Municipal and Provincial Authorities in the drafting, implementation and monitoring of local Plans of social inclusion.

In this respect, two significant events occurred between 2012 and 2013: on 5 December 2012 the first National Forum of the Regions convened for the first time, involving all Italian regions along with the State-Regions Conference. Afterwards, on 24 January 2013, the Conference of Regions approved an UNAR document in order to set up - within 28 February 2013 – forums for the implementation of the NS in each Italian region.

The Regions which officially set up the forums through ad hoc decisions are only eight at the moment: Liguria, Emilia Romagna, Marche, Tuscany, Umbria, Latium, Molise and Calabria; Campania and Sicily might join over the first months of 2014.

At the lowest level of local administrations, i.e. Municipalities and

³ -Besides the Unar the organization includes the participation of the Ministry of Employment, of Social Policies with delegation to the Equal Opportunities, the Minister for International Cooperation and Integration, the Minister of Interior, the Minister of Health, the Minister of Education, University and Research and the Minister of Justice..

Provinces, the situation is even more varied. Only few administrations committed themselves by way of specific instruments: among them it is important to mention the memorandum voted by Rome's Municipal Council in December 2013; some other administrations started a direct dialogue with the UNAR based on the Intervention plan prepared previously or regardless of the NS like, for example, the municipalities of Milan and Bologna. Generally speaking there is widespread interest from local administrations in acquiring the competences and in following the indications developed by UNAR with the issuing of the NS.

On this subject a Memorandum of Understanding was signed by UNAR, FORMEZ and ANCI to support, through expert consultancy, the implementation of local inclusion plans in the five regions where a State of Emergency was declared.

It is not possible within the scope of this contribution to carry out an in-depth examination of the situation for each of the regions where a forum was organized or for the Municipalities that prepared Inclusion plans; therefore we will consider only a few relevant cases with regard to the activities implemented and the criticalities encountered.

One of the Regions that have been most committed from the start is Tuscany, where toward the end of 2012 a technical forum was set up following a regional resolution; the technical forum was chaired by the regional Councillor for social policies and all local bodies concerned were convened. Over the following weeks representatives from Roma and welfare services were also invited, thus creating a multilevel and differentiated communication model based on the pivotal role played by the Region.

This local administration certainly endorsed a more advanced legislative approach compared to other regions, taking account of the regional Law approved in 2000 and the motion carried by the Regional Council in 2011 – which was focused on the social inclusion of Roma. Another important element regards the role entrusted to the Fondazione Michelucci, a research center that, following the

setting up of an Observatory on the social and housing situation of Roma and Sinti in Tuscany⁴, started collaborating with several local administrations.

The Fondazione acts as a technical consultant and its services are available to the different administrators, but it also plays a crucial role in involving and mediating with Roma and third sector representatives.

Tuscany's situation is particularly significant as certain projects - some of which are under discussion or about to be defined at administrative level – tackle the most politically sensitive and central issue, i.e. housing measures for Roma.

In particular, the technical forum is working on a few projects to be implemented in different local contexts, envisaging –as foreseen by the NS – a wide range of proposals and approaches with a view to solving the issue of Roma encampments - ranging from the inclusion into social housing in Lucca to the self-building initiative of San Giuliano Terme⁵ up to the upgrading of a historic settlement near Pistoia. All these projects have not become a reality yet: the stakeholders involved in the Lucca project are still debating if including only the Roma as beneficiaries is appropriate or not. In San Giuliano Terme the issue was solved by implementing a first housing intervention that benefitted the Roma only to then progressively become a resource integrated into the wider territorial system. With regard to the exclusiveness of housing policy interventions, the case of Pistoia represents a more typical solution even if it is in some respects a more problematic one: even if intended for a limited number of beneficiaries and within the framework of an integrated project foreseeing interventions on the legal status, occupation and literacy, the housing intervention envisages basically the enhancement of a pre-existing Roma encampment located far away from residential

4 -Employment, Health, Education and Housing. A fifth multi-ministerial discussion table added up to these four forums in order to address the issue of the legal status of Roma.

5 -Within this document it was deliberately decided not to give relevance to informative or cultural initiatives promoted by local and central administrations although their value is recognised and they are also part of the National Strategy; the rationale is to be found in the limited space of this contribution and in the decision to focus on the prospective or already defined interventions that are meant to shape Roma's lifestyle and the respect for their rights.

areas and territorial services.

Besides the differences and the impossibility of assessing the impact of projects that exist only on paper or in the declarations of intent, Tuscany appears to be the administration that decided to tackle the most central and sensitive issue: Roma's right to housing.

