

Roma Rights: Expulsion, Statelessness, and Freedom of Movement

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The Roma in Europe have suffered human rights abuses throughout history, and in modern day continue to be the one of the world's most vulnerable groups. Evictions, expulsions, and the statelessness of the Roma in Europe are interconnected complications that the Roma must deal with without much public support – especially since governments often wish to remove them rather than deal with the problem. This paper aims to look at what France and Italy are doing with the “Roma Problem,” and how the solutions they have both chosen – evictions and expulsions – are unjust and contribute to statelessness and other human rights violations.

The Roma are the largest ethnic minority in Europe. While other ethnic groups have integrated and received the full rights of European citizens, the Roma continue to be left out, subjected to human rights abuses, expelled, and rendered stateless (Kearney, 2012). Despite efforts by the European Union to fully integrate the Roma, several countries have pushed back and enacted laws which serve to further segregate and make vulnerable the Roma communities in their countries. Italian and French policies of expelling the Roma have brought media attention to the many human rights abuses the Roma face, but not enough has been done to bring awareness and recognition of their plight. Continued policies in France and Italy have created statelessness among the Roma, who have no national land but only a shared collective identity (Open Society Foundation, 2015). The repatriation of Roma communities in Italy and France to states such as Bulgaria and Romania has created new situations of statelessness, as

well; many of the Roma have never been to Bulgaria or Romania in their lives, and do not know the culture, language, or policies in those new countries.

International organizations continue to push for greater Roma rights with varying degrees of success. More comprehensive laws must be put into place before the Roma can feel safe in the countries where they live. This is difficult, as these countries in the past have tried to expel them, subjugate them to segregation, and make it so they have been unable to work or educate themselves. Countries in the European Union must be made to follow European Union law, or be allowed to exit the European Union if they do not wish to follow the laws agreed upon. Roma must also be granted asylum and refugee status from countries where they have been persecuted and subjected to abuse.

This paper will first look at the history of the Roma in Europe, and the major human rights abuses they have suffered under various European regimes, and how the past has contributed to their situation today. Then the paper outlines the laws relevant to the Roma's situation in the European Union, including laws which protect from discrimination, as well as the Freedom of Movement Directive. After this, case studies from Italy and France – including their expulsions, evictions, and statelessness – will be highlighted, followed by recommendations on how to alleviate these problems.

Historical Background

The history of the Roma in Europe is long, full of human rights abuses, and marked by a lack of recognized political identity. Some of the issues related to political identity come from the fact that the term “Roma” actually encompasses a variety of different ethnic groups who describe themselves as being a part of the Roma identity, including the Travellers, Manouches, Ashkali, Sinti and other groups (Kearney, 2012). Because of the large number of different ethnic groups the title “Roma” includes, there remains a confusion about who the Roma are, who identifies as Roma, and whether or not there is a collective Roma identity. The history of the Roma as an umbrella term, however, remains remarkably

consistent across these ethnic divides within the group. As a whole, the Roma have been subjected to extreme abuses, and continue to this day to be one of the most discriminated against minorities in Europe; extremist right-wing parties of Europe target the Roma in political campaigns, while hate groups focus on Roma communities with violent results (Brown, 2013).

Atrocities against the Roma started soon after they arrived in Europe. The Roma entered into Europe sometime in the 13th century from what is believed to be present day India (Kearney, 2012). Quickly after this migration, the Roma were enslaved in what is now present day Romania from the 14th century until well into the 19th century (Bangau, 2014). They remained slaves for 500 years in the provinces of Wallachia and Moldavia. In this area they were called “robi”, a regional word for slave, and were treated as chattel slaves, comparable to the slavery of African Americans (Greenberg, 2010). While enslaved, the Roma were treated as objects; they were sold in auctions, donated, given as wedding gifts, and used to repay debts. Roma could be owned by three different parties: slaves of the Crown, the noblemen, or the church. Most Roma worked as craftsmen as spoon-makers, metalworkers, or gold-panners. The Roma were deemed essential as slaves because of their craftsmanship (Bangau, 2014).

