

ROM(A) UNDERGROUND

White Paper on the condition of Roma children in Rome



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PREFACE

by *Vincenzo Spadafora, National Ombudsperson for children and adolescents*

The presence of Roma and Sinti communities in Europe dates back to the XIV century. The first decree of expulsion against these communities known in Italy, appears to have been issued in Milan in 1512: there was a fear that they could bring the plague. The history of Roma is marked by violence, exclusion and marginalization. This is due, in particular, to a very limited knowledge characterized by increasingly consolidated prejudices, on their presence in the hosting society.

Nowadays, people still talk about Roma in a predominantly negative way and they interpret their traditions, wishes and customs with surprising superficiality.

Like in many other European countries, there are no reliable data on the number of Roma living in Italy. Estimates indicate a presence of between 120.000 and 170.000 Roma individuals. Of these, around 45% are Italian citizens, more than half are underage and the majority have been sedentary for generations. Roma constitute around 0,25% of the Italian population.

The first merit of this *White Paper* by *Associazione 21 luglio*, is that it provides clear data on the presence of Roma in Rome. The second is that it looks directly at Roma children and it offers a detailed analysis - built around the principles of the United Nations Convention on the Rights of the Child - of the effects on Roma children and adolescents, of the policies implemented by the Rome administration over the last years. Last but not least, the work methodology seems very interesting, since it combines objective elements and data, with the words of those who live through these policies. The report highlights, through in-depth interviews, the consequences of the so called *Nomad Plan* of the city of Rome on underage people; it is the children themselves who comment on what this *Plan* has entailed in their daily life. Through their words, we understand the implications of being moved to equipped camps outside the *Grande Raccordo Anulare*, of being taken to school by a "special" bus and not having spaces and time to play with non-Roma schoolmates, and also the impact of living in equipped camps on their physical and mental health.

With this work, *Associazione 21 luglio* offers a careful assessment on the impact of the policies adopted for the Roma in Rome.

Last year the Government presented the *National Strategy for the Inclusion of Roma, Sinti and Caminanti communities implementing European Commission Communication no. 173/2011*; the *Strategy* aims at overcoming the emergency type of intervention "that characterizes the government action in particular in large urban areas" and the "welfarist approach", by implementing appropriate and specific

measures, "so that equality, equal treatment and fundamental rights and obligations can be fully observed".

The assessments of organizations such as *Associazione 21 luglio*, represent valuable tools to monitor in the short, medium and long run the impact of the *Inclusion strategy* and of the national and local policies connected to it on Roma children and adolescents. They also help assessing their strengths and weaknesses, with a view to shaping the policies that will be elaborated in Rome and in Italy in the coming years.

*This report is dedicated to Angelo, who died at five months on 9 January
2013 in the Candoni «equipped village»,
and to all Roma children who in these years have lost their lives inside
the Roman settlements.*

INTRODUCTION

In 1991 Italy ratified the United Nations Convention on the Rights of the Child¹. Article 2 of the Convention underlines that the rights of the child belong to all children² and must be ensured «irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status»³.

This *White Paper* wanted to verify to what extent the principle of equality in the enjoyment of the rights of the child between Roma and non-Roma children is respected. According to official estimates, of the around 7.000 Roma living in formal and informal settlements, 53% are children⁴. For years, several national and foreign activists and associations have been denouncing the persistent violation of the human rights of members of the Roma community in our country⁵. This research has adopted the perspective of children by depicting their living conditions and by documenting how and if the policies of the current Roman administration⁶ have generated violations of the rights of the child.

The aspects examined were in particular: the housing conditions and the way in which evictions are carried out, in relation to the right to protection from violence and interference in one's home (article 16); school attendance and educational paths, in relation to the right to education (article 28 and article 29); the possibility of leisure permitted in the areas reserved to Roma children, in relation to the right to play (article 31); child mortality, disabilities and the hygienic-sanitary conditions for children who live in "camps" and in Roma gathering centers⁷, in relation to the right to health (article 6, article 24 and article 27); the practice of ethnic filing, the incidence of child removals from families and the conditions of Roma children in prisons, in relation to the right to non-discrimination (article 2). The research focused in particular on the situation in Rome in the period 2009-2012, as this timeframe coincides with the implementation of the last *Nomad Plan*.

The *White Paper*, which was written between 1 October and 31 December 2012, developed around the reports issued by *Associazione 21 luglio* between 2010 and 2012⁸. The analysis of the relevant documentation was integrated with findings from field research, by utilizing some instruments of qualitative analysis: direct observation and in-depth interviews. In total, 20 open interviews were conducted in the La Barbuta «equipped village», the Gordiani «equipped village», the Cesarina «equipped village», the Tor de' Cenci "tolerated" settlement, the offices of the

Municipality of Rome, the law firm of two lawyers and the seats of some organizations that deal with the rights of the members of the Roma community.

The first part of the report provides information on the overall context: it defines the presence of Roma communities in the capital of Italy, it describes the policies of the *Nomad Plan* and it illustrates the rights and the principles set forth in the Convention on the Rights of the Child mentioned above.

