

Italy
RAXEN National Focal Point

Thematic Study

Housing Conditions of Roma and
Travellers

March 2009

COSPE
RAXEN NFP ITALY

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Executive summary

The population of Roma, Sinti and Traveller groups in Italy is estimated at between 120,000 and 150,000 people. The majority (about 60 per cent) are Italian citizens; 40 per cent are foreign citizens who migrated to Italy in different and successive flows, with peaks at the end of the 1970s (due to economic crises in countries of origin) and in the 1990s (following the Balkan wars). Foreign Roma belong to various groups and come mainly from Macedonia, Kosovo, Bosnia, Serbia, and recently, also from Romania. Neither Italian nor foreign Roma, Sinti and Traveller populations constitute a homogenous group.

There is a widespread conviction in Italy that Roma, Sinti and Travellers are nomadic populations whose cultures revolve around a nomadic lifestyle. This perception of the Roma as ‘nomads’ permeates all aspects of public policy towards these groups and in particular, housing policies. At the centre of housing policies targeting the Roma is the idea and practice of ‘camps for nomads’ or simply, Roma camps. These camps are frequently located far away from city centres, often close to motorways, railways, or an industrial area not inhabited by non-Roma groups; in some cases, they are even found on former waste dump sites. They are policy-induced segregated structures, often overcrowded and lacking in services and basic infrastructure. Roma camps are often targets of social alarm and hostility from nearby residents, and the decision to locate one in a city’s district is quite often submerged in political controversy.

In Italy, competences for housing are attributed by law to regional governments, within a general framework defined by national legislation. A consequence of this decentralised housing policy is that different regions and autonomous provinces interpret and implement the national framework legislation on public housing in different ways, including housing for Roma/Sinti minorities.

The emergence of regional laws in 10 regions during the 1990s to protect ‘nomads and nomadic cultures’ institutionalised the association between ‘Roma and living in camps or halting sites’. Regional laws portrayed the link between their objectives of protecting ‘nomads and nomadic cultures’ and the construction of camps and halting sites as if it were a cause-effect relation. The outcome of this linkage is that most Roma and Sinti are forced by law and public policy to live in camps, thereby lending credence to, and reinforcing popular stereotypes of the Roma held by the majority population. The legacy of this type of public policy on housing for the Roma is still strong, and some initiatives taken by the Italian national government in 2008 do not suggest that a ‘camp’-centred approach to housing for the Roma will soon be abandoned.

Where regional laws do exist, their scope may include such characteristics as: the location of camps and halting sites; the services that should be provided; the

governing body; conditions of access; and permanence and tenure. The reality of the existing camps and halting sites seems to contradict the provisions of most regional laws with regard to the characteristics of such camps. This applies not only to unauthorised camps – self-managed settlements built without prior permission of local administrative authorities – but also to authorised and recognised camps. Provisions such as the following have remained largely disregarded in many cities: those which require Roma ‘camps and halting sites’ to be located in areas that avoid urban marginalisation; those which facilitate access to education, health and social services; those which encourage the participation of settlements’ inhabitants in the area’s social life; or provisions that require settlements to be fenced, have public lighting, electricity for private use, drinkable water, toilet and laundry areas, an equipped children’s playground, public telephone booths and domestic waste containers.

Though some regions have laws providing for the construction of Roma camps and equipped halting sites for Sinti (with funds made available by regional governments) many municipalities choose not to set up such structures, thereby encouraging unauthorised settlements. A lack of equipped camps and halting sites is a frequent justification for prohibiting Roma and Sinti stopovers in the territories of an increasing number of municipalities, or forced evictions from unauthorised settlements. Formally, municipal councils that ban Roma and Sinti from their territories for lacking equipped facilities claim that such prohibition is meant to protect general public health, as well as that of the Roma/Sinti themselves. In unauthorised settlements, the situation is even worse. Municipal authorities issue eviction orders, and quite often, law enforcement agents are called in to carry them out. In some cases, this is done without alternative accommodation being offered to the evicted, who simply move to a new location to set up some simple shelter.

International organisations such as the Council of Europe’s ECRI and the High Commissioner for Human Rights, the ODIHR of the OSCE, the United Nation’s CERD and international NGOs like the European Roma Rights Centre, the Centre on Housing Rights and Evictions, have pointed out the substandard conditions prevailing in Roma settlements, and called upon the Italian authorities to improve the housing conditions of Roma and Sinti and end their segregation in camps and halting sites. All these organisations agree that improving Roma housing conditions is central to the success of all other measures to improve living conditions in general.

Following pressure, these international institutions and national and international civil society organisations, some regions and single municipal administrations, are trying various experiments to overcome the logic of ‘camps for nomads’ that is the foundation of the predominant housing offer to Roma and Sinti. Among the proposals being tried are: setting up small settlements for small groups of four to five families, especially for the Sinti; facilitating access to public residential housing managed by municipal authorities as well as loans to enable some to acquire their own homes or pieces of land where they can

construct their own houses; finding flexible solutions that will allow many Roma and Sinti families to live on their farmlands without being accused of violating laws on urban and territorial planning.

Examples of attempts to implement some of the proposals mentioned above show that while it is still too early and there are still too few cases to be able to appreciate fully their potential, they have at least proven to be more cost-efficient than camps and halting sites that have very high running and maintenance costs. Whichever of the above ideas are chosen for implementation, it is essential that Roma and Sinti populations are involved right from the start.

1. Desk research

1.1. Legal and policy framework

1.1.1. Protection of the right to adequate housing in national legislation

The right to shelter is directly recognised in the Italian Constitution neither for Italians nor for foreigners. Rather, there are some general references such as the definition of a person's home as being 'inviolable' (Article 14(1)) or the statement that 'the State favours the use of private savings to acquire houses [...]' (Article 47(2)).¹ Housing policies and related provisions fall directly under the responsibility of regional governments, within a general framework defined by national legislation. A major consequence of this decentralised housing policy is that different regions and autonomous provinces interpret and implement the national framework legislation in different ways, particularly with reference to migrants and Roma/Sinti minorities.

1.1.2. Specific protection in national legislation

Ten out of 20 regions (Emilia-Romagna, Friuli-Venezia Giulia, Lazio, Liguria, Lombardia, Marche, Piemonte, Sardegna, Toscana, Umbria and Veneto) and the autonomous province of Trento all have specific laws² providing for the

¹ Italy, Constitution of the Republic of Italy; full text at: <http://www.quirinale.it/costituzione/costituzione.htm> (23/03/09).

² Some of the regional laws are available at: <http://www.sucardrom.eu/regionale.html>. Add '#' and 'Italian name' to download each of the abovementioned regions, except for the Lombardia regional law which is accessible at: <http://consiglionline.lombardia.it/normelombardia/accessibile/main.aspx?selnode=lr001989122200077p00al00at02a&view=showdoc&iddoc=lr001989122200077> (15/03/2009); Regione Emilia Romagna/ LR n. 47/88 'Norme per le minoranze nomadi in Emilia Romagna', BUR n. 101 (25.11.1988) available at: http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/em_romagna.pdf (15.03.2009); Regione Lazio/ LR n.82/85, 'Norme a favore dei Rom', BUR n.16, del 10 giugno 1985 available at: <http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/lazio.pdf> (15.03.2009); Regione Veneto/ L R n. 54/89, 'Interventi a tutela della cultura dei rom e dei sinti',

‘protection of nomads/Gypsies/Roma/Sinti populations and their cultures’, including the ‘right to nomadic lifestyles’. An 11th region, Marche,³ only has provisions on ‘camps and halting sites for nomads’ in a wider law on immigration and emigration. Besides the shared objective of protecting ‘nomads and their cultures’, the regional laws have other common features that need to be highlighted. Firstly, all the abovementioned laws provide for ‘camps and halting sites’ for Roma and Sinti populations (both Italian and foreign), leading to a situation the ERRC has aptly characterised in a publication as ‘campland’,⁴ in reference to the fact that the prevailing form of housing offered to Roma populations in Italy is represented by the so-called camps and halting sites for nomads/Gypsies/Roma/Sinti.

As one observer has pointed out, regional laws portray the relationship between their objectives of protecting ‘nomads and nomadism’ and the construction of camps and halting sites as if it were a cause-effect relationship. The popular conviction in Italy that the Roma and Sinti are ‘nomads’, and as such prefer to live in camps isolated from the majority population, is ratified and incorporated into the law. The outcome of this linkage is that most Roma and Sinti are forced by law and public policy to live in camps, thereby lending credence to, and reinforcing the popular image of them held by the majority population.⁵

A second feature of regional laws is that municipalities (individually or in consortium in a given area) are responsible for the construction and management of the Roma camps and halting sites, while the regional authorities bear the cost of acquiring land and constructing the structures. Municipalities

BUR n. 70/1989 (22.12.1989) available at:

<http://www.consiglioveneto.it/crvportal/leggi/1989/89lr0054.html>

(15.03.2009); Regione Umbria/ LR n. 32/90, 'Misure per favorire l'inserimento dei nomadi nella società e per la tutela della loro identità e del loro patrimonio culturale', BUR n. 19 (02.05.1990) available at:

[http://www.comune.torino.it/stranieri-](http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/umbria.pdf)

[nomadi/nomadi/normativa/regionale/umbria.pdf](http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/umbria.pdf) (15.03.2009); Regione

Friuli Venezia Giulia/ L R n. 11/88, 'Norme a tutela della cultura rom

nell'ambito del territorio della Regione Autonoma Friuli Venezia Giulia',

BUR n.34 (15.04.1988) available at: [http://www.comune.torino.it/stranieri-](http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/friuli.pdf)

[nomadi/nomadi/normativa/regionale/friuli.pdf](http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/friuli.pdf) (15.03.2009) .

³ Regione Marche/ LR n. 3/94 , 'Interventi a favore degli emigrati, degli immigrati, dei rifugiati, degli apolidi, dei nomadi e delle loro famiglie' (05.01.1994) available at: <http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/marche.pdf> (15.03.2009).

⁴ ERRC (2000): ‘Campland. Racial segregation of Roma in Italy’, ERRC, Budapest, available at: www.errc.org.

⁵ N. Sigona (2007) ‘Lo scandalo dell’alterità: rom e sinti in Italia’, in: S. Bragato, L. Menetto (eds.) (2007), *E per patria una lingua segreta. Rom e sinti in provincia di Venezia*, Nuovadimensione, pp. 30-31.

may reach agreements with organisations working in support of Roma and Sinti populations for the day-to-day running of the camps and transit areas. In all regional laws, the distinction between a camp and a halting site or transit area is defined in terms of the permitted duration of stay and the size of the structure. While in authorised camps length of stay ranges from a minimum of one year to a maximum of two years, renewable on certain conditions, in halting sites, authorised stays can be as brief as 48 hours (Emilia Romagna region),⁶ up to 30 days in another region (Liguria)⁷ or even a maximum of three months (Friuli-Venezia-Giulia).⁸ In all these cases, issues of instability of tenure arise. Also, exceptions to the established length of stay are allowed on grounds of hospitalisation in the area of a family member and for circus/ amusement park workers. Regarding size, halting sites are usually smaller and accommodate smaller family sizes.

Another common but seldom respected feature of the regional laws concerns the prescribed characteristics of locations where camps and transit areas can be built, and the services that should be provided within. With regards to location, it is made explicit almost always, often with very similar wording, that ‘camps and transit areas’ should be located in areas that avoid urban marginalisation, facilitate access to education, health and social services and the participation of the inhabitants of such settlements in the area’s social life. Referring to utilities that should be made available in every authorised settlement, all regional laws stipulate that camps should be fenced, have public lighting, electricity for private use, drinkable water, toilet and laundry areas, equipped children’s playgrounds, public telephone booths and containers for domestic waste.⁹ As we shall document later, these provisions on location and utilities are among the least respected of all the provisions of these regional laws.

There are some important differences between regional laws. One such difference concerns the provision in some, of a governing or consultative body for ‘the protection of Roma populations’, charged with decision-making on how the camps and halting sites should be managed, with a definition of the internal

⁶ Regione Emilia Romagna/ LR n. 47/88 'Norme per le minoranze nomadi in Emilia Romagna', BUR n. 101 (25.11.1988), available at: http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/em_romagna.pdf (15.03.2009).

⁷ Regione Liguria/ LR n. 6/92 (22.07.1992), available at: <http://www.sucardrom.eu/regionale.html#liguria> (15.03.2009).

⁸ Regione Friuli Venezia Giulia/ L R n. 11/88, 'Norme a tutela della cultura rom nell'ambito del territorio della Regione Autonoma Friuli Venezia Giulia', BUR n.34 (15.04.1988), available at: <http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/friuli.pdf> (15.03.2009).

⁹ Regione Piemonte / LR n. 26, 'Interventi a favore della popolazione zingara' (10.06.1993), available at: http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/legge_26.pdf (15.03.2009).

regulations and conditions of access to the camps by Roma and Sinti families. In some of the regions where such governing bodies are envisaged, no Roma and Sinti representatives are appointed as members. Rather, some regions appoint members of organisations said to be working in support of Roma and Sinti populations¹⁰ or delegate such organisations to appoint Roma representatives.¹¹

A more important difference between the regional laws on the protection of the Roma and their cultures concerns the housing solutions offered. A number of them provide for a uniform offer of accommodation in the form of camps and halting sites while others have provisions for access to public residential housing on the same terms as the majority population, as well as access to credit facilities to acquire private homes¹². As we shall see later when discussing good practices, this aspect seems to have been implemented less systematically than construction of camps and halting sites even in the regions where it is prescribed by law.

None of the regional laws that deal with housing for the Roma mentions what should be understood as overcrowding in the context of camps or halting sites. Most of these regional laws have specific prescriptions on the size of such settlements, expressed in terms of area in square metres and/or the maximum number of caravans allowed in each settlement, irrespective of the size of Roma and Sinti households. Exceptions to the number of caravans are allowed in order to not split families.

¹⁰ Regione Lazio, LR n.82/85, 'Norme a favore dei Rom', BUR n.16, del 10 giugno 1985. Available at: <http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/lazio.pdf> (15/03/2009).

¹¹ Regione Emilia Romagna, LR n.47/88, 'Norme per le minoranze nomadi in Emilia Romagna', BUR n.101, del 25 novembre 1988. Available at: http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/em_romagna.pdf (15/03/2009).

¹² Regione Toscana, L R n. 2/2000, 'Interventi per i popoli rom e sinti', BUR n.2 (21.01.2000). Available at: <http://www.sucardrom.eu/regionale.html#toscana> (15.03.2009). See also: Regione Veneto, L R n. 41 'Interventi a tutela della cultura dei ROM', BUR n. 38 (17.08.1984), article 10. Available at: <http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/veneto.pdf> (15.03.2009).

1.1.3. Housing components of gender equality legislation and policy

Children are covered by all the regional laws on the protection of the Roma and their cultures, but not concerning their living conditions and the quality of accommodation their families can afford. Instead, focus is on children's access to compulsory education and school attendance, in particular. In one case,¹³ failure to send children regularly to school is valid grounds for evicting a Roma family from an authorised settlement. This further decreases these children's chances of being able to regularly attend school. No reference is made to women, the elderly and disabled in any of the regional legal provisions on the 'protection of the Roma / Sinti and their cultures'. Equally, there is no evidence of policy measures requiring that the specific needs of these categories are taken into consideration in the design and construction of settlements for Roma and Sinti populations.