On this subject other municipal and regional bodies put forward proposals and projects that are less in line with the NS; also the political and cultural debate is less advanced.

The cases of Turin, Milan and Rome can be taken as examples, as these are cities that have been the subject of the declaration of the state of Emergency.

Without formally appropriating themselves of the structure and models of governance defined by NS, the municipalities of Milan and Turin have, over the last few months, started consulting with local actors and the UNAR and have drafted general intervention plans and projects – each according to their own models - which are, even explicitly, in line with the NS objectives.

The housing subject has been tackled in Turin as part of a call for tenders for the management of initiatives “in favour of the Roma people” announced following a municipal resolution and awarded last November to a group of local associations.

The unprecedented element is the fact that the tender concerns authorised and unauthorised settlements: special attention is paid to a spontaneous settlement along Lungo Stura Lazio, a shanty town hosting 650 Roma according to the estimates by the municipal administration.

For this settlement and others the tender is aimed mainly at the transfer of Roma from their encampments, pursuant to the principles and methodology outlined by the NS⁶, which envisage a range of stepwise interventions and varied solutions according to the capabilities and resources of the residents in the encampments. This project started in the settlement of Lungo Stura Lazio, and in January 2014 a few families left the camp to start an assisted process leading ultimately

⁶ -Following extensive and in-depth research and monitoring, the Observatory produced a mapping of the settlements in the region along with an on-line database on the features and criticalities of each settlement; see <http://www.michelucci.it/pagine/romgis/>.

to housing solutions.

Starting this process is part of the supporting actions to foster social and housing inclusion considered as a key feature of the public administrations' projects. However a few limits or criticalities must be highlighted with regard to the project structure: within the tender the timeline for implementation is not explicitly stated and a clear monitoring mechanism is missing along with a verification of the impact of the proposed actions - while within the NS they are all considered as characterizing elements. Furthermore, as some local associations observed, the prospects for the Roma who are not taking part in those projects are unclear. The tender clarifies that..."the (inclusion) process will be reserved for those who will fully respect the Citizenship Pact" (approved by the Municipal Council) and that it is anyhow estimated "that several individuals will not be able to take part in the aforementioned processes." To that end, assisted repatriation actions in collaboration with associations belonging to the countries of origin were envisaged - but the criticalities linked to this type of intervention already emerged over the past few years in Milan and Rome.

Against this backdrop, the administration decided to invest part of its resources also for the Roma encampments that will remain operational by financing measures to enhance their safety, rearrangement and maintenance.

A twofold modality of interventions then is outlined, on the one hand affirming and testing the overcoming of Roma encampments and on the other hand also investing resources in order to guarantee the safety of the existing settlements by ensuring minimal structural standards - which are in any case very far from the housing standards provided for in the Pistoia upgrading project.

A similar situation can be observed in Milan where the municipal administration presented the Intervention Guidelines for 2012-2015. In Milan, already with the previous administration spearheaded by Letizia Moratti, major projects to overcome the concept of Roma encampments had commenced – producing complex results that have not been systematically assessed yet; the housing issue was

anyhow the focus of action. However also in Milan the measures envisaged follow this binary path including, on the one hand, the beginning of the housing inclusion process supported by employment and financial help and, on the other hand, interventions aimed to the upkeep and management of existing encampments. The balancing among those projects is particularly meaningful if we consider the funds earmarked for the various items of expenditure: 2,3 million euro should be used for the management of existing encampments and the setup of a temporary stay camp and the presence of local Police; 2,2 million euro for enhancing safety of the areas involved, the management of the first reception in social emergency centres and the move from unauthorized encampments; finally 2,1 million euro were allocated to social assistance and induction to educational and employment paths.

The Milan guidelines also attach special importance to countering illegal activities and, like for the large-scale Turin project, foresee monitoring activities in areas liable to the risk of spontaneous settlements and the fight against new unauthorized encampments, which will be carried out, theoretically, along with the start of innovative socially oriented projects such as the creation of low-threshold facilities for the first reception.

Conversely, the regional bill presented by the Fratelli d'Italia political group and endorsed by the former vice-mayor of Milan Mr. Roberto de Corato goes in a basically opposite direction. The bill foresees the adoption of more stringent criteria in the organization and management of Roma encampments in Lombardy and also promotes the holding of civic education and integration courses to the benefit of Roma jointly with the Municipalities where nomadic population is to be found. The bill attracted wide criticism from Italian and Roma associations both because it shows no intent to overcome the encampment-based approach as envisaged conversely by the NS and also because Roma are portrayed as “nomadic“ and in need of re-education.