Post-slavery, the Roma still were faced with atrocities. After the abolition movement in Europe, which ended the slavery of the Roma in the 19th century, previously enslaved Roma and the Roma who had settled in other regions were subject to a series of forced evictions and expulsions from the countries where they had settled (Greenberg, 2010). In some countries, the identity of “Roma” was declared illegal, and bounties were given for the capture of Roma, alive or dead, with measures including the taking of their children and property, forced labor, unlawful imprisonment, whipping, branding, and other types of mutilation serving as punishment for the crime of being Roma. When their status was not declared illegal, Roma were often subjected to assimilation by the European countries in which they resided. Many Roma children were forcibly taken from their parents and into non-Roma peasant families to be re-educated, and the use of Roma language and music was outlawed (Silverman,

2012). Although there is a misconception about the Roma as nomadic peoples, many Roma became “nomadic,” or rather began moving around frequently to escape tyranny, at this time to escape the oppression rule and assimilationist laws (Greenberg, 2010).

The largest brutality against the Roma in modern times happened during the Holocaust. Although not as widely known about or acknowledged, the Nazis had a program of extermination for the Roma that mirrored their extermination practices of the Jews. The Roma were seen, as the Jews were, to be racially inferior and were scheduled for annihilation. The Nazis deemed them to be “nonpersons, of foreign blood, labor-shy, and as such were termed asocials” (Jewish Virtual Library, 2016). Similar to the Jews, they were put into ghettos, extermination camps, killed in firing squads, used in medical experimentation, and exterminated. On December 16, 1942, the order for the Roma to be sent to the concentration camps was given under authority of Heinrich Himmler, a leading member of the Nazi Party. Many of the Roma deported were sent to Auschwitz-Birkenau in a special “Gypsy” section of the camp. The majority there lived in a “family camp,” where they were allowed to stay together in families as opposed to being separated by gender. Many died there from starvation, disease, and in the gas chambers. An estimated 20,000 Roma were sent to Auschwitz. Other Roma were sent to Dachau, Mauthausen, Ravensbruck, and Sachsenhausen, where they were subject to experiments which were intended to prove that their blood was significantly different from that of the “Aryan” Germans (Jewish Virtual Library, 2016). While the true number of deaths has still not been fully investigated, it is estimated that around 1.5 million Roma were killed during the Holocaust (Greenberg, 2010). At the time, this would have been one-fourth of the total Roma population in Europe (Silverman, 2012). The Roma refer to this event as “The Great Devouring,” and to date have not received any sort of compensation or legal acknowledgement of being victims of the Holocaust (Greenberg, 2010).

The Roma today remain subjected to discriminatory and inhumane treatment by the countries where they live. While the largest Roma population in a single country is found in Turkey (with around

2.75 million Roma), the European Union's population of Roma is also large. Romania has approximately 1.85 million Roma, Bulgaria has an estimated 750,000 (the same as Spain), Hungary has 700,000, Serbia contains a population of around 600,000, Slovakia has around 500,000, France boasts 400,000, and Greece's population of Roma is around 265,000 (Kearney, 2012). In almost every country they reside in, Roma are routinely segregated in schools and face lower educational standards as a result. Roma in France and Italy have been continuously faced with forced expulsions and evictions from their communities (Chido, 2011). Due to a combination of discrimination and lack of education, Roma unemployment is up to 70 percent in some countries, contributing to the overall poverty of many Roma groups (Greenberg, 2010). All of these discriminatory practices have led to hate crimes and violence against the Roma, as prejudiced citizens feed off of the human rights violations by their government and perpetrate violence knowing it will not be stopped or taken seriously (Cowburn, 2014).

Laws Protecting the Roma

Although Roma continue to suffer in Europe and elsewhere, international human rights law and frameworks, as well as regional laws, offer protections and obligations toward states. The Universal Declaration of Human Rights (UDHR), a framework adopted by the United Nations in 1948, provides some support for protecting the rights of the Roma. While the UDHR is only a normative document, many countries have signed it and pledged their support for those ideals. These norms are also reinforced by binding international law. However, many of the protections offered in the UDHR are not being given to the Roma, including: the right to recognition and equality before the law, prohibitions on arbitrary detention or exile, no arbitrary interference in a person's privacy and familial life, freedom of movement and the right to leave one's country, the right to a nationality, no arbitrary deprivation of property, and the right to take part in society and public services of a government (United Nations, 1948).