It should be highlighted here, though, that all the regional laws on protection of Roma cultures including the 'nomadism' mentioned above, provide municipalities with the resources required to build either the camps or halting sites (or both). The region's financial contribution ranges from a minimum of 80 per cent to coverage of the entire cost of the structures. Yet, many municipalities deliberately fail to apply for these funds, thereby creating the conditions that can justify prohibition. To minimise the impact of municipalities refusing to build a camp or halting site for Roma and Sinti in their territories, some regional laws explicitly reserve the power for regional authorities to determine the territorial distribution of settlements to Roma and Sinti throughout the region. For example, the regional law of Friuli Venezia Giulia provides in Article 8 that 'the Regional, in collaboration with municipalities and in consultation with Roma representatives, the territorial distribution of fixed settlements and transit camps and approves the related programme. This programme is updated every five years.'¹⁴

There are also other regulatory measures of great impact that originate out of particular situations. This is the case of a pact which was designed and implemented in Milan in response to a camp's difficulties inhabited mostly by Romanian Roma. After fire had damaged an authorised camp in Via Triboniano

¹³ Regione Liguria, LR n.6/92, Consiglio Regionale Protocollo n.2598, (22/07/1992). Available at: <http://www.sucardrom.eu/regionale.html#liguria> (15/03/2009).

¹⁴ Regione Friuli Venezia Giulia/ L R n. 11/88, 'Norme a tutela della cultura rom nell'ambito del territorio della Regione Autonoma Friuli Venezia Giulia', BUR n.34 (15.04.1988). Available at: <http://www.comune.torino.it/stranieri-nomadi/nomadi/normativa/regionale/friuli.pdf> (15.03.2009)

in Milan in December 2006, the regional government, the province, the municipal council, the prefecture and the provincial police headquarters (Questura) signed a protocol of agreement that aimed, among other things, at defining a pact on the rule of law and social relations which would have to be signed by Roma families asking to settle in the municipality of Milan. Families that sign the pact will undertake to respect the law, pursue the education and schooling of their children, work towards a positive integration, and refuse all forms of illegality and exploitation. The policy document that came out of this initiative became known as the ‘Rule of law and Social relations Pact’ of Milan¹⁵ and was signed by the head of a family before being admitted into the camp in Via Triboniano, inhabited predominantly by Romanian Roma.

In spite of good intentions, the ‘Rule of law and Social relations Pact’ is, for a number of reasons, a weak and ambiguous document in terms of both its symbolic meaning and practical effects. Firstly, the signing of a pact on the rule of law (which is not a purely symbolic act, given that failure to respect it authorises the management of the camp to evict transgressors) implies a presumption of guilt, something that does not exist in the Italian legal system. Secondly, the pact is not aimed at an individual on the basis of personal responsibility. Rather, it is aimed at a group of people – Romanian Roma – recognised as such on grounds of their ethnicity, thereby violating some constitutional principles. Thirdly, ‘it runs the risk of being ineffective and serving only the crowd because those who are criminals will sign it and continue with their ways and honest people will sign and continue to behave the way they have always done, with the only difference that the latter have been humiliated’.¹⁶

¹⁵ ‘Patto di socialità e di legalità con i cittadini romeni abitanti nello spazio di via Triboniano del comune di Milano’ [Rule of law and Social relations Pact with Rumanian citizens living in the space in Via Triboniano in the municipality of Milan]. The official of the Municipality who was finally interviewed for this report on 21 April 2009, gave the NFP a paper copy of this ‘Pact’ and in more than one occasion during the interview, underlines the importance the municipality attributes to this instrument and to its implementation. Available at:
http://www.casadellacarita.org/index_files/userfiles/Patto%20di%20socialita%20viaTriboniano.pdf

¹⁶ A. R. Calabrò (2008): ‘Zingari. Storia di un’emergenza annunciata’, Napoli: Liguori Editore pp.261-262.

The prime minister issued a decree on 21 May 2008,¹⁷ declaring a ‘state of emergency in relation to settlements of ‘nomad’ communities in the territory of the regions of Campania, Lazio and Lombardia. The state of emergency lasted until 31 May 2009. Following this decree, the prime minister issued, on 30 May 2008, three ‘ordinances’¹⁸ introducing special and exceptional measures concerning ‘nomad settlements’ in the regions of Campania, Lazio and Lombardia and which appointed the prefects of Rome, Milan and Naples as ‘delegated commissioners’, with powers to carry out ‘all the interventions needed to overcome the state of emergency’ in relation to Roma and Sinti settlements in those regions. The special commissioners have among others, the competences to: monitor and authorise settlements; carry out censuses of camp residents; adopt measures against convicts who may be living there; adopt eviction measures and close down unauthorised settlements; identify new sites for adequate settlements; and promote social cohesion and integration measures.¹⁹

¹⁷ Italy, Decree of the President of the Council of Ministers (21/05/2008). ‘Dichiarazione dello stato di emergenza in relazione agli insediamenti di comunità nomadi nel territorio delle regioni Campania, Lazio e Lombardia’ [Decree of the President of the Council of Ministers of 21 May 2008. Declaration of a state of emergency in relation to settlements of nomad communities in the territory of the regions of Campania, Lazio and Lombardia]. Available at: http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/immigrazione/0979_2008_05_27_decreto_21_maggio_2008.html (14/03/2009).

¹⁸ ‘Disposizioni urgenti di protezione civile per fronteggiare lo stato di emergenza in relazione agli insediamenti di comunità nomadi nel territorio della regione Lazio, della regione Lombardia e della regione Campania’ [Urgent provisions of civil protection in order to face the state of emergency in relation to settlements of nomad communities for the regions of Campania] (Ordinance No. 3678), available at: http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/protezione_civile/0985_2008_06_03_OPCM_30_05_08.html; Lazio (Ordinance No. 3676) available at: http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/protezione_civile/0987_2008_06_03_OPCM_30_05_08.html; and Lombardia (Ordinance No. 3677), available at: http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/protezione_civile/0986_2008_06_03_OPCM_30_05_08.html (14/03/2009). The contents of all three ordinances are the same.

¹⁹ Commissioner for Human Rights – Council of Europe (2008) Memorandum by Thomas Hammarberg Commissioner for Human Rights of the Council of Europe following his visit to Italy on 19-20 June 2008, Strasbourg, 28 July

Following the issuing of the ordinances, the authorities initiated census or identification exercises in Roma and Sinti settlements in these three major cities. The census included the fingerprinting of an entire camp or settlement populations, including plans to take the fingerprints of minors, and practices such as collecting sensitive data on religion and ethnicity. This raised serious concerns that such measures, by singling out one community based on ethnicity, would be discriminatory and heighten the stigmatisation of the Roma and Sinti population.²⁰

Following the issuing of guidelines²¹ for the implementation of the ordinances by the Ministry of the Interior on 17 July 2008, the delegated commissioners of *Lombardia*²² and *Lazio*²³ issued new ‘regulations’ that will govern Roma and Sinti settlements in the regions under their control.

The regulation for Milan states that it applies ‘only to existing authorised transitory areas for nomads’ and that only ‘nomads’ who have Italian citizenship, legally resident ‘nomads’ from EU countries and legally resident third-country ones will be allowed into such areas. A management board of five, all from the municipal administration including the municipal police, will be responsible for all the areas, and the president of the board may invite a representative of the organisation running a given settlement and a representative of ‘nomad communities’ to join a meeting without voting rights. The board will decide on applications for access to a settlement, evictions, and

2008, p.6. Available at:

[https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH\(2008\)18](https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH(2008)18) (15.03.2009).

²⁰ Office for Democratic Institution and Human Rights, High Commissioner on National Minorities, Assessment of the human rights situation of Roma and Sinti in Italy, Report of fact-finding mission to Milan, Naples and Rome on 20-26 July 2008, p.7. Available at:

http://www.osce.org/documents/odihr/2009/03/36620_en.pdf (15.03.2009).

²¹ ‘Linee guida per l’attuazione delle ordinanze del Presidente del Consiglio dei Ministri del 30 maggio 2008, nn. 3676, 3677 e 3678, concernenti insediamenti di comunità nomadi nelle regioni Campania, Lazio e Lombardia’ (17.07.2008) [Guidelines for the implementation of the ordinances of the President of the council of Ministers of 30 May 2008 n. 3676, 3677 and 3678, concerning settlements of nomad communities in Campania, Lazio and Lombardia regions), available at:

http://www.interno.it/mininterno/export/sites/default/it/assets/files/15/0095_censimento_campi_nomadi_le_linee_guida.pdf (15.03.2009).

²² Il Commissario per l’emergenza nomadi in Lombardia. Regolamento delle aree destinate ai nomadi nel territorio del Comune di Milano [The Commissioner for the nomads emergency in Lombardia. Regulation for the areas meant for nomads in the territory of the Municipality of Milan], available at: http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0845_regolamento20090205.pdf.

²³ Il commissario delegato per l’emergenza nomadi nel territorio della regione Lazio. Regolamento per la gestione dei villaggi attrezzati per le comunità nomadi nella regione Lazio. (The Delegated Commissioner for the nomads emergency in Lazio region. Regulation for the management of equipped villages for nomad communities in Lazio region).

http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0767_Regolamento_campi_nomadi_pref_Roma.pdf.

on the amount to be paid by each family. Conditions of access to the authorised transitory areas are outlined in Article 7 of the Regulation and they include: signing the ‘Rule of law and Social relations Pact’; not having property or available accommodation elsewhere in the national territory; absence of a previous order of eviction from the city’s transitory areas for nomads; not having a family income that can bear a different and independent housing solution; and not having benefited from public contributions to acquire a house, or being granted accommodation in a public residential housing.²⁴

Authorisation to reside in the transitory areas and use the services therein have a validity of one year, renewable on the condition that the integration process has been undertaken with the support of social services and the ‘Rule of Law and Social Relations Pact’ has been respected. Furthermore, families authorised to reside in the transitory areas are allowed visits by relatives and friends, but such guests will have to show identification documents to the landlords and can be subjected to identity checks by the municipal police. All visits will have to end no later than 10pm; in special circumstances, the landlords can prolong the duration, but will have to inform the municipal police of any deviations from the rule.²⁵

Authorisation to reside in the transitory areas is revoked if one member of the family is found to be in one of the following situations: being sentenced without further possibility of appeal for a crime against property or person; being under judicial restriction; leaving the structure for more than one month without prior permission of the management board; failure, on two occasions, to accept documented job offers monitored by competent municipal offices; serious disturbance of the peace of the camp; a serious violation, on two occasions, of the undertakings contained in the ‘Rule of Law and Social Relations Pact’ or in the regulation itself; unjustified failure to ensure that their children receive compulsory education and failure to pay for rent or such services as water, electricity waste removal tax. Where an authorisation is revoked, the affected person has 48 hours to leave the camp and can, within the same time limit, appeal to the president of the management board. This appeal suspends the obligation to leave the camp. Lastly, Article 13 of the regulation states that transitory areas can be closed at any time by the municipality for ‘sudden occurrences of public interest’.²⁶

24 Il Commissario per l'emergenza nomadi in Lombardia. Regolamento delle aree destinate ai nomadi nel territorio del Comune di Milano [The Commissioner for the nomads emergency in Lombardia. Regulation for the areas meant for nomads in the territory of the Municipality of Milan]. Available at: http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0845_regolamento20090205.pdf. (15.03.2009).

25 Il Commissario per l'emergenza nomadi in Lombardia. Regolamento delle aree destinate ai nomadi nel territorio del Comune di Milano [The Commissioner for the nomads emergency in Lombardia. Regulation for the areas meant for nomads in the territory of the Municipality of Milan]. Available at: http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0845_regolamento20090205.pdf. (15.03.2009).

26 Il Commissario per l'emergenza nomadi in Lombardia. Regolamento delle aree destinate ai nomadi nel territorio del Comune di Milano [The Commissioner for nomad emergencies in Lombardia. Regulation for the areas meant for nomads in the territory of the Municipality of Milan]. Available at: http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0845_regolamento20090205.pdf. (15.03.2009).

The regulation issued by the delegated commissioner for ‘nomad emergencies in the Lazio region’, contrary to what we have seen in the regulation for Milan, applies to all equipped settlements, defined as ‘villages’ meant for the reception of ‘nomad communities’. It further states that the provisions therein, while focused on Rome and its various administrative articulations, also apply to all municipalities in the Lazio region. Management of the ‘reception villages’ for nomad communities is assigned to the municipality, with the support of a consultative committee and in cases prescribed by the regulation, also of the committee of representatives of the camp. The Department of Social Policies of the municipality of Rome will be responsible for issuing authorisations to stay in the villages. The consultative committee of 13 members (*Article 2.2*) for each village is presided over by the social services councillor and includes representatives of the municipal police, the fire service, the *Polizia di Stato* (state police) and the *Carabinieri* (or military police), but does not include any Roma/Sinti representative. This body is responsible for defining ‘an action plan for a positive integration of families hosted’.²⁷

Each village will have a group of municipal police agents as gatekeepers, charged with controlling entrance and exit from the settlement. Selected private security agents may be used for same purposes. This group will verify the presence of the residents of the village and make identity checks on visitors at the entrance. ‘Electronic surveillance devices may be installed in order to reinforce control and security of the village’ (*Article 2.4*) and surveillance around the external perimeter will be the responsibility of law enforcement agents, as the *Questore* (provincial head of police) deems fit.²⁸

Admission into a village means being assigned accommodation which could be a pre-fabricated structure, a self-built structure or a space for a caravan and similar mobile homes. Requisites for obtaining authorisation are (for Italian and EU citizens): possession of a valid identity document; being able to supply proof of having lived permanently in the country in the last ten years (documents issued by public administrations, private organisations and religious charities are considered valid). Third-country Roma must be in possession of their original stay permits valid for work purposes in order to be granted authorisation to live in the villages. Authorisation to reside in a village will not be granted if the applicant owns a ‘suitable’ home or has been assigned public residential housing elsewhere in the national territory. A previous expulsion

27 Il commissario delegato per l'emergenza nomadi nel territorio della regione Lazio. Regolamento per la gestione dei villaggi attrezzati per le comunità nomadi nella regione Lazio. [The Delegated Commissioner for nomad emergencies in the Lazio region. Regulation for the management of equipped villages for nomad communities in Lazio region]. Available at:

http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0767_Regolamento_campi_nomadi_pref_Roma.pdf. (15.03.2009).

28 Il commissario delegato per l'emergenza nomadi nel territorio della regione Lazio. Regolamento per la gestione dei villaggi attrezzati per le comunità nomadi nella regione Lazio [The Delegated Commissioner for the nomads emergency in Lazio region. Regulation for the management of equipped villages for nomad communities in Lazio region]. Available at:

http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0767_Regolamento_campi_nomadi_pref_Roma.pdf. (15.03.2009).

from a camp in the city or in any other province throughout the country is cause of ineligibility.²⁹

While the two regulations issued by the delegated commissioners for ‘nomads emergency’ in Milan and Rome have certain provisions in common, as outlined above, they do differ significantly in three aspects. Firstly, the regulation for Milan is not in accordance with the existing regional law³⁰ in identifying only one type of accommodation – transitory camps – for current inhabitants of authorised settlements, while the law clearly distinguishes between camps for stable and long-term settlement and temporary halting sites. By referring exclusively to transitory camps which are used mainly by Sinti whose work in circus and amusement parks involves moving to new places in a short time, the regulation renders precarious the tenure of those Roma who have lived permanently in camps in Milan for over a decade. The regulation adopted in Rome and applied to the entire Lazio region, in line with provisions of the regional law, explicitly mentions different housing arrangements ranging from caravans in camps or villages to public residential houses. A second difference concerns the clause in the Milan regulation which states that the conviction of a family member may lead to eviction of the entire family from an authorised camp.³¹ This sort of ‘collective guilt’ provision constitutes an unlawful additional punishment which can not be decided upon through an administrative act. No such clause is present in the regulation adopted in Rome. A third important difference is represented by the strict limitation of personal liberty regarding visits by friends and relatives who will have to be authorised beforehand, and whose stay should not exceed 10pm. There is no public evidence that the delegated commissioner for Campania has issued a similar regulation for Roma/Sinti settlements in his region.