The second part documents the living conditions of Roma children in the «equipped villages», the "tolerated camps", the Roma gathering centers and the informal settlements, in order to assess whether the actions undertaken by the local authorities violated the right to housing, the right to education, the right to play, the right to health and the right to security of the children.

The last part of the report describes cases of Roma children and families who, due to their housing conditions, risk becoming victims of discrimination by representatives of the authorities, such as social workers and judges of juvenile courts.

The research focuses on the policies of the *Nomad Plan*, since they are the most recent actions undertaken in Rome with regard to Roma communities, and they can be documented more easily. It is worthwhile underlining that the last *Nomad Plan* is in line with the policies already promoted by the previous municipal administrations, characterized by the practice of evictions and the construction of "mega mono-ethnic camps".

PART ONE

NOMAD PLAN AND ROMA CHILDREN IN THE CITY OF ROME

Before the *Nomad Plan* was inaugurated by the centre-right administration presided by mayor Gianni Alemanno⁹, between February and June 2009, public security authorities had ascertained the presence of 7.177 Roma in the settlements of Rome. Of these, 2.241 lived in 7 «equipped villages»¹⁰, 2.736 in 14 "tolerated camps" and 2.200 in 80 informal settlements¹¹. It is estimated that the Roma children living in all these settlements were around 3.370.

Following episodes of violence in the suburb of Ponticelli in Naples¹², in May 2008 the Italian Government issues the decree of the President of the Council of Ministers entitled «Declaration of the state of emergency in relation to the settlements of nomad communities in the territory of the regions Campania, Lazio and Lombardy»¹³. The state of emergency, which has initially duration of one year, is prolonged until 31 December 2010 and afterwards until 31 December 2011¹⁴. In the region of Lazio, - through Ordinance no. 3676 of the President of the Council of Minister dated 30 May 2008¹⁵ - the prefect of Rome is nominated «Delegated commissioner for the implementation of all interventions deemed necessary to overcome the state of emergency in the territory of the region of Lazio, with particular reference to the urban areas of the Municipality of Rome and its surrounding areas».

The *Nomad Plan*, which is presented on 31 July 2009 at the Salone "camp", consists of a series of activities aimed at overcoming the so-called "nomad emergency". According to the Roman administration, the two main directives of the *Plan* are the «structural reorganization of the settlements»¹⁶ and the «valorization of the individual in order to eliminate discriminations and to promote the principle of equal treatment irrespective of the ethnic origin»¹⁷. The stated objective of the *Nomad Plan* is to ensure that Roma can leave the "camps" autonomously,¹⁸ and its two founding principles are «the respect of the principle of legality and the promotion of social integration»¹⁹.

The *Plan* sets the maximum number of Roma that the Municipality of Rome is able to host at 6.000 people. The fate of the remaining 1.177 Roma is not contemplated. The objectives of the *Nomad Plan* include: the regularization and the

improvement of material conditions in the already existing «equipped villages» - through the adaptation of the sewerage, the renovation of water and electric installations, the refurbishment of the housing units and land reclamation; the setting up of entry checks and surveillance services in the «equipped villages»; the transfer of all Roma living in "camps" to 13 «equipped villages» complying with all the housing standards envisaged by the legislation in force (EN 1647) - some to be built *ex novo* and others to be refurbished or expanded; the closure of all informal settlements and "tolerated camps", except for Salviati, Ortolani and La Barbuta, for which refurbishment plans are envisaged; and the creation of a transit facility with a capacity of 600 people. Inside the «equipped villages» the *Plan* provides for the presence of socio-educational aid geared towards integration of children in schools, fight against deviance, labor inclusion and psycho-social assistance. Roma people must be involved in traineeships and vocational training, and the children's schooling must be monitored. Since many Roma from the former Yugoslavia lack personal documents, the implementers of the *Nomad Plan*, in agreement with the Ministry of Interior, provide for measures aiming at their «identitary integration». Through the collection of photo-dactyloscopic data by the *Questura di Roma*²⁰, Roma families could exert the right to request international protection or the issuance of a humanitarian permit²¹.

To reside in the «equipped villages», Roma people must hold a DAST (Document authorizing the temporary stay - *Documento Autorizzativo allo Stazionamento Temporaneo*) valid for two years and renewable for a further two. This document certifies that the individual resides in the "camp" and attests that he or she is committed: to respecting the norms contained in the regulation issued by the commissioner for the emergency, to maintaining the plot assigned to him or her, to safeguarding the common areas, to paying the utilities and the monthly fees, to supporting the schooling of children and to participating in programs of labor insertion. In order to obtain a DAST, an individual who is not a citizen of the European Union must have a residence permit and a passport; if the individual is a citizen of the European Union, than a valid identity document is sufficient²².

