



ASSOCIAZIONE 21 LUGLIO

Submission to the UN Committee on the Elimination of Racial Discrimination Concerning Italy

101st Session

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TABLE OF CONTENTS

INTRODUCTION	3
I. EXISTENCE AND APPLICATION OF LEGAL PROVISIONS	4
A. INTERNATIONAL LEGAL INSTRUMENTS	4
B. LEGAL FRAMEWORK ON DISCRIMINATION	5
II. THE NATIONAL STRATEGY FOR THE INCLUSION OF ROMA, SINTI AND CAMINANTI	9
A. GOVERNANCE	10
B. HOUSING	10
C. RELEVANT DEVELOPMENTS	11
D. CONCLUSIONS	13
III. HOUSING SEGREGATION	14
IV. FORCED EVICTIONS	18
V. HATE SPEECH	21
VI. HATE CRIMES	23

INTRODUCTION

Associazione 21 luglio¹ is an independent non-governmental organization committed to promoting the rights of those living in conditions of extreme segregation and discrimination, mainly through the protection of children's rights, with a particular focus on the Roma in Italy. The Association is non-partisan, non-profit, pursues the exclusive aim of social, human, civil and cultural solidarity, in particular in compliance with the principles of the New York International Convention on the Rights of the Child (CRC).

Associazione 21 luglio was established in Rome on 6 April 2010. It is registered in the National Office against Racial Discrimination (UNAR). Associazione 21 luglio is also a member of: the European Roma Information Office (ERIO), the Human Rights Platform of the Fundamental Rights Agency (FRA), the Italian Coalition for Civil Liberties and Rights (CILD), the CRC Group (Working Group for the Convention on the Rights of the Child and Adolescence), International Step by Step Association (ISSA), the Romani Early Years Network (REYN), the Alliance Against Antigypsyism and the Associazione Carta di Roma. Associazione 21 luglio routinely cooperates with the Human Rights Commissioner of the Council of Europe and periodically submits information to the relevant Human Rights Monitoring Bodies. During the recent monitoring cycles, Associazione 21 luglio sent information to the following International and European human rights monitoring bodies: CESCR, HRC (UPR), ACFCNM, ECRI, CEDAW, OSCE, the United Nations Office of the High Commissioner for Human Rights (OHCHR), the United Nations Special Report Office for the Right to Adequate Housing.

Associazione 21 luglio, as a member of civil society, presents this contribution to the kind attention of the United Nations Committee on the Elimination of Racial Discrimination in preparation for the 101st Session concerning Italy scheduled for April 2020. This paper focuses on issues concerning Roma communities living segregated within the institutional and informal slums throughout Italy², providing first-hand information and highlighting the main factors of concern in relation to the application of the Convention in Italy. A section is provided below on the state of implementation of the *National Strategy for the Inclusion of the Roma, Sinti and Caminanti*, paying particular attention to: factors that hinder the achievement of actual and concrete results; violations of the right to adequate housing and more specifically the conditions of housing segregation in which the Roma in Italy are forced to live; forced evictions carried out in recent years against Roma families; episodes of incitement to hatred and violent attacks against them.

A crucial factor that makes it difficult to design and implement effective inclusive policies is the substantial lack of disaggregated data regarding the Roma communities living in Italy³.

The presence of the Roma, in Italy, is estimated by the Council of Europe in a very wide range, that is between 120.000 and 180.000 people⁴, which represent approximately 0,25% of the total Italian population. Of these, according to the mapping conducted by the Associazione 21 luglio in 2019, there are approximately 20.000 Roma⁵, of which approximately 55% are minors⁶, who live in conditions of housing emergency and social marginalization⁷.

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

² The information contained in this report, unless otherwise indicated, derives from the constant monitoring activity of Associazione 21 luglio and is supported by the relative documentation stored in the organization's archive.

³ This lack of data was also highlighted by the Extraordinary Commission for the Protection and Promotion of Human Rights of the Italian Senate, by the European Union Agency for Fundamental Rights and by the Committee itself for the Elimination of Racial Discrimination.

⁴ Council of Europe, Estimates and Official Numbers of Roma in Europe, July 2012.

⁵ Associazione 21 luglio's mapping is the result of its constant monitoring action as well as of the figures collected through the request of data regarding the presence of Roma and Sinti individuals in the various local Roma settlements addressed to civil society organizations and to institutional local bodies and offices. Further data and information will be published in Associazione 21 luglio's 2019 Annual Report, *Periferie Lontane*, March 2020, forthcoming and soon available at <https://www.21luglio.org/>.

⁶ See Associazione 21 luglio 2019 Annual Report, *Periferie Lontane*, March 2020, forthcoming and soon available at <https://www.21luglio.org/>.

I EXISTENCE AND APPLICATION OF LEGAL PROVISIONS

A. INTERNATIONAL LEGAL INSTRUMENTS

Protocol No. 15 of the European Convention on Human Rights is under consideration to be ratified by the 2nd and 3rd Commissions of the House of Deputies (Justice and Foreign and Community Affairs respectively)⁸. Although during the XVII legislature two bills had been presented for the ratification of Protocol No. 12 to the European Convention on Human Rights, albeit not examined by their assigned respective commission; in the current XVIII legislature, no bill has been presented on the matter to date. Bills concerning the ratification of the European Charter of regional or minority languages are currently being examined by the 1st and 3rd Commission of the Italian Senate (Constitutional Affairs and Foreign Affairs, Emigration respectively), however the examination has not yet begun⁹. A draft law concerning the ratification of the European Convention on nationality has been presented (6 August 2018) to the Italian House of Deputies, but its examination has yet to begin pending the assignment to the competent Commission¹⁰. On 10 March 2020, the draft law on the ratification of the Additional Protocol to the Council of Europe Convention on Cybercrime, concerning the criminalization of acts of racist and xenophobic nature committed through computer systems, was re-presented by the Minister of Foreign Affairs and International Cooperation at the Senate of the Italian Republic; the text of which is still awaiting assignment to the commission¹¹. During the legislature in force by the Italian House of Deputies, a draft law reforming the law on Italian nationality was re-presented which introduces the principles of “*ius soli temperato*” and “*ius culturae*” currently under consideration by the 1st Constitutional Affairs Commission in referent office¹².

With regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Italy has expressed on several occasions that it has a legal framework guaranteeing the rights of migrants and therefore has not considered ratifying it to date¹³. Despite CERD recommendations, based on the previous monitoring cycle and repeated commitments, Italy has not yet established a national human rights authority. In this regard, during this XVIII legislature numerous bills were presented both to the Italian House of Deputies and to the Senate of the Republic and several are being reviewed by their examination commissions¹⁴.

⁷ The number of Roma and Sinti living in institutional and informal slums is equal to 0,03% of the Italian population.

⁸ House of Deputies, Bill No. 1124 “Ratification and Execution of Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms, done at Strasbourg on 24 June 2013, and Protocol No. 16 amending the Convention for the Protection of Human Rights and Fundamental Freedoms, done at Strasbourg on 2 October 2013” viewable:

<https://www.camera.it/leg18/126?leg=18&idDocumento=1124>.

⁹ Senate of the Republic, Draft Laws No. 10, Nos. 711 and 842 “Ratification and Execution of the European Charter of Regional or Minority Languages, done at Strasbourg on 5 November 1992” viewable:

<http://www.senato.it/ric2012/sddl/risultati.do;jsessionid=8255FA9B00B0BADF1833188D3BFB85D9?params.start=0¶ms.statoDiv=0%2C0%2C0%2C0%2C0>.

¹⁰ House of Deputies, Bill No. 1081 “Ratification and Execution of the European Convention on Nationality, done at Strasbourg on 6 November 1997” viewable: <http://www.senato.it/leg/18/BGT/Schede/Ddliter/50482.htm>.

¹¹ Senate of the Republic, Bill No. 1764 “Ratification and Implementation of the Additional Protocol to the Council of Europe Convention on Cybercrime, concerning the criminalization of acts of racism and xenophobia committed by means of computer systems, done at Strasbourg on 28 January 2003” viewable: <http://www.senato.it/leg/18/BGT/Schede/Ddliter/52865.htm>.

¹² House of Deputies, Bill No. 105 combined with draft laws No. 717 and No. 920 “Changes to the Law of 5 February 1992, No. 91, containing new rules on citizenship” viewable: <https://www.camera.it/leg18/126?tab=1&leg=18&idDocumento=105%20&sede=&tipo=>. Similar bills have also been presented by the Senate of the Republic but are still awaiting to be assigned.

¹³ Human Rights Council, Report of the Working Group on the Universal Periodic Review – Italy (Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review), 12 March 2015, para. 3.

¹⁴ House of Deputies, Bill No. 855 “Establishment of the National Commission for the Promotion and Protection of Fundamental Human Rights” viewable: <http://www.senato.it/leg/18/BGT/Schede/Ddliter/50046.htm>; House of Deputies, Bill No. 1323 “Establishment of the National Commission for the Promotion and Protection of Fundamental Human Rights” viewable: <http://www.senato.it/leg/18/BGT/Schede/Ddliter/50865.htm>; Senate of the Republic, Bill No. 654 “Establishment of the National Commission for the Promotion and Protection of Fundamental Human Rights” viewable: <http://www.senato.it/leg/18/BGT/Schede/Ddliter/50180.htm>; Senate of the Republic, Bill No. 1065 “Establishment of the National Human Rights Authority” viewable: <http://www.senato.it/leg/18/BGT/Schede/Ddliter/51299.htm>.

B. LEGAL FRAMEWORK ON DISCRIMINATION

Penal Code Provisions

Following the entry into force of Legislative Decree No. 21 of 1 March 2018¹⁵, racial, ethnic, national and religious discrimination offenses are regulated by Articles 604 bis and 604 ter of the Penal Code in a new section entitled “Crimes against Equality” which is part of the newly introduced section I bis entitled “Felonies against Equality”. Article 604 bis of the Italian Criminal Code follows the previous and now repealed Art. 3 of Law 13 October 1975, No. 654 (Mancino Law) and provides for eight conducts that are criminally relevant, specifically:

- propaganda of ideas based on superiority or racial or ethnic hatred;
- incitement to commit acts of discrimination for racial, ethnic, national or religious reasons;
- commission of acts of discrimination for racial, ethnic, national or religious reasons;
- incitement to commit violence or acts of provocation to violence for racial, ethnic, national or religious reasons;
- commission of violence or acts of provocation to violence for racial, ethnic, national or religious reasons;
- participation in organizations, associations, movements or groups whose purpose is to encourage discrimination or violence for racial, ethnic, national or religious reasons;
- assistance to organizations, associations, movements or groups whose purpose is to encourage discrimination or violence for racial, ethnic, national or religious reasons;
- promotion or direction of said organizations, associations, movements or groups.