Though as illustrated above, some regions have laws providing for the construction of Roma camps and halting sites for the Sinti, many municipalities choose not to set up such structures, giving rise to unauthorised settlements. Lack of equipped camps and halting sites is then used to justify a prohibition of sojourn by the Roma and Sinti in the territories of an increasing number of municipalities or forced evictions from unauthorised settlements.

²⁹ Il commissario delegato per l'emergenza nomadi nel territorio della regione Lazio. Regolamento per la gestione dei villaggi attrezzati per le comunità nomadi nella regione Lazio [The Delegated Commissioner for the nomads emergency in Lazio region. Regulation for the management of equipped villages for nomad communities in Lazio region). Available at: http://www.interno.it/mininterno/export/sites/default/it/assets/files/16/0767_Regolamento_campi_nomadi_pref_Roma.pdf. (15.03.2009).

³⁰ Regione Lombardia, LR n. 77/89, BUR n. 52 (27.12.1989). Available at: <http://consiglionline.lombardia.it/normelombardia/accessibile/main.aspx?selnode=lr00198912200077p00a100at02a&view=showdoc&iddoc=lr001989122200077> (15.03.2009).

³¹ Il Commissario delegato (2008). Regolamento delle aree destinate ai nomadi nel territorio del Comune di Milano, articolo 12, lett. a), p.6. [The Commissioner for the nomads emergency in Lombardia. Regulations for the areas meant for nomads in the territory of the Municipality of Milan].

For example, according to Sucar Drom, in 2006 local authorities in the in the Province of Mantova passed an Ordinance (No. 31/06) prohibiting all nomads from stopping with their trailers on the territory of the *Castel Goffredo*. After the Ordinance was passed, road signs indicating the prohibition were placed on all four roads that enter the town. On 12 August 2005, the Mayor of the town of *Piovene Rocchette* in the Province of Vicenza, passed a similar ordinance (No. 128), forbidding ‘nomads’ from stopping with their caravans within the territory of the town.³²

On 10 December 2008, the municipality of *San Vendemmiano*³³ in Treviso banned ‘stopping by nomads and unauthorised camping by caravans, etc.’ throughout the territory of the municipality. On 15 December 2007, the municipality of *Pumenengo*,³⁴ Province of Bergamo, issued an ordinance ‘prohibiting the encampment of nomads and itinerants’ in the territory of the municipality. With the ordinance of 11 April 2008, the municipality of *Brisighella*³⁵ in the Province of Ravenna prohibited stopping by ‘nomads and unauthorised camping’ in its territory. On 21 April 2008, it was the turn of the municipality of *Sogliano al Rubicone*³⁶ in Forlì (Cesena Province) to ban ‘stopping by nomads and unauthorised campers’ in the whole municipality. On 16 May 2008, the mayor of *Battipaglia*, Province of Salerno, ‘noting the reports of proprietors of production structures, factories and ordinary residents of the municipality regarding the phenomenon of the permanence of nomads who park in unequipped areas’, having seen that the municipality has no equipped areas for caravans, etc., ‘orders a permanent prohibition of encampment, [24 hours] of nomads’. On 23 August 2008, the mayor of the town *Cinto Cao Maggiore*, Province of Venice, issued an ordinance of ‘permanent prohibition to encamp on unequipped public or private areas with tents, caravans, mobile homes and the like, throughout the territory of the municipality’.

On 12 September 2008, the mayor of the municipality of *Campagna*³⁷ in Salerno Province, recalling the new powers on security matters granted the

³² Comune di Rocchette Piovene, Ordinanza n. 128, (12.08.2005) Available at: http://www.padaniaoffice.org/pdf/iniziative_sindaci/ordinanza_piovene_rocchette_nomadi.pdf (14.03.2009).

³³ Comune di San Vendemiano, Reg Ord. n. 1916, (10.12.2007). Available at: <http://www.comune.sanvendemiano.tv.it/data/documenti/ordinanze/5436ordinanza%20divieto%20sosta%20nomadi%20e%20roulottes.pdf> (14.03.2009).

³⁴ Comune di Pumenengo ‘Ordinanza di divieto di accampamento nomadi e itineranti’, (15.12.2007). Available at: <http://www.comune.pumenengo.bg.it/bin/index.php?id=929>.

³⁵ Comune di Brisighella, Reg. Ord. 35, (11.04.08). Available at: http://www.comune.ravenna.it/binary/com_ravenna/regolamenti/campo_nomadi.1097235484.pdf (14.03.2009).

³⁶ Comune di Sogliano al Rubicone, Ordinanza n. 12, (21.04.2008). Available at: <http://www.comune.sogliano.fc.it/archivio/doc/Urp/OrdinanzaCampiNomadi.pdf> (14.03.2009).

³⁷ Comune di Campagna, Ordinanza sindacale n. 71 (12.09.2008). Available at: http://www.comune.campagna.sa.it/files/Ordinanza%20n_71%20del%2012-09-2008.pdf (14.03.2009).

mayor by the decree of the Minister of the Interior of 5 August 2008, prohibited permanently the ‘stopping of nomads and unauthorised camping by caravans, etc.’ in all of the municipality’s territory. On 13 October 2008, the municipality of *Maser*³⁸ in Treviso Province, banned the ‘stopping by nomads and unauthorised camping by caravans, etc.’ throughout its territory. On 21 October 2008, the municipality of *San Giuseppe Vesuviano*³⁹ in the Province of Napoli, repeating a formula that is common to almost all the ordinances identified so far, prohibited the ‘stopping by nomads and unauthorised camping by caravans, etc.’ in all of its territory. On 3 November 2008, the mayor of the municipality of *Borgo San Dalmazzo*⁴⁰ in Cuneo Province, issued an ordinance that, unlike all those hitherto described, did not mention ‘nomads’ in the title but, all the same, prohibited the ‘stopping of auto-caravans, caravans, etc. used as habitual place of domicile’ throughout the territory of the municipality. On 9 February 2009, the mayor of the municipality of *Settimo Milanese*⁴¹ in the Province of Milan, using the powers granted to the mayor on matters of security, issued an ordinance banning the ‘stopping by nomads and unauthorised camping’ in the territory of the municipality. On 14 March 2009, the municipality of *Albonese*⁴² in Pavia Province, recalling the Decree (law of 23 May 2008) on ‘Urgent measures regarding public security’ and the Decree of the Minister of the Interior of 5 August 2008 on ‘public safety and urban security, definition and scope’, prohibited the ‘stopping of nomads and unauthorised camping by caravans, etc.’ in its territory.

1.1.4. General public policy on housing

Information from the three interviews of civil society organisations carried out for this report indicate that the difficulties encountered by the Sinti (mainly in the northern regions of the country) do not seem to be so much concerned with poor and substandard housing conditions, even when they are forced to park and live in ‘camps’ due to lack of equipped halting sites. The major problems seem to stem from difficulties faced in obtaining permissions to use their private lands as places of residence, or finding equipped halting sites where they can

³⁸ Comune di Maser, Reg. ord. n. 79 / 2008, (13.10.2008). Available at: www.comune.maser.tv.it/documenti_originali/Mas_Ordinanze_8074.doc (14.03.2009).

³⁹ Comune Di San Giuseppe Vesuviano, Ordinanza n. 235, (14.11.2008). Available at: http://www.comune.sangiusepvesuviano.na.it/allegati_dettagli/88_Ordinanze/102/ordinanza235.pdf (14.03.2009).

⁴⁰ Comune di Borgo San Dalmazzo, Ordinanza n.189, (03.11.2008). Available at: <http://www.comune.borgosandalmazzo.cn.it/informazioni/ordinanze.html> (14.03.2009).

⁴¹ Comune di Settimo Milanese, Ordinanza sindacale. Reg. Ord. n.9/2009 (09.02.2009). Available at: http://web.comune.settimomilanese.mi.it/component/option,com_docman/task,doc_view/gid,1161/Itemid,43/ (14.03.2009).

⁴² Comune di Albonese, Ordinanza N° 2/2009, (14.03.2009). Available at: <http://www.comune.albonese.pv.it/comune/delibere-e-ordinanze/ordinanze/ordinanza-2-2009> (14.03.2009).

park their mobile homes (trailers) or caravans while they move about for work, the ordinances prohibiting them from stopping in many municipalities and the injunctions by both police and civil authorities not to settle (albeit temporarily in certain areas).

The representative of *Sucar Drom* interviewed for this report highlighted the effect on Sinti housing of a national law enacted in 2001⁴³ on the building of industry and housing, and which entered into force on 1 January 2005. This states that a caravan or any other mobile home on a piece of farmland constitutes an abusive construction, a violation of building and housing law. In other words, such structures should be parked, with due authorisation as required for buildings, only on land that is already classified by the municipal administration as residential area, and not farmland. The problem is that since the 1980s, many Sinti families started buying farmland to live on with their caravans and mobile homes, instead of public halting sites. The choice of farmland was due to the fact that such land is cheaper than one classified as residential area or suitable for building residential houses. Acquiring a piece of land offered the opportunity of not having to move into a ‘camp for nomads’ because there were no equipped halting sites in small municipalities. The law has left thousands of Sinti with land that is no longer suitable for settling purposes and those who already live on such lands are in unlawful situations.

Underlining that Roma camps are policy induced, a staff member of *OsservAzione* notes that a series of regional laws approved between 1986 and 1996 transformed what had until then been a temporary solution that, while common, did not exclude other alternatives. ‘[...] These regional laws were based on the idea that the Roma are by nature nomads. This led to a series of problems and mistakes, in the sense that they were not offered housing solutions similar to those in which they lived before coming to Italy. From their houses in the countries of origin, they found themselves in camps which later became institutionalised by the regional laws. The regional laws did not impose camps. Rather, they offered a model and as such had much importance from a symbolic point of view. This is why they have had a very high negative impact on the lives of the Roma. They institutionalised a solution that did not take into consideration the needs of the beneficiaries’.

1.1.5. ‘Positive actions’ measures

The policy measures adopted by the municipality of Venice on housing for the Roma and Sinti since 1997 have been identified by different observers as

⁴³ Italy / Testo Unico per L’Edilizia DPR 380/01 (06.06.2001). See also: C. Berini (2005): ‘Note all’entrata in vigore del Testo Unico 380. Sinti e rom italiani, un habitat possibile’. Available at: www.osservatoriosoleterre.org/index.php?option=com_docman&task=doc_download&gid=9&Itemid=74 (14.03.2009)

constituting good practices that deserve being replicated elsewhere.⁴⁴ Two major camps in the city – Zelarino and San Giuliano – were dismantled between 2001 and 2003, accompanied by alternative offers of housing. At the time, the municipality of Venice decided to use the funds to run the existing camps in a different manner than before. It decided to use the sum – little more than 1.9 million Euros – to directly assist the Roma and Sinti either in buying their own homes, or renting one in accordance with the conditions of each participating family. Some families chose to live in caravans on their own lands or in lands made available by the municipality. The transition was managed by a cooperative – Caracol – that helped former residents of the camps to choose and finalise both credit facilities and property transfer procedures. According to some social workers in the area, the houses acquired were in very poor condition and in many cases, they were inadequate (i.e. too small) for the size of the family.

Not all the residents of the camps joined the solution described above: some preferred to live in rented houses. Some other Harvati Roma and Sinti families chose to live in caravans and remained in another camp in Via Vallenari in Mestre, which was in a much better condition than the dismantled two. Over time, conditions at the latter deteriorated, heightened by the fact that there were only eight toilets and four showers, all of which were unheated during winter for 45 households totalling about 150 people.⁴⁵ Following these developments, in 1997 the municipality of Venice initiated policies to dismantle this other camp, and between 1998 and 2000, an agreement called the ‘District contract’ was reached between the municipality, the region and the ministry, to move the resident Sinti families to a new village about 500 metres away from the old camp.

1.1.6. Housing components of gender equality legislation and policy

No relevant information identified for this section.

⁴⁴ D. Turatti (2007) ‘L’indagine nei comuni veneziane: la voce agli assistenti sociali’, in: S. Bragato, L. Menetto (eds.) (2008): *E per patria una lingua segreta. Rom e sinti in provincia di Venezia*. Portogruaro: nuova dimensione, pp. 50-55. See also interview with Piero Colacicchi from OsservAzione. He cites the policies implemented in Venice to overcome the Zelarino and San Giuliano camps as good examples.

⁴⁵ C. Mantovan, ‘Venezia: quando un ente locale deve lottare per realizzare le proprie politiche’ in: T. Vitale (2009) (ed.) *Politiche possibili, abitare le città con rom e sinti*, Roma: Carocci Editore, pp. 95-105.

1.1.7. Housing components of disability legislation and policy

No relevant information identified for this section.

1.1.8. The impact of legislation and especially of the Race Equality Directive on the housing situation of Roma and Travellers

Besides the regional laws examined so far, other regulatory measures concerning housing for the Roma and Sinti are adopted by municipal authorities, which impact negatively on the already sub-standard conditions represented by camps and halting sites. Particularly relevant here are municipal ordinances which prohibit ‘nomads’ from stopping in their territories, some of which are often displayed as signposts.⁴⁶ These prohibitions first appeared in the 1970s displayed on signposts, and following protests by Italian Sinti organisations, the Ministry of the Interior issued circulars requiring prefects to intervene and have them removed by the municipal administrations;⁴⁷ these ordinances and their signpost equivalents, however, are still in force and on display in many municipalities. These provisions mostly affect Sinti and other traveller groups who live in caravans. They violate not only anti-discrimination provisions, but also Articles 3, 6 and 16 of the Italian Constitutions. This notwithstanding, the adoption of such ordinances appears to have received new impetus since the approval last year of a decree-law⁴⁸ on ‘Urgent measures concerning public security’ which among other things, attributed to mayors new powers on public security and order.⁴⁹

The most re-curent argument used to justify prohibition of Roma and Sinti from stopping in the territories of certain municipalities is that the same do not have equipped areas where these populations can be adequately accommodated: that is, areas provided with water, secure connection to electricity, connection to the public sewage system, toilets and baths/showers. On the basis of this lack of facilities (some ordinances go further to state that even if the municipality wanted, such facilities could not be set up within a short period), the ordinances

⁴⁶ Comune di Civitanova Marche, Ordinanza n.44823/539, RO del 03/12/2002; see signpost attached as a separate file.

⁴⁷ Ministry of the Interior, Circolare n.17/73 (11/10/1973) and n.4/85 (05/07/1985). Photos of some signposts included as annex are visible also at: <http://sucardrom.blogspot.com/search?q=cartelli>

⁴⁸ Italy, Decreto-Legge n. 92/2008 (23/05/2008).