As of today, the "extraordinary" funds allocated since 2009 amount to 32,5 million Euros: 19,5 millions coming from the Ministry of Interior, 8 millions from the Municipality of Rome and 5 millions from the Lazio region²³. Since in addition to this amount, an estimated 30 million Euros were used to cover the ordinary expenses for the management of the "camps", the schooling projects, the evictions, the waste collection and the job grants, in three years 60 million Euros were spent in total in the framework of the implementation of the *Nomad Plan*²⁴.

On 16 November 2011, with verdict no. 6050, the Council of State declared the Decree of the President of the Council of Ministers of 21 May 2008²⁵ unlawful, as «it is not possible to identify precise factual data that would support the idea that there is an etiological link between the presence on the territory of nomad settlements and an extraordinary and exceptional disturbance of public order and security in the areas concerned²⁶; the «grave episodes» that are at the basis of the declaration of the state of emergency, are not supported by a serious and punctual analysis of their incidence on the relevant territories; on the contrary, only specific and isolated episodes that are not sufficient to demonstrate the exceptional and extraordinary nature of the situation are recalled; the acts that led to the Decree of 21 May 2008 do not mention that the use of ordinary resources has proved to be unsuccessful: as a result, the recourse to extraordinary measures appears ungrounded²⁷. The unlawfulness of the decree of the Council of Ministers of 21 May 2008 renders the presidential ordinances of 30 May 2008 appointing delegated commissioners for the emergency as well as their subsequent acts void, since the commissioners lacked the power to adopt them; if possible, the competent administrations may regularize these acts in line with their ordinary powers and competences; a state of emergency may be declared again, should the conditions envisaged by the law be satisfied²⁸.

As of 31 December 2012, 4 "tolerated camps" were closed – Casilino 900, La Martora, *via* del Baiardo and Tor de' Cenci – and the "tolerated camp" in La Barbuta was replaced by a new «equipped village». Therefore, presently the situation appears to be as follows: today there are 8 «equipped villages» as opposed to the 7 «equipped villages» that existed in 2009; the 14 "tolerated camps" were reduced to 8 and, as a result of the evictions, the 80 informal settlements fragmented into 200 micro-settlements scattered on the municipal territory. As of 31 December 2012, there were three Roma gathering centers.

The table below lists the 8 «equipped villages» in Rome, as well as the estimated number and the origin of the people and the children residing there²⁹. The number of children living in the «equipped villages» aged 0 to 18 years, was estimated by calculating 53% (corresponding to the average percentage of children over Roma adults in Rome) of the total number of Roma people present there³⁰. The same method was used to calculate the number of children under the age of 14, who in Rome constitute 41% of all Roma children³¹.

Rom(a) Underground

«EQUIPPED VILLAGES»	TOTAL POPULATION (approx.)	CHILDREN 0 – 18 (approx.)	CHILDREN UNDER 14 (approx.)	ORIGIN
SALONE	850	450	180	SERBIAN BOSNIAN ROMANIAN MONTENEGRIN
CANDONI	710	380	160	ROMANIAN BOSNIAN
RIVER	520	280	110	ROMANIAN BOSNIAN KOSOVAN
GORDIANI	210	110	50	SERBIAN
CASTEL ROMANO	800	420	170	BOSNIAN
LOMBROSO	160	90	40	BOSNIAN
CESARINA	180	100	40	BOSNIAN ROMANIAN
LA BARBUTA	250	130	50	MONTENEGRIN BOSNIAN ITALIAN
TOTAL	3.680	1.960	800	

The table below lists the 8 "tolerated camps" as well as the estimated number and the origin of the people and the children residing there.³²

"TOLERATED CAMPS"	TOTAL POPULATION (approx.)	CHILDREN 0 to 18 (approx.)	CHILDREN UNDER 14 (approx.)	ORIGIN
FORO ITALICO	90	50	20	SERBIAN
SPELLANZON	70	40	20	ITALIAN
ARCO DI TRAVERTINO	40	20	10	SERBIAN BOSNIAN ROMANIAN
SETTECHIESE	30	20	10	ITALIAN
ORTOLANI	60	30	10	SERBIAN
MONACHINA	110	60	50	BOSNIAN
SALVIATI I	70	40	20	SERBIAN

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SALVIATI II	340	180	70	BOSNIAN
TOTAL	810	440	210	

It is estimated that around 2.200 people of which 1.200 children, are present in the informal settlements.

The table below lists the Roma gathering centers, as well as the estimated number and the origin of the people and the children residing there:

ROMA GATHERING CENTERS	TOTAL POPULATION (approx.)	CHILDREN 0 to 18 (approx.)	CHILDREN UNDER 14 (approx.)	ORIGIN
Center in <i>via Salaria</i>	380	200	80	ROMANIAN
Center in <i>via Amarilli</i>	130	70	30	MONTENEGRIN FRENCH ITALIAN BOSNIAN
Center in <i>via Visso</i>	170	90	40	BOSNIAN ROMANIAN
TOTAL	680	360	150	

THE CONVENTION ON THE RIGHTS OF THE CHILD

The Convention on the Rights of the Child is an international legal instrument for the promotion and the protection of children's rights. It represents a fundamental step in the history of human rights, since for the first time it recognizes explicitly the child as a holder of civil, social, cultural and economic rights.