Among the binding sources of international law that protect Roma rights is the International Convention on the Elimination of All Forms of Racial Discrimination. Although the Roma are an ethnic rather than racial group, they are included in this document, which states that “the term ‘racial discrimination’ shall mean any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin” (United Nations, 1965). The Convention states that signatories must “condemn racial discrimination and undertake...a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and engage in no act or practice of racial discrimination against persons or groups of persons and ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation” (United Nations, 1965). This document is important not only because it calls for an end to racial and ethnic discrimination, but it also makes every signatory personally responsible for making sure its public institutions conform to act in a non-discriminatory manner.

Despite these protections, the United Nations and others continue to emphasize gaps in protecting Roma rights. An official position paper by the Roma Regional Working Group of the United Nations Development Group working in Europe and Central Asia Region states that “[t]he situation of the Roma has been repeatedly identified as very serious in human rights and human development terms, particularly in Europe,” and “the UN has a unique role in supporting and strengthening national and local authorities and others to ensure effective domestic implementation of human rights” (United Nations, 2013). This paper outlines the official UN position on Roma rights and its continued intention to make sure the rights of Roma are protected in individual countries. It also perhaps may serve as a reminder for states which have historically abused the rights of the Roma that the United Nations does have a vested interest in the human rights of the Roma and that they are monitoring the situation.

The Roma are also entitled to protections under regional law within the European Union. For instance, the Charter of Fundamental Rights of the European Union prohibits discrimination based on

race, color, ethnic or social origin, and it also establishes the right to education and access to healthcare while guaranteeing respect for cultural, religious, and linguistic diversity. The Charter of Fundamental Rights also offers the right to respect for his private and family life, the protection from removal, expulsion, or extradition, right to freedom of movement and residence, and the presumption of innocence and right to defense (European Union, 2012). These rights are important to note, especially when looking at forced removals and statelessness. The right to freedom of movement in particular is secured by several European Union documents. The European Union states specially in the Free Movement Directive, that “(1) any European citizen has the right to cross Member State borders upon mere showing of a passport or ID card and (2) limits the opportunity for their removal” (Chido, 2011). Freedom of movement in the European Union has also been established by the concept of “Citizenship of the Union”, which was established in 1992 with the Treaty Establishing the European Community; rights here include the right to move and live in any part of the European Union. Because the majority of the Roma are European citizens (not including stateless Roma), it is not legal for their removal to take place without reason under European law (Chido, 2011).

Case Study: Italy

While the majority of the Roma can be found in Eastern Europe, many Roma have lived in Italy for centuries and maintain a large population there. Approximately 160,000 Roma live in Italy, most of them in encampments on the edges of cities such as Rome and Naples (Walker, 2008). The first Roma in Italy appeared in the early 1400s, in Abruzzo and Molise in southern Italy. As in many other Western European countries, the Roma faced racism and prejudice in Italy during this time period. During the 16th and 17th centuries, it was decreed by Italian leaders in Abruzzo and Molise that “it was not a crime to kill gypsies and take personal goods from their cadavers” (Ziengenfuss, 2011). These attitudes impacted later Italian perspectives and have persisted through the country’s modern history. Perceptions of the

Roma remained fairly consistent since that time period, including when a respected Italian judge declared in 1914 that a Roma was "more like an animal than a man, full of primitive and ferocious instincts" (Ziengenfuss, 2011). When Benito Mussolini gained power during the 1920s, he attempted to have all of the Roma expelled from Italy, and many of the Roma died in concentration camps because of this. This persecution was not legally recognized in Italy and the Roma were not compensated for their loss, adding to their poverty and also possibly the anti-Roma sentiment we see today. The Roma remain unintegrated in Italy and public perceptions of them are that they are criminals or lazy; the general public's attitudes towards the Roma remain extremely negative. In national polls in 2008, 81 percent of the Italian respondents said they found Roma "barely likeable" or "not likeable at all". A similar poll found that 68 percent of Italian respondents wanted all Roma expelled from Italy, even those that were Italian citizens (Ziengenfuss, 2011).