⁴⁹ Between September 2008 and March 2009, at least six municipalities adopted ordinances prohibiting ‘nomads’ or ‘people using caravans as habitual home’ from stopping in their territories.

claim that prohibition is meant to protect general public health, including that of the Roma/Sinti.

There is no publicly accessible evidence of the impact of the EU Directive 2000/43/EC on the housing conditions of the Roma. The National Office Against Racial discrimination (UNAR), in its annual activity reports for 2006 and 2007, mentions that some of the cases of discrimination reported to its toll-free number involved some Roma people, but does not provide any details whatsoever about such cases and the people involved, what actions or follow-up measures were taken. In its 2007 report, the latest published, UNAR writes that ‘discrimination against the Roma is predominantly directed at the entire group and hardly against an individual. The equality office does not, however, provide any example of the types of cases of discrimination reported to it. Instead, it reports taking part in two seminars on the situation of the Roma organised by the autonomous province of Bolzano and the municipality of Palermo.

Worthy of mention here is the silence to date of UNAR regarding the violent attacks against Roma populations in Naples in 2008⁵⁰ and the state of emergency measures adopted by the government following these events, including the targeted census and fingerprinting of Roma and Sinti living in both authorised and unauthorised settlements in the cities of Rome, Milan and Naples.

1.1.9. The impact of general public policies on the housing situation of Roma and Travellers

Commenting on the implications of being registered in the municipal registry of residents, an official of Sucar Drom said, ‘[t]he legislation on registration of residents provides for two main requisites: application by someone who wishes to take up residence at a given address and control and confirmation on the part of the municipal authority, that the applicant lives at the address provided. This is a nice legislation which is often not applied. Sucar Drom has done a lot of work in the last ten years, especially in the Northern regions of the country, to ensure that this law is applied. This notwithstanding, we still have to intervene until now, even in such big cities as Brescia, at times threatening to take legal action, before the authorities apply the law.’

An official of Sucar Drom expressed further concern about some provisions on conditions of registration of residents contained in the ‘security package’ which is under discussion in parliament, saying: ‘Today I am worried because the Italian parliament is about to vote for a law which will modify the requisites for registration in the registry of residents. Whoever lives in a caravan, mobile

⁵⁰ FRA (2008) Incident Report. Violent Attacks Against Roma in the Ponticelli district of Naples, Italy.

home or the like will no longer be accorded registration as resident in such structures, because the new provisions mention only immovable structures (buildings) while the Sinti live in mobile homes, caravans, etc. One can only imagine what will happen to all the Sinti families who work in circuses and itinerant amusement parks. Besides, the Italian government wants to create a separate registry at the Ministry of the Interior where all these people will be recorded. Something close to an ethnic census because who else lives in caravans? Only the Sinti.'

1.2. Quantitative data

1.2.1. Number of Roma and Travellers in the country

There are no official statistics on Roma and Sinti populations in Italy based on general census and regular updates as is the case for the rest of the resident population. Consequently, all available statistical data on the population of Roma and Sinti are based on various estimates. According to some of the most accredited estimates, there are some 120,000–150,000 Roma and Sinti people in Italy, the majority of whom (about 60 per cent) are Italian citizens and for the most part, non-nomadic. The remaining 40 per cent is made up of foreign citizens who arrived in Italy within different and successive flows, the most significant of which started at the end of the 1970s during the economic crisis in the former Yugoslavia and later grew in the 1990s with the disintegration of that country. Foreign Roma belong to various groups and come mainly from Macedonia, Kosovo, Bosnia, Serbia and, more recently, from Romania.⁵¹ A publication by the Ministry of the Interior, quoting estimates by the associations *Opera Nomadi* and *Associazione Italiana Zingari Oggi (AIZO)*, puts the figure at 140,000.⁵² This report, published in 2006, says that the majority of Roma are non-Italian and come from the former Yugoslavia, Albania and Romania.

As highlighted earlier, the government undertook a census and identification exercise of Roma and Sinti populations in three major cities: Milan, Rome and Naples. The exercise recorded a total of 12,346 persons in the three areas covered, including 5,436 minors. It also identified 167 encampments, of which 43 were authorised and 124 unauthorised.⁵³

Apart from the census/identification data just cited, the only other statistical information (all of different qualities and acquired using different methodologies) on the number of Roma and Sinti settlements, broken down by type – whether authorised or unauthorised encampments – are found in some local contexts. In Milan, the association *Opera Nomadi* and the Office for ‘nomads’ of the municipality conducted a census of Roma and Sinti settlements and their residents in December 2006, updated in June 2007 by *Opera Nomad*.

⁵¹ N. Sigona (2008) ‘Lo scandolo dell’alterità: rom e sinti in Italia’, in: S. Bragato, L. Menetto (eds) (2008): *E per patria una lingua segreta. Rom e sinti in provincia di Venezia*. Portogruaro: nuova dimensione, pp. 27-28.

⁵² M. Scalia (2006) ‘Le comunità sprovviste di territorio, i Rom, i Sinti e i Caminanti in Italia’. Roma: Dipartimento delle Libertà Civili e l’Immigrazione del Ministero dell’Interno, p.19. Available at: http://www.interno.it/mininterno/export/sites/default/it/assets/files/13/La_publicazione_sulle_minoranze_senza_territorio.pdf (15/03/2009)

⁵³ Ministero dell’Interno (2008): *Censimento dei campi nomadi*, available at: http://www.interno.it/mininterno/export/sites/default/it/sezioni/sala_stampa/speciali/censimento_nomadi/index.html (15/03/2009)

The exercise identified in the whole territory of the municipality, nine authorised camps (considering as one the settlement in Via Triboniano which is divided into four sectors), 15 unauthorised settlements on public land and three on private land, nine settlements on own property and four settlements on land rented from the municipality, making a total of 40 settlements.⁵⁴

1.2.2. Data on the housing conditions

The Province of Milan carried out another census during the summer of the year 2006. The questionnaire-based survey of municipalities in the province excluding Milan found ‘more than 60 Roma and Sinti settlements, of which only 16 were authorised, with a total population, certainly under-estimated, of more than 1,600 persons and more than 60 per cent of these were defined as living in precarious or irregular conditions’.⁵⁵ Further in the report of the Province (page 3), it is stated that ‘a total of 62 settlements were identified, of which 12 were regular and permanent, four were irregular and temporary and as many as 46 settlements were not properly equipped’. The census distinguished Roma from the Sinti who are defined as being ‘for the most part Italian citizens and regular’. It found a Roma population of ‘1,149 persons of which 1,106 live in irregular settlements, 31 others in regular and permanent settlements and the others in a temporary camp. Minors are about 362, making up 31 per cent of the total population [page 6]. The Sinti population is ‘estimated at about 500 persons, of which about 70 persons live in irregular conditions in two camps. The percentage of minors is equally high, about 30 per cent’ (page 9). Besides, the survey estimated a presence in the province of about 200 ‘*giostrai*’ – circus and amusement park workers – as of 30 June 2006.

Another regional context for which some statistical information is available is in Tuscany. According to the *Fondazione Michelucci*⁵⁶ that runs an observatory on Roma and Sinti settlements, the population of these groups living in authorised or recognised settlements in Toscana in 2007 comprised 1,227 persons living in authorised or recognised settlements. Table 1 in Annex 1 shows their distribution by province, their ethnic origin and type of accommodation.

1.2.3. Data on housing tenure of Roma and Travellers

There are no official or unofficial data on housing tenure. Available information on this is made up of narratives relating to the situation in single settlements. As

⁵⁴ A. R. Calabrò (2008) *Zingari. Storia di un'emergenza annunciata*, Napoli: Liguori Editore, p. 227.

⁵⁵ Provincia di Milano (2006) *Censimento popolazioni Rom e Sinti*, Osservatorio per le Politiche Sociali, Estate 2006, p.2.

⁵⁶ *Fondazione Michelucci* (2007), *Rom & Sinti in Toscana 2007- le presenze gli insediamenti le politiche*. Available at: <http://www.autoconvocata.org/ac/docs/2709.pdf> (14.03.2009).

highlighted in chapter one of this report, some information can be inferred from some regional laws on ‘camps for nomads’ where they exist, or regulations by single municipalities governing the authorised settlements in their territories. Regarding Roma and Sinti populations in regulated and unregulated encampments, there are no official or unofficial data sets except for that presented briefly above, and in the following section.⁵⁷

1.2.4. Number of Roma / Travellers living in regulated encampments

The population of the various settlements of the municipality in December 2006 amounted to 3,767 persons, of which 1,900 were minors. In terms of nationality, 1,578 were Romanian Roma; of the rest, 2,189 were Roma and Sinti of various nationalities. An update of this census, carried out by *Opera Nomadi* in June 2007, estimated the Roma and Sinti population to be 5,012 persons, more than 50 per cent (2,740) of which were Romanian Roma and the rest (2,270) were from other nationalities. According to an estimate by the regional government of *Lombardia* (of which Milan is the capital), in December 2006, the number of Roma and Sinti living in settlements in the rest of the province was between 2,500 and 3,000 persons and between 9,600 and 11,000 persons in the rest of the region. The same source estimates some 1,200-1,400 Roma and Sinti living in apartments who are not included in the previous figures.⁵⁸

1.2.5. Number of Roma / Travellers living in unregulated encampments

At the moment, about a third of the Roma and Sinti population – including both Italian citizens and foreigners – lives in authorised and unauthorised camps, in isolated places poorly connected to a city, with insufficient services. The choice of where camps are built reveals contempt in urban planning, where Roma are kept at some distance from the general population, which does all it can to ensure that distance is maintained.⁵⁹

⁵⁷ N. Sigona (2008) ‘Lo scandolo dell’alterità: rom e sinti in Italia’, in: S. Bragato, L. Menetto (eds.) (2008): *E per patria una lingua segreta. Rom e sinti in provincia di Venezia*. Portogruaro: nuova dimensione, pp. 27 – 28.

⁵⁸ A. R. Calabrò (2008) *Zingari. Storia di un’emergenza annunciata*, Napoli: Liguori Editore, p.227-228.

⁵⁹ C. Marcetti, N. Solimano (2002): *Le decisioni, i conflitti, gli esiti. La realizzazione di aree per l’abitazione di rom e sinti in Toscana*; in: *Fondazione Micchelucci (2002): Immigrazione Convivenza urbana Conflitti locali*; Firenze; Angelo Pontecorboli Editore, pp.102-129.

1.2.6. Number of Roma / Travellers living in segregated settings

In many Italian cities, Romanian Roma are among the groups that face the worst conditions. They bear the brunt of being the latest to arrive and are confronted with local administrators who try to keep them out because, according to them, there are already more Roma than the cities can absorb. As a staff member of OsservAzione association⁶⁰ puts it, ‘the boat is full.’ They found Roma camps already full of refugees from the Balkan wars and the Sinti permanently waiting for equipped halting sites.

As has been stated, there are no figures on overcrowding in Roma and Sinti settlements, though much anecdotal evidence exists as to the severe problem of overcrowding in most Roma and Sinti camps, authorised or unauthorised. Such views can be exemplified by the description of the following camps: ‘Many Roma and Sinti in Italy live in highly substandard conditions, without basic infrastructure. Many Roma and Sinti live in “camps” or squalid ghettos that are “authorised”, meaning state-approved and provided. Others are forced to “squat” in abandoned buildings or set up camps along roads, rivers or in open spaces. These individuals can be evicted at any moment, and frequently are. [...] Where Italian authorities have expended energy and resources on Roma, these efforts have in most cases not been aimed at integrating Roma into Italian society. Instead, authorities establish ‘temporary housing containers’, in a number of cases surrounded by high walls, isolating them from the view of non-Romani Italians.’⁶¹

1.2.7. Data on household type and size

National standards regarding room and space are outlined in regional laws regulating public residential housing (*Edilizia Residenziale Pubblica – ERP*) which includes all subsidised public houses acquired, built or renovated using (partly or entirely) contributions of state funds from local authorities or other economic subjects that have social aims. In the regional law of *Lombardia*, overcrowding is defined in the following terms: a housing situation is deemed extreme overcrowding if there are three or more persons sharing a room; four to five persons in two inhabitable rooms; six persons in not more than three inhabitable rooms; seven or eight persons in not more than four inhabitable rooms; nine or more persons in six inhabitable rooms. The following situations

⁶⁰ See interview summarised in section 2. below on field research.

⁶¹ ERRC, COHRE, OsservAzione, Sucar Drom (2008) Written Comments of the European Roma Rights Centre (ERRC), the Centre on Housing Rights and Evictions (COHRE), OsservAzione and Sucar Drom ‘Concerning Italy for consideration by the United Nation Committee on the Elimination of Racial Discrimination at its 72nd Session’, p.21. Available at: <http://www.errc.org/db/02/9B/m0000029B.pdf> (25.02.2009).

are deemed as ordinary overcrowding: one or two persons in a room; three persons in two inhabitable rooms; four or five persons in three inhabitable rooms; six persons in four inhabitable rooms; seven or eight persons in five inhabitable rooms; nine or more persons in six inhabitable rooms.⁶²

1.2.8. Data on forced evictions

No relevant information identified for this subheading.

1.2.9. Data on access of Roma and Travellers to public utilities

No relevant information identified for this subheading.

1.2.10. Data on available halting sites

No relevant information identified for this subheading.

⁶² Italy / Lombardia Region, Regional Law nr.91/1983 (15-12-1983).