By contrast, it is noted that the term “divulgation”, used in the Mancino Law, in Article 604 bis of the penal code has been replaced by the term “promotion” (propaganda) of ideas based on racial superiority or on ethnic or racial hatred. The choice to replace the term “divulgation” with the term “promotion” by majority doctrine is interpreted as a limit to the scope of the law thus reducing the possibility of prosecution, in particular as regarding racial hate-based assertions exchanged in Internet discussion groups. In addition, the persistent criticality observed also in the previous legislative system and linked to the relatively stringent penalty of imprisonment of up to one year and six months or to an alternative pecuniary sanction up to 6.000 euros¹⁶. Therefore, in practice to date, Italian politicians who are found guilty of these crimes are not actually punished for their conduct, being able to benefit from measures such as the conditional suspension of punishment and alternative financial penalties. On this issue, it is interesting to recall the recent case that involved the Hon. Mario Borghezio former member of the European Parliament for the comments made in 2013 during a radio interview concerning a meeting held in the House of Deputies between the then President and exponents of the Italian Roma communities.

In particular, the initiative of the President of the House of Deputies was closed with expressions having the following tenor «*a day of demagogy and screwing around, and then with a side dish of a festival of thieves*», while the guests were given the definition «*those cock faces that a certain President of the House receives...*», concluding with the auspices «*we hope that they will not take away the furnishings of the House, because, there, it is full of valuable paintings, ornaments... a check with the list of everything that was there before the visit and what is left, I would prudently do it... experience teaches*». These statements were preceded by examples such as «*a certain technological culture in breaking into the homes of honest people (which) undoubtedly many Roma have*», «*not all Roma are thieves but many thieves are Roma... a good percentage*», «*the Roma do not even propose to work,*

¹⁵Legislative Decree No. 21 of 1 March 2018 viewable:

http://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=2018-03-22&atto.codiceRedazionale=18G00046&queryString=%3FmeseProvvedimento%3D%26formType%3Dricerca_semplice%26numeroArticolo%3D%26numeroProvvedimento%3D21%26testo%3D%26annoProvvedimento%3D2018%26giornoProvvedimento%3D¤tPage=1.

¹⁶Art. 604 bis of the Criminal Code viewable: <https://www.brocardi.it/codice-penale/libro-secondo/titolo-xii/capo-iii/sezione-i-bis/art604bis.html>.

because like water with oil they are with work, in general... but then there is someone who works, but in general term», «I think what everyone thinks: hand in your pocket to prevent your wallet from being taken away from you, it is a Pavlovian reflection, dictated by a centuries-old experience» to conclude with «a greeting to the Roma people I send with a certain tranquility, and also with a certain concern because I am not at home and therefore I hope for the best».

Sentenced first in 2015 by the Criminal Court of Milan, then in 2018 by the Milan Court of Appeal with a fine of 1.000 euros for the crime of defamation aggravated by the purpose of ethnic and racial discrimination, Hon. Borghezio to date, after having filed an appeal against these judgments with the Supreme Court, still does not see a sentence that has become final and in any case limited to the pecuniary penalty for the facts described above¹⁷.

It should also be remembered that Hon. Borghezio had already been convicted in the past for: private violence against a foreign minor (sentence imposed: fine)¹⁸; aiding felony damage following arson for having set on fire straw mattresses of several immigrants who slept under the Princess Clotilde bridge in Turin (sentence imposed: two months and twenty days of imprisonment, then commuted to a fine of 3.040 euros)¹⁹ and defamation aggravated by racial discrimination for racist insults to the then Minister, Cecile Kyenge (sentence imposed: a fine of 1.000 euros and compensation for damages of 50.000 euro²⁰).

Furthermore, in assessing the circumstances of the episodes, the existing framework does not require the analysis of contextual factors, as also highlighted in the CERD General Recommendation No. 35²¹, and to be duly taken into consideration:

- content and form of speech: whether the speech is provocative and direct, in what form it is constructed and disseminated;
- economic, social and political climate prevailing at the time the speech was pronounced and widespread, including the existence of discrimination schemes against ethnic and other groups;
- position or status of a speaker in society (such as politicians or elected officials) and the audience to whom the speech is directed;
- scope of the speech, including the nature of the audience and the means of transmission;
- objectives of the speech.

Therefore, the legal framework under consideration and the general climate of impunity lead to a lack of preventive efficacy and dissuasiveness towards episodes of hate speech and racial discrimination involving politicians. In this context, it is not unusual to record various cases involving the political class, such as:

- Riccardo De Corato, elected Regional Councilor with Forza Italia and then Regional Councilor for Security of the Lombardy Region in March 2018, on 6 January 2017 regarding a news story concerning a young Roma, declares: *«As demonstrated by this story, in certain cultures, delinquency is learned from a young age [...] In recent years, alongside news reports that saw the various nomadic ethnic groups at the center of criminal affairs, we read about initiatives, paid with taxpayers' money, in their favor [...] How can the center-left Municipalities, such as Milan, continue to provide support to these people? Well knowing how much criminal behavior is inherent in their lifestyle?»²²;*

¹⁷ Supreme Criminal Court, Section V, Judgment No. 32862 of 22 July 2019 viewable:

http://images.go.wolterskluwer.com/Web/WoltersKluwer/%7B1f6d6155-ab55-412c-8ee0-baedec3459fe%7D_cassazione-penale-sentenza-32862-2019.pdf.

¹⁸ See: <http://archivio.corriere.it/Archivio/interface/landing.html>.

¹⁹ See: <https://ricerca.repubblica.it/repubblica/archivio/repubblica/2005/09/06/la-cassazione-boccia-borghezio.html>.

²⁰ See: https://milano.repubblica.it/cronaca/2017/05/18/news/borghezio_insulti_razzisti_kyenge_condannato-165730008/?ref=RHRS-BH-IO-C6-P3-S1.6-T1.

²¹ CERD, General Recommendation No. 35: Combating Racist Hate Speech, 26 September 2013.

²² See: <https://primalamartesana.it/politica/baby-gang-arrestata-de-corato-la-prende-coi-comuni-centrosinistra/>.

- Ivan Boccali, Municipal Councilor of the Municipality of Ciampino for the “Gente Libera” Civic Movement, on 26 May 2017 writes on his public Facebook profile in relation to a stake at the La Barbuta institutional settlement in Rome: «Another fire at the Roma camp “La Barbuta” in the Municipality of Ciampino. Toxic bonfires. Southern Rome and Castelli Romani hostages of these wild, primitive, fools. The good-natured integration policy has failed. For that Nomad Camp the only solution is NAPALM»²³;
- Matteo Salvini, Minister of the Interior, on 1 August 2019 in a post published by his official Twitter account in relation to the previous allegations of a Roma woman residing in a settlement in the Municipality of Milan: «But does it seem normal to you that a gypsy in Milan says “Salvini should be shot in the head”? Be good, gypsy man, just wait, the BULLDOZER is coming soon». On the issue, the Minister of the Interior returns to speak on 6 August and at an electoral rally of the League in Arcore declares «Only in Italy can one who is under house arrest, who lives in an abusive house in an abusive Roma camp, can threaten with death the Minister of Interior. But for journalists the problem is not this fucking gypsy but the Minister of Interior. But I give you my word that the abusive house will be shaved to the ground»²⁴.

Anti-Discrimination

Associazione 21 luglio continues to record some reticence and poor implementation by the Authorities in charge of EU Directive 2000/43 in relation to discrimination affecting Roma.

Furthermore, there is only little jurisprudence regarding discriminatory episodes against Roma and specifically: Court of Milan, Ordinance of 20 December 2010; Court of Milan, Ordinance dated 13 January 2011; Court of Milan, Ordinance of 24 May 2012; Court of Rome, Ordinance of 24 May 2013; Court of Pescara, Judgment of 21 June 2013; Court of Rome, Sentence of 16 February 2015; Court of Milan, Ordinance of 19 April 2016; Ancona Court, Judgment of 27 May 2016.

Another critical aspect, not limited to Roma-only issues, could be traced to the poor recognition of compensation for “discrimination damage” as a deterrent against discriminatory episodes.

To date, there is only limited jurisprudence in line with the provision according to which the violation of anti-discrimination legislation should find the application of effective, proportionate and dissuasive sanctions including compensation for the victim of discrimination of patrimonial / non-patrimonial damage. In this regard, the Supreme Court of Cassation has also recognized the legitimacy of compensation for non-pecuniary damage in the event of violation of a fundamental right²⁵. However, only in a small number of anti-discrimination court cases, compensation for non-pecuniary damages was recognized for victims of discrimination and in most cases the compensation in question was modest. This justifies the doubt as to whether this type of compensation is in line with the requirement of effective deterrent sanctions as required by the directive.

Media

In 2008 the National Council of Journalists approved the “Carta di Roma” in order to provide journalists with a binding code of conduct aimed at providing balanced and comprehensive information on asylum seekers, refugees, migrants and victims of trafficking²⁶. The attached Guidelines were also an integral part of the “Carta di Roma”²⁷ which included an explicit reference also to the Roma communities, regarding the use of terminology for fair and quality information.

²³ See: <https://www.ilfattoquotidiano.it/2017/05/30/incendio-camper-a-roma-la-vergognosa-soluzione-del-consigliere-comunale-contro-i-rom/3623271/>.

²⁴ See: <https://www.open.online/2019/08/01/salvini-senza-freni-zingaraccia-stai-buona-arriva-la-ruspa/>.

²⁵ Supreme Court of Cassation, Judgment No. 1183/2007 and No. 1781/2012.

²⁶ “Carta di Roma” viewable: <https://www.cartadiroma.org/cosa-e-la-carta-di-roma/codice-deontologico/>.

²⁷ Guidelines for the implementation of the “Carta di Roma” viewable: https://www.cartadiroma.org/wp-content/uploads/2012/12/LineeGuida_Carta_Roma.pdf.

On 27 January 2016, the National Order of Journalists approved the “Unified Text on the Duties of Journalists”²⁸, which subsequently entered into force on 3 February 2016. Within the single text, the entire “Carta di Roma” has been summarized in a single article, or Article 7 – “Duties towards Foreigners”²⁹. The consolidated text does not contain any mention of the guidelines for the implementation of the “Carta di Roma”, therefore any explicit reference to the Roma communities has been eliminated.

Despite an explicit provision within the “Unified Text on the Duties of Journalists”, regarding the ethical use of the journalist of all media, including social networks³⁰, there is little moderation by the newspapers on what is being published on migrants and Roma on their online sites or on their Facebook pages.

UNAR

In the final Observations on Italy in 2017, CERD recommended «that the State party guarantee the independence of the National Office against Racial Discrimination (UNAR) both in law and in fact and that it has sufficient human and financial resources to carry out effectively its mandate»³¹.

UNAR’s lack of independence has also been repeatedly highlighted in recent monitoring cycles, such as CESCR. UNAR is not an independent body, since the Office is directly dependent on the Presidency of the Council of Ministers, its director is a government-appointed civil servant and their permanent staff is made up of seconded civil servants from various ministries. Furthermore, despite having the opportunity to be an equality body, UNAR does not present shadow reports to international bodies as a monitoring and control body but on the contrary they contribute to state reports and UNAR representatives are part of government delegations to monitoring cycles.