The Convention was unanimously adopted by the United Nations General Assembly on 20 November 1989; it is composed of 54 articles and two Optional Protocols. As of today, 193 States - among which all the members of the United Nations except for the United States of America, Somalia and South Sudan - have ratified the Convention.

Italy ratified the Convention on 27 May 1991 with law no. 176, subsequently deposited at the United Nations on 5 September of the same year. For those States that ratify it, the Convention is considered "hard law", i.e. a legally binding instrument. Therefore Italy is required to respect its provisions. Moreover, the Convention is "self-executive": every individual has the right to seek the enforcement of the rights stipulated by it before any national court. As of today, there are no intergovernmental bodies dedicated to monitoring the implementation of international law. However, there is the Committee on the Rights of the Child envisaged by article 44 of the Convention: every 5 years, all States must submit to the Committee periodic reports on the measures taken to implement the principles of the Convention and on the progress made on the enjoyment of those rights.

For the purposes of this research, it is worthwhile recalling two cardinal principles of the Convention:

- The principle of non-discrimination (article 2), requiring States to respect the rights set forth in the Convention irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, opinion, national, ethnic or social origin and to take all appropriate measures to ensure that the child is protected against all forms of discrimination.
- The principle of best interests of the child (article 3), entailing that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. The States undertake

to ensure the child such protection and care as is necessary for his or her well-being.

When it comes to the rights set forth by the Convention, it is important to underline that Italy must undertake to ensure the life, survival and development of all children (article 6), must guarantee the right to a nationality (article 7) and the right of children to be raised by their parents and not to be separated from them against their will, unless competent authorities decide so (article 9)³³. The Italian State must refrain from arbitrarily or unlawfully interfering in the privacy, family and home of children (article 16) and must take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse (article 19)³⁴. Moreover, Italy must: provide adequate assistance to all mentally or physically disabled children to enable them to enjoy a full, decent and dignified life (article 23), safeguard the right to health (article 24) by adopting all necessary measures to reduce child mortality³⁵ and assist parents in providing a standard of life adequate for the child's physical, mental, spiritual, moral and social development (article 27). The right to education must be promoted through the adoption of adequate measures to encourage regular attendance at schools and the reduction of drop-out rates (article 28)³⁶. The Convention recognizes the right to play, to leisure and to engage in recreational, artistic and cultural activities (article 31)³⁷.

The following chapters will analyze how these rights are implemented by the local authorities with regard to Roma children and how the measures envisaged by the *Nomad Plan* influenced their enjoyment by Roma children in the city of Rome.

PART TWO

THE RIGHT TO HOUSING FOR ROMA CHILDREN

«State parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right [the right to a standard of living adequate for the child's psycho-physical development] and shall in case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing»
(Article 27.3, Convention on the Rights of the Child)

1. The right to housing under international law and the Italian response

The right to housing was recognized internationally for the first time in the Universal Declaration of Human Rights in 1948³⁸. Afterwards it was reiterated in many international instruments such as the International Covenant on Economic, Social and Cultural Rights³⁹, the International Convention On the Elimination of All Forms of Racial Discrimination⁴⁰ and the Convention on the Rights of the Child⁴¹. While recognizing the right of each individual to adequate housing, these conventions also prohibit any form of discrimination in access to housing. The criteria for defining adequate housing are indicated in *General Comment no. 4 on the right to adequate housing*⁴² of the United Nations Committee on Economic, Social and Cultural Rights. These are: legal security of tenure – that is the guarantee of legal protection against forced evictions, harassment and other threats to the right to housing; availability of services, materials and infrastructure – that is the right to access common resources, such as safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services; affordability – that is the duty of the State to intervene in case the individual is not able to access the real estate market; habitability – that is adequacy of housing in terms of protecting the inhabitants from any threats to health, such as structural hazards and disease vectors and in terms of guaranteeing their physical safety; location – adequate housing must be in a location which allows access to employment options, health-care services, schools, child-care centers and other social facilities, and should not be built on sites where pollution sources threaten the right to health⁴³.

Through the years, various international organizations have been denouncing how the Italian policy founded on the construction and the management of "nomad camps" violates the right to housing. The practice of evictions and the resettlement of people in unhealthy locations, far from social networks, as well their placement in containers and caravans with no sanitation, site drainage and running water, make Italian policies incompatible with international norms⁴⁴.