This distinction is important, since not all Roma in Italy are Italian citizens. About half of the estimated 160,000 Roma there are Italian citizens, with the remaining population made up of 30 percent Balkan Roma that fled the former Yugoslavia and 20 percent immigrant Roma from other countries in the European Union. The situation of the Roma in Italy is also exacerbated by statelessness. Statelessness is a condition faced by individuals who lack legal nationality to any country. This statelessness is mostly due to immigration laws, and mostly affects immigrant Roma in Italy. To obtain a residence permit in Italy, Roma immigrants must have a valid passport from their country of origin, which is difficult especially for those from the former Yugoslavia – a country that no longer exists. Because these Roma cannot get their permanent residence permits, they aren't able to rent apartments or get permits to build their own homes. They are also rendered stateless, since their Yugoslavian passports are not valid and they are unable to get Italian residence permits. The situation for children of these previously Yugoslavian Roma is also precarious; a child born in Italy to foreign parents is allowed to petition for citizenship on their eighteenth birthday, but has to be able to prove continuous residence

in Italy for at least ten years. This can be hard to prove for Roma if they live in unofficial camps without proof of residency. Even Roma living in official camps have to depend on camp officials to issue them residency papers, which rarely happens (Ziengenfuss, 2011). This has caused intergenerational statelessness among the Roma. For these reasons, just over 40 percent of the country's modern Roma, including those descending from the 15th century Roma settlers, possess Italian passports or other official documentation (Walker, 2008).

Due in part to poor public attitudes and low political will for the Roma, the government of Italy has been able to implement discriminatory laws and expulsions. Silvio Berlusconi, the former Italian prime minister, was known to have exploited anti-Roma feeling for his own political ends. During his election campaign, Berlusconi promised a crackdown on the Roma and pledged an expulsion of 20,000 “nomads and immigrants who have broken the law,” insinuating the Roma (Walker, 2008). The year 2008 is often seen as the beginning of the severe human rights abuses of the Roma in Italy. In Rome on May 15 of that year, Roma from the Casilino camp were arrested for not having proper identification papers, along with 400 Roma nationwide. Among these 400, 118 Roma were expelled for criminal offenses which may have been fabricated (Ziengenfuss, 2011). Soon after, an emergency decree led to a census of all Roma in Italy, the creation of ethnic databases held by police officers, forced evictions and resettlements, and the creation of new segregated camps (Open Society Foundation, 2015). This emergency decree, called the 2008 Nomad Emergency Decree, included the photographing and fingerprinting of Roma. The Decree and census have been used to conduct evictions, resettlements, and repatriation programs, including paying Roma 500 Euros to move back to Romania. Many Roma encampments were also bulldozed, leaving them homeless and in a more vulnerable condition, and also more likely to be expelled. The situation for the Roma was further exacerbated by a 2009 Security Package created fines up to 10,000 Euros for Roma staying in Italy and failing to comply with expulsions orders. The Package also allowed for a sentence of one to four years imprisonment for not complying

with expulsion. In 2011, the law also allowed state authorities to detain undocumented individuals for up to 18 months before being expelled from Italy (Open Society Foundation, 2015).

The European Union has responded to Italy's treatment of the Roma in several ways. The Court of Justice of the European Union struck down several laws created by the Nomad Emergency Decree and the subsequent Security Package, including the minimum sentence of one year of imprisonment for not complying with expulsion, and the 18 month waiting period before expulsion from Italy. In 2012, the European Commission expressed deep concern regarding Italy's discriminatory treatment of the Roma as a result of the Nomad Emergency Decree, and continued to express concern about the subsequent housing of Roma in segregated camps. Although the Supreme Court of Italy eventually struck down the Nomad Emergency Decree, they did not find that the Nomad Emergency Measures constituted direct or indirect discrimination. While this measure has been struck down, there have continued to be expulsions of Roma in fewer numbers, and the situation of stateless Roma in Italy has not been improved. Because Italy continues to push the Roma into unofficial and official camps, threats of future statelessness may increase, especially if camp authorities are unwilling or unable to issue residency papers (Open Society Foundation, 2015). While the situation of the Roma in Italy has quieted down, there has been no clear resolution and no true external condemning of the actions taken by the Italian government against the Roma people.