The Office mainly offers three services: firstly, a Contact Center is active to receive reports, complaints and testimonies on discriminatory behavior or facts and to provide information, guidance and support to prevent or counter them; secondly, it provides for the possibility of issuing non-binding opinions (at the request of a private citizen or an organization, or at the request of a party in a legal proceeding), and finally promotes studies, researches, awareness-raising campaigns and training on cases, forms and possible solutions of the discriminatory phenomenon³².

The non-independent nature and its structure profoundly affect the mandate of UNAR, significantly limiting the effectiveness of its actions in the field of non-discrimination, mainly because:

- UNAR has no sanctioning power;
- UNAR itself has no right to take legal action, and its intervention is limited to possibly covering only the role of *amicus curiae*.

In practice, the action of UNAR following a complaint by the victim of discrimination is limited to consulting only and has little practical efficacy. In fact, after the investigation of a case, even if the Office can count on privileged contacts with the police and the judiciary, it is the victim of discrimination that must be activated either directly or through a qualified organization before the judicial authorities competent, options that are always available even without the intervention of UNAR.

Finally, UNAR manages a strategic litigation fund (“Legal Expenses Fund”), aimed at supporting anti-discriminatory law disputes having a particular social and cultural impact and which could lead to a judgment capable of establishing a precedent in contrasting most common and widespread discriminatory behavior³³.

Apart from the communication channels of UNAR, this possibility is not publicized and the data relating to legal cases supported by funding are not public.

²⁸ “Unified Text on the Duties of Journalists” viewable: <https://www.cartadiroma.org/wp-content/uploads/2012/12/TESTO-UNICO-DEI-DOVERI-DEL-GIORNALISTA.pdf>.

²⁹ Ibid.

³⁰ See: Article 2 Letter g), “Unified Text on the Duties of Journalists” viewable: <https://www.cartadiroma.org/wp-content/uploads/2012/12/TESTO-UNICO-DEI-DOVERI-DEL-GIORNALISTA.pdf>.

³¹ CERD/C/ITA/CO/19-20, para. 13.

³² See: <http://www.unar.it/>.

³³ See: <http://www.unar.it/come-fare/accedere-la-fondo-solidarieta-la-tutela-le-discriminazioni/>.

II THE NATIONAL STRATEGY FOR THE INCLUSION OF ROMA, SINTI AND CAMINANTI

In 2008, the Italian government declared the so-called “Nomad Emergency”, or a state of emergency «with regard to settlements of nomad communities»³⁴. In this legal context characterized by a security approach and based on public order, there have been multiple violations of human rights which have led to the worsening of the living conditions of the Roma communities in Italy³⁵. On 16 November 2011 the Council of State declared illegitimate the Decree underlying the “Nomad Emergency”³⁶.

In February 2012, Italy presented the *National Roma Integration Strategy* (NRIS) to the European Commission³⁷, providing for a series of integrated policies focused on four key areas (housing, employment, education, health), recognizing the inadequacy of the “camps” policy and the practice of forced evictions against Roma.

UNAR, as a National Contact Point for the implementation of NRIS in Italy, in the period February 2012-March 2020 despite itself did not play an authoritative nor a punctual role in the implementation of the National Strategy. It should also be underlined that since the adoption in 2012 of the *National Strategy* in Italy, UNAR has changed five directors, a factor which has inevitably influenced the continuity and effectiveness of the work carried out by the UNAR Office³⁸. This has also been recognized by various international monitoring bodies which have underlined that the lack of implementation of the *National Strategy*³⁹ and the lack of stability and independence of UNAR have not allowed the effective implementation of the inclusion paths envisaged for the Roma in Italy.

Over the past few years, UNAR has been committed to establishing the National Roma Platform, hosting since 2017 the first meetings of the Platform which have involved a multiplicity of Roma and pro-Roma associations. At the same time, the Office also set up the “Roma and Sinti and Caminanti Forum”, made up of only Roma associations, with the aim of identifying the priority interests of these associations and related requests. It should be noted that the Roma who are living in housing emergency in the Italian institutional and informal slums have not been involved neither in the Platform nor in the Forum, thus highlighting a discrepancy between the institutional priorities included in the NRIS and the real activities implemented by the Office.

³⁴ Decree of the President of the Council of Ministers of 21 May 2008, Declaration of the State of Emergency in relation to the settlements of nomad communities in the territory of the regions of Campania, Lazio and Lombardy.

³⁵ Systematic forced evictions, discriminatory census conducted on ethnic basis (also involving minors) and the transfer of families in sub-standard, inadequate and segregated housing without other alternatives being provided, are among the most blatant.

³⁶ Council of State, Section IV, Judgement No. 6050/2011 of 16 November 2011.

³⁷ *Italian National Strategy for the Inclusion of Roma, Sinti and Caminanti*, February 2012.

³⁸ It should be emphasized that since the adoption of the *National Strategy* in Italy in 2012 UNAR has changed five directors. On 26 June 2019, after the end of the mandate of former director Luigi Manconi in March 2019 and after four months of vacancy, Triantafillos Loukarelis was appointed as the fifth director of UNAR. Until July 2012 the director of UNAR was Massimiliano Monananni; in the last part of 2012 until December 2015 Marco De Giorgi was appointed Director of UNAR; Francesco Spano was appointed director of UNAR from January 2016 until his resignation in February 2017; the appointment of the new director remained vacant for almost a year until February 2018, the date Luigi Manconi was appointed director of UNAR.

³⁹ Among the International and European human rights monitoring bodies that have published their recommendations on Italy in recent years regarding the tasks of UNAR for the implementation of NRIS, by way of example we can mention: in 2016 the Council of Europe European Commission against Racism and Intolerance, <https://rm.coe.int/fifth-report-on-italy/16808b5837>, underlined the lack of independence of UNAR and the significant delay in the implementation of the NRIS; in 2017 the United Nations Racial Discrimination Committee, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/ITA/CO/19-20&Lang=En, and the United Nations Human Rights Committee, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/ITA/CO/6&Lang=En, addressed to Italy due to the lack of impact on policies aimed at discrimination against the Roma, also due to the absence of a structural and independent organization of the National Contact Point; in 2018 the Office of the United Nations High Commissioner for Human Rights, <https://www.ohchr.org/Documents/Countries/IT/ItalyMissionReport.pdf> highlights how Italy has shown structural deficiencies in the implementation of long-term inclusive strategies both in reference to the Italian government and to the mandate of UNAR; in 2019, the United Nations Committee on the Rights of the Child and Adolescent in its concluding *Observations on Italy* highlights the lack of implementation of the *National Strategy* by UNAR and the public actors involved, expressing concern about the condition of Roma children in Italy, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC2fC%EF%A3%BF-2fITA2fCO2f5-6&Lang=en; also in 2019, the United Nations High Commissioner for Human Rights through the publication of the monitoring cycle of the *Universal Periodic Review* (UPR), at its 34th Session, expresses concern about the lack of implementation of the *National Strategy* in Italy and for the condition of discrimination that Roma live in Italy, https://www.upr-info.org/sites/default/files/document/italy/session_34_-_november_2019/italy_-_full_draft_report_for_circulation_-_ad_referendum.pdf.

In light of the above, Associazione 21 luglio highlights the general and considerable delay relating to the implementation of the NRIS. Furthermore, in light of the constant monitoring activities, it emerged that NRIS itself did not find a homogeneous application on the national territory, but on the contrary it was characterized by a high level of discretion on the part of local administrations at the time of the adoption of measures on the issues of housing, employment, education and health of the Roma communities.

The reasons behind the above are in the opinion of the writer: in a governance characterized by a rigid top-down approach, which is difficult to adapt to the multiple needs deriving from the different contexts in which the NRIS should be implemented; in the absence of monitoring and evaluation tools in order to verify what has been done; in the lack of ability to adopt corrective measures in line with NRIS's objectives and actions.

A. GOVERNANCE

Eight years after its adoption, it is possible to assert that the main factors that led to the delay and the failure to effectively implement the NRIS are structural in nature. The Strategy does not clarify the methods for implementing the actions envisaged in it and does not identify the division of responsibilities and competences between "central" and "peripheral" bodies. NRIS's current governance is, as mentioned, focused on a top-down approach, that is, it provides for a declination from national to regional and local level through the activation of "inter-ministerial and national Tables" and "regional / local Tables" with the aim of «ensuring a synergistic and homogeneous implementation of the NRIS on the territory» and of informing, orienting and monitoring the reference territory to promote the inclusion of the Roma⁴⁰.

Starting from the earliest stages, the governance envisaged by the NRIS has found obstacles as the Strategy is a mere strategic and programmatic document and therefore not binding in its transposition in the different levels (national, regional, local), and is lacking in actual and in-depth knowledge of the dynamics at a local level useful for assessing the impact of the actions to be implemented. In addition, both the National Contact Point and other NRIS governance structures did not consider the point of view of the Roma in housing emergency regarding the implementation of the NRIS.

B. HOUSING

In the 2017 final Observations to Italy, the CERD asked to «ensure that the National Strategy for the Inclusion of the Roma, Sinti and Caminanti communities for the period 2012-2020 leads to a concrete and tangible improvement in the enjoyment of their rights by Roma, Sinti and Caminanti»⁴¹.

The main national housing policies do not present elements in stark contrast to NRIS, but it should be borne in mind that the so-called administrative decentralization applies and local authorities have a certain degree of autonomy in the design and implementation of local policies⁴². Therefore, it should be stressed that local administrations are of fundamental importance for the concrete implementation of NRIS.

In this context, some local administrations have promoted actions in stark contrast to the principles of NRIS, implementing policies aimed at housing and social segregation through the construction or extraordinary renovation of institutional slums and Roma settlements⁴³.

⁴⁰ The regional tables established in previous years have been "dormant" for the entire period under consideration and no meetings have been organized. Associazione 21 luglio 2017 Annual Report, viewable: http://www.21luglio.org/21luglio/wp-content/uploads/2018/06/rapporto-inglese_completo_web_giugno_interattivo.pdf; Associazione 21 luglio 2018 Annual Report, I Margini del Margine, March 2019, viewable: <https://www.21luglio.org/2018/wp-content/uploads/2019/04/rapporto-annuale-2018.pdf> and Associazione 21 luglio 2019 Annual Report, Periferie Lontane, March 2020, forthcoming and soon available at <https://www.21luglio.org/>.

⁴¹ CERD/C/ITA/CO/19-20, para. 22.

⁴² See: Italian Constitution, Part II, Title V.

⁴³ See: Associazione 21 luglio Annual reports, available at: <https://www.21luglio.org/cosa-facciamo/ricerca/>.

Other administrations, however, have adopted policies for the closure of institutional slums and tolerated Roma settlements⁴⁴ present in the urban fabric of their territory.