From this standpoint, the situation in Rome looks similar to that in Milan, even though it is fraught with heavier inconsistencies under

certain respects. Also in the Memorandum voted by Rome's city council the taking up of tools and methodology set out in the NS is accompanied by a set of measures with a view to the management of existing encampments.

Currently, regardless of the public statements released by the Councillor for Social Policies, no intervention plan has been devised. The need for overcoming the encampment-based approach certainly recurs as the objective and benchmark shared by all the stakeholders, but it is now considered in terms of downsizing the existing mega-encampments that are a feature of the Roma issue in Rome; conversely, the management of authorized encampments and the "zero-tolerance policy" against the unauthorized ones have been the focus so far of the attention and measures of the municipal authorities. The administration led by the Mayor Mr. Marino decided to move groups and families from one encampment to another or to host them in a temporary reception centre without offering any housing alternative; meanwhile, as also happened in Milan, it has restarted implementing forced evictions regardless of new interventions.

In Rome the "zero-tolerance policy" of Mayor Marino seems to be based upon numerous elements that link it seamlessly to that of the previous administration led by Mr. Alemanno; in comparison to Milan, it is affected by the lack of whatever political debate and the absence of measures devised to tackle the only certain output resulting from the forced evictions: tens of Roma are suffering from a housing emergency situation that is paradoxically even worse than what was the case with the shantytowns.

A similar contradiction between general guidelines and concrete actions can be found in Emilia Romagna. Already prior to the establishment of the regional forum in the summer of 2012, the administration had started an intervention program aimed at improving living conditions in Roma encampments. The earmarked funds, more than 1 million euro, were meant to ensure the safety and improve the life quality of residents through the revamping of facilities and the reduction of overcrowding in the encampments. The

idea stems from the peculiar condition of Roma in this Region, where the encampments gradually turned into micro-areas, often family-run and in some cases owned by the Roma families themselves.

Over the following months the regional administration started the regional forum process- in cooperation with the regional Ombudsman – with the objective of bringing the interventions undertaken into line with the European and National guidelines for the integration of Roma and Sinti. Starting from 2013, overcoming the encampment-based approach to the Roma issue has become part of the agenda through several awareness-raising and research initiatives carried out in collaboration with regional Councillorships, Ombudsman and a few volunteering associations.

However, along with this institutional process, a few Roma and pro-Roma associations drew attention to a problem experienced by families living in the Reggio Emilia area. Those families had bought farming land over the past years and at a later stage they were reported to the authorities on charges of illegal construction of housing and other facilities. The finalization of the proceedings and the enforcement of the punishments jointly imposed, i.e. the pulling down of the facilities and, in some cases, the forced eviction of the Roma from those areas, brought to light –according to activists – a problem that was common knowledge for the administrations concerned even if they never took action in this regard. In this context, the applications filed by families and associations for being granted the tools and resources envisaged in the NS were not taken into account by local administrators – so that some of the public initiatives undertaken by those administrators to publicize the future implementation of the NS appear paradoxical and in some instances represent a source of tensions.

Between innovation and resistance: An initial analysis

In taking stock of the progress status for the NS by having also

regard to the objectives set for the first two years of activity, one can appreciate an initial criticality – i.e., the delay in building up the governance model at both central and local level. The delay concerns the setting up of the political control room, the different working pace of National forums, the high number of regions that have not set up a regional forum yet - therefore failing to support the municipalities that, even if limited in number, are interested in drafting local inclusion plans.

Consequently, as also stated by UNAR representatives, it is extremely difficult to identify concrete results stemming from the implementation of the NS, given that also forward-looking administrations, such as the Tuscan one, are still working on the administrative definition of projects.

The commitment of Italian authorities was considered insufficient by the European Commissioner for Justice, Fundamental Rights and Citizenship, Ms. Viviane Reading, and by the Commissioner for Social Policies, Mr Lazlo Andor. They criticized in detail the state of implementation of the NS during a public hearing held on 26 June 2013: Italy is among the countries which did not earmark the necessary funds to implement the NS within the National budget or the EU funds. Besides, in their view, the Italian plan submitted in Brussels in 2012 could be significantly improved by the introduction of specific quantitative objectives, providing for a sound monitoring system and an evaluation methodology for the implementation of the envisaged measures regarding education, health, employment and housing.