Case Study: France

France, the veritable homeland of human rights, is known as being one of the harshest governments towards Roma in Western Europe. While somewhere between 100,000 and 500,000 Roma live in France, they have not been accepted by the rest of the population and tend to live in camps outside of city centers, away from the public eye (Astier, 2014). The Roma have resided in France since the 14th century. They have been subject to discrimination since settling, including suffering under a

decree by Louis XIV in 1666 that “all Gypsy males should be sent for life to the galleys without trial, that women should be sterilized and their children put into poorhouses” (Council of Europe, 2015). During the Vichy rule during World War 2, Roma who had been detained in concentration camps on French territory were kept in detention long after the other prisoners were freed – in some cases, until late 1946. After the Second World War, Roma from France never received any type of reparations for these crimes against them (Council of Europe, 2015). Current rhetoric on the Roma in France stems in part from their history of persecution in France, and from xenophobic stereotypes. Despite the media’s reporting in France equating Roma with illegal migrants, the current number of Roma in France who are foreigners is only 10,000 to 12,000; a relatively small number compared with the total Roma population in France. The majority of these Roma have lived in the same place for generations, in established communities within France rather than encampments (Severance, 2010).

Situations of expulsion and the exacerbation of statelessness of the Roma in France intensified in the summer of 2010. Following public outcry about the Roma and crime, French President Nicolas Sarkozy announced a crackdown on unauthorized Roma settlements. The French police began to raid numerous Roma settlements in government-designated sites. Soon after, many of the settlements were razed, and the some 1,000 of their inhabitants were expelled to Romania and Bulgaria despite the fact that some of the inhabitants had never lived in either country. President Sarkozy characterized these deportations as voluntary, because some citizens were given 300 euros for their cooperation in the deportation process (Severance, 2010). Although EU law allows for member states to expel any person who is seen to be a burden on its social system, many of the Roma who were deported were not receiving any monetary assistance from France (Astier, 2014). The evictions continued despite outcry from the international human rights community. Despite Sarkozy’s claims that the evictions were not racially or ethnically motivated, a circular of the French Interior Ministry dated August 5, 2010, instructed French police forces to “give priority to Roma in conducting eviction and expulsion

operations” (European Roma Rights Centre, 2012). At the time this notice was sent out, there were 741 Roma encampments which were deemed “informal” and “unofficial”. One year after the notice was sent out, 75 percent of those encampments had been dismantled, with countless Roma evicted or expelled (European Roma Rights Centre, 2012). Each year since 2010, large numbers of Roma have been evicted because of French policies, including 13,483 Roma people in 2014 (Candau, 2014).

Beyond the initial human rights abuses of evictions and forced removals, the Roma have faced the secondary issue of statelessness after being evicted from France. Because many of the Roma repatriated back to Bulgaria and Romania have not had ties to either country for many years, they suffer from a lack of documentation. Roma in France from the former Yugoslavia have also suffered greatly from being forcibly removed from France. Because their documentation is derived from a state that is no longer recognized and the French have failed to give them French citizenship (despite long periods of residency, sometimes more than a decade), removal from France takes them away from their landed communities and further exacerbates their stateless situation (Hammarberg, 2009). Further worsening the issue, France’s National Assembly proposed a new immigration law in 2010 which called for the possibility of withdrawing citizenship from any persons who had obtained their status within the last decade and had committed a serious crime. This bill was one of the first of its kind, proposing to make citizens stateless for their crimes committed against the state. A version of the law passed shortly after (Hammarberg, 2010). This type of bill endangers Roma who have no nationality, and Roma who have become naturalized French citizens, because it allows the French government to strip them of citizenship *and* kick them out of the Schengen Zone for up to five years; even if a Roma had dual-citizenship in France and Romania, they would not be allowed back to Bulgaria (Ira, 2010).