The closure in the last two years of some settlements, accompanied not in all cases by effectively inclusive policies, is therefore attributable however to the single action / will of some local administrations and, at the same time, to a greater political sensitivity to the question of “overcoming” of the Roma settlements which is a direct consequence of the adoption of the principles contained in the NRIS⁴⁵.

In light of the above, it is still possible to affirm that the adoption of policies and actions⁴⁶ aimed at the social and housing inclusion of the Roma living in the settlements have not yet led to a significant change in their living conditions⁴⁷.

C. RELEVANT DEVELOPMENTS

In its concluding Observations on Italy, the CERD in 2017 in recalling the General Recommendation No. 27 on the elimination of discrimination against Roma asked the Italian state to guarantee through NRIS «*a concrete and tangible improvement in the enjoyment of their rights by Roma, Sinti and Caminanti, also by eliminating statelessness*».

In this regard, it is appropriate to report some facts and policies that in the two-year period 2018/2019 were adopted at local and national level in contrast to the NRIS and the right of non-discrimination.

Salvini Decree - Abolition of the Humanitarian Permit

On 5 October 2018 the “Salvini Decree” (Legislative Decree No 113/2018) entered into force with its package of measures on the subject of “immigration and public security” converted into law by Parliament in December 2018. A year and a few months later it is possible to take stock of the effects of a decree which among many measures has abolished the Residence Permit for humanitarian reasons and modified the rules on the acquisition of Italian citizenship.

The effects on life and rights are devastating for holders of the Residence Permit for humanitarian reasons, canceled by the decree. Those who had already left the administrative-judicial circuit of international protection, have found themselves substantially deprived of the right to retain the Permit and unfortunately among these many Roma were in a condition of de facto statelessness. Only those who had a job and a regular passport managed to obtain the conversion in some cases. And the objective effect was to have caused many people who lived in Italy who had been

⁴⁴ The institutional slums, inhabited by people of Roma origin, are settlements that are designed, built and managed by public authorities. They are configured as mono-ethnic settlements below international standards both in terms of hygiene and sanitary conditions and in relation to the structural conditions of the settlement itself as well as the related housing units. Over the years, various institutional slums in the suburbs of important cities have been transformed into the so-called “tolerated” settlements, that is, areas that are no longer authorized, but to which the local authority continues to provide minimal services. In other cases, various “tolerated” settlements were instead created as informal areas in which, over time, local administrations have formally recognized and legitimized the presence of the people present there.

⁴⁵ See: Associazione 21 luglio 2018 Annual Report, *I Margini del Margine*, March 2019, viewable at <https://www.21luglio.org/2018/wp-content/uploads/2019/04/rapporto-annuale-2018.pdf> and Associazione 21 luglio 2019 Annual Report, *Periferie Lontane*, March 2020, forthcoming and soon available at <https://www.21luglio.org/>.

⁴⁶ See: Memorandum of Understanding between the Municipality of Turin, the Piedmont Region, the Prefecture of Turin and the Diocese of Turin on the “overcoming of the nomad camps”, signed on 16 December 2019, https://www.interno.gov.it/sites/default/files/allegati/protocollo_torino_superamento_campi_nomadi.pdf; the Piedmont Regional Council has also adopted a bill to introduce a regulation for Roma living in institutional and tolerated settlements within the Piedmont Region. The bill entitled *Norms on the Regulation of Nomadism and the Fight against Unauthorized Use* was approved on 8 November 2019 with the aim of abolishing the permanent Roma “camps”, without providing adequate inclusion paths in the absence of adequate housing alternatives; see Bill Proposal No. 61, “Rules on the Regulation of Nomadism and the Fight against Unregulated Activity”, approved on 8 November 2019 by the Piedmont Regional Council.

See also the Plan of the Municipality of Rome for the Inclusion of the Roma, Sinti and Caminanti population:

https://www.comune.roma.it/web-resources/cms/documents/Del_G_C_105_26_maggio_2017.pdf. In particular, the “Guidance plan of the Municipality of Rome for the Inclusion of Roma, Sinti and Caminanti populations” was adopted by resolution of the Junta Capitoline Council on 26 May 2017, (Council Resolution no. 105/2017).

⁴⁷ See *infra* (para. Housing Segregation and Forced Evictions).

licit for years to lose the licitness of their Permit: as a consequence many Roma in the institutional camps are destined to return to invisibility and will be automatically excluded from the policies for social inclusion.

An emblematic example is constituted by the Roma families who are undergoing the overcoming of the La Barbuta settlement. In fact, we read in the “Report on the State of the Art of the Activities of the RSC Special Office” of 4 February 2019, «To date, the difficulties for camp residents to obtain an alternative Residence Permit for expired humanitarian reasons (and no longer renewable) and for this reason, by the end of August [2019 ed.], at the expiry of almost all Permits still in force, 109 people will be present in the camp [La Barbuta ed.] totally undocumented and illegal on Italian territory, for which Roma Capitale will no longer be able to provide assistance and hospitality in the La Barbuta camp. This criticality must be extended numerically to all the City camps where there will be a very large number of illegal immigrants who will no longer be able to live in the Capitoline structures and will have to be repatriated to countries they do not even know. [...] This change will have inevitable repercussions on the entire hospitality system in the camps, considering that all these citizens will no longer have health coverage, the possibility of working and renting an apartment»⁴⁸.

Salvini Circular

On 16 July 2019 the Minister of the Interior Matteo Salvini publishes Circular No. 16012/110 having as its object “Settlements of Roma, Sinti and Caminanti Communities”⁴⁹ addressed to all Prefects to ask for a report on the presence of illegal Roma settlements.

The objective, according to the Interior Ministry, was to «verify the presence of abusive realities to prepare an eviction plan» by recalling alarmingly the “Nomad Emergency” of 2008 and providing for the execution of evictions of Roma settlements, through «the adoption of specific contingent and urgent measures» in the absence of procedural guarantees and effectively making access to effective and timely remedies difficult.

For its part, Associazione 21 luglio has submitted an application for civic access to the Ministry of the Interior in order to learn the nature of the data collected and the information relating to the aforementioned reconnaissance. With the communication of 16 November 2019, the Ministry rejected the request remarking that the data and information collected, moreover, as stated on an ethnic basis contain personal and sensitive data⁵⁰.

Piedmont Region Law

On 8 November 2019, the regional government approved the bill entitled “Rules on the Regulation of Nomadism and the Fight against Unregulated Activity” aimed at introducing draconian rules for Roma ethnic citizens living in the institutional “camps” of the Region.

The bill aims to abolish institutional “Roma camps”, without providing adequate inclusion pathways or housing alternatives.

In fact, the bill establishes that Roma citizens will be able to remain in “transit areas” with monitored access and video surveillance systems for a maximum period not exceeding three months. This measure imposes de facto nomadism on a group of Roma population already vulnerable and socially fragile in itself and on Roma communities which in most cases cannot be defined as “nomads”, except in the cases where they are the object of forced eviction. Further measures are also foreseen for Roma citizens who want to live in the “transit areas”, measures not foreseen for the submission of requests for access to public housing and social housing that involve “non-Roma”⁵¹.

⁴⁸ See the letter sent by the Roma, Sinti and Caminanti Special Office to the President of the Permanent Commission for Social and Health Policies, Agnese Catini, having as its object: “Report on the State of the Art of the Activities of the RSC Special Office” of 4 February 2019, Prot. No. 8414, in the archive of Associazione 21 luglio.

⁴⁹ Viewable: <https://www.interno.gov.it/it/amministrazione-trasparente/disposizioni-general/atti-general/atti-amministrativi-general/documenti/direttiva-ministro-dellinterno-n-16012110-15-luglio-2019>.

⁵⁰ Ministry of the Interior Prot. No. 16012/19 of 16 November 2019.

⁵¹ Regional Law 19 November 2019, No. 61 “Rules on the Regulation of Nomadism and the Fight against Unregulated Activity” viewable: <http://serviziweb.csi.it/solverweb/IndexDocumentServlet?id=57463>.

The bill is currently being examined by the II and VI Permanent Commission of the Piedmont Region⁵².

D. CONCLUSIONS

The general context clearly shows the discrepancy between some policies adopted at local, regional and national level and the lack of implementation of the NRIS, thus risking to perpetrate the vicious circle of social exclusion and ethnic discrimination that the document itself wants to break down. In light of these critical issues and considering the natural expiration of the current NRIS scheduled for 2020, the future development of a *National Strategy* will necessarily have to address these delays, proposing an approach that starts from the bottom and specifically outlining the territorial responsibilities on several levels, focusing primarily on those Roma who experience social vulnerability and housing segregation.

Therefore, the post-2020 NRIS, in light of the critical issues detected, in addition to having binding efficacy and being supported by legislation aimed at overcoming barriers to inclusion, should take into account the causes and dynamics that led to ethnic segregation and social discrimination of the Roma communities living in institutional and informal slums in order to equip themselves with effective tools that truly comply with the needs of the beneficiaries⁵³.

⁵² See: <http://arianna.cr.piemonte.it/iterlegfo/datiiter.do?numProgettoDiLegge=61&numLegislatura=11>.

⁵³ See Associazione 21 luglio 2018 Annual Report, *I Margini del Margine*, March 2019, viewable: <https://www.21luglio.org/2018/wp-content/uploads/2019/04/rapporto-annuale-2018.pdf> and Associazione 21 luglio 2019 Annual Report, *Periferie Lontane*, March 2020, forthcoming and available soon at: <https://www.21luglio.org/>.

overcrowded and due to their deteriorated conditions due to wear over time and their intrinsic temporary nature, they do not offer adequate protection from adverse weather conditions and structural hazards. All the institutional slums show serious hygienic and sanitary conditions, which represent a serious threat to the health of the inhabitants⁵⁹; often they do not have adequate access to basic services such as drinking water⁶⁰, sanitation⁶¹ or adequate heating systems. Most of the “authorised” settlements are located on the outskirts of cities, often in industrial or agricultural areas, aggravating the marginalization of the inhabitants from the rest of the society⁶².

Some local administrations in recent years have tried to address the issue of the closure of Roma settlements. However, the implementation of the planned policies, plans and programs⁶³ aimed at the social and housing inclusion of Roma living in the settlements have not yet led to a significant change in their living conditions⁶⁴.

An example of this is the implementation of the “Policy Plan for the Inclusion of Roma, Sinti and Caminanti Populations”, adopted on 31 May 2017⁶⁵ by the Council of the Municipality of Rome⁶⁵.

The Unsuccessful Impact of the Implementation of the *Roma Plan* in the Municipality of Rome

The *Roma Plan* for overcoming Roma settlements in Rome adopts an integrated social inclusion perspective and proposes an implementation in line with the principles of NRIS, therefore moving on its four axes: that of housing, employment, schooling and health.