1.3. Qualitative information

1.3.1. Quality of housing available to Roma and Travellers

The ‘camp for nomads’ policy has been the subject of attention for various international organisations working on human rights; some of these have put Italy before some European and international bodies on the grounds that Italy’s housing policy towards the Roma and Sinti violates a number of international legal instruments, which have either been signed by Italy, or to which it is party.⁶³

In its second report on Italy, ECRI noted that about one third of the total Roma/Gypsy population of Italy – including both Italian citizens (predominantly Sinti) and non-Italian citizens – currently lives in authorised or unauthorised camps separated from mainstream Italian society. Over and beyond the question of the living conditions in these camps, which will be addressed below, ECRI is concerned that this situation of practical segregation of Roma/Gypsies in Italy appears to reflect a general approach of the Italian authorities, which tend to consider Roma/Gypsies as nomads and wanting to live in camps. The representation of Roma/Gypsies as nomads also appears to be closely related to the general perception of the members of Italian Roma/Gypsy communities as ‘foreigners’ (even if, in fact, only a part of the Roma/Gypsy population still living in camps is non-Italian). This perception is exemplified by the attribution of competence for issues related to Roma/Gypsies to administrative offices ‘for nomads’ or for ‘nomads and foreigners’. ECRI strongly believes that one of the first necessary steps to be undertaken by the Italian authorities should be to approach all issues related to the members of the Roma/Gypsy communities, whether Italian or not, without assuming that all Roma/Gypsies are nomads. ECRI believes that policies based on the attentive consideration by the authorities of the genuine aspirations of the communities concerned have better chances of success. ECRI therefore urges the Italian authorities, when considering issues of relevance for the Roma/Gypsy communities, to ensure close consultation with the members of the communities concerned at all levels, central, regional or local. Moreover, (again from the point of view of the general approach) ECRI believes that state

⁶³ ERRC, COHRE, OsservAzione, Sucar Drom (2008). Written comments concerning Italy for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 72nd session, pp.13-14. Available at: http://www.osservazione.org/documenti/CERD-Report-2008%20_IT_.pdf (15.03.2009).

policy should also reflect more closely the fact that Roma/Gypsies and their culture constitute an integral part of the Italian population and Italian culture.⁶⁴

On 21 June 2004, the European Roma Rights Center (ERRC) lodged a collective complaint under the Revised European Social Charter against Italy for persistent and systematic violations of the fundamental rights of Roma to adequate housing. This collective complaint alleges that as a result of the construction and maintenance, by policy and practice, of substandard and racially segregated camps for Roma (as well as in light of policies and practices of forced eviction of Roma, threats of forced eviction of Roma, systemic destruction of property belonging to Roma, and the systemic invasion of Romani dwellings without due regard to Italy's international law obligations), Italy is in violation of Article 31(1) of the Revised European Social Charter, taken together with the Revised Charter's Article E ban on discrimination.⁶⁵

On 21 December 2005, the European Committee of Social Rights, the body overseeing implementation of the Social Charter, unanimously ruled that 'Italy had violated Article 31 (right to housing) of the Revised European Social Charter taken together with Article E (ban on discrimination), with respect to the insufficiency and inadequacy of camping sites for Roma in Italy; the recurrent forced eviction of Roma by Italian authorities; and the lack of permanent dwellings made available for Roma'. This decision was later adopted by the Council of Europe Committee of Ministers as Resolution ResChS(2006)4 on 3 May 2006. The submitting organisations added that 'in spite of the decision against Italy by the European Committee of Social Rights, the authorities have not taken effective measures at the national level to counter the segregation of Roma'.⁶⁶

Regarding the habitability of many Roma settlements, it has been observed in a number of cases that camps and halting sites have at times been constructed by local authorities on or close to old dump sites, not properly secured. COHRE, the ERRC and OsservAzione report the case of Castel Firmiano camp in Bolzano for which they 'have repeatedly – jointly and independently – urged Bolzano authorities to move the camp residents into integrated housing since 2006'. Following pressure from them among others, 'Bolzano authorities

⁶⁴ ECRI (2002), *Secondo Rapporto sull'Italia*, paragraph 60, p.20. Available at: <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Italy/ITA-CbC-II-2002-004-ITA.pdf> (14.03.2009).

⁶⁵ ERRC (2004), *ERRC Collective Complaint against Italy: Systematic Violations of Right to Adequate Housing*. Available at: <http://www.errc.org/cikk.php?cikk=1917&archiv=1> (16.03.2009).

⁶⁶ ERRC (2006) *Italy Systemically Frustrates Right to Adequate Housing of Roma*. Available at: <http://www.errc.org/cikk.php?cikk=2589&archiv=1>; See also: ERRC, COHRE, OsservAzione, *Sucar Drom* (2008), written comments concerning Italy for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 72nd session, pp.13-14. Available at: http://www.osservazione.org/documenti/CERD-Report-2008%20_IT_.pdf (15.03.2009).

committed themselves to moving all of the camp's remaining circa 100 inhabitants to integrated, social housing by the end of 2008'.⁶⁷ At the time of closing this report in March 2009, most of the residents referred to above were still at the camp.⁶⁸

1.3.2. Issues of spatial and social segregation

In a written submission to the UN Committee on the Elimination of Racial discrimination (CERD) in its 72nd Session in 2008, two Italian associations working in support of Roma and Sinti rights (OsservAzione and Sucar Drom), together with the European Roma Rights Centre (ERRC) and the Centre on Housing Rights and Evictions (COHRE), described the impact of the camp policy on the housing conditions of Roma and Sinti populations in Italy. The four organisations note that through official policy, Italian authorities have in the past (and continue today) to racially segregate Roma. Underlying this policy is the categorisation of all Roma as 'nomads', which has for decades found its way into public policy towards this group, leading to a uniform offer of accommodation for Roma and Sinti groups in the form of camps and halting sites, in most regions of the country.⁶⁹

These camps are frequently located far away from city centres, often close to motorways, railways, or to industrial areas not inhabited by non-Roma groups. They are ghettos, usually overcrowded, sometimes without drinkable water or electricity. The bigger these camps are, the greater the social alarm and hostility from nearby residents. In some cases, such camps have become targets of racist campaigns to send residents from the area.⁷⁰

1.3.3. Access to private housing

No relevant information identified for this heading.

⁶⁷ ERRC (2008), Centre on Housing Rights and Evictions, OsservAzione, Sucar Drom. Written comments concerning Italy for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 72nd session. Available at: http://www.osservazione.org/documenti/CERD-Report-2008%20_IT_.pdf (15.03.2009).

⁶⁸ Information provided directly to the NFP by the Centro di Tutela contro le Discriminazioni, Osservatorio Provinciale sulle Immigrazioni, Provincia Autonoma di Bolzano Alto Adige. Available at: www.provincia.bz.it/immigrazione.

⁶⁹ ERRC (2008), Centre on Housing Rights and Evictions, OsservAzione, Sucar Drom. Written comments concerning Italy for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 72nd session. Available at: http://www.osservazione.org/documenti/CERD-Report-2008%20_IT_.pdf (15.03.2009).

⁷⁰ S. Cerretelli, U. C. Enwereuzor (2003), National Analytical Reports on Housing, RAXEN Focal Point for Italy, COSPE. Available at: http://www.cospe.org/uploads/documenti/allegati/it_housing.pdf (18.05.2009).

1.3.4. Access to social housing

According to OsservAzione, Sucar Drom, ERRC and COHRE, in the northern city of Bolzano, the local Sinti and Roma who do not live in the two old camps live in flats managed by the Provincial Institute for Social Housing (IPES). These are all concentrated in a single area of Bolzano. In the Don Bosco district of the city, 31 Roma/Sinti families live within two streets: 15 in one and 16 in the other. In an apartment building with 10 apartments, only two were not given to Sinti or Roma, thus producing small ghettos. A representative of the IPES has stated that ‘the tendency is to concentrate them [Roma and Sinti] in a same building because this way it is easier to control them’.⁷¹

1.3.5. Forced evictions

In unauthorised settlements, the situation is even worse. Municipal authorities issue eviction orders and quite often, law enforcement agents are called in to carry them out. On 13 June 2007, on just a few hours’ notice, law enforcement agents evicted about 70 Romanian Roma (including many children, new-born babies and five pregnant women) from a municipal property in Viale Toscana in Milan. Bulldozers destroyed about 20 shacks, forcing families to flee with their poor belongings to Ravizza Park. On 18 June 2007, the Municipal Council of Milan approved, with a wide majority, the eviction of Roma in unauthorised camps beginning with Chiaravalle and the introduction of a fixed number of Roma allowed to stay in the city. In the morning of 20 June 2007, the eviction (accompanied by bulldozers) of Roma families from ‘camp 3’ of Via Triboniano started. Twenty-two families were expelled while 53 remained in caravans provided by the Municipal Council. The latter were those identified during the October 2006 census as not having a criminal record, and who had signed the ‘Rule of law and Solidarity Pact’.⁷²

On 7 March 2005, the Municipality of Chiari issued an eviction order against two Roma families from the local ‘Roma camp’ in Via Roccafranca, for failing to pay a deposit of €500. The affected families were given a maximum of 48 hours to leave, or they would be forcibly removed.⁷³ On 22 November 2006, the

⁷¹ ERRC (2008), Centre on Housing Rights and Evictions, OsservAzione, Sucar Drom. Written comments concerning Italy for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 72nd session, p.13. Available at: http://www.osservazione.org/documenti/CERD-Report-2008%20_IT_.pdf (15.03.2009).

⁷² A. R. Calabrò (2008): *Zingari. Storia di un'emergenza annunciata*, Napoli: Liguori Editore pp. 255-256.

⁷³ Comune di Chiari, Corpo Polizia Locale, 'Ordinanza di sgombero dal campo nomadi di via Roccafranca' (07.03.2005). Available at: <http://www.webalice.it/a.zinelli/campo%20nomadi%20chiari/tentativo%20espulsione%20500%20euro%20-%202005.html> (14.03.2009).

Mayor of Anzio⁷⁴ in the Province of Rome ordered the immediate eviction of residents from a local Roma camp ‘for public safety and those of the residents of the camp’, given that the entire municipal territory had no equipped areas for Roma and Sinti. On 19 July 2008, the Mayor of Altopascio⁷⁵ in Lucca issued an eviction order against a group of Roma families in an unauthorised settlement called Ribocco. The ordinance was said to have been issued due to enormous health and sanitary problems identified in the area. No alternative solution was offered.

1.3.6. Legality and legalisation of settlements

In July 2008, a delegation of the Office for Democratic Institutions and Human Rights (ODIHR), High Commissioner on National Minorities of the OSCE visited Italy on a fact-finding mission to Naples, Milan and Rome, to assess the human rights situation of the Roma and Sinti in the country. Referring to the living conditions of these groups, the report on the mission notes that: ‘[t]he delegation visited a substantial number of Roma settlements that varied in size from a small number of families living in one or two buildings, caravans, or huts to large settlements of around 700-800 people. The settlements also varied in their legal status. For example, they could be defined as illegal, irregular, or unauthorized if no prior authorization for their establishment had been granted or if they occupied private land without the permission of the owner. A number of settlements have been established by municipal councils, prefects, or other authorities or have been regularized after their establishment and are defined by the authorities as legal, regular, or authorized.’⁷⁶

According to OsservAzione, Sucar Drom, ERRC and COHRE, the appalling conditions in Roma settlements in Italy constitute a serious threat to the lives of its residents, especially children who have fallen victim to fatal incidents related to the camps’ very poor conditions. The four organisations note that: ‘[...] the substandard conditions prevailing in Romani camps in Italy have contributed to the deaths of at least 5 Romani youths since December 2006 alone, [...] and on 2 December 2006, 16-year-old Ljuba Mikic and 17-year-old Sasha Traikovic from Serbia died in a fire that broke out in Rome’s Camp Casilino; on 2 January 2007, 15-year-old Cristina Mihalache and 15-year-old Nicolae Ihnunt from Romania died in a fire in Caserta’s Camp d’Orta di Atella; on 19 November 2007, Florin Draghici, a 4-year-old Romani boy from Romania, died in a fire in

⁷⁴ Città di Anzio, il Sindaco, no.211 'Ordinanza di sgombero' (22.11.2006). Available at: <http://www.laviniomare.net/public/Download/ordinanzaNomadi.pdf> (14.03.2009).

⁷⁵ 'Ordinanza di sgombero dei rom'. Available at: http://www.toscanatv.com/leggi_news?idnews=NL082741.

⁷⁶ Office for Democratic Institution and Human Rights, High Commissioner on National Minorities, Assessment of the human rights situation of Roma and Sinti in Italy, Report of fact-finding mission to Milan, Naples and Rome 20-26 July 2008, p.19. Available at: http://www.osce.org/documents/odihhr/2009/03/36620_en.pdf (15.03.2009).

a Romani camp in Bologna; and on 11 August 2007, four Romanian Romani children (Lenuca, Danchiu, Dengi and Eva) between the ages of 4 and 10 died in a fire that burned down the hut in which they were temporarily living with their parents in the Italian town of Livorno, following their forced eviction from Pisa in May 2007. In the wake of the deaths, the parents of the children were taken into detention, charged with abandonment of minors and parental negligence.⁷⁷

In Bolzano, 50 per cent of Sinti population live in public residential houses managed by IPES. A local Sinti woman said: ‘for an improvement of the housing conditions of the Sinti and the Roma, it is necessary to eliminate camps for nomads and construct, for those who want, equipped micro-areas with good quality pre-fabricated homes. A micro-area is a small piece of land where only one extended family resides and it is the best solution because it does not oblige one to refuse the habits and traditions of the Sinti and Roma. A micro-area means improving the living conditions of Sinti and Roma people, rather than denigrating them as has been done until now.’⁷⁸

In cases of accommodation in apartment blocks being assigned to Sinti and Roma families, it is necessary to give preference to a dispersal policy. The aim here should be to overcome the segregation inherent in ‘camps’, in favour of living together with other non-Sinti/Roma. The extended Roma family made up of a few small families prefers to live together with non-Romani in the same apartment blocks, rather than in situations where many Romani families are concentrated in a single apartment block.⁷⁹

We have seen in previous sections that there is no security of tenure for most Roma and Sinti in authorised or unauthorised settlements. Even in the former, Roma residents have tenure (according to most regional laws) of not more than two years; and in some, only of one year, subjected to renewal following a review. Such a review may be based on a discriminatory provision such as the ‘Rule of law and social relations pact’ adopted in Milan in 2007, the signing of which was a prerequisite for authorisation to reside in the camp in via Triboniano in Milan.⁸⁰

⁷⁷ ERRC (2008), Centre on Housing Rights and Evictions, OsservAzione, Sugar Drom. Written comments concerning Italy for consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 72nd session. Available at: http://www.osservazione.org/documenti/CERD-Report-2008%20_IT_.pdf (15.03.2009).

⁷⁸ M. Rosaria Chirico (2008) ‘Buone Prassi-Rapporto di Ricerca sulle politiche di inclusione dei Rom e Sinti in Italia’, Merano. Alphabeta, p.103.

⁷⁹ M. Rosaria Chirico (2008) ‘Buone Prassi-Rapporto di Ricerca sulle politiche di inclusione dei Rom e Sinti in Italia’, Merano. Alphabeta, p.103.

⁸⁰ Il Commissario per l'emergenza nomadi in Lombardia. Regolamento delle aree destinate ai nomadi nel territorio del Comune di Milano [The Commissioner for the nomads emergency in Lombardia. Regulation for the areas meant for nomads in the territory of the Municipality of Milan].

1.4. Case law and complaints

1.4.1. The National Office Against Racial Discrimination (UNAR)

The national equality body *Ufficio per la promozione della parità di trattamento e la rimozione delle discriminazioni fondate sulla razza o sull'origine etnica. Ufficio Nazionale Anti-discriminazione razziale* (UNAR – Office for the promotion of equality of treatment and the elimination of discrimination based on race or ethnic origin. National Office Against Racial Discrimination) was established by Decree of the President of Council of Ministers (PCM) of 11 December 2003,⁸¹ in accordance with Art. 13 of Council Directive 2000/43/EC. It is the institutional body charged with overseeing race/ethnicity-based equal treatment and to monitor the effectiveness of policy and practical measures to combat racial discrimination. Its main tasks are the following:

- to provide assistance, through its Contact Centre, to victims of discriminatory acts in administrative or judicial proceedings undertaken by the victims;
- to carry out investigations in order to verify the existence of discriminatory cases, respecting the competences of judicial authorities;
- to promote positive actions in collaboration with NGOs and voluntary associations;
- to disseminate information on existing instruments to combat discrimination through awareness-raising and public communication campaigns;
- to formulate recommendations and advices on the topics related to discrimination on the grounds of racial or ethnic origin;
- to prepare two annual reports, one for the parliament and one for the President of Council of Ministers;
- to promote studies, research, training and exchange of experiences, also in collaboration with associations and NGOs working in the sector, in order to elaborate guidelines and codes of conduct.

It has two units, one responsible for direct measures to guarantee equal treatment, and a second charged with research and institutional relations. The first unit collects, records, analyses and reacts to possible cases of discrimination reported to a contact centre that runs a dedicated hotline. Besides, this unit also provides legal advice to victims. The second unit

⁸¹ Italy / Decreto del Presidente del Consiglio dei Ministri (11.12.2003).

promotes awareness-raising campaigns, public information and communication initiatives on issues related to the fight against racial discrimination.