Within this framework the Commission highlighted nevertheless that, albeit exclusively at central and local level, it was possible to detect a meaningful change in orientation and political culture. The issuing of NS and the pressure created by numerous European formal statements had produced – reportedly - a significant transformation in the political structure and language when tackling interventions addressing Roma. Beyond the widespread notion of the obsolescence of the encampments-based approach, this change of scenario was

said to materialize in social inclusion policies devised for peoples no longer considered as “nomadic” or “gypsies”. For instance, a step forward was made by renaming the municipal “Offices for Nomadic Populations” using the categories and the terminology provided by the NS and by way of the instruments and objectives mentioned by the Local Plans – which have left behind emergency-focused wording and tools and support social inclusion paths.

If, on the one hand, this change of scenario and language used by the administrative and political personnel when perceiving or facing the Roma issue represents a meaningful contribution on the long term, on the other hand one can hardly fail to observe a discrepancy between the declarations of intents and the decisions taken in reality - as the forced evictions in Rome and Milan clearly prove. Besides the delay in the implementation of interventions and projects, it is necessary to point out the opportunities and risks linked to a mainly rhetorical impact of the National Strategy - which has been, so far at least, a theoretical framework of terms and approaches that do not always translate successfully into actual planning and political practices.

Finally another criticality is related to the communication modality among administrations, the volunteering sector and Roma groups’ delegates; in some regions such as Lazio, for example, the issue of how to select the counterparts involved in the debate resulted in a delay in starting up the regional conferences and forums. The issue of the Roma involvement has been a long-debated topic, also from a scientific standpoint. Scientific research highlighted the risk that starting consultation mechanisms – with the resulting reallocation of resources and opportunities- may actually encourage the ad hoc appointment of community leaders and representatives or also reinforce power positions previously achieved. Furthermore those types of leadership might put emphasis on solutions marked by an exclusivist approach, in the name of a specific difference characterizing the Roma and the peculiar needs this sort of self-elected élite is voicing – which might paradoxically create a deeper divide vis-à-vis the local communities the Roma live in.

Discrimination and Violence

Bologna, February 2013:

the local group belonging to Lega Nord (the Northern League) organized squads to make rounds in the Ospedale Maggiore with the aim of exposing the consequences of Roma presence within the hospital.

Pisa, 17 March 2013.

The judicial proceedings in relation to the so-called child wife of the Roma settlement of Coltano in the province of Pisa, come to an end. The judicial proceedings started in 2010 when seven Roma were arrested; according to the prosecution they had brought a girl from Kosovo to Italy and submitted her to forced marriage, reducing her to slavery and subjecting her to sexual abuse and rape. The trial had huge resonance on local and national press: in the numerous articles published on this case a consolidated cliché was reiterated suggesting that the Roma “traditions” were in contrast with “modernity”; the same cliché was taken up by the President of the Court, according to whom “(Roma’s customs) in our country are deemed as crimes”. The judgment of the Court of Cassation did away with all the charges brought against the Roma: the only count remaining was illegal immigration while all other indictments relating to violence and battery were dismissed.

Especially during the initial phases, this case underscored the problem of culturally-oriented practices which are considered legitimate in a certain socio-cultural context and, on the other hand, the way to interpret legislation and identify crimes. Only the accuracy of the investigation allowed keeping these two levels separate by drawing a distinction between social practices that are unquestionably fraught with multifarious interpretations and consequences - like the pre-arranged marriage and the young nuptial age – and enslavement and

rape, which beyond doubt are crimes and, once proved, have to be punished – but should in no way be linked to Roma “culture”.

Turin, 28 March 2013.

The judicial proceedings involving several tens of Turin youths on counts of **assault and arson** is postponed; the alleged assault and arson was organized in December 2011 against the Continassa Roma encampment in Turin.

This racist episode was motivated by the allegation, quickly proved false, of attempted rape made by a young girl against a young Roma boy living in the encampment. The following day a march was organized in the neighborhood and regardless of the presence of the Police, it paved the way to the arson of the shacks and make-shift shelters of Roma who were forced to flee without any protection or defence.

Naples, April 2013.

A significant case is that concerning **the Roma of Giugliano, on the outskirts of Naples. A Roma group of around 400 was transferred to Località Masseria del Pozzo** after 2 years of wanderings in the Neapolitan countryside. In this area the municipal administration had built a Roma encampment costing around 400 thousand Euro; the majority of funds were used to separate the settlement from the neighbouring land where for many years all sort of legal and illegal waste had been dumped. Also in this case the dramatic nature of the event was voiced by demonstrations organized by Roma and pro-Roma associations, but to no avail as the administration did not take any action.