Despite its intentions, the top-down approach with which the *Plan* was formulated does not allow a true listening to the needs of the Roma families involved⁶⁶; this is demonstrated by the fact that up to September 2019, if only families residing in the settlements that are soon to be overcome (La Barbuta and Monachina) are considered, only

⁵⁹ During the interviews conducted by Associazione 21 luglio in its constant monitoring activity in institutional slums with residents, doctors and social workers, a high incidence of various physical diseases was found (respiratory diseases, dermatitis, lice, warts, scabies, cardiovascular disease) and mental illness (anxiety, phobias, sleep disturbances, hyperactivity and learning difficulties).

⁶⁰ In most of the settlements visited by Associazione 21 luglio, residents are found to believe that the running water present in the “camp” is not drinkable. Furthermore, there is the absence of drinking water inside the institutional slum of Castel Romano in the Municipality of Rome. About 500 Roma are supplied drinking water approximately every 2/3 days by a tanker truck; the sanitation conditions within the settlement are therefore critical, also considering the serious consequences that this brings following the ongoing health emergency due to the outbreak of the Covid-19 pandemic; see the merits of the survey of Associazione 21 luglio, #IoRestoneilCampo, *Investigation on the First Impact of the Decree of 9 March 2020 in some Institutional Settlements of the City of Rome*, April 2020, available at: <https://www.21luglio.org/2018/wp-content/uploads/2020/03/indagine-io-resto-nel-campo-1.pdf>.

⁶¹ The sanitation conditions observed in institutional slums are inadequate due to the extremely deteriorated conditions of housing units and overcrowding.

⁶² Cf. Associazione 21 luglio 2017 Annual Report, available at: <http://www.21luglio.org/21luglio/wp-content/uploads/2018/06/rapporto-inglese-completo-web-giugno-interattivo.pdf>; Associazione 21 luglio 2018 Annual Report, *I Margini del Margine*, March 2019, available at: <https://www.21luglio.org/2018/wp-content/uploads/2019/04/rapporto-annuale-2018.pdf> and Associazione 21 luglio 2019 Annual Report, *Periferie Lontane*, March 2020, forthcoming and soon available at <https://www.21luglio.org/>.

⁶³ See the Municipality of Turin *Roma Special Project*: http://www.comune.torino.it/bandi/pdf/files/avviso_ass_tec_campi_nomadi_2018.pdf and the Roma Capitale *Policy Plan of the Municipality of Rome for the Inclusion of the Roma, Sinti and Caminanti Populations*: https://www.comune.roma.it/web-resources/cms/documents/Del_G_C_105_26_maggio_2017.pdf.pdf.

⁶⁴ By way of example, reference can be made to the case of Camping River Roma settlement in the Municipality of Rome. See Associazione 21 luglio 2018 Annual Report, *I Margini del Margine*, March 2019, available at: <https://www.21luglio.org/2018/wp-content/uploads/2019/04/rapporto-annuale-2018.pdf>.

⁶⁵ See Roma Capitale *Policy Plan for the Inclusion of Roma, Sinti and Caminanti Populations*, available at: https://www.comune.roma.it/web-resources/cms/documents/Del_G_C_105_26_maggio_2017.pdf.pdf). The *Roma Plan* concerns only the 4.500 Roma registered in the previous months in 9 institutional and tolerated settlements in Rome. In the second half of 2019 there were 6.080 people in housing emergency located in the mono-ethnic settlements present on the territory of the Municipality of Rome. This is 0,20% of the Roman population, according to the following subdivision. The monitoring activity of the Municipality of Rome - carried out between autumn 2018 and summer 2019 shows that about 2.600 people live in the 6 “equipped villages”, including about 1.250 minors; in the 9 “tolerated camps”, following the census activity organized by the Local Police of Roma Capitale, the presence of about 880 people, including 321 minors; about 2.000 people were registered in the census requested to the Prefecture of Rome by the Ministry of the Interior and present in the 338 micro-settlements of the City of Rome.

⁶⁶ Cf. Associazione 21 luglio, *Il Piano di carta*, October 2018, available at: <http://www.21luglio.org/21luglio/wp-content/uploads/2018/05/Rapporto-Piano-di-cartaCOMPLETO.pdf> and Associazione 21 luglio, *Dove restano le briciole*, January 2020, available at: <https://www.21luglio.org/2018/wp-content/uploads/2020/01/drlb-integrale.pdf>.

19% of them have decided to sign the “Solidarity Responsibility Pact”, a “contractual obligation” which binds each individual family to the Municipality of Rome and which constitutes the *sine qua non condition* for access to the inclusion measures provided for in the *Plan* and for the related exit from the camp⁶⁷. The overall impact thirty months after the *Plan* resolution and following the activation of plans for overcoming three settlements in the Capital (Camping River, La Barbuta and Monachina) is insufficient and unsuccessful. In their implementation, the actions and projects proposed within the housing axis are not consistent with the factual reality, distinctly marking a discrepancy between the needs of the beneficiaries, access to measures of housing inclusion and the real possibilities of sustainability in the medium-long period.

The autonomous housing insertion promoted by the *Plan* involved de facto only 12% of the inhabitants of the Camping River, a settlement inserted among the camps to be overcome and closed in 2018 by the Municipal Authorities through a forced eviction of about 300 people; in the institutional settlement of La Barbuta it does not appear that homes were found on the private real estate market due to the lack of economic and work guarantees aimed at maintaining the lease commitments by the beneficiaries in the medium and long term. There is also a general and overall transfer of presences from the institutional slums of Rome to informal camps. The decrease in presences between 2017 and 2019 within the institutional settlements, therefore not attributable to the actions of the *Plan*, is due to the serious state of institutional abandonment in the settlements and to the worsening of the living conditions of the families, who choose the autonomous way of looking for “better living conditions” in informal settlements and on the roadside in campers or caravans.

The impact of the *Plan* regarding employment inclusion is always unsuccessful; in the La Barbuta settlement there are only 15 training courses and traineeships activated from the start of projects aimed at overcoming the camp; until mid-2019 the training internships were not activated in the Monachina settlement while in both the settlements there were no actions aimed at the creation of individual and cooperative firms as this action was strictly connected to the documentary regularity of the individual people and to the economic situation of each.

The education axis is in serious and dangerous trouble; in the last three years there has been a 56% decrease in registered Roma minors. Considering that in the two-year period 2016-2017 the school enrollments of Roma children amounted to 1.990 and that in the two-year period 2019-2020 there were 870, the Roman policy on the education of Roma children appears to be non-existent and totally inadequate.

As regards access to health services, no actions of any kind have been taken unless they fall within the normal vaccine prophylaxis established for over twenty years. The lack of actions aimed at supporting the health of people living in Roma settlements, with particular attention to women, minors, the elderly and the disabled, have led to the absence of improvements in access to social and health services available in the area and have also not favored access to preventive medicine services.

The health emergency since the spread of Covid-19 in Italy from March 2020 has also aggravated the living conditions of Roma families living in housing emergency at a national level.

In light of the urgent measures adopted by the Italian government to counter the contagion from Covid-19, Associazione 21 luglio carried out an investigation⁶⁸ in 5 mono-ethnic institutional slums⁶⁹ of the Municipality of Rome within which, according to the census operated by the Capitoline Authorities in 2019, approximately 2.200

⁶⁷ On the impact of the *Roma Plan* two and a half years after its implementation and for the data reported here, see Associazione 21 luglio, *Dove restano le briciole*, January 2020, available at: <https://www.21luglio.org/2018/wp-content/uploads/2020/01/drlb-integrale.pdf>.

⁶⁸ Cf. Associazione 21 luglio, *Io resto nel campo*, March 2020, available at: <https://www.21luglio.org/2018/wp-content/uploads/2020/03/indagine-io-resto-nel-campo-1.pdf>.

⁶⁹ The institutional settlements under investigation were: Candoni, Castel Romano, Gordiani, Lombroso and Salone.

people live, including about 1.050 minors⁷⁰. In none of these slums has the presence of health workers been reported who are available to distribute prevention devices or to illustrate measures to prevent contagion. Therefore, a critical hygienic-sanitary situation remains in the camps, where the presence of running water is not always guaranteed (scarce in the settlement of Salone and supplied only through tanker trucks in the Castel Romano settlement) and where overcrowding in 21 sq m containers is a constant.

The inability to carry out any work activity severely penalizes already vulnerable families, with consequences that over time could take on a dramatic dimension as the absence of income heavily affects the possibility of feeding themselves and their family and therefore affects their subsistence and survival. In almost all the settlements there have been reports of families or elderly people who are unable to access basic necessities. Together with the children, these are the categories inside the Roma settlements that are most vulnerable and on which the repercussions of the total institutional absence of the Municipality of Rome will be more evident. There is currently no institutional network active that has mapped, monitored and initiated operational plans aimed at distributing goods necessary for the livelihoods of the most vulnerable people and families who live in Roma settlements in the Capital.

On 31 March 2020, the Municipality of Rome, thanks to the funds of the Civil Protection, provided for the provision of *one-time* shopping vouchers⁷¹ in favor of the families most exposed to the economic effects deriving from the epidemiological emergency from the Covid-19 virus and among those in the state of need. Unfortunately, however, the choices made by the Social Policies Department of the Capital provide for discriminatory and strongly penalizing foreclosures against Roma families who live in institutional and non-institutional settlements. In fact, among the necessary requirements, among all the residency in many cases not granted to the inhabitants of the camps despite the constant and frequent censuses by the Municipal Police, and the ownership for non-EU citizens of a valid residence permit (also considering the situation of de facto statelessness and irregularities following the so-called Salvini Decree - see above). Adding to this is the unfortunate procedure for the request of benefits, that is, by e-mail which in fact makes it impossible for the inhabitants of the camps to forward said request, taking into account that: in many cases they have a degree of zero literacy, do not have internet access and do not have the means to copy and scan the required documentation.

⁷⁰ In the second half of 2019 there were 6.080 people in housing emergency located in the mono-ethnic settlements present on the territory of the Municipality of Rome.

⁷¹ See the Executive Determination No. 913 of 31 March 31 2020 of the Social Policies Department of Roma Capitale: https://www.comune.roma.it/web-resources/cms/documents/Determina_20952_31_03_2020_LD000001_buoni_pasto.pdf, modified on 2 April 2020 with Executive Determination No. 942 of the Social Policies Department of Roma Capitale: https://www.comune.roma.it/web-resources/cms/documents/Determina_21444_02_04_2020_LD000001_buoni_spesa.pdf.

These criticalities are particularly evident in the Roma community of the Municipality of Giugliano in Campania (NA), made up of about 450 people, who for almost three decades has undergone repeated forced eviction operations.

Forced Eviction of Roma from Via Vicinale Viaticale in Giugliano in Campania⁸¹

A particularly violent forced eviction took place on 10 May 2019 in the Municipality of Giugliano in Campania in the province of Naples.

For over 30 years, about 450 Roma of Bosnian origin have resided in the Municipality of Giugliano in Campania, half of whom are minors: initially residing in a camp near the Auchan supermarket, until 2013 this community lived in the authorized settlement “Kampo 7” and to then be transferred to the “camp of Masseria del Pozzo”, located next to a toxic landfill.