Italy is known in Europe as *campland*⁴⁵ and is still being criticized by international institutions. In 2000 the United Nations Committee on the Elimination of Racial Discrimination recommended to Italy «to refrain from placing Roma in camps outside populated areas that are isolated and without access to health care and other basic facilities»⁴⁶; the Committee reiterated this recommendation in the 2008 Concluding Observations on Italy. In 2005 the Committee of Ministers of the Council of Europe, with recommendation no. 4/2005, invited the member States to prevent «exclusion and the creation of ghettos». To «combat the creation of ghettos» – it is stated – States «should prohibit [...] local [...] initiatives aimed at ensuring that Roma settle or resettle in inappropriate sites and hazardous areas, or aimed at relegating them to such areas on account of their ethnicity»⁴⁷. In 2010 the European Committee of Social Rights condemned the Italian policy of "Roma camps", since these do not guarantee minimum conditions for a dignified life⁴⁸. In 2011 the Extraordinary Commission for the Protection and the Promotion of Human Rights of the Italian Senate stated: «the experience of the Nomad Plan in Rome reveals a series of critical aspects which suggest that, in order to solve the Roma issue effectively, both in terms of security and integration, it is useful to explore new ways and new solutions that go beyond the so-called *campization*»⁴⁹ and underlined the wish that the example set by Italian cities that «decided to close the Roma camps» be followed⁵⁰. In February 2012 the national Government presided by president Mario Monti, underlined the «need to overcome the camps in order to combat isolation and promote social interrelation paths. [...] Through the years, the policy of "nomad camps" has fostered housing problems to the point that from being its consequence, it became the premise and cause of the spatial marginalization and the social exclusion of those who suffered and continue to suffer from this housing condition»⁵¹. In the same month, ECRI (European Commission against Racism and Intolerance) recommended to the Italian authorities to «firmly combat the segregation suffered by Roma in the field of housing, notably by ensuring that the housing solutions proposed to them do not cut them off from the rest of society but on the contrary, promote their integration»⁵². In March 2012 the United Nations Committee on the Elimination of Racial Discrimination, exhorted Italy to «refrain

from placing Roma in camps outside the populated areas without basic facilities such as health services and education. Bearing in mind its general recommendations No. 27 (2000) on discrimination against Roma and No. 30 (2004) on discrimination against non-citizens, as well as the National Strategy for the inclusion of Roma, Sinti and Caminanti communities, the Committee encourages the State party to intensify efforts to avoid residential segregation of Roma and Sinti communities, [...] and to develop social housing programs for them⁵³. In September 2012 the Commissioner for Human Rights of the Council of Europe stated: «The Commissioner strongly believes that both segregated camps for Roma and Sinti and forced evictions in Italy should be firmly relegated to the past. The Italian authorities should instead give priority to the implementation of the goals expounded in their National Roma Inclusion Strategy, which rightly states that "the liberation from the camp as a place of relational and physical degradation [...] and relocation to decent housing is possible", and points to existing good practices in Italy»⁵⁴.

It has been proved on various occasions, that the housing solutions proposed to the Roma communities have not taken into account key indicators on housing quality. For example, a key indicator of housing quality is the availability of sufficient personal space. This is calculated by measuring the number of persons per room, excluding kitchen, corridor and bathroom. Surveys of the European Union Agency for Fundamental Rights point out that in Italy the average number of persons per room in non-Roma households does not exceed one, while the average for Roma households is 2,5. Another key indicator of housing quality is the availability of basic amenities such as indoor kitchen, indoor toilet, indoor shower, and electricity. According to the European Agency, in Italy the differences between Roma and non Roma households are extremely pronounced: 30% of Roma do not enjoy any of the 4 amenities mentioned above, while non Roma in the same situation are only 0,2%⁵⁵.

Living in inadequate and mediocre housing can jeopardize the enjoyment of social and economic rights and can influence the life of children heavily. Residential segregation can negatively affect their health, their access to education, their school attendance and consequently, their future employment chances⁵⁶.

2. Roma children and housing solutions in the city of Rome

Notwithstanding international and national criticism, over the last three years, the Roman administration has continued to invest human and economic resources in the implementation and the perpetuation of the "camps" system⁵⁷.

Currently in Rome there are three types of institutional housing solutions for the Roma and Sinti communities: the «equipped villages», the “tolerated camps” and the reception facilities called Roma gathering centers.

2.1. The «equipped villages»: characteristics and impact on children

The «equipped villages» in Rome are: Salone, Candoni, River, Gordiani, Castel Romano, Lombroso, Cesarina and La Barbuta. Near to 2.000 children live in the 8 “equipped” settlements of Rome.

All the «equipped villages» are fenced. Some have a video-surveillance system, an identification system, a system to record all entries and exits and opening hours for external guests. Only River and Salone benefit from health aid and from a facility for the storage and treatment of iron materials and other materials necessary for the economic activities of many families. The types of housing units are containers, bungalows and caravans. The housing units are generally composed of one or two rooms, sometimes they have no kitchen and no bathroom, and they are generally extremely suffocating. In La Barbuta, the last «village» built in Rome and the first one to be inaugurated by the current municipal administration, the containers are of 24, 32 and 40 m² and they accommodate families of 4, 6 or 8 members⁵⁸. Each individual has a personal space of around 5 m²; however, if the surface of the kitchen and the bathroom is excluded, the personal space is reduced to less than three m² per person. The European Committee for the Prevention of Torture of the Council of Europe, set at 7 m² the minimum space in a cell, for any individual detained in prison⁵⁹, which is more than double the space allocated to the Roma in some formal settlements. The structures are rigid because the expansion of the housing units and of the families is neither permitted nor contemplated. In some cases, as the family was growing, the Roma expanded the housing unit themselves. On many occasions, the police demolished the appendixes of the housing units because they were deemed illegal, without ensuring that such operations were carried out with adequate care for the children, who are often witnesses of the destruction of their homes and of the goods inside them.