Rome, April 2013.

The Minister for Cooperation and Integration Mr. Riccardi openly criticized a few mayors who, in his view, used the forced evictions only to have a return on popularity – i.e. without thinking of practicable and feasible solutions. The Minister referred conversely to the good practices adopted by other local administrations like

that of Lamezia Terme, which used the funds allocated to security polices to start a process aimed at overcoming Roma encampments in that town.

Padoa, 8 April 2013. On the occasion of the Roma International Day, also the mayor of Padoa, appointed as representative of ANCI for immigration, Mr. Zanonato, stressed the responsibility of local administrations vis-à-vis the Roma situation and recalled the discrimination they are still victims of and the urgency of implementing the NS.

Rome, 8 April 2013. Trial for the shutdown of the Italian forum of “Stormfront”. Four forum moderators had been convicted of incitement to racial hatred and sentenced to 2 to 3 years’ imprisonment. According to the prosecution the four moderators were preparing violent actions against Roma and other immigrants and had also targeted politicians and associations’ representatives, among whom the then Minister Ricciardi, who had been threatened following a statement regarding the possibility to include Roma families in the eligibility lists for council housing. The judicial proceedings will resume on 26 January 2014 before the II Court of Appeal of Rome.

Pescara, 16 April 2013.

There started the judicial proceeding against some of those who took part in the spiral of violence that had raged in the city during 2012, following the killing of a criminal, refueling racist and violent actions against the Roma that were long-time residents in town.

The proceedings concerned the homicide of the head of the local soccer fan club, called Domenico Rigante; a few youths coming from Roma families established in Pescara were charged with this murder. The proceedings were postponed on account of incompatibility vested in the public prosecutor but during the hearing held on 9

May 2013 the trial was further postponed to January 2014; in the meantime all five defendants are still detained due to the hazard they pose to society as decided by the GUP (judge for the preliminary hearing).

During the hearing held in May 2013

the counsels of the young Roma boy -Mr. Taormina was also part of the legal team- pledged for a transfer of trial on the grounds of the racist tension in the town of Pescara and the potential repercussions on the counsels and the Court. During the first hearing in May 2013, the relatives of the young victim had almost got into a fight with those of the defendants although the hearing was taking place in chambers.

Mestre, July 2013.

Monsignor Bonini decides to organize a **surveillance service to prevent Roma beggars from entering the Cathedral** during religious celebrations. The vicar's initiative was unheard of and targeted Roma beggars who, according to local press, aggressively demanded alms and were also responsible for "colonizing" entire areas of central Mestre and the tourist areas of Venice. People's reaction was interesting as it was immediately mirrored by the actions undertaken by the municipal administration led by Sandro Simionato (PD); the administration announced the intention to evict one of the tented encampments where those allegedly responsible resided while one regional councillor of the Northern League, Mr. Furlanetto, went as far as to request the army's intervention to counter the beggars' aggressiveness.

Turin, 12 September.

The unauthorised settlement of Continassa is forcibly evicted; the encampment of Continassa was the target of a racist raid in 2012. The eviction concerned around 30 people and it was ordered by the Municipality of Turin in view of the construction of the new Juventus sports center. It must be noted that some of the evicted Roma have

been taken up by the association Terra del Fuoco, in charge of the Il Dado project, which is listed among the good practices for Roma inclusion under the NS.

Rome, September 2013.

Another significant story is the one that came to its conclusion over the same weeks. Two months beforehand, **tens of Roma residents in the large encampment of Castel Romano, located 25 km away from the city center, decided to abandon this encampment** and park their trailers close to the Roma encampment of Via Salviati. The decision was motivated by tensions among the different groups living in the camp; tensions which led to fights among Roma and against the activists of associations working inside the encampments, whilst some trailers were set ablaze. The decision was accompanied by an open letter to the newly elected Mayor Marino; the Roma declared that they did not want “to be ghettoized” any longer. In spite of this statement and several meetings with the local administration, no alternative solution was devised and on the morning of September 12th **the forced eviction of the Roma who remained close to the Salviati encampment started.**

Landiana (Novara), September 2013.

Landiana is the town in Novara province which attracted the attention of the press as **no residents enrolled their children to the local primary school due to the presence of 25 Roma minors.**

Regardless of the outcome, the case spurred reactions and declarations by local politicians; among them one stands out: the regional councilor from Lega Nord (the Northern League) Mr. Mario Carossa said: “It is absurd that our fellow nationals have to withdraw their children from school due to an excessive Roma presence.