In June 2016, the 450 Roma suffered further eviction from the Masseria del Pozzo site without receiving any suitable housing alternative and the only place assigned to them was an area near the former firework factory on Via Vicinale Viaticale.

With Ordinance No. 29 of 5 April 2019, the Mayor of Giugliano ordered the eviction of the Roma present in the settlement of Via Vicinale Viaticale. The evacuation of the area prepared for health and public health reasons involves the approximately 450 Roma mentioned above and half of whom are minors.

The Ordinance, never notified the persons concerned nor made public on the Praetorian Register, did not provide for any alternative housing reallocation, despite the provisions of a resolution of a few days prior to the Ordinance.

The eviction of the settlement, carried out on the morning of 10 May, involved 73 families and appears to have been carried out in the absence of internationally recognized procedural guarantees regarding evictions.

According to the numerous testimonies collected by Associazione 21 luglio, both before and during the operations, the Roma residents of the Via Vicinale Viaticale settlement suffered intimidation aimed at the release of the area as well as from the Municipality: among these, the cancellation from the Registry and the removal of minors from the family nucleus.

At the time of the eviction among the people involved there were about a dozen pregnant women, numerous elderly people and approximately 200 minors, including about 70 minors aged between 0 and 3 years. Due to the eviction, 105 children enrolled in the school complexes in Giugliano had to interrupt their schooling.

Following the eviction, the families first moved to some land between the Municipalities of Villa Literno and Castel Volturno, from where they were removed after a few hours, and then re-settled in an abandoned area in the industrial zone of the Municipality of Giugliano, where they still live today.

The Roma community in question currently resides on open land, located in an industrial zone of Giugliano in the absence of any shelter or primary services: families are forced to sleep inside campers, vans and cars or outdoors, in serious hygienic conditions, without drinking water, electricity or sanitation.

In order to avoid further evictions, 66 of the families evicted with the support of Associazione 21 luglio and the European Center for Roma Rights (ERRC) have submitted requests for the adoption of provisional measures to the European Court of Human Rights.

On 17 May 2019, the Court in relation to the first group of applicants decided to apply the urgent measures envisaged by *Rule 39* aimed at stopping further eviction actions by the Municipal Authorities against the applicants, asking the Italian Government to provide temporary accommodation for the minors involved and their parents in order to keep the family unit intact.

sognare, November 2016, http://www.21luglio.org/21luglio/wp-content/uploads/2017/08/uscire-per-sognare_3_4-11_web.pdf.

⁸¹ For an overall survey of the story and its evolution, see: Associazione 21 luglio 2019 Annual Report.

On 22 May 2019, the Municipality of Giugliano published a “Public notice for the provision of useful contributions for personalized accompanying itineraries for habitation” for the «Roma families present in the settlement of the former “Masseria del Pozzo”». This public notice did not provide for measures aimed at a reallocation of people involved in alternative housing, but only an economic contribution for the rent intended for the Roma with certain requirements and the documents to access them.

In addition, the Italian government has declared that it has made a tensile structure available at the church of San Massimiliano Kolbe on via Pigna in Casacelle, it has activated a *task force* of social workers to implement the economic and housing measures envisaged and has placed 6 chemical baths (for 450 people) at the Via Carrafiello settlement in order to guarantee access to basic services.

To date, despite the fact that all the family units have submitted a request for adhesion to the tender of 22 May, the Municipality of Giugliano has not taken any action for the housing inclusion of this community or relief due to the forced eviction carried out against them.

Two appeals are currently pending with the European Court of Human Rights for the above matter.

V HATE SPEECH

Antigypsyism remains one of the distinguishing features of Italian society that in alternating periods sees its intensity increase or decrease. Antigypsyism is a specific form of racism⁸² and a powerful obstacle to Roma inclusion⁸³. There is a direct connection between discriminatory and segregative public policies and “hate speech” addressed to Roma communities; this can be more visible particularly during election campaign periods, when these phenomena increase both in terms of numbers and intensity. In areas where institutional and informal settlements exist and where inclusive policies are non-existent or weak, it is certainly easier to detect words that expose an attitude of intolerance and open hostility. After all, the existence of a “downward spiral” has been evident for years now. This spiral is created because where numerous Roma slums and forced eviction operations occur, a greater level of antigypsyism develops proportionally, which in turn increases the pressure on local Administrators who feel so legitimate in persevering in the implementation of policies characterized by security approaches, in the repetition of the clearing operations and in the construction of mono-ethnic settlements⁸⁴.

The data collected by Associazione 21 luglio, through Osservatorio 21 luglio⁸⁵, confirm that hate speech against Roma is still a rooted and endemic phenomenon in Italy, fueled mainly by political discourse at the local level⁸⁶, acting as a powerful deterrent to inclusion and causing three main structural consequences, and specifically the creation of:

- a direct and obvious impact in terms of daily discrimination on the lives of those affected;
- a powerful deterrent for administrators in charge of designing and implementing inclusion policies aimed at Roma and Sinti;
- the possibility of gradually allowing explicit and racist rhetoric to be increasingly accepted by public opinion, opening the way to occasional violent drifts.

⁸² ECRI, General Policy Recommendation No. 13: On Combating Antigypsyism and Discrimination Against Roma, June 2011.

⁸³ In 2017, the persistent forced eviction operations of Roma settlements in Italy were analyzed and monitored by the United Nations Human Rights Committee (HRC), which, expressing strong concern about the repeated situation of segregation and discrimination of the Roma, Sinti and Caminanti communities living in Italy, recommends that the national authorities prepare all the necessary tools in order to avoid the practice of forced evictions, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fITA%2fCO%2f6&Lang=en; in 2018 the Office of the United Nations High Commissioner for Human Rights, on the occasion of the opening of the 39th Session of the United Nations Human Rights Council, expressed concern about the increase in acts of violence and racism against migrants, people of African origin and Roma. For further information, see: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23518&LangID=E>; in 2018 the European Commission against Racism and Intolerance of the Council of Europe expressed in its general recommendations the concern about the repeated phenomenon of antigypsyism in Europe and recommended to the national authorities to provide all the necessary tools in order to avoid and stop the practice of forced eviction of Roma settlements and, in the event of eviction to be carried out, to guarantee an adequate housing alternative for all those who are being evicted, <https://rm.coe.int/ecri-general-policy-recommendation-nos-3-13-key-topics-fighting-racism/16808b763c>; in 2019, the United Nations Committee on the Rights of the Child and Adolescent in its concluding Observations expresses concern about the high level of school drop-out, especially as a consequence of forced evictions, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC2fC%2fITA2fCO2f5-6&Lang=en; in 2019, the Social Rights Committee of the Council of Europe pronounces on evictions recommending the Italian government to: ensure that evicted persons are not made homeless; ensure that the evictions do not cause unacceptable living conditions for the people involved, [https://hudoc.esc.coe.int/fre/#{22ESCDclde-tifier22:\[22cc-178-2019-dadmissandimmed-en 22\]}](https://hudoc.esc.coe.int/fre/#{22ESCDclde-tifier22:[22cc-178-2019-dadmissandimmed-en 22]}).

⁸⁴ For example, The “Via del Riposo” settlement in Naples, opened in April 2017, and the “camp” in Afragola, Naples, are the last “authorized camps” built *ex-novo* by the Italian authorities. See Associazione 21 luglio 2017 Annual Report and Associazione 21 luglio 2018 Annual Report, *The Margins of the Margin*, March 2019, available at <https://www.21luglio.org/2018/wp-content/uploads/2019/04/rapporto-annuale-2018.pdf>.

⁸⁵ Osservatorio 21 luglio is a project of Associazione 21 luglio which aims to protect individuals and groups in conditions of extreme segregation, with particular attention to the Roma and Sinti communities, from discriminatory and inciting hatred through constant monitoring and control of local and national newspapers, websites, blogs and social networks. Osservatorio 21 luglio monitors about 120 sources daily and focuses on the episodes of Hate Speech and incitement to hatred and discrimination of politicians, public officials, private citizens with a certain degree of formal organization (eg committees, unions, corporations, etc.). For its categorization the Observatory relies on the relevant international, regional and domestic standards. See: <http://www.21luglio.org/21luglio/osservatorio/>.

⁸⁶ Data disaggregated by year 2013 - 31 December 2015: Osservatorio 21 luglio recorded a total of 1.121 episodes of incitement to hatred against Roma and Sinti, of which 592 believed to be of particular seriousness. Data disaggregated by year: 2013 - 456 episodes, of which 255 classified as serious; 2014 - 400, of which 191 classified as serious; 2015 - 265 episodes, of which 146 classified as serious.

Considering only the time span 2016-2019, Osservatorio 21 luglio recorded a total of 584 episodes of hate speech against Roma and Sinti, 185 of which were considered particularly serious⁸⁷. This translates into a daily average of 0,4 episodes, or 0,13 limited to severe episodes. However, it is too early to assess the decrease in episodes that have occurred in recent years as an indicator of a substantial change within Italian society. In fact, the aforementioned figure hides a phenomenon that underlies the communication strategies of national and local political and public actors, and therefore derives from the fact that the language they use has now almost abandoned the use of manifestly discriminatory and inciting hateful statements, preferring instead a use of increasingly borderline stereotyped statements and therefore more difficult to record and sanction.

Cases of hate speech that adopt an explicit and racist rhetoric can fall within the provisions established by Italian law, for those cases that adopt a more indirect and subtle expression of prejudice, the current Italian anti-discrimination framework does not provide effective means to deal with them and discourage them, leaving enough room for the antigypsyism of “ebb and flow”. A further complication appears to be the fact that UNAR’s action is considerably limited due to the lack of sanctioning and / or dissuasive means to deal with and discourage episodes of this type⁸⁸.

⁸⁷ Data disaggregated per year: 2016 – 175 episodes, of which 57 categorized as grave; 2017 – 182, of which 51 categorized as grave; 2018 – 125 episodes, of which 38 categorized as grave; 2019 – 102 episodes, of which 39 categorized as grave. For a more complete overview of the cases, consult Associazione 21 luglio Annual Reports, available at: <https://www.21luglio.org/cosa-facciamo/ricerca/>.

⁸⁸ In various meetings with Associazione 21 luglio UNAR representatives repeatedly highlighted the lack of available instruments to effectively tackle these kinds of episodes. For more detailed information about UNAR, please refer to the dedicated section within this submission.

VI HATE CRIMES

The current Associazione 21 luglio mandate does not include a specific activity on hate crimes, but thanks to its daily monitoring activity the Associazione records episodes of violence and violent attacks against the Roma. Therefore, this section is aimed at providing a list of violent episodes recorded in the last three-year period 2017/2019. In most cases, the investigation or related proceedings are still pending and it is not possible to define these cases as hate crimes with certainty. Furthermore, it seems appropriate to point out that hate crimes, like any other crime, are registered by the competent Local Police and entered in the database of investigative crimes within the Investigation System (SDI) by competent police officials. This presents two critical points: the first linked to the interpretation of the facts by the police officers at the time of registration in the Investigation System and the second linked to the same system which for its part does not allow the distinction between the threads of crimes inspired by hate. This implies on the one hand a state representation of hate crimes underestimated compared to reality and, on the other hand, the impossibility of having disaggregated data for hate crimes committed based on race / skin color, ethnicity, origin, status of minority, citizenship, language, anti-Roma and Sinti and religion (including anti-Semitism, anti-Muslim, anti-Christian and other religions).

