

ROMA RIGHTS NOW – COUNTRY UPDATES

Hungary

The European Court of Human Rights ruled In January 2013 that Hungary had violated the European Convention on Human Rights by segregating Romani children in a special school. The judgment brought to an end a legal struggle that began in 2006. The applicants in the case were represented by the Hungarian organization Chance for Children Foundation and the Budapest-based European Roma Rights Centre.

“You’d hope educating children in special schools simply because of their ethnicity would be unthinkable in Europe in 2013,” said Fotis Filippou, Amnesty International’s Regional Campaign Coordinator for Europe and Central Asia.

“But the reality is it does happen all too often and this is yet another example of that. Special education is a dead-end for Romani children. Governments must stand up and take notice because as long as parallel education based on race systems exist, Romani children are denied opportunities.

In the case of *Horváth and Kiss v Hungary* the European Court of Human Rights found that both men had been wrongly placed in a school designed for pupils with “mental disabilities”.

The Court said the men were *“isolated from pupils, from the wider population”*, and that the education they received *“compounded their difficulties and compromised their subsequent personal development instead of helping them to integrate into the ordinary schools and develop the skills that would facilitate life among the majority population”*.

The Court noted that Roma children had been over-represented in the past in special schools due to the systematic misdiagnosis of mental disability as a result of the use of outdated and culturally-biased tests.

The Court noted that the misplacement of Roma children in special schools has a long history

across Europe and shared *“the disquiet of the other Council of Europe institutions which have expressed concerns about the more basic curriculum followed in these schools and, in particular, the segregation which the system causes”*.

France

The European Committee of Social Rights, tasked to monitor the European Social Charter and to deal with collective complaints relating to the breaches of the Charter, found in the case *Médecins du Monde v France* that France had discriminated against migrant Roma from Romania and Bulgaria in the exercise of several human rights.

The Committee unanimously found that the Roma had been discriminated in the exercise of their right to housing (articles 31 and E of the Charter) because of the limited access to adequate housing, the degrading housing conditions in which they lived, the evictions they had experienced and the lack of measures to emergency accommodation and reduce homelessness. The housing situation of the Roma amounted also to a violation of the right to protection against poverty and social protection (Article 30 of the Charter).

The Committee also found that France discriminated against migrant Roma’s right to protection and assistance because their expulsions from France exceeded the limits set forth by the Charter (Article 19.8) as well as Romani children’s right to education without discrimination as it concluded that the French education system is not sufficiently accessible.

Finally the Committee found that France discriminated against the migrant Roma’s right to health because of difficulties they experienced in accessing health care and the lack of specific measures targeting them and aim at preventing ill health.

MONTHLY ACTION

Background information

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Romania

“With the support from so many people from around the world, we remain strong, we remain hopeful. We will get out of Pata Rat. We will not give up. Our children have a right to a future. We will continue our fight against injustice, and once our case is resolved we will help others around the world to fight injustice.”

17 December 2012 marked the commemoration of two years since the forced eviction of the Roma community from former Coastei Street, in the centre of Cluj-Napoca (Romania) and their relocation to inadequate housing conditions at the outskirts of the city, close to a landfill and a chemical waste dump. The community of Cluj-Napoca was one of the cases featured as part of the Letter Writing Marathon.

Despite the efforts of the municipality not to engage with civil society around the commemoration of two years since the 2010 forced eviction, on 19 December, during his weekly press conference, the mayor, following the pressure created by the action and the debate, publicly elaborated on the situation of Roma in Pata Rat and presented the upcoming plans of the municipality.

For any local groups who wish to get more involved with Roma issues, you could work on the case of the Coastei Street families in Romania, a community of over 350 people who were forcibly evicted for their homes. Please contact the County Coordinator Alex Jagger (alex.jagger@amnesty.org.uk) for more information on the case and how you could help.

Italy

On 21 December 2012, Amnesty International delivered to the Italian Prime Minister, Mario Monti, almost 50,000 signatures by activists from 122 countries, calling for an end to forced evictions and segregation of Romani men, women and children in Italy. Two huge boxes full of postcards and petitions were packed and sent to the Prime Minister's office wrapped as 'Christmas

gifts', as the office had declined our request for a meeting.

On the following day, the delivery was celebrated with a public event in the famous Piazza del Popolo in Rome, where Romani people, NGO representatives and simple passers took part in theatre, music and dance performances. The event ended with the creation of a Roma flag around the centre of the square, enclosed by people holding hands in a huge circle. It was then photographed and filmed from above.

Serbia

Following a December UA and rapid response consisting of an online action calling on the EU Mission to Serbia to ensure that European Commission funding is not used to build racially segregated settlements for forcibly evicted Roma, the EU Mission issued a public statement of their opposition to the resettlement of Roma into racially segregated settlements.

According to a statement in the Serbian media, their statement was made in response to Amnesty International's campaign. Roma forcibly evicted from informal settlements in Belgrade in April 2012 are due to be resettled in permanent housing, funded by the EU, in 2013. Amnesty International had considered the sites proposed by the city authorities to be isolated from the city, far away from sources of work, and segregated from the majority population.