In two «equipped villages» – River and Castel Romano – the families think that running water is not potable. In the Cesarina settlement, families do not have adequate toilets. In winter heating is provided by electric stoves in almost all the settlements. There are schooling support services for the children in all the «equipped villages»; however, the Municipality of Rome invests less in such services than in the

activities deemed necessary to guarantee security, such as video-surveillance and guard services at the entrance.

Although the «villages» were conceived in the alleged name of legality and integration⁶⁰, they are located on average more than two km from the first bus stop and more than three km from the post office and the closest market. All the settlements are located outside of the populated areas and of the *Grande Raccordo Anulare*⁶¹, except for Gordiani and Lombroso. The average distance between the "camps" and the closest populated area is more than two km; public transport to cover such distance, is not always available. With regard to the River settlement, the closest supermarket is 5 km away and people have to take two buses to get there. In the case of Salone, the closest supermarket is three km away and it is not easily reachable by public transport.

Inside the 8 «equipped villages», there are no, or very substandard, areas reserved to children, such a playroom and post-school care. Given the lack of any recreational infrastructures, when the weather conditions are not suitable for playing outside, children are forced to stay inside their homes.

A father residing in an «equipped village» says:

«There is no space in the container. How do I manage here with 10 children? [...] Two of my children sleep on the floor. The oldest sleep in another container and they have enough space. But the youngest want to stay with us, but there is no space and they sleep in the small living room on the floor. [...] Inside there is no space to do anything. They can neither play nor study. They sleep and then they go out. Even if it's cold they are always outside. Children who go to school do their homework, here they don't manage. [...]. There is only space for cooking, but we always eat outside [in the courtyard], even in winter, the entire family together; what should I do: let them eat separately? They [the oldest children] in that container and us here? Where do you put 12 people eating inside?»⁶².

The scarcity – in some cases the absence – of personal space and the discomfort connected to it, are a feature of all Roman «equipped villages». The caravans in Cesarina, for example, measure around 12 m² and they accommodate on average 4 people.

In this regard, a woman reports:

«The conditions are not good. We live in a caravan and we don't know what intimacy is».⁶³

Parents report that the lack of space in the housing units is reflected in the difficulties that their children encounter in their daily activities, studying, playing and even resting.

*«If my children stay here they will have problems and I do not want them to grow like this. At home there is no space do to anything for the children, such as playing, sleeping and studying».*⁶⁴

A Roma father explains:

*«Five of us live here. My children cannot sleep, in summer because of the heat and in winter because of the cold. There is no space to play here, neither at home nor in the camp. [...] The space is limited. We have to squeeze».*⁶⁵

*«We are 9 in a container! It is impossible to live like this. There is too much promiscuity between children growing up, between boys and girls, and they always argue. Some children sleep on the floor and others in the bedroom. [...] We can never eat all together. We eat outside the container, inside there isn't room for 9 people ».*⁶⁶

The 8 «equipped villages» of the Rome *Nomad Plan* are characterized by distance from the urban areas, – except Lombroso and Gordiani – lack of outdoor spaces, inadequate and rigid housing units that do not contemplate the natural expansion of the family, often critical hygienic and sanitary conditions and lack of recreational and educational spaces.

All these factors heavily limit the chances of social inclusion of the children, they reduce opportunities to meet and interact with non-Roma peers, opportunities for growth and development through sport, play, music and recreational paths; they discourage school attendance and make any trip out of the "camp" difficult. The children who live in the «equipped villages» are Roma who live among Roma, in a gated area under video-surveillance, in a rigid, codified and timeless space where the problems that characterize degraded and marginal environments are amplified⁶⁷.

2.2. The "tolerated camps": characteristics and impact on children

As of 31 December 2012, the "tolerated camps" in Rome are: Foro Italiceo, Spellanzon, Arco di Travertino, Sette Chiese, Ortolani, Monachina, Salviati I and Salviati II. Around 440 children live in the "tolerated" settlements of Rome.

In line with the *Nomad Plan*, in the last three years 4 "tolerated camps" were closed, these are (in chronological order): Casilino 900, La Martora, *via del Baiardo* and Tor de' Cenci. The first one, situated in the east periphery of Rome, was closed in February 2010⁶⁸; the second, located not too far from the first one, was closed in December 2010⁶⁹; *via del Baiardo*, situated in a suburb in the north of Rome, was dismantled in July 2012⁷⁰, while Tor de' Cenci, in the south of Rome, in October 2012⁷¹. As decided by the municipal administration, the families evicted from the "tolerated camps" were transferred to the «equipped villages» of the city of Rome.