In the 2017/2019 three-year period, Associazione 21 luglio recorded 24 episodes divided as follows: 7 attacks against property, 9 cases of threats and 9 cases of attacks against the person.

ATTACKS AGAINST PROPERTY

- 27 and 28 August 2017, Scampia (NA) - A fire was started on 27 August in the vicinity of the informal settlement of Cupa Perillo. The stake affects a part of the “camp” and involves five housing units. The authors of the arson are unknown. It is speculated that the act may have been carried out on an intimidating basis: in fact, on 28 August, five scooters crossed the slum, openly threatening the residents with intimidating phrases and threats: «*We will burn you all*», «*We will set you on fire*»⁸⁹.
- 27 September 2017, Guidonia (RM) - About 100 residents from Via dell'Albuccione stage a protest against a neighboring Roma “camp”. The demonstration degenerates into a fight and stone throwing. The origin of the episode is the reckless driving of an inhabitant of the informal settlement that had taken place in the previous hours. Some inhabitants of the neighborhood create barricades on the street, throw stones in the direction of the settlement and the container where the Roma boy, whose driving had produced the protest, usually sleeps is set on fire⁹⁰.
- 7 May 2018, Turin - A camper inhabited by a family of 7, including 4 minors, is set on fire in Turin, in the southern district of Mirafiori, by unknown persons driving a car. The family remained unharmed⁹¹.
- 20 June 2018, Milan - An incendiary bottle is launched in the San Siro district against a caravan inhabited by 8 Roma, including 3 minors, originating from the Former Yugoslavia. The witnesses confirm that they heard a car flee at high speed following the intimidating gesture; however the reasons and the people responsible for the act are not known⁹².
- 15 July 2018, Coltano (PI) - A camper located near the Roma settlement is set on fire by unknown persons⁹³.

⁸⁹ Direct testimonials from the European Roma Rights Center and Associazione 21 luglio.

⁹⁰ See: <https://www.ilfattoquotidiano.it/2017/09/27/roma-guerriglia-urbana-guidonia-tra-residenti-e-nomadi-manovre-azzardate-con-furgone-vicino-a-campo/3880286/>.

⁹¹ See: “A fuoco un camper di nomadi in via Roveda”, TorinoOggi.it, 8 May 2018, <http://www.torinoggi.it/2018/05/08/leggi-notizia/argomenti/cronaca-11/articolo/a-fuoco-un-camper-di-nomadi-in-via-roveda.html> and “L’incendio non ferma l’odio contro i nomadi: «Dovevano bruciare»”, CronacaQui.it, 10 May 2018, <https://cronacaqui.it/lincendio-non-ferma-lodio-contro-i-nomadi-dovevano-bruciare/>.

⁹² See: “Molotov sulla roulette dei bambini”, La Tribuna di Treviso, 20 June 2018, <http://ricerca.gelocal.it/tribunatreviso/archivio/tribunatreviso/2018/06/20/treviso-molotov-sulla-roulotte-dei-bambini-04.html>.

⁹³ See: “Incendiata una roulotte accanto al campo rom”, Il Tirreno, 17 July 2018,

- 1 May 2019, Giugliano in Campania (NA) - A Molotov was launched late at night against the settlement, inhabited by approximately 400 Roma, born following the forced eviction of the “camp” on Via Vicinale Viaticale. The bomb launched from a moving car did not cause damage to people or things⁹⁴.
- 8 October 2019, Bolotona (NU) - A Roma family who recently bought a house in the historic center of the town in the province of Nuoro, has been the subject of serious intimidation related to ethnicity. In a few days, unknowns burned their van and stoned their camper parked near their house⁹⁵.

THREATS

- 13 March 2017 - In Rimini two women residing in the institutional “camp” on Via Islanda express strong concern about the growing hatred of Roma and Sinti communities residing in the city, especially in relation to the construction of a micro area where families are to be established following the planned eviction of the settlement. In these circumstances, the intimidating act of an unidentified person by the authorities was recorded who, during the night, from the himself his car yelled some phrases: «*We will set you on fire*»⁹⁶.
- 6 June 2017 - In Turin about 100 people parade in front of the Strada dell'Aeroporto institutional slum demonstrating against the presence of the Roma settlement; a few hours after the start of the procession some fringes detach themselves from the demonstration to go to some houses located at the end of the slum, waving and then throwing numerous torches lit in the direction of the homes inhabited by Roma families and threatening the inhabitants with the following phrases: «*We will kill you*», «*You are animals*», «*We will drive you away*». The firefighters who rushed to extinguish the stake are blocked by demonstrators, including approximately 20 people belonging to the political group of Forza Nuova, who prevent them from accessing the settlement for a few minutes⁹⁷.
- 2 March 2018, Rome - Two incendiary bottles are thrown by unknown people in an informal settlement consisting of a dozen shacks, inhabited by roughly 20 Romanian Roma from Rome, located along Lungotevere San Paolo near the Tiber River. The inhabitants of the settlement remain unharmed⁹⁸.
- 11 June 2018, Florence - During the event organized by the members of the Fratelli d'Italia political party near the area where Duccio Dini lost his life after being hit by a car driven by a Roma from the Poderaccio settlement, a group of demonstrators, about 300, separate from the main march trying to approach the Roma settlement screaming and shouting invectives including: “We must close the Roma camp, we are tired, the neighborhood has no more patience”, “Vendetta, vendetta” and “We will bring bulldozers”. Some protesters try unsuccessfully to force the police cordon to enter the settlement⁹⁹.

<https://iltirreno.gelocal.it/pisa/cronaca/2018/07/16/news/incendiata-una-roulotte-accanto-al-campo-rom-1.17065941>.

⁹⁴ See: ““Bomba carta contro i rom sfrattati da Giugliano”: vendita la tensione”, Fanpage.it, 21 May 2019, <https://napoli.fanpage.it/bomba-carta-contro-i-rom-Sfrattati-da-Giugliano-vendita-la-Tensione/>.

⁹⁵ See: “Famiglia rom aggredita a Bolotona: Furgone incendiato e camper preso a sassate. È razzismo”, Castedduonline.it, 8 October 2019, <https://www.castedduonline.it/famiglia-rom-aggredita-a-bolotona-furgone-incendiato-e-camper-preso-a-sassate-e-razzismo/>.

⁹⁶ See: <https://m.altarimini.it/News96215-vi-diamo-fuoco-nomadi-denunciano-intimidazioni-atmosfera-tesa-a-rimini-per-il-caso-microaree.php>.

⁹⁷ See: http://www.corriere.it/cronache/17_giugno_06/torino-rom-forza-nuova-pompieri-fermati-8195cbfe-4af9-11e7-ac11-205c7f1cfc9f.shtml and https://torino.diariodelweb.it/torino/articolo/?nid=20170607_421678.

⁹⁸ See: “Roma, molotov contro l'accampamento abusivo di lungotevere San Paolo”, LaRepubblicaRoma.it, 2 March 2018, https://roma.repubblica.it/cronaca/2018/03/02/news/roma_molotov_contro_l_accampamento_abusivo_di_lungotevere_san_paolo-190230184/?refresh_ce and “Lungotevere San Paolo: molotov contro insediamento abusivo di nomadi”, RomaToday, 3 March 2018 <http://www.romatoday.it/cronaca/molotov-insediamento-abusivo-lungotevere-san-paolo.html>.

⁹⁹ See: “Firenze, tensione al corteo contro il campo rom: interviene la polizia”, LaRepubblicaFirenze.it, 11 June 2018, https://firenze.repubblica.it/cronaca/2018/06/11/foto/manifestazione_morto-198762181/1/#1 and “Momenti tensione a corteo per Duccio”, Ansa.it, 11 June 2018, http://www.ansa.it/toscana/notizie/2018/06/11/momenti-tensione-a-corteo-per-duccio_51f54b81-c77f-46ed-a274-4e208c9ebe6b.html.

- 1 August 2018, Rome - Around midnight, a paper bomb is launched against the former residents of the Camping River settlement who, following the forced eviction of 26 July, had settled in Viale delle Galline Bianche. The bomb dropped by unknown persons from a moving vehicle did not cause damage to people or things. In the days before the intimidating gesture, the citizens of the area had shown a growing intolerance towards the presence of the Roma present there¹⁰⁰.

- 2-4 April 2019, Rome - In the Torre Maura district, a violent protest occurs against the opening of a new reception facility aimed at hosting about 70 Roma from the reception center on Via Toraldo. At the time of their transfer to the new structure in Via Codirrossoni, approximately 300 people, including some right-wing exponents such as CasaPound and Forza Nuova, block the entrance of the building with the cry of "Go away" towards Roma families about to enter in the structure. Shortly thereafter, some protesters brought garbage cans into the street and set them on fire. Despite the intervention of the police, the protest leads to the blocking of the delivery of meals to the center by the contracted company. During the night, a camper is set on fire and a mobile unit of the Social Operative Service of the Municipality of Rome is attacked¹⁰¹.

The protest lasted until 4 April, the day when some demonstrators who took possession of the bread destined for the inhabitants of the structure, throw it and trample it on the ground among the shouts «*Give bread to the victims of the earthquake and not to the Roma*», *Stop clapping our hands, let's give the Roman salute*». Following the protests, the structure in Via dei Codirrossoni was closed and the Roma people were transferred to other municipal reception facilities and hosted by relatives in the camps¹⁰².

- 7 April 2019 - In Rome, in Via Cipriano Facchinetti in the Casal Bruciato district, some residents of the neighborhood and members of the far-right movement CasaPound organize a protest against the assignment of public residential housing to a Roma family residing in the institutional settlement of La Barbuta. On the evening of the transfer of the Roma family, an uprising began with the cry of "Italians first"; dozens of demonstrators move the garbage cans into the street blocking access¹⁰³. Despite the police intervention, the protest continued until late in the evening. The family in question was unable to move into the home and only after three months a new housing was assigned to them.