The European Union, which France is a part of, responded to the 2010 measures in various ways and was especially concerned with a leaked memo revealing that Roma settlements were the priority targets of expulsion and eviction campaigns. On the same day the memos were leaked, the European

Union Parliament passed a resolution which called for an immediate end to the Roma expulsions and condemned France's actions. The Resolution was not legally binding, but was extremely important in turning public opinion against the French expulsions. Some days after this resolution, the European Commission (the branch of the European Union responsible for making sure European Union nations respect the European Union Laws and incorporate these laws into national laws) responded by calling France's actions toward the Roma discriminatory and threatening punitive action for breaching EU antidiscrimination law, as well as failing to ensure the right to freedom of movement for EU citizens. The European Commission took steps after this response towards punitive action by asking questions about France's failure to follow the governing law on antidiscrimination, with possible litigation following if the Commission chose to refer the matter to the European Court of Justice System (Severance, 2010).

Directly after this notice by the European Commission, France back-tracked on its statements against the Roma by releasing several new statements and a new memo. The new memo stated that police and relevant local officials were to evacuate all illegal settlements, regardless of who occupied them. The language in the new memo also specified that this policy had been the government's intentions all along, denying it had ever intended to target the Roma. The new memo, combined with statements from the French Prime Minister, convinced the European Commission not to take punitive actions against France. Despite this, however, the European Commission did find that France had failed to follow the European Union Directive on Freedom of Movement and implement it into national laws at the minimum standards. The European Commission announced it would take action to send a formal letter of notice; if France did not show how it planned to implement the Freedom of Movement directive by 15 October 2010, it would seek punitive measures at that time (Severance, 2010).

Many organizations view the European Union's backing down as disgraceful. Amnesty International criticized the EU for its decision not to move forward with proceedings against France for violating EU antidiscrimination law. The Director of Amnesty International's European Institutions office

expressed his concerns, stating: “We’re dismayed that the Commission appears to have accepted assurances by France that its measures didn’t set out to target Roma people. This assertion is clearly contradicted by the French Government’s internal memo of 5 August which explicitly names the Roma as the priority target group. For the Commission then to imply that the measures had no discriminatory effect on a specific ethnic minority is a slap in the face to all the Roma people who have lost their homes and have had to leave the country and those who will shortly do so” (Amnesty International, 2010). The European Roma Rights Centre also expressed dismay at the European Union no longer taking legal action against France, arguing that the actions taken by France not only violated the Freedom of Movement Directive, but also the Charter of Fundamental Rights and the European Convention on Human Rights. These concerns from international groups did not sway the European Commission, however, and on October 19 the European Commission announced it was satisfied with the actions taken by France to draft legislative measures and a calendar for putting the Freedom of Movement Directive procedural guarantees into its national legislation by early 2011 (Severance, 2010). The European Commission warned that it would be closely watching over the full implementation of France’s commitments, but it does not appear to have followed through with this sentiment if we consider the ongoing rights violations that have occurred in France since then (Severance, 2010).

Since 2010, France has continued to repatriate and expel Roma from France at an alarming rate, as well as continuing to demolish Roma settlements, evict inhabitants, and cause ongoing internal displacement (Astier, 2014). For example, on 18 June 2014, 400 Roma were forcibly evicted from the largest informal settlement in Marseille, La Parette. Of those evicted, only 150 people were offered some form of alternative accommodation (Amnesty International, 2014). By internally displacing these Roma, France is only creating more, smaller informal settlements where the Roma will be more vulnerable. A total of 13,483 Roma people were evicted in 2014, with many of the evicted Roma ending up being deported by France (Candau, 2015). An estimated 11,000 Roma were deported from France in

2014, the year of 13,483 evictions in total (Astier, 2014). Due to a number of other crises going on in Europe at the time, this continued evictions and expulsions of the Roma have gone hugely unnoticed, with few international organizations making any note of the rights abuses, even while the expulsions continue at such a high rate.