The direct observation of the evictions and the testimonies collected reveal that, despite having been planned in advance by the municipal authorities, the 4 evictions and the subsequent forced transfers⁷², led in some cases to the interruption of the educational path for the children, to the termination of their social relations in the quarter of origin and to the loss of all points of reference. The insertion into the «equipped villages», a context that was totally unknown to the families transferred there, raised serious concern among the children and their parents, alarmed by the distance and the isolation of the new "camps" and dismayed by the forced cohabitation with other communities. Moreover, the closure of the "tolerated camps" led to overcrowding in the «equipped villages»; in some cases, new containers were installed in areas where there were playgrounds for children or in areas of socialization for the families and their communities.

The following are testimonies from people who were born and had grown up in the Casilino 900 "tolerated camp" and who three years ago were transferred to the Salone «equipped village»:

«When we were at Casilino, my children had all their Italian friends, the ones with whom they had grown up, around. They were always coming to my home or my children were going out with them. [...]. Here at La Rustica we don't know anybody and there is nothing around here; we always go towards Casilino, where also my friends live»⁷³.

«When I was in Casilino I went out in the neighborhood with my relatives and also alone with my cousins. We all knew each other and we had Italian friends from our school. My cousins even had girlfriends who are not Roma and who were their classmates and who live in the district of Centocelle. Here there is too much delinquency and there is no integration with the city»⁷⁴.

«When I was in Casilino I went shopping on foot. Here I have to spend 10 Euros to move around. [...]. Before, we were going around in the neighborhood and everybody

knew us around the camp. There was integration with the district. We were integrating, my son had friends and also a girlfriend who are not Roma. Where can we go here? The town is too far. Children will never have a future in the camps. My worry is that they will learn about crime here. We need a house and a job to support our families. We should live outside the camps and with no associations around. There is no integration in the camp, far away from the town and with crime. If a child sees that with crime you can make good money, why should he or she work? Camp means delinquency, not integration»⁷⁵.

The peripheral location of the «equipped villages» undermines the social inclusion of children as well as their autonomy in the schooling path. A mother who lived in Casilino 900 and who resides today in Salone reports:

«Now [after the transfer from Casilino 900 to Salone] I cannot talk to the teachers as before. Now if there is a meeting with the parents I cannot go, because by bus it is too far away. [...]. Now the relationship with them has changed a lot; there isn't the same attachment and trust. I still trust the teachers, of course, but less, because I feel excluded»⁷⁶.

A similar testimony is given by a mother who used to live in the Tor de' Cenci "tolerated camp" and who now lives in the La Barbuta «equipped village»:

«In Tor de' Cenci I could take my children to school on foot in 5 minutes, it was us who used to take them to school and it was better for us! Then, after school we had the park close to the camp, the pizzerias, the bars...here nothing!»⁷⁷.

The person in charge of schooling services in a Roman association that works in the «equipped villages» as well as in the "tolerated camps", explains the difference between the two housing situations, in terms of inclusion and self-sufficiency in education, as follows:

«The adolescents who still live in Tor de' Cenci are more independent and those who attend junior high school, go to school on their own; on the contrary, the path to autonomy of the others [the adolescents who were transferred from the Tor de' Cenci "tolerated camp" to the La Barbuta «equipped village»] was interrupted. [...] Being independent and going to and back from school alone, have great importance: those fifteen minutes at the bar before and after school are an extreme moment of socialization for the Roma children, maybe the most important opportunity to integrate, to feel part of the same class, to make friends... All this does not exist for the children who now live in La Barbuta: they are taken by the bus to and from school.

They have no chance to have a chat with their classmates, they are just pupils, do you understand? They are not also friends. Do you know how many days out, meetings, parties are agreed upon after school hours, in front of the school, at the bus stop, at the bar? The students who go to school on their own can participate to all this, those who are taken to school because they live outside the urban context, are completely excluded»⁷⁸.

The people interviewed in the «equipped villages» grieve over their homes, often self-built, in the "tolerated camps" from where they were evicted; these were more spacious and they were built and sometimes modified according to the real needs of the families:

«In Casilino the house was big; 60 m² divided into 4 rooms, two bedrooms, the kitchen and the living room [...]. The child cannot manage to study, the space is limited. She does not have a place to study»⁷⁹.

«Before, in the shack of my mother, and we are 8 children with families, we could all fit. Now, in the container, we don't manage: when there are 4 or 5 people we have to go outside, and even outside it is small and we can't fit everybody. The containers are one next to the other and there is no space, we don't manage»⁸⁰.

«I was doing better in Tor de' Cenci. The container was bigger and safer. We were all doing fine there, me and my children»⁸¹.