This proves beyond doubt that uncontrolled immigration and forced cohabitation with those who do not know how to live and integrate in a community are harmful and impossible.”

Rome, 23 September 2013.

The “Antiziganismo 2.0” report by the National Observatory on racial hatred and by the 21 Luglio association was presented officially. The report addresses, inter alia, issues relating to the image of Roma on Italian media. According to the report, every day in Italy 370 cases of incitement to racial hatred and discrimination take place plus 482 cases of misinformation through the declarations of political representatives as reported by newspapers, websites and social networks.

Misinformation cases kept recurring throughout 2013

and related to deeply-rooted themes and clichés. 2013 was the year of “**the gypsies gambling on football results**”, an evident example of discriminatory misinformation. Indeed, even if there was no link between Roma and those involved in the illegal gambling, the case reinforced the concept of Roma’s inborn criminal nature.

In addition, during 2013, Roma groups were

repeatedly associated with minors’ abduction in our country.

This happened both in relation to events spanning over a long period, like the case of the kidnapping of **Denise Pipitone**, **in which the “gypsy trail”** was widely exploited during the judicial proceedings by one of the defendants without any decisive evidence, and with regard to more recent events such as the case of the **Schepp sisters, kidnapped in 2011, which led, by the end of September, to searches being performed in various encampments in Sardinia** without this proving in any way helpful for the investigations.

November 2013. Milan.

The municipal administration evicted the large settlement of Via Montefeltro, where more than 700 people resided.

According to volunteering associations, the forced eviction did not comply with the guidelines provided by the SN or with international law, as the Roma were not afforded any alternative accommodation since the local authority could only

make available 200 places for them.

At the end of January 2014, a joint action by Carabinieri, Police and Municipal police permanently closed the encampment in Via Selvanesco, an area on the outskirts of Milan that had been already evacuated several times, but where the Roma - being also the legal owners- continued to find shelter during the nights.

The Municipality of Rome resumed eviction activities in January 2014, targeting a squatting area in the district of Casal Bertone where several tens of Roma, among others, resided. The evictions focused subsequently on the unauthorized settlements, in particular that of Via Belmonte Castello, on the Eastern outskirts of the city, where about 20 Roma families lived, including 40 children aged between 0 and 12 years. Significantly, in both cases the eviction not only failed to comply with the procedures laid down by international regulations or the NS guidelines, but also cut off the social inclusion process the two Roma groups had undertaken in cooperation with volunteering bodies without the support of any public funding or projects.

Regulatory Framework

The National Strategy for Inclusion of Roma, Sinti and Caminanti

In the first weeks of 2012, the National Bureau against Racial Discrimination (UNAR⁷) presented the *National Strategy for Inclusion of Roma, Sinti and Caminanti*.

It is not a legislative provision, but rather a commitment for a wide range of institutional amendments and legislative provisions on the Roma issue. First and foremost, the document is the result of a long consultation with numerous Roma and non-Roma associations. In

⁷ See Bontempelli S., Le buone pratiche dell'abitare, in Rapporto Nazionale sulle buone pratiche di inclusione sociale e lavorativa dei rom in Italia, by the Fondazione Casa della Carità "Angelo Abriani", Bucarest, Fondazione Soros Romania, p. 82-108.

addition, the NS envisages a range of initiatives and changes whose scope and depth cannot be compared to the existing ones. Indeed, they outline an overall logic that involves Roma-related provisions applicable to the entire national territory.

The text is organised in three sections: the first one deals with Roma presence and describes the regulatory framework within which the NS was drafted; the second section describes the objectives and action plans and specifies the courses of action, allocated tasks and financing; the third section is meant as an executive summary.

The institutional and regulatory framework shaping the NS allows detecting, *per se*, the innovations compared to previous policies. In the very beginning, articles 2 and 3 of the Italian Constitution are mentioned, setting forth the respect for the fundamental rights of individuals and the implementation of the principle of formal and substantive equality among citizens. These constitutional principles are immediately correlated with international case-law, in particular international human rights Law and the principle of non-discrimination that is one of the pillars of such law. The need to develop Roma inclusion policies is related no longer to specific circumstances or security issues; instead, it stems from constitutional and international regulatory principles our Government is required to fulfil. This is the first new element of the NS.