UNAR has a Contact Centre with a dedicated hotline. This centre is managed by ACLI (Associazione Cristiana Lavoratori Italiani) through five macro-regional offices: Milan and Padova in the north; Rome in the centre; Naples in the south; and Catania on the island of Sicily. The hotline is open from 10 am to 8 pm everyday and provides services in Italian, English, French, Spanish, Albanian, Arabic, Russian, Romanian and Chinese. The staff of the centre is responsible for collecting reports of discrimination, analysing the information provided, and searching for possible solutions to the problems reported. Where the centre's staff is unable to solve a problem, it passes it on to a second level, defined as 'internal within UNAR' which will then look for a solution. All reports to both levels of the centre end with a formal communication to the caller.

Where a court or legal action is necessary, UNAR can not undertake such action and can only suggest names of support organisations the victim can turn to for assistance (selected from those registered in the national list of support organisations that can stand in litigation as provided for in Art. 5 of Legislative Decree no. 215 of 9 July 2003).

1.5. Identifying good practices

The main responses to the housing needs of Roma, Sinti and Travellers in Italy have followed the logic of ‘containment’ and emergency, creating authorised camps, or permitting unauthorised ones and discouraging other solutions. However, since the 1990s, activists, researchers and some policy-makers have attempted to find alternatives to camps, by exploring and experimenting new solutions. These attempts have so far produced very limited results in terms of good practices that have been implemented and identified as such by experts and/or Roma and Sinti themselves. The few exceptions referred to in the literature on the topic and mentioned by the three representatives of Roma and Sinti organisations interviewed for this report fall into two main categories: one comprises policy and practical measures that aim to overcome the logic of ‘camp for nomads’ that is the foundation of the predominant housing offer to Roma and Sinti.⁸² Examples of this category include small settlements or ‘villages’ and equipped halting sites (*micro aree attrezzate*) for about five to six Roma or Sinti families. As we shall see later, some of these solutions still conserve certain negative aspects of camps, including location and/or distance from services and infrastructure such as public transport. The second type of good practice aim not only at overcoming the logic of camps, but also eliminating the residual elements of ‘social and urban segregation’ which remains present in the ‘village’ model.⁸³ Solutions of this type include those measures that empower Roma and Sinti residents to acquire their own lands or houses and build their own homes.

Two different experiences will be described, both falling into the categories mentioned earlier, and both suggested by representatives of the Roma and Sinti organisations interviewed for this report. It would have been possible to choose different examples, but the two illustrated here had the most informative documentation. Besides, the two initiatives are taken from two different regions and provide an example of the solutions many Roma would prefer, as well as solutions demanded by the Sinti. The first is drawn from the experience of the Municipality of Pisa, and the second from the town of Guastalla in Reggio Emilia province.

The difficulties that delay implementation of projects meant to improve the housing conditions of the Roma have been noted by some international organisations as something that frequently affects projects meant to improve the living situation of these groups. The ODHIR–OSCE delegation to Italy on a fact-finding mission to assess the human rights situation of Roma observed in a report released in March 2009 that: ‘[t]he delegation was informed by almost all

⁸² Fondazione Michelucci (2008) (ed.) ‘Rom & Sinti in Toscana 2007. Tra superamento dei campi e nuove baraccopoli’ Firenze. Available at www.michelucci.it.

⁸³ M. R. Chirico (2008) (ed.) ‘Buone Prassi. Rapporto di ricerca sulle politiche di inclusione dei Rom e Sinti in Italia’ Bolzano, alphabeta.

of the local, regional, and central authorities that they met with of a variety of plans regarding the construction or improvement of housing conditions in Roma and Sinti communities, particularly for those people currently living in unauthorized settlements. Several of these plans appeared to be in advanced stages of development. However, it seems that the implementation of these plans has been difficult for a number of reasons. It has been difficult to secure state funding and to overcome opposition from local populations to such plans. Complicated administrative structures among the different layers of government also appeared to have hampered approval and implementation procedures.⁸⁴

A first experience of housing and social inclusion of Roma and Sinti worth analysing here as good practice concerns a project designed and implemented by the Municipality of Pisa. The project, called *Città Sottili*, was aimed at overcoming the unsuccessful policy of camps with its inherent systematic segregation of Roma and Sinti populations. The central idea of the project was to manage, in a coordinated and integrated manner, the process of transition of Roma families from camp accommodation to apartments in different parts of the city of Pisa and its neighbouring towns.⁸⁵ A previous project called ‘*Anglunipè*’ (Moving forward) that focused on life in six major camps in the area had helped create a climate in which dialogue with the residents of the camps and future beneficiaries of the new project would prosper. This later project was reorganised and adapted to carry out cultural and linguistic mediation functions, facilitate access to services and management of the transfer from living in camps to individual household accommodation in private apartments. In order to overcome spatial and social segregation, *Città Sottili* had two other dimensions deemed essential for the success of the project. One focused on the integration of minors into the educational system and vocational training for adults. The other gave social support and assistance for the families involved in identifying suitable accommodation in the private housing market, and relating to their new neighbours (apartment block, district, territorial services in the vicinity, schools, health centres, decentralised administrative units, etc.).

The project started in 2002, and by 2007 had successfully moved more than 400 people out of the camps to public residential houses, private apartments rented on the market and transitory reception centres. It had also closed four camps, and about 200 children were regularly attending school (with significant improvements in their performance, enabling some to go on to upper secondary school, a situation that had hitherto been extremely rare).⁸⁶ Equally important

⁸⁴ ODIHR, High Commissioner on National Minorities, Assessment of the human rights situation of Roma and Sinti in Italy, Report of fact-finding mission to Milan, Naples and Rome 20-26 July 2008, p.29. Available at: http://www.osce.org/documents/odihr/2009/03/36620_en.pdf (15.03.2009).

⁸⁵ A. Sconosciuto (2008) ‘Con i rom e i sinti: politiche e interventi locali fattibili’ in: T. Vitale (2009) *Politiche possibili, abitare le città con rom e sinti*, Roma: Carocci Editore.

⁸⁶ A. Sconosciuto, A. Minghi (2007) (eds.) ‘Le città Sottili – Programma della Città di Pisa con la comunità rom del territorio- Sintesi del Programma 2002-2007’, Società della Salute Zona

was the use of health services by Romani women, the obtainment of driving licenses, and the number of people who found employment (though below initial targets). In all, while promoting social and financial self-sufficiency of the families, the project had managed to attain a significant improvement in quality of life and social inclusion, together with the strong participation of the Roma community in the planning and management of the interventions.⁸⁷

The positive results of the housing components of the project are confirmed by some independent researchers,⁸⁸ who highlight as positive achievements the gradual move out of the camps by Roma families and their dispersal in the territory (43 per cent in Pisa and the rest in other towns in the province) in order to prevent the creation of ghettos. Inclusion in the labour market was less successful: the project beneficiaries are seldom able to reach a state of economic independence. Lastly, *Fondazione Michelucci* experts highlight as positive and essential the involvement of Roma families and their active participation in the management of the project right from its inception.⁸⁹

The greatest shortcoming of *Città Sottili* has turned out to be its dependence on continuing strong financial support from the municipality and the health services that financed it, making it prone to a changing political climate towards the Roma. A first sign of this weakness occurred in January 2008, when some of the beneficiary families became involved in a serious violent crime, and the municipal administration announced it was suspending support for the project, even though the families involved in the incident were promptly expelled from it. At the time of closing this report, no formal decision had been taken as to whether the suspension of support for the project would turn into a closure, or whether reorganisation of some sort would bring back continued public support.⁹⁰ In any case, the experience has shown that, resources apart, there are alternative, better, and more effective housing solutions for the Roma and Sinti than ‘camps for nomads’.

The second experience is a practical example of the idea of private or public land where a small group of close relatives can settle, which many Sinti advocate for. The settlement ‘Sucar Plaza’ (‘Beautiful Square’ in the Sinta language), is quite different from a camp or equipped halting site, both in terms

Pisana - Comune di Pisa - Azienda USL 5 di Pisa. Available at:

http://www.anci.it/Contenuti/Allegati/presentazione_citta_sottili_2007.doc

⁸⁷ Comune di Pisa, Azienda USL 5 (2007) ‘Le città sottili - programma della città di Pisa con la comunità rom del territorio: verso la Conferenza dei Servizi’, Società della Salute Zona Pisana. Available at: www.sds.zonapisana.it

⁸⁸ Fondazione Michelucci (2008) Rom & Sinti in Toscana 2007 - Tra superamento dei campi e nuove baraccopoli, p.4

⁸⁹ Fondazione Michelucci (2007), Rom & Sinti in Toscana 2007- le presenze gli insediamenti le politiche, p.4. Available at: <http://www.michelucci.it/sites/michelucci2-dev.etabeta.it/files/rapporto%20rom%202007.pdf> (14.03.2009).

⁹⁰ A. Sconosciuto (2008) ‘Con i rom e i sinti: politiche e interventi locali fattibili’ in: T. Vitale (2009) Politiche possibili, abitare le città con rom e sinti, Roma: Carocci Editore.

of structure and management. It was funded and constructed in 2005 by the Technical Office of the Municipality of Guastalla, in close cooperation with the Association *Sucar Drom* and a cultural mediator.

‘*Sucar Plaza*’ is home to six families (all inter-related) and occupies an area measuring 62.5m x 64m for a total of 4,000 square metres, divided into six separate plots. There is one plot per family. Each measures 530 square metres and is structured as follows: a pre-fabricated house of 60 square metres; paved space of 230 square metres; and a private garden area of 240 square metres. The living spaces in the house (bedrooms, kitchen, living room) and patios are designed in such a way that structural modifications can easily be made in order to adapt to the changing needs of each family and to cater for their social and cultural needs. There is provision for workshops, as the project intends to promote the occupational skills and economic independence of the residents of the settlement. There are also such shared spaces as a mosque and a market.⁹¹ The total cost of the project, excluding only the cost of solar panels, is 336,147.22 euros. Work is ongoing on at ‘*Sucar Plaza*’ to install solar panels to generate part of the energy the families need at lower costs, while enjoying a better quality of life.

The most important aspect of the project in Guastalla was the sharing of responsibility between the Technical Office of the Municipality of Guastalla and Sinti families right from the planning stage, with the co-operation of *Opera Nomadi* from Padova that provided cultural mediation services, in constant dialogue with the municipality of Guastalla and with Sinti activists. The project was not imposed on the Sinti families involved; rather, it was negotiated and designed through a slow but productive process that has led to positive results. The Association *Sucar Drom* participated in the project with the financial support of the Province of Padua, and it disseminates information about the project on its website.⁹²

⁹¹ Municipality of Guastalla Technical Report of Project

⁹² *Sucar Drom*, see: <http://sucardrom.blog.tiscali.it>.

1.6. Major national projects

Various observers have noted the lack of a structured policy targeting the housing situation of Roma and Sinti in Italy. In a written submission to the United Nations Committee on the Elimination of Racial Discrimination in 2008, the ERRC, COHRE, OsservAzione and Sucar Drom noted that: ‘since the 1980s and even following the decision against Italy by the European Committee of Social Rights, Italian authorities have undertaken no effective actions at the national level to combat the furtherance of the segregation of Roma in Italy’.⁹³ Other international bodies have made similar observations.

In 2007, the Ministry of Social Solidarity pointed to the need to tackle the poor housing conditions of Roma and Sinti in Italy, by trying to overcome their segregation and the policy of camps that fuels it. In the context of measures meant to promote integration of migrants, a specific line of action was dedicated to ‘preventing and contrasting marginalization and discrimination of Roma, Sinti and Travellers in access to housing and housing conditions’.⁹⁴ A specific call for proposal from four major cities (Rome, Milan, Turin and Padua), where problems related to housing for Roma and Sinti had emerged in the preceding months, made available a total of three million euros, with each project receiving a maximum of 750,000 euros.⁹⁵

On 17 December 2007, the Ministry of Social Solidarity published a list of the funded projects and the amount accorded each. A total sum of 2,636,892.50 euros were allocated to four proposals from public bodies: the municipality of Milan with the project ‘From Camp to a village and to a house’; the municipality of Turin with ‘Abit-Azioni’; and the municipality of Padua with ‘From Camp to the city: the village of hope’. Complex administrative procedures, as well as opposition by local populations against settlements for

⁹³ The European Roma Rights Centre (ERRC), the Centre on Housing Rights and Evictions (COHRE), Osservazione, Sucar Drom (2008) ‘Written Comments of the ERRC, COHRE, OsservAzione and Sucar Drom concerning Italy for consideration by the United Nation Committee on the Elimination of Racial Discrimination at its 72nd Session’, p.13. Available at: <http://www.errc.org/db/02/9B/m0000029B.pdf> (25.02.2009).

⁹⁴ Italy/Ministero della Solidarietà Sociale - Direzione Generale dell’ Immigrazione, direttiva recante la riattribuzione delle risorse finanziarie del Fondo per l’inclusione sociale degli immigrati. Available at: <http://www.solidarietasociale.gov.it/nr/rdonlyres/74c079ae-0938-4ef1-902b-d90fae2ca27b/0/direttivariattribuzionerisorsefinanziarie.pdf>

⁹⁵ Italy/ Ministero della Solidarietà Sociale - Direzione Generale dell’ Immigrazione, Decreto in data 12/09/2007, Avviso no. 1/2007 per il finanziamento di progetti finalizzati a favorire l’ inclusione sociale dei migranti e dei loro familiari. Available at: www.solidarietasociale.gov.it/SolidarietaSociale/tematiche/Immigrazione/NewsAvvison.1del+2007.htm (15.03.2009).

Roma and Sinti in their neighbourhoods, have contributed to slowing down or preventing the implementation of the approved projects.⁹⁶

A change in the government and the current persistent xenophobic and anti-Roma climate that attained new heights in the run-up to political elections last year (and soon after the new government took office) have also contributed to the slow progress in the implementation of the projects. One of the successful applicants for state funds under the call for proposal (a small town close to Milan, the municipality of Trezzo sull'Adda) renounced the continuation of the project and returned the funds assigned to it. Milan is yet to start implementation, and there is very little information available on projects in Turin and Padua. The information presented below has been collected through interviews, extensive online research, and documents provided by some of the implementing authorities.

The *Abit-Azioni* project consists of the creation of a public/private service that will facilitate the renting of apartments on the private market for Roma, Sinti and Traveller families through financial and social measures. The specific objectives are defined as follows: 1) to find houses on the private and public housing market with suitable characteristics for Roma families; 2) to offer suitable housing solutions to the target groups; and 3) to assist the process of 'housing integration' of Roma with specific support actions. The project will benefit 50 Roma and Sinti families for a total of 250 people; the municipality says it will give priority to families that have already taken part in social inclusion projects it has managed.

The project staff will support the beneficiaries during the process of finding houses to rent, assist in the drafting of contracts, in defining mutual obligations with landlords, and provide gradually decreasing economic support for rent payment. By the end of the process, it is expected that Roma and Sinti families will be able to pay their rent autonomously. It will also support them in paying bills, and in social relations with neighbours. It provides for the equivalent of 18 months rent as a 'guarantee fund' for landlords, in case of default on payment. Besides, it will also offer 'one-off' economic incentives to landlords to encourage them to rent their houses with regular contracts.