- 6-7 May / June 2019, Rome - In Via Sebastiano Satta in the Casal Bruciato district, a fringe of far-right movements and parties organize a five-day garrison against the assignment of public residential housing headed by a Roma family from the La Barbuta institutional settlement. The Roma family, made up of fourteen people, during their move was the victim of numerous invectives and threats: «This house is not yours», «We will throw a bomb at you», «We will have you beaten up». The unauthorized garrison of CasaPound continued in the following days inside the condominium courtyard of the building. Despite the lack of authorization from the competent authorities, police officers did not remove the demonstrators gathered around a gazebo set up for the occasion near the front door of the building where the Roma family was moving. On the afternoon of 7 May 2019, the protesters physically prevent the assignee with the youngest daughter, about 2 years old, from entering the building. Local Police present blocked violent attempts to physically attack the woman and the minor, while attempting to cordon the area to ensure their passage. In this context, as the Roma woman passed between the police cordon among the demonstrators, the following intimidation and threats hovered: «*Whore!*», «*We will rape you*». The garrison continued in a less violent

¹⁰⁰ See: "Camping River, bomba carta a Labaro contro gli ex residenti", *Dire*, 2 August 2018, <http://www.dire.it/02-08-2018/224957-camping-river-bomba-carta-a-labaro-contro-gli-ex-residenti/> and "Labaro, bomba carta contro i rom del River accampati", *RomaToday*, 2 August 2018, <http://romanord.romatoday.it/prima-porta/labaro-bomba-carta-contro-rom-river.html>. The competent authorities are currently investigating the incident.

¹⁰¹ See: "Roma, protesta contro rom a Torre Maura. Ira residenti: camper dato alle fiamme", *Il Messaggero.it*, 2 April 2019, https://www.ilmessaggero.it/roma/news/roma_torre_maura_roma_residenti_rivolta_diretta-4403492.html.

¹⁰² See: "Torre Maura, i residenti sequestrano il riquadro:« Datelo ai terremotati, non ai rom »", *Il Messaggero.it*, 4 April 2019, https://www.ilmessaggero.it/roma/news/torre_maura_15enne_contro_casapound_rom_ultime_notizie-4407847.html.

¹⁰³ See: "Casal Bruciato: residenti in rivolta contro l'assegnazione di una casa popolare ai rom", *Roma, Oggi* 8 April 2019, <http://www.romatoday.it/cronaca/rivolta-anti-rom-casal-bruciato.html>.

form for about three more days and then dissolved. As for these facts, it appears that an investigation has been launched to ascertain the perpetrators of the attacks and threats¹⁰⁴.

On 5 June 2019, some members of the Roma family, who remained in the assigned housing, continued to suffer harassment and were chased in the street by a girl who with a can of petrol shouting at them «Now I will set you on fire»¹⁰⁵.

- 20 September 2019, Rome - In the Tor Bella Monaca neighborhood, a Roma family regularly assigned to public housing has failed to take possession of the lodgings. The inhabitants of the neighborhood have repeatedly kicked and punched the door of the house where the Roma family was, shouting numerous invectives: «*If you take this house, we will take care of you*», «*If you come back, you will no longer live*», «*Criminals and drug dealers are also fine, as long as they are Italian, but gypsies are not*». The Roma family and the three officials of the Rome Department of Housing, present during the threats, were forced to leave the building. The Roma family has been assigned another home and complaints have been made to the competent Authorities regarding the events¹⁰⁶.

ATTACKS AGAINST THE PERSON

- 1 July 2017 Acilia (RM) - In Dragona, a 14-year-old Roma girl of Serbian origin, residing in the slum in Via degli Ortolani, is attacked with an iron club while walking in the city with two other peers. During a dispute, born from an exchange of jokes between the three teenagers and two people (a man and a woman parked in their respective cars), the man driving a car shouts: «*I know you are from the nomad camp*». Following threats and repeated sexist and racist insults, the man takes a bat from his car with which he hits the teenager on the head. After chasing the other two minors, the man hits the girl on the ground again on the leg and then runs away with his car. The police immediately started investigating¹⁰⁷.

- 10 May 2018, Rome - A Romanian citizen of Roma origin is insulted, kicked and punched on the tram on which he was traveling near the Trastevere train station in Rome. The 27-year-old was playing “Bella Ciao” on his accordion when he was attacked by 3 people, an Italian and two foreigners: following the attack, the victim suffered physical injury¹⁰⁸.

- 17 July 2018, Rome - In Via Palmiro Togliatti, a 13-month-old Roma girl in her mother’s arms is hit in the back by a bullet exploded from a compressed air gun. The girl risked paralysis because the bullet was located near the spine but fortunately following the surgery on 27 September 2018 she was discharged without complications. The investigations led to the identification of the author of the gesture, an Italian citizen, former employee of the Senate

¹⁰⁴ See: “Roma, proteste a Casal Bruciato contro l’assegnazione di una casa a persone Rom. “Vi tireremo una bomba””, La Repubblica.it, 6 May 2019,

https://roma.repubblica.it/cronaca/2019/05/06/news/roma_casa_popolare_assegnata_a_famiglia_rom_residenti_in_strada_a_casal_bruciato_o-225604120/; “Roma, proteste a Casal Bruciato contro l’assegnazione di una casa popolare ad una famiglia Rom: Presidio Casapound Raggi: “Odio e terrore contro 6 bambini””, Il Fatto Quotidiano, 8 May 2019, <https://www.ilfattoquotidiano.it/2019/04/08/roma-protesta-a-casal-bruciato-per-casa-a-famiglia-rom-presidio-di-casapound-la-pensionata-siete-dei-fascistoni/5095644/>; “Le proteste a Casal Bruciato contro la madre Roma al grido di “Ti violenteremo, tr...a!””, La7 (TV media) news video, Coffee Break, 9 May 2019, <https://www.la7.it/coffee-break/video/le-proteste-a-casal-bruciato-contro-la-mamma-rom-al-grido-di-ti-stupro-tra-09-05-2019-271142> and “Roma, vergogna a Casal Bruciato. Minacce e insulti ai bimbi rom”, CorrieredellaSera.it, 19 May 2019, https://roma.corriere.it/notizie/cronaca/19_maggio_07/roma-casa-popolare-rom-nuove-proteste-casal-bruciato-609d60e4-70c0-11e9-90e5-1aa1d5fb0bf8.shtml.

¹⁰⁵ See: “Il caso. A Casal Bruciato con la famiglia rom ancora minacciata. Bimbi ai «domiciliari»”, Avvenire.it, 8 June 2019, <https://www.avvenire.it/attualita/pagine/casal-bruciato-ancora-minacce-ai-rom>.

¹⁰⁶ See: “Tor Bella Monaca, rivolta anti-rom nel palazzo: famiglia cacciata dalla casa popolare”, Il Messaggero.it, 20 September 2019, https://www.ilmessaggero.it/roma/news/tor_bella_monaca_rom_cacciati_casa_popolare-4745366.html.

¹⁰⁷ See: “Dragona, bambina rom aggredita in strada: il racconto”, 7 July 2017, <http://www.romatoday.it/cronaca/bambina-rom-aggredita-dragona.html>.

¹⁰⁸ See: “Suona Bella Ciao sul tram, in tre lo pestano a sangue”, LaRepubblica.it, 13 May 2018, https://rep.repubblica.it/pwa/locali/2018/05/13/news/suona_bella_ciao_sul_tram_in_tre_lo_pestano_a_sangue-196277141/ and “Aggredito sul tram 8, Tobias torna a suonare “Bella Ciao””, RomaToday, 15 May 2018, <http://www.romatoday.it/cronaca/video-rom-aggredito-tram-8-bella-ciao.html>.

of the Republic. The offender is not charged with the aggravating circumstance of racial hatred¹⁰⁹.

- 6 December 2018, Rome - A young Roma after an attempted theft against a passenger on the subway is forcibly immobilized by vigilantes. According to the testimony of the RAI News 24 journalist Giorgia Rombolà, present during the entire scene, the man who had undergone the attempted theft pulled the girl by her hair separating her from the vigilantes to then bang her against the metro wall 4 times¹¹⁰.
- 21 February 2019, Rome - At Termini station a 29-year-old man launches against an 11-year-old Roma child with a knife. «*I want to kill the gypsies because I can't stand them anymore, f - k.*» The boy, as later ascertained, had not stolen any personal items or money from the man. Two private security guards who intervened on the spot failed to prevent the attacker from not injuring the boy on the back of the neck with a knife¹¹¹.
- 12 April 2019, Naples - Two women and seven Roma children are attacked with insults, screams, spitting and stone throwing by four Italian teenagers at the exit of a cinema located in the city center. The boys chased the group for several tens of meters, threatening to use knives. The threats only ended when Roma families took refuge in a local café and the attackers decided after some time to leave¹¹².
- 18 July 2019, Guidonia (RM) - Two Roma residents of the Albuccione settlement are verbally and physically attacked with the request for compensation for an alleged theft. The Carabinieri arrested two Italian citizens accused of housebreaking, injuries and attempted extortion. The two accused youth had participated the day before in an anti-Roma garrison in Guidonia which saw the participation of about 150 people¹¹³.

¹⁰⁹ See: "Grave bimba rom ferita da un piombino, giallo a Roma. Il Pd: «Clima di odio non aiuta»", *lMessaggero.it*, 4 March 2018, https://www.ilmessaggero.it/roma/cronaca/roma_campi_rom_bambina_ferita_via_salone-3863080.html; "Bimba rom ferita rischia la paralisi: le ultime notizie sulle indagini", *RomaToday*, 20 July 2018, <http://www.romatoday.it/cronaca/bambina-rom-ferita-rischia-paralisi.html>; "Roma, trovato l'uomo che ha sparato un piombino alla bambina rom", *LaRepubblicaRoma.it*, 24 July 2018, https://roma.repubblica.it/cronaca/2018/07/24/news/roma_trovato_l_uomo_che_ha_sparato_un_piombino_alla_bambina_rom-202557554/ and "Roma, tornerà a camminare la bimba rom ferita da un proiettile", *LaRepubblicaRoma.it*, 28 September 2018, https://roma.repubblica.it/cronaca/2018/09/28/news/roma_tornera_a_camminare_la_bimba_rom_ferita_da_un_proiettile-207597367/.

¹¹⁰ See: "Roma, l'odio viaggia anche in metro: rom pestata davanti alla figlia per un tentato furto", *LaRepubblicaRoma.it*, 6 December 2018, https://roma.repubblica.it/cronaca/2018/12/06/news/roma_quel_razzismo_che_viaggia_anche_in_metro-213541724/. Investigations to clarify the motivation of the attack are still ongoing.

¹¹¹ See: "Roma, bimbo di 11 anni aggredito a Termini con un taglierino", *RomaToday*, 22 February 2019, <http://www.romatoday.it/cronaca/bambino-rom-aggredito-taglierino-metro.html?fbclid=IwAR16MYiqb2jEnPRhxPorodz9BaPOTi5ciFRMLqvxZvQlg0357ApubxXgdZ0>.

¹¹² See: "Napoli, mamme e bimbi nomadi aggrediti con insulti e sputi da una baby gang", *La Repubblica.it*, 13 April 2019, https://napoli.repubblica.it/cronaca/2019/04/13/news/napoli_rom_razzismo-223915044/.

¹¹³ See: "Raid anti-rom a Guidonia, due arresti e 150 identificati", *Corriere della Sera*, 19 July 2019, https://roma.corriere.it/notizie/cronaca/19_luglio_19_dorsorm-05-a10corriere-web-roma-ec57ff78-a9f4-11e9-a88c-fde1fa123548.shtml.