This first innovation is complemented by a redefinition of institutional actors and responsibilities. UNAR is designated as the National Focal Points (NFP) for Roma integration strategies up to 2020. However, from the very beginning the NS emphasizes the need for building up a multilevel *governance* system involving several central institutions – such as the Minister for International Cooperation and Integration; the Minister of Labour and Social Policies; the Minister of Interior; the Minister of Health; the Minister of Education, University and Research; the Minister of Justice – as well as the regional and local authorities, the third sector and Roma representatives. The NS also

provides for the setting up of Regional Offices, i.e. the actual bodies in charge of some of the suggested provisions.

The re-definition of the regulatory framework and the institutional architecture goes hand in hand with the modifications to the principles and general objectives of Roma policies; NS begins by suggesting a sheer change of course with respect to recent years: “It was noted, on the one hand, that there is a need to provide the European Union with the answers that have not been coming so far. On the other hand, we need a NS to guide concrete inclusion activities for the Roma, Sinti and Caminanti over the coming years, so that we can overcome the emergency that has characterised the various initiatives, especially in large urban areas, over the past years” (UNAR, 2012, p. 6). Further on, it reads “it is necessary to overcome the welfare-oriented and/or emergency-focused approach and implement appropriate and dedicated measures so that equality, equal treatment (Article 3 of the Italian Constitution) and the vesting of fundamental rights and fundamental duties (Article 2 of the Italian Constitution) can be achieved fully” (ibid., p. 8).

Overcoming the emergency and welfare-oriented phases in Roma policies along with the reference to constitutional and international law principles are veritable turning points compared to the past.

Social inclusion objectives are explicitly defined in several passages; a quote of the most significant ones follows: “With this strategy, not only do we intend to achieve effective integration/social inclusion of Roma, Sinti and Caminanti communities, but also their ability to fully exercise their fundamental rights as enshrined in the first part of Art. 2 of the Italian Constitution” (ibid., p. 22). Again: “The overall objective of the National Strategy is to promote equal treatment and the economic and social inclusion of RSC communities in our society; ensure lasting and sustainable improvements of their living conditions; achieve effective and permanent empowerment and participation in their own social development; the exercise and

full enjoyment of citizenship rights as guaranteed by the Italian Constitution and international conventions” (ibid., p. 26).

Thus, social inclusion is framed against the background of legal and constitutional principles; also, it becomes part of a model foreseeing the direct involvement of the Roma people. Compared to this overall purpose, it is interesting to note what the NS states after a long analysis of settlement modalities, the geographical distribution of Roma, and their administrative and legal status : “Scholars observe that the legal status of foreigners, both EU and non-EU citizens, stateless and refugees, features per se elements that depart from the juridical status proper of citizens. But even the possession or acquisition of citizenship does not mean equal rights and duties with respect to the other Italian citizens. In Italy, the core issue is the non-recognition of the Roma, Sinti and Caminanti as minorities via national omnibus legislation. As of today, they only acquire *de jure* rights as individuals but not as a “minority” because no legal provisions exist in this respect” (ibid., p. 20).

The attention devoted to the recognition of the legal status is particularly significant. As a matter of fact, while recognizing the multifariousness of the geographical distribution and situations experienced by Roma in our country, the NS traces them all back to the key concept of minority- and therefore to the recommendations of the European and international organizations which advocate the implementation of provisions to support the inclusion of minorities. It is a significant change of perspective compared to the concepts of identity and difference as applied to Roma groups that have inspired previous legislative initiatives: the reference to ethnic or cultural specificities of Roma is made based on instruments and concepts stemming from the international debate. Such instruments and concepts do not tackle the broad scientific and political debate on the ambiguity of the concept of minority and the consequences of the implementation of policies based on such an instrument (see,

among others, Marta:2005).⁸

The issue of the recognition of the legal status of minority was decisively dealt with in September 2013, during a conference held at the Senate, as Senator Palermo presented his bill. On that occasion, Minister Kyenge reiterated the commitment of her Ministry and the entire Government for the recognition of the legal status of Roma and the implementation of the NS.

Having said that, it is interesting to note that the NS proposed to implement, also in Italy, an intervention model reflecting the European general framework. Reference is made to the implementation of policies that are “explicit but not exclusive.” This means finding a compound solution between the identification of the specific needs of these groups – including those stemming from the age-old discrimination they suffered – and the need to overcome the exclusion-focused approach that, especially in our country, had facilitated the implementation of “ethnicity-based” policies and solutions.

Another point that shows the marked change of perspective in the NS is the vexed question of the encampments.