At the time of closing this report in March 2009, the first beneficiaries were yet to sign their housing contracts, and the project will finish in March 2010. Project staff report that finding suitable houses has turned out to be more difficult than predicted. The major problem is the size and cost of rent of houses available on the market. Most of the houses the project has managed to find are mini-apartments unsuitable for families of five to seven people. Besides,

⁹⁶ Office for Democratic Institution and Human Rights, High Commissioner on National Minorities; Assessment of the human rights situation of Roma and Sinti in Italy; Report of fact-finding mission to Milan, Naples and Rome 20-26 July 2008. Available at: http://www.osce.org/documents/odihr/2009/03/36620_en.pdf (15.03.2009).

landlords are reluctant to rent houses to large families. Project staff point out that Roma and Sinti families play a passive role in the implementation, and should instead have been actively involved right from the planning stage.⁹⁷

It follows from the above that the project is ongoing, Roma and Sinti groups were not involved in the design or implementation stage,s and are described as not having an active role. There is no indication whatsoever – written or verbal – that the project takes into consideration the specific needs of women, the elderly, children and the disabled.

The project by the municipality of Padua in collaboration with Opera Nomadi is called ‘From Camp to the city: the village of hope’ and it received a grant of 749,999.70 euros. It is a continuation of another project started in 2006 and has benefited from previous government funding. The main objective is to construct 12 ‘self-built’ accommodations for as many Sinti families. The area where the project is located will remain a property of the municipality, and future residents will have to pay a monthly rent fixed by the authorities and cover other bills. The Sinti beneficiaries involved in the project will, after vocational training in building/bricklaying, be paid a salary of 800 euros to construct the houses, and the municipality will withhold 300 euros of that as future rent.⁹⁸

Implementation of the first phase of the project started in November 2008 and is about to be concluded. It consists of the construction of urbanisation works (provision of various utilities) around the area where the houses will be built, activation of vocational training for those Sinti who will be involved in the making of the apartments, and two other houses of 8 units each at a total cost of 277,161.15 euros. The second part of the project will involve building very simple houses, in which the only parts built in brick, will be the hygienic services.

The third and last national project, that of the municipality of Milan – ‘From Camp to the village, to a house’, has not started implementation yet. It has not been possible to gather more information on the project.⁹⁹

As in the case of the project by the municipality of Turin, there are no indications whatsoever that the projects in Padua and Milan take into consideration the specific needs of women, the elderly, children and the disabled. In general, there is very little publicly accessible information on all

⁹⁷ Information provided directly by project staff to the NFP following a request for publicly accessible information on the state of the project.

⁹⁸ Information provided directly by project staff at the municipality of Padua to the NFP following request for publicly accessible information on the state of the project. Only a text of the project designed to obtain the government grant was available and no other narratives of any kind were available at the time of closing this report.

⁹⁹ A request for an interview with a competent official that had been postponed at the time of submitting this report due to other engagements, finally took place on 21 April 2009. Excerpts from the interview are presented in the next chapter.

three projects; what does exist consists of the text of the project, parts of which the project staff contacted kindly made available by fax or email.

2. Field research – interviews

2.1. Brief description of the methodology

The NFP set out on its field research by contacting institutional representatives with formal written requests followed by telephone contact for personal interviews on the subject. On the basis of the competences of the central and regional governments and municipal administrations, it was decided that it would be most informative to interview local administrators in two major cities – Rome and Milan – as they are directly responsible for implementing housing policies. All the same, it was decided to try to secure an interview with two of the ‘delegated commissioners’ appointed by the government last year to oversee the ‘Roma emergency’ declared in three regions. For this reason, the NFP sent a written request to the prefect, who is the *Direttore Centrale Diritti Civili, Cittadinanza e Minoranze* (Central Director for Civil Rights, Citizenship and Minorities) at the Ministry of the Interior, and who is also Coordinator of Inter-ministerial Technical Group on the situation of Roma, Sinti and Traveller communities. No reply has been received at the time of closing this report.

At the same time, the NFP contacted the municipalities of Rome and Milan for interviews with the councillors or heads of unit responsible for Roma issues in each administration. After long negotiations, a personal interview was agreed with an official of the municipality of Milan who could not grant such interview until 10 April. The interview finally took place on 21 April. In the case of the municipality of Rome, an initial willingness was never transformed into a commitment for a specific interview date, which continued to be postponed. So, this report has been concluded with only one of the two interviews with institutional representatives.

The difficulties in securing interviews with major institutional actors involved in Roma and Sinti issues reflect the general tension that has surrounded the subject since mid-2007, and which partly led to the adoption of ‘state of emergency’ measures by the central government in 2008. The specific measures adopted, and the consequences thereof have been described in previous paragraphs.

Civil society organisations were contacted exclusively by email and telephone, and requests for either telephone or personal interviews were made, leaving it up to the interlocutor to decide which form was the most convenient. The three interviews were (all by telephone) all taped and of a duration of about 40 minutes each. The three civil society organisations representatives interviewed are as follows.

Representative of the *Associazione Amalipe Romanò*, an organisation of Roma and Sinti from the former-Yugoslavia based in Florence.

Official of the *Associazione Sucar Drom*.

Official of the association *OsservAzione*.

2.2. Summary of main points

As has been pointed out above, what follows here is based on one interview with institutional representative and three interviews with representatives of civil society organisations. In particular, two of the former are one Roma and one Sinto activists, and the third is an activist from the majority population. While all three consider the theme from different perspectives, their conclusions on the housing conditions of the Roma and Sinti in Italy overlap and complement each other. Equally interesting is their convergence on the possible solutions which a vast majority of Roma and Sinti would like to see adopted. The key findings from the interviews will follow the order of the five main questions put to the three representatives. The three interviews provide regional overviews for *Toscana (Amalipe Romanò)* and *Lombardia (Sucar Drom)* as well as a broader, national overview (*OsservAzione*). The interview with the official of the municipality of Milan focuses on the situation in the city.

On the most important features of Roma and Sinti housing in Italy, all three civil society representatives point out that though there are group-specific differences that need to be highlighted, the overall situation is one where very bad living conditions prevail. All three interviewees point to the central and negative role the ‘camps for nomads’ policy plays in the offer of housing to Roma and Sinti populations. As the representative of *Sucar Drom* put it, ‘The situation in which we live in Italy is dramatic. Italy is the only European country where “camps for nomads” still exist, a situation the Sinti and Roma consider real “concentration camps”. Today in Italy, many people live in these camps against their wishes, places where, in many cases there are no services for personal hygiene, sewage system, drinkable water, etc. Italy has this policy of camps for nomads which confines people to the margins of cities, far from the places where the majority population lives and carries out its daily life.’

A similar negative perception of the housing conditions of the Roma and Sinti is expressed by the *OsservAzione* representative who remarked that: ‘[t]here are different living conditions, some of which are very bad, others are fair and in some other cases, excellent. There is a broad variety of situations. The worst situations are found in abandoned or self-managed camps that began in the 1980s. These camps started as “meeting points” for Roma families arriving in Italy. They were for the most part migrant Roma, mainly from the former-Yugoslavia, who arrived with nothing, lived in caravans and often had to hide

under motorways to stay away from sight and to protect themselves from bad weather.’

The group-specific differences that impact on the housing conditions of Roma and Sinti were better outlined by the *Amalipe Romanò* representative. He distinguishes between native Roma and Sinti (who are said to be integrated with the majority population in terms of housing), those from the Balkans (who settled at different times beginning from the 1960s and in particular in the 1990s), and the Romanian Roma (who were the latest to arrive, and whose living conditions are often dramatic and defined as worst because they live mainly in shacks in unauthorised settlements).

There are also regional differences in the living conditions of Roma populations. For instance, Roma groups living along the Adriatic coast are among the most integrated in the territory, have always lived in houses and have never had problems. They are beginning to have problems now due to a climate of hostility and new policies that are destroying the little positive image they had. A manifestation of the negative change in attitude towards these groups, notes the OsservAzione representative, is that ‘along the coast, there are many young Roma graduates who conceal being Roma. Some have changed their family names after graduation. These are very serious situations, signs that induce one to think of racism during the fascist period when, for instance, Jews had to change their family names. Now it is the turn of the Roma to change their family names.’ Equally, the Roma who live in the south, in the Campania and Basilicata regions for example, live in good conditions and on very good terms with the local population.

In central regions such as Toscana, there are Roma and Sinti all the way from the inner parts of the region to the coast. There are both old Roma immigrants who arrived from the former-Yugoslavia years ago, and more recent arrivals such as Romanian Roma and the Sinti. Until recently, almost all of them lived in camps that were more or less official. Situations ranged from official camps managed by municipalities to unofficial camps which municipal authorities pretended not to notice, and self-managed settlements of small family groups made up of shacks.

In the northern regions (*Lombardia* in particular), there are both authorised and unauthorised camps, and some situations are disastrous especially in the Milan metropolitan area. The Sucar Drom representative remarked that ‘Milan has a problematic situation. The authorities there are trying to make people believe that there are too many Roma and Sinti. Figures from the last census carried out in that city by the delegated commissioner appointed by the government last year under the “state of emergency decree”, have shown that actual presence is by far quite below the estimate by the local authorities.’

As has been pointed out several times, camps for nomads dominate housing policies targeting Roma populations. According to the OsservAzione

representative, Roma immigrants and refugees from the Balkans (Bosnia, Macedonia, Serbia, Croatia, etc.) willingly accepted authorised camps as a solution initially because they understood them to be transitory solutions from the state of abandon in which they had been forced to live until then. In this light, moving from a state of neglect to one where a minimum number of services were offered seemed to make sense. Over time, the camps became institutionalised and turned into a tragedy because moving away from them has turned out to be very difficult for many, even impossible in some cases.

All three organisations are in agreement that the improvement of housing conditions of Roma populations is central to better living conditions; each dedicates a good part of their activities and human resources to tackling housing related issues. *Amalipe Romanò*, which is more active at the regional and local levels, assists local administrations in projects meant to improve Roma settlements through cultural and linguistic mediation with beneficiaries and the local districts where settlements are located. It has been very active, together with other civil society organisations, in advocating for alternative solutions to camps and diversifying the housing solutions offered to Roma populations. The organisation considers experiences like the Guarlone village for six Roma families as good practices that should be transferred to other contexts both within and outside the region. Describing some of the initiatives undertaken by the association, the representative of *Amalipe Romanò* said: '[d]iscussions that started in 1995 on the "village model" were accompanied also by recognition of the need to overcome the "camp for nomads" approach. Between 1995 and 1998, many families living in the two big camps and the smaller two accompanying them [*Poderaccio and Olmatello; Masini and Olmatellino*] were gradually moved into public residential housing, and by 2002, about 70 Roma families had entered ordinary residential houses managed by the city council. We did not stop there. We continued dialogues with the various districts in the city, different municipalities, the regional authorities of Toscana, local associations and NGOs – in particular those among them that are active on social and gender equality issues.'

The other two organisations, *OsservAzione* and *Sucar Drom*, are active not only at the local and regional levels but also on the national and international. Both organisations have played very important roles in documenting the housing conditions of the Roma and making such information available to a wider national and international public. Both organisations have been, on different occasions, co-signatories together with international NGOs such as the ERRC and COHRE, to written submissions to various international bodies on the living conditions of Roma and Sinti populations and the violations of human rights they face in different spheres of life.

At the national, regional and local levels, they engage actively with competent authorities on ways of improving the housing conditions of the Roma. They challenge institutional discrimination against Sinti, Roma and Traveller populations in housing that takes the form of regulations, ordinances and

injunctions that aim to prohibit these groups from using certain services or sojourning in a territory. They initiate and/or coordinate petitions, legal actions, advocacy, etc. in favour of Roma rights, as well as mobilise the Roma, Sinti and Traveller populations to speak for themselves.

Regarding national, regional or local housing and accommodation policies related to Roma/Travellers' housing, all three organisations interviewed underlined the central role that the association of Roma with 'nomadism' and living in camps has had in shaping public policies and actions vis-à-vis housing and accommodation for these groups. They concur on the need to move away from these misconceptions and take into consideration the needs and preferences of the beneficiaries when designing new policy measures. All three organisations state that 'a high percentage of Roma would prefer to live in brick houses, while the Sinti would prefer equipped micro-areas or private lands where they can live with their extended families'.

Both *OsservAzione* and *Amalipe Romanò* representatives point out a shift in policy with the Toscana region from the 'nomad camp-centred' approach of the past to one that is based on a variety of housing opportunities and solutions for Roma and Sinti populations. This shift has driven changes at the local level, leading in some cases, to solutions that are now considered to be good practices. This is the case of the city of Pisa and the '*Città sottili*' ('Thin cities') project described in a previous chapter, which has successfully moved 60 Roma families from precarious and substandard housing conditions in camps to living in apartments amidst the majority population. Both organisations expect the policy change to lead to the abandonment of camps as a solution to the housing needs of the Roma, and in its place, a multi-factorial approach that is capable of offering Roma and Sinti populations a variety of housing solutions that include those which they had become used to in their countries of origin (and in any case, those they consider to be appropriate to their present needs). An official of *OsservAzione* notes that: '[f]or those Roma who come from rural areas, offering them country houses that need renovation is all right, while for Kosovo Roma who [are used to living] in cities, offering them apartments seems to be the best thing. In general, the best solution is to help them live [as well as] possible following a flexible approach. It is all right to put them on public residential housing lists, self-construction is all right as well, and any alternative that enables them to live better is all right.'

The representative of *Sucar Drom* indicated as a good practice a settlement built by the municipality of Guastalla in Reggio Emilia province. This has been described in some detail in 1.5.

The official of *OsservAzione* indicated as good practice an initiative by the municipality of Venice. This city had two camps – Zelarino and San Giuliano – one inhabited by Roma from Kosovo and the other by Serbian Roma; both opened around 1991-1993 and were run by the municipality for many years at very high costs. Fundamental to all 'camps for nomads' are the very high

maintenance and management costs, which make them financially unsustainable in the long run. Among the characteristics that make the Venice project interesting is that: ‘the cooperative helped the beneficiaries find houses in small towns around Venice, ensuring that not more than one family settled in each town, in order not to have problems with other residents. In some cases, preference was given to houses that were somewhat de-centralised, and so most residents of the towns involved did not notice the operation.’

The representative of *Amalipe Romanò* considers the Guarlone village in Florence as a good practice that is worthy of being transferred to other contexts both within and outside the region. He described life at the village in the following terms: ‘Guarlone village residents are independent and manage their homes as such. It is located in District 2 of the city, close to a major road with various services, a mall and a primary school. Its location seems to be very good. The resident families pay a low rent as well as for utilities such as water, gas, electricity and waste disposal. The six Roma families living there are happy and there are no problems with their neighbours.’ *Amalipe Romanò* also highlighted as good practice the policy of granting Roma families access to public residential housing. In District 3 of the city of Florence, the local council turned down the idea of a Roma village similar to the one built in District 2, proposing instead that Roma families be assigned apartments in public residential houses in the district.