Recommendations and Conclusions

The situation for the Roma in Europe is not one without solutions. If anything, the way forward for most Roma is hopeful, especially if they are citizens of the European Union. EU citizens are protected by the European Charter of Fundamental Human rights, which France and Italy have signed and ratified; this includes the rights to freedom of movement, freedom from discrimination, and protections against the forcible removal from one's home without reason (European Union, 2012). This Charter is legally binding and all members of the European Union are supposed to codify it into their national laws. The European Commission released a strategy document for its members to implement the Charter, stating: "The Charter is not a text setting out abstract values; it is an instrument to enable people to enjoy the rights enshrined within it when they are in a situation governed by Union law," and that "is it in the common interest of all Member States" to implement the Charter's protections (European Commission, 2010). This assertion makes it extremely clear that the European Commission, as well as the European Union, intends for the laws it has set forth to be implemented and followed by all members. In order to stop committing human rights abuses, one of the easiest things that can be done is to continue to codify these rights into national laws – something which, according to the European Commission, should have already been done – and follow through with enforcing those norms.

For stateless Roma, the way forward is slightly more difficult – but not impossible. Pathways to citizenship for stateless peoples should be introduced, offering European Union citizenship for those who have lived there long enough to be considered permanent residents. Each country should offer

assistance to help stateless Roma obtain the correct identification papers in order to prove they have lived within EU territory. Special offices could be established to engage in this type of work, which would provide more jobs for European Union citizens – including Roma nationals. There is a precedent for these actions; Mexico, Brazil, and Uruguay have all drafted laws allow stateless persons to acquire a nationality in their country of origin. Brazil, in particular, offers strong protection and grants stateless persons the possibility of adopting Brazilian nationality if they so choose, as well as the option to extend that choice to their family members. The new Brazilian legislation goes on to say that if any of these stateless persons do not wish to adopt the nationality of Brazil, they will have the same rights as immigrants residing legally in Brazil (Conteudo, 2014). This type of legislation could be implemented in the EU and would greatly reduce the vulnerability of stateless Roma throughout Europe.

Another solution centers on increasing programs to better integrate the Roma into European society. In December 2014, the European Union moved forward for such programming and many leaders noted that they are earmarking funds more specifically for Roma. However, these plans must be implemented to be effective – and that process is slow-going (Bendavid, 2014). By better implementing EU-funded Roma inclusion plans, Roma would not be forced into the outskirts of society to live in shanty towns where they are routinely evicted. Instead, integration could provide permanent housing in city centers, which would negate claims that settlement evictions are necessary due to health and sanitation issues. Some countries in Europe have been taking advantage of the money earmarked for integrating the Roma and found success in integration processes. Spain, for instance, is often seen as a beacon of hope for Roma integration. Although Roma in Spain still struggle with racism and discrimination, the government began to implement social programs to help the Roma around 30 years ago and has consistently funded these integration programs ever since. Between 2007 and 2013, Spain spent an estimated \$130 million on Roma integration programs, with \$60 million of these funds coming from the European Union fund for the Roma. The results of these programs have been seen in Spain in several

key areas. Despite criticisms of early education programs, data shows that nearly all Roma children in Spain have attained elementary education. Housing programs have made it so that nearly half of Roma adults own their own homes, and many hold jobs in the mainstream market. A 2009 study found that over 92 percent of the Roma living in Spain reside in standard apartments or houses, as opposed to the living conditions in other countries which may be makeshift homes without proper heating or protection from the elements (Daley & Minder, 2010).

Yet government programs alone will not change public attitudes and discrimination against the Roma. An attitudinal change towards the Roma is necessary on local and international levels, as seen by public perceptions of the Roma in Italy. It is nearly impossible to integrate an ethnic group into a population which hates them. Awareness campaigns on the lives of Roma, and their true struggles, must also be a priority in order to change public perceptions. Public awareness campaigns could be implemented by governments, NGO advocacy groups, and humanitarian actors. Organizations like the Open Society Foundation (2015) already work on Roma inclusion and integration, as well as awareness-building and education/job training for the Roma. The European Roma Grassroots Organizations Network (ERGON) has undertaken some awareness campaigns in Europe, stating that “[i]t's easy to discriminate against those who are excluded; it's harder to discriminate against friends and those we see as fellow citizens” (European Roma Grassroots Organizations Network, n.d.). Their campaigns have included the “Wall Free Europe” campaign, which aims to break down the barriers keeping Roma from being included; the “Our Place, Our Space, Our Case” campaign, which focused on a space for Roma women to have a voice in the political policy effecting them; and the “Roma = Citizen” campaign, which aimed to “to remind that Roma are citizens and therefore enjoy rights – without forgetting obligations as well – that cannot continue to be infringed upon” (European Roma Grassroots Organizations Network, n.d.). The European Roma Grassroots Organizations Network (n.d.) believes that the prejudiced views of Europeans needs to be addressed if the Roma are to be accepted as full and equal