Based on the report by the Special Committee for the Protection and Promotion of Human Rights (2011), the NS states that: “Solving the issue of Roma encampments is something of increasing importance for the local authorities as well, since they create a situation of physical isolation that limits the chances for social and economic inclusion of Roma, Sinti and Caminanti communities” (UNAR, 2012, p. 85). The critical evaluation of this intervention model is based on two

⁸ “The present Notice is consistent with this frame of reference (the National Strategy for the inclusion of Roma people), representing a concrete initiative devised to tackle the need to overcome and resolve the issue of emergency settlements.”

⁹ L'Ufficio per la promozione della parità di trattamento e la rimozione delle discriminazioni fondate sulla razza o sull'origine etnica (UNAR- National Office against racial discrimination) was set up by legislative decree no. 215 of 9 July 2003, transposing the EC Directive 2000/43; it works within the

Department for Equal Opportunities and the Prime Minister's Office. Additional information can be found on the website www.unar.it.

¹⁰ It is useful to highlight that the subject of the minority status recognition is associated to the debate related to the Porrajmos, with the explicit request to include the commemoration of this event in the institutional celebrations.

elements: first, the criticism levelled against using “nomadism” as an identity label for all Roma people, which can be found in the very first few pages of the NS : “the old association between these communities and the sole concept of “nomadism” is now obsolete both in linguistic and cultural terms, for it does not properly depict the current situation” (ibid., p . 8). Second, the NS recognizes that: “as noted by many international organizations, the placement of the Roma, Sinti and Caminanti in so-called encampments fosters segregation and prevents any process of integration/social inclusion” (ibid., p. 82). It is interesting to note that this part of the text contains provisions to facilitate the various housing forms for the Roma people and suggested amendments to the national legislation. Such amendments would also be applicable to a large proportion of Italian citizens experiencing housing difficulties, with special reference to public residential housing , social housing, self-recuperation and self-construction. There is therefore a real change of tune in the housing policies for Roma. The interventions based on a differential and exclusivist logic are abandoned and the issue of housing for Roma is now considered as part of the broader issue of housing-related difficulties experienced by the entire population.

As already mentioned, tackling the housing issue is only one of the interventions outlined in the NS; others relate to education, training, and the promotion of access to employment, health, and welfare services. It is not possible to dwell on each of these issues here. However, it is interesting that, among the actions proposed, one always finds the use and enhancement of the “Roma mediator” whose specific background includes both linguistic and cultural skills. From an operational point of view, the mediator’s professional profile seems to have been conceived as an instrument to facilitate access to services by Roma users, and to guide public services operators. However, the text does not take account of the broad scientific debate on the risks related to the institutionalization of these “ethnic mediators”. Such risks concern both the non-accountability

and ethnicization of welfare services, and the creation of a sort of élite able to manage the relationships and communication channels between Roma users and public institutions.

In conclusion, one can unquestionably argue that the NS represents a cultural and political breaking point and a significant step forward in the development of the relevant measures and tools. The challenge, as confirmed by many statements of several members from European institutions, concerns the practical arrangements for implementing the measures proposed and the ability of all institutional and non-institutional stakeholders to carry on with this new approach to Roma policies in our country.

4. Recommendations

1. Taking steps with regard to the structural causes of poverty and social exclusion affecting Roma, which prevent them from claiming respect for their fundamental rights.
2. Continuing in the dissemination of the principles and guidelines of the National Strategy for the Inclusion of Roma, Sinti and Caminanti, primarily to increase the activities of national bodies and to seek the wider involvement of local administrations and, secondly, to foster projects and affirmative actions against discrimination by conveying the relevant results effectively to the public.
3. Encouraging opportunities for discussion and public debate, in particular by enhancing dialogue with the world of research and social analysis, concerning strategic issues and the local processes initiated with the implementation of the Strategy.
4. Fostering the adoption of an appropriate linguistic approach to tackle issues related to ethnic and language minorities in the

public debate (both in the political and institutional sphere and as regards the media) by overcoming the existing stereotypes and discriminatory expressions.

- 5 Promoting full respect for the right to adequate housing for the Roma people while overcoming the encampment-based policy.
- 6 Overcoming and shutting down encampments via integrated intervention programmes which take into account the specific resources and criticalities of the individual beneficiaries.
- 7 Terminating forced eviction programmes for unauthorized settlements and reconsidering the measures aimed at relocating and securing settlements in compliance with the international legislation in force.
- 8 Expediting the resolution of the various issues related to the legal status of Roma, in particular for children and for a vast segment of the population who is de facto stateless.