Regarding the involvement of the three organisations in cases of housing discrimination or other violations of the housing rights of Roma and Sinti, no specific examples were provided. Instead, they mentioned other violations of the rights of Roma and Sinti, some of which did not have direct bearings with housing rights. The representative of *OsservAzione* raised the issue of access to citizenship for children of foreign Roma. He said that Roma children born in Italy of immigrants from the former-Yugoslavia encounter serious problems in acquiring Italian citizenship. Children in this category can acquire Italian citizenship if they live uninterruptedly in the country until the age of 18 and if, on reaching this age and before turning 19, they have declared their intention to acquire Italian citizenship. In order to be able to accede to this procedure, it is necessary to show that they have lived in the country uninterruptedly for 18 years and that proof of this condition is kept on record at the municipal registry of residents. Roma children who are unable to show (drawing from the above source) that they have lived in the country for the required period, because their parents could not register in the municipal registry of residents, are cut off from access to citizenship by this relatively favourable procedure. So, refusal to grant resident status to people living in camps means that their children born here would not be able to exercise the right to citizenship in the terms defined by law. Many today have lost this right and have become ‘*sans papiers*’. They do not even obtain the status of ‘stateless’ persons, according to the staff member of *OsservAzione*.

The interview with the official of the municipality of Milan was finally carried out on 21 April 2009. The outcome is not satisfactory because the interviewee tended to ignore the questions, and go on assertively to say what she felt was important to say about the situation of Roma housing in Milan. The underlying and constantly reiterated theme was ‘legality, rule of law, illegality of the Roma’, etc.

On the most important features of Roma/Sinti housing and the country’s accommodation situation, the official of the municipality of Milan said that ‘the city has old situations which have for long been allowed to degenerate without controls and they have become “off-limits” zones where crime is rampant, and those among the Roma who wish to integrate encounter difficulties in being helped. Since 2006, we have set up social monitoring posts in all 12 equipped areas. These social monitoring posts oversee a “rule of law and reception pact” through which we ensure that the following objectives are attained: regular school attendance by children; use of cultural mediators who belong to, live and work in the camp; adolescents helped to complete compulsory education so that they can learn a trade. Besides, we also provide some basic sanitary services, providing these temporary structures with sewage, water, electricity – things that were not available before. We are helping families through civil society organisations that run the social monitoring posts, to buy homes or take houses on rent. We are also offering them small contracts. Key words in our work are: sewage, water, electricity, employment, education.’

Speaking about the difficulties encountered by the municipality in the work on Roma housing issues, the official remarks that ‘there is no balance between support for those who try to integrate and punishment for those who exploit people living in the camps. They are intelligent and capable people, very cunning, who know that if they commit crimes, they will not be punished. At the Chiesarossa area [which is not a camp but a residence where the crime rate is very high because very few residents work], some of them have been found who own villas with swimming pool, have money in their bank accounts, but these people have been placed under house arrest by the magistrate and confined to another camp. These people own villas and they have been placed on confinement in a camp. We [would] like to have the legal instruments that can enable us to remove from camps those who own houses, because if they live in camps, they don’t pay taxes and all their incomes are free of taxes and other social costs. I believe that we should send away from the camps those who own houses and those who do not observe the rule of law. This is meant to induce virtuous behaviour. Often, even those who [would] like to work, if left to live in the same camps with those who commit crimes, are sometimes forced to commit crimes as well.’

In a brief deviation from the criminalisation of Roma and Sinti, the official highlighted the attention women and children receive in the institution’s work on housing for Roma saying: ‘the real resource persons who should be invested in are children and women. This is why we provide cultural mediation services

not only at school but also in the camps. For this, we want only women from the camps as cultural mediators.’

On the existence of national, regional or local housing policies for Roma, the official said that ‘work was in progress on the national project financed by the previous government. Though the municipality had had to wait for the extraordinary commissioner to take over part of the responsibilities, work was progressing. The real problem is how to make these people respect the law, because if they feel the pressure on them and realise that if they fail to respect the rules they will be sent away, then their reaction is more constructive.’

In a variation on the theme of illegal behaviour by Roma/Sinti residents, the official remarked that: ‘if you go to Via Idro, you will see a structure which is now totally crumbling and which was meant for their socialisation, their integration. The same is the case in Via Chiesarossa: there are social public structures meant for them which have never been used by anyone. Even at present, we are in a situation in which our social workers who would like to give a hand, find themselves in a context of total illegality. Their work is nullified by the carelessness in prosecuting those who commit illegal acts. In Chiesarossa, there are 112 people and only three are working. What do the others live on, considering that they have a high standard of living [...] with cars, TV, furniture. etc.? In this case, you have to let them understand that people should live legally and this is related to the “rule of law and reception pact” which is meant to facilitate integration on the basis that, “if you respect the rules, I will respect you”. Which are the rules that should be respected? Send your children to school, find a job, respect hygienic provisions. At the Triboniano settlement, they do not clean the places they use and they use space for illegal purposes. Consequently, our social workers who started quite motivated, are now in difficulty.’

On the impact of national and regional policies on housing for Roma/Sinti populations, the official remarked that ‘I am concerned with respecting the law. I am concerned with joining any proposal that can improve living conditions in Milan. Therefore, now that Minister Maroni has provided us with resources, I accept these proposals and act consequently. The impact is positive; there is cooperation. From our frontline position where we are faced with running the daily administration of the city, managing real problems, we need those in higher offices to understand the contents of these problems and find, together with us, possible solutions. [...] it is irrelevant who is in government. I find though that more is being done now under the present government.’

Finally, on good practices in housing for Roma and Sinti, the official said that ‘there is the Triboniano experience where we have provided a very clean environment, with all necessary utilities. We worked together with “Casa della Carità” [House of Charity], which was the first organisation to accept the challenge with us. Without their support, we would not have attained the results we have. Some Roma and Sinti helped us as well and for these, we have already

provided housing and employment. Every situation has its specificities; they have signed the rule of law pact, the activities are being implemented in a cooperative manner, thanks also to the fact that the female cultural mediators are from the same camp. There are signs of accepting responsibility: for example, some families have found a house to buy and we have helped them get a mortgage. [...] Unfortunately, an intervention that can dissuade [them] from illegal acts and promote respect for law is lacking. Meanwhile, they [Roma and Sinti] continue to feel that if they are caught, they will be freed from jail almost immediately.'

Annex 1: Statistical data and tables

Table 1: Roma and Sinti in the Toscana Region 2007

Official or recognised settlements and population by type of settlement and ethnic origin			
Cities	Number of persons	Type of settlement	Groups
Firenze and Province			
Firenze - Olmatello	113	Camp with container	Xoraxané, Kosovan, Serbian, Macedonian, Bosnian Roma
Sesto Fiorentino	57	Camp with caravan and shacks	Rom kanjajia Serbia
Empoli	15	Camp with caravans and shacks	Sinti
Livorno and Province			
Cisternino	44	Camp with caravans and shacks. Family land	
Pisa and Province			
Pisa - Oratorio	207	Camp with caravans and shacks	Macedonian Roma
Cascina - Navacchio	35	Camp with caravans and shacks	Bosnian Roma
Lucca and Province			
Via delle Tagliate	91	Camp with caravans and shacks	mainly Sinti
Via della Scogliera	68	Camp with houses and shacks (partly family land)	mainly Sinti
Via della Fregionaia	20	Camp caravans and shacks (family land)	mainly Sinti
Altopascio	48	11 small settlements , family land, brick houses, pre-fabricated, camper, caravan	Sinti and five Istrian Roma
Camaiore	18	2 settlements, Family land, pre-fabricated house, caravan	Resident Sinti
Pietrasanta	15	Family land, pre-fabricated house, caravan	Resident Sinti

Montecarlo	6	Family land, wooden home, caravan, camper	
Arezzo and Province			
Arezzo		Transitory camp: during 2007, 34 families used transitorily (a total 119 persons)	Camminanti (Italian citizens)
Massa and Province			
Lavello	38	Camp with wooden structures (and self-constructed in bricks)	Bosnian Xoraxané Roma
Via Tavola	8	Own land, caravan	Resident Sinti
Via Volpina	8	Private land of a third party, camper	Resident Sinti
Via Remola	2	Own farmland, caravan	Resident Sinti
Via Bordigona	5	Own farmland, pre-fabricated house	
Via Acquarella	6	Own farmland, caravan, tents, shacks	
Via Marina - Cinquale	15	caravans	Sinti
Piazza ex-stazione	4	caravans	
Prato and Province			
Via Poderale	6	Wooden homes	Resident Bosnian Roma
V.le Marconi	68	Wooden homes, containers and caravans	Resident Sinti
Via Pollative	34	Wooden homes, container, caravans, camper	Resident Sinti
Montemurlo loc. Oste	27	Camp with wooden shacks	
Poggio a Caiano	35	Municipal property with caravans	
Pistoia and Province			
Pontelungo	37	Wooden homes and caravans	Istrian Roma
Brusigliano	34	Wooden homes and caravans	Bosnian Roma
Sant'Agostino 1 e 2	30	Caravan, camper, pre-fabricated house	Resident Sinti
Buggiano	85	Own land and house	Resident Sinti
Grosseto and province			
La Rugginosa	20		Resident Sinti
Le Strillaie	4		Resident Sinti

Via Strada dell'Ortolano 1	7	Land owned by resident, with mobile home and caravan	Resident Sinti
Via Strada dell'Ortolano 2	3	Brick house	Resident Sinti
Via Scanzanese	9	Brick house and caravans	Resident Sinti
TOTALE	1222		

Source: Fondazione Michelucci (2007), *Rom & Sinti in Toscana 2007- le presenze gli insediamenti le politiche.*

Table 2: Irregular or informal settlements 2007 (estimated by Fondazione Michelucci)

	No. of persons	Origin	Settlements
Firenze	220	Romanian Roma	shacks, night shelter
Sesto Fiorentino	160	Romanian Roma	shacks
Massa	8	Sinti	caravans
Pisa	100	Romanian Roma	shacks
Prato	14	Romanian Roma	shacks
Viareggio	110	Romanian Roma	shacks and caravans
TOTAL	612		

Source: Fondazione Michelucci (2007), *Rom & Sinti in Toscana 2007- le presenze gli insediamenti le politiche.*

Table 3:¹⁰⁰ Distribution and population of Roma and Sinti groups in the municipality of Milan by settlement

Residential area of via Novara 523		
Year opened	2001	
Number of camps	2	(1 for Macedonian Roma, 1 for Roma from Kosovo)
Number of inhabitants	236	(139 Kosovans, 97 Macedonians)
Minors	112	
Managed by		Consorzio Farsi prossimo Soc. Coop. Soc- Onlus
Operators		1 coordinator, 1 social worker, 2 educators
Minors of compulsory school:	63	
Registered at school	63	
Attending	59	
Non-attending	4	
Regularly employed	23	

Residential area of via Bonfadini, 39		
Year opened	1984	
Number of inhabitants	127	Roma with Italian citizenship
Minors	40	
Managed by		Segnavia- Padri Somaschi
Operators		1 coordinator, 2 educators, 1 social worker, 2 Roma cultural mediators
Minors of compulsory school:	26	
Registered at school	24	
Attending	18	
Non-attending	6	
Regularly employed	4	

Residential area of via Chiesa Rossa 351		
Year opened	2000	
Number of inhabitants	153	Roma with Italian citizenship
Minors	40	
Managed by		Coop. Soc. Azzurra e Progetto A
Operators		1 coordinator, 2 educators, 1 social worker, 1 Roma cultural mediator
Minors of compulsory school:	36	
Registered at school	27	
Attending	23	
Non-attending	4	
Regularly employed	9	

Residential area of via Martirano71		
Year opened	1987	
Number of inhabitants	89	Roma with Italian citizenship

¹⁰⁰ This information was offered directly to the NFP by the Councillor for Family, Education and Social Policies of the Municipality of Milan.

Minors	39	
Managed by		Coop. Soc Azzurra e Progetto A
Operators		1 coordinator, 2 educators, 1 social worker, 2 Roma cultural mediators
Minors of compulsory school:	24	
Registered at school	21	
Attending	19	
Non-attending	2	
Regularly employed	3	

Residential area of via Negrotto 23		
Year opened	1968	
Number of inhabitants	86	Roma with Italian citizenship
Minors	39	
Managed by		Coop. Soc. Azzurra e Progetto A
Operators		1 coordinator, 2 educators, 1 social worker, 2 Roma cultural mediators
Minors of compulsory school:	15	
Registered at school	13	
Attending	11	
Non-attending	2	
Regularly employed	1	

Residential area of via Impastato 7		
Year opened	2003	
Number of inhabitants	33	Roma with Italian citizenship
Minors	10	
Managed by		Coop. Soc. Azzurra e Progetto A
Operators		1 coordinator, 2 educators, 1 social worker
Minors of compulsory school:	5	
Registered at school	5	
Attending	5	
Non-attending	7	

Residential area of via idro 62		
Year opened	1989	
Number of inhabitants	130	Roma with Italian citizenship
Minors	45	
Managed by		Fondazione Casa della Carità
Operators		1 coordinator, 2 educators, 1 social worker, 2 Roma cultural mediators
Minors of compulsory school:	30	
Registered at school	28	
Attending	25	
Non-attending	3	
Regularly employed	12	(including 6 members of the Roma cooperative)

Residential areas via Triboniano and via Barzagli		
Year opened	2001/04	

Number of camps	4	(3 for Romanian Roma, 1 for Bosnian Roma)
Number of inhabitants	572	(526 Romanians, 46 Bosnians)
Minors	301	(268 Romanians, 33 Bosnians)
Managed by		Fondazione Casa della Carità
Operators		1 coordinator, 4 educators, 1 Roma cultural mediator
Minors of compulsory school:	160	
Registered at school	160	
Attending	139	
Non-attending	21	
Regularly employed	44	

Source: Municipality of Milan - Councillor for Family, Education and Social Policies.

Annex 2: Court, specialised body or tribunal decision

Case title	Corte della Cassazione - Sentence no. 13234
Decision date	13.12.2007
Reference details (type and title of court/body; in original language and English [official translation, if available])	Corte di Cassazione [Court of Cassation (or Supreme Court)]
Key facts of the case (max. 500 chars)	In 2001, five exponents of the Northern League Party in Verona, including the then Provincial Secretary of the Party, were charged for incitement to racial discrimination for promoting a campaign and a petition to send the ‘Gypsies’ (Sinti) out of the city. During a press conference to launch the initiative, the leader, now mayor of the city of Verona, declared that: ‘Gypsies must be chased out of the city because whichever area they live, theft increases’. The public prosecutor of Verona indicted the five on charges of incitement to racial discrimination and hatred. The first level judgement ended with the six defendants, all members of the local branch of the Northern League Party, found guilty of incitement to racial discrimination and hatred and sentenced to a six-month prison term each and a fine. In 2007, the Court of Appeal confirmed the first level sentence but reduced the penalty. During the appeal, the defendants claimed they had never aimed to drive away all Sinti from the city but only those who were involved in stealing.
Main reasoning/argumentation (max. 500 chars)	The statement by the defendant and leader of the local branch of the Northern League party in Verona during the launching of the initiative, did not constitute an expression of ‘racial superiority’ on the grounds of ethnic differences, rather an expression of ‘racial prejudice’, an aversion to a group because some people belonging to this group were ‘thieves’. This was not racial hatred nor a claim to racial superiority but only an expression of racial prejudice, punishable only if what it says is not true.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	Discrimination must be founded on the ‘quality’ of the subject (being Black, Roma, Jewish, etc.) and not on his/her behaviour, real or assumed as may be. Discrimination based on such a ‘personal quality’ is very different from discrimination based on a ‘behaviour’. According to the Court, there is a

	difference between the idea of 'racial superiority' and that of 'racial prejudice' and the latter may be punishable if the statement can be proven not to be true.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Court of Cassation, in December 2007, cancelled the sentence and ordered that a new trial should be undertaken.

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