citizens in Europe. Continued funding for these types of organizations by the European Union and outside shareholders could help to alleviate this human rights situation. These types of awareness campaigns could also provide job opportunities for Roma youth and adults, in turn lessening vulnerabilities for engaging in opportunistic crime prompted by poverty. Education attainment has also been linked to lower crime rates (Alliance for Excellent Education, 2013). Notably, a decrease in opportunistic crime rates in Roma populations would give governments less of a reason to expel the Roma from their countries.

The most important change that needs to be made, however, is increased vigilance of discrimination and hate crimes – with an eye toward government-sponsored discrimination, as well as crime by members of the public. The European Union has had the chance to charge France for its discriminatory actions toward the Roma, including the use of expulsions, but the EU has not taken the hard stance that is necessary for protecting human rights and these violations continue. In order to show countries that these rights abuses are serious, the European Union needs to follow through with investigating violations and punishing state abusers. If a country thinks it can get away with human rights abuses without facing real sanctions, it will continue to carry out these actions. Luckily, the European Union seems to be heading in the direction of enforcing its laws more fully. In 2015, the European Court of Human Rights condemned Hungary for discrimination resulting from the failure to investigate a racist attack against a Romani man. The victim of the attack was assaulted by a man who called him a “dirty gypsy” (European Roma Rights Centre, 2015). The European Union also took a tougher stance through the European Commission, which is currently subjecting Slovakia to an infringement procedure for failing to uphold the EU’s Anti-Discrimination law (European Roma Rights Centre, 2015).¹ By using the European Commission to initiate an infringement procedure against

¹ Infringement proceedings were established in the Treaty of the Functioning of the European Union and provide the European Commission with a tool to ensure that its member states comply with the laws established by the European Union. When the Commission believes that a member state is breaching European Laws, they can urge

Slovakia, the European Union is showing that it takes its laws seriously. The director of the European Roma Rights Centre director said that “the decision is warning the Slovak government and all Member States that discrimination will not be tolerated” (European Roma Rights Centre, 2015).

The European Union and other international organizations need to continue to make sure the countries who have signed conventions and charters follow these laws. If they do not, they should be taken to the proper court and tried for their failure to comply, such as in the case of Slovakia. If these states continually choose not to comply with the laws they have signed and ratified, then the European Union should take steps to penalize them, or even remove them from the EU itself. This is also true of the United Nations, which has not taken a hard enough stance on the questions of discrimination against the Roma and has failed to sanction states for violations of Roma rights. Only through due vigilance can human rights abuses be quelled. The rights of the Roma can be protected if programs are initiated to help them, and the international organizations responsible continue to remain diligent and reprimand countries who are not abiding by international norms. The future of the Roma may seem bleak, but it doesn't have to remain so. Silence will not solve the “Roma problem,” but merely allow for an already vulnerable population to be made more vulnerable.

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that member state to take measures to rectify the problem. If that member state does not address the problems which the Commission has noted, the member state can be brought before the European Union Court of Justice. The European Court of Justice can try that country, and if it finds the member state has failed to comply with implementing laws they have signed under the European Union Treaties, it will make sure the state takes the measures to comply with the law (European Roma Rights Centre). In the case of Slovakia, Slovakia's government has for years ignored and allowed for the segregation and discrimination of the Roma in education. When the UN's Universal Periodic Review asked Slovakia in 2014 to address the discrimination against Roma in schools, the government dismissed the recommendations arguing that “equal treatment was already guaranteed” (European Roma Rights Centre, 2015).

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