None of the 8 "tolerated camps" of the city of Rome have video-surveillance, concierge services and are fenced – except for Monachina and Salviati I and II. These also do not have an identification system, a system to record all entries and exits and opening and closing hours for external guests. The housing units mostly consist in self-built barracks, caravans and rarely containers.

Schooling projects managed by various associations and financed by the Municipality of Rome in 2011 with 498.960 Euros, are implemented in all the settlements⁸². Entry checks and vigilance do not exist and the annual expenses for cleaning and maintenance are ten times higher than the financing for schooling⁸³.

The "tolerated camps", often set up on the sites of former informal settlements and therefore mostly in locations chosen by the Roma communities, are all located – except for Monachina and Spellanzon – in the immediate proximity of the city, in areas with services, where contacts with the majority society happen on a daily basis. The average distance between settlements and populated areas is 0,65

km, that is three times less than the distance between «equipped villages» and urban areas. To reach the first available bus stop, the residents of the "tolerated camps" have to travel maximum 600 meters and on average 200 meters, a distance that is 10 times shorter than the one that a resident of the «equipped villages» must cover. Postal offices and the closest market are located on average 1-2 km away, that is half the average distance between these services and the «equipped villages»⁸⁴.

Although they are often located in areas with more services and with greater opportunities of social inclusion than the «equipped villages», and despite the fact that the containers are generally adequate and suitable to the size of the family, the "tolerated camps" are nonetheless suffering from serious plights, generally connected to hygienic-sanitary neglect.

Running water is not available in all settlements: in some, such as Monachina, Ortolani, Sette Chiese and Spellanzon, families use the nearby public fountains. The heating system consists in wood or electric stoves. In several settlements only chemical toilets are available: on average, every child shares a chemical toilet with 2/3 other children and 2/3 adults⁸⁵. In some cases the state of neglect appears to have been provoked directly or indirectly by the municipal administration, which was very interested in closing the "tolerated camps" to increase its election support. As a matter of fact, on some occasions, the ordinary and extraordinary maintenance works, appear to have been discontinued on purpose.

From the testimonies gathered, it appears that life in a "tolerated" settlement may offer greater opportunities of social inclusion for Roma children than life in an «equipped village». The proximity of the "tolerated camps" to schools, public transport, bars, markets and other centers of socialization, favors the establishment of regular relations between Roma children and their peers from outside the "camps". It allows Roma children and adolescents to undertake autonomously inclusion and exchange paths with the majority society, without the mediation of the organizations of the third sector.

2.3. The Roma gathering centers: characteristics and impact on children

The reception centers currently organized by the Municipality of Rome exclusively for Roma families, are located in *via Amarilli*, in *via Salaria* and in *via Visso*. The location of the Roma gathering centers, their organization and their internal management, resemble those of the «equipped villages». Both housing

solutions are closed spaces, "invisible" to the majority society and they accommodate families based on their ethnicity.

The reception center in *via Amarilli*, used in the past as a reception center for asylum seekers, is located in district VII, by the *Grande Raccordo Anulare*, in the east periphery of Rome. On 10 February 2010, 13 Montenegrin Roma families – 64 people, among which 30 children – in light of the upcoming closure of Casilino 900, where they were supposed to stay until 8 February 2011, choose to be transferred to the center in *via Amarilli*. The rooms for the accommodation of people are 18, 13 of which are used to accommodate families from Casilino 900, while in the following months, the remaining ones are taken by the families evicted from the La Martora camp. Given the lack of adequate space and social inclusion projects, the reception center does not seem a suitable facility for the accommodation of people lasting now for almost three years.

The Roma gathering center in *via Salaria 971*, is located in district IV of the Municipality of Rome, in the industrial area of Castel Giubileo, near the *Aeroporto Civile dell'Urbe* (one of the Rome airports) and two km from the closest urban center, the district of Villaspada in the suburb Fidene. The facility lies next to a plant of the municipal company for the environment AMA (*Azienda Municipalizzata Ambiente*), dealing with processing and selection of solid urban waste coming from the city. The air is impregnated with the exhalations coming from the silos of this plant. There are 24 hours guard services at the entrance and vigilance. Those who want to leave the facility during the day, must communicate the number assigned to them (not their name) to the operator at the entrance; the number is noted down in a table and the exit of the individual residing in the center is recorded. Every time the resident returns to the center, the same procedure is applied. The regulation of the center does not envisage the possibility of receiving visits from external guests.

The 380 residents live in five industrial warehouses of 350 m² lacking sufficient ventilation and adequate separating walls. Except for the sleeping areas, there are no spaces for joint and socialization activities in the reception center. As a matter of fact, the facility does not have a kitchen and food is provided to the guests three times a day by an external catering service. The people interviewed, reported that they do not eat that food, because it is of very bad quality. The sleeping areas measure around 12 m² each, they accommodate on average 4-5 people and they are separated with mobile dividers. The rooms have no furniture and each guest takes care of buying or recovering chairs and tables. The clothes are placed in cartons, in bags or under the bed bases. These spaces are both living and sleeping areas. The

lighting is common for each warehouse and families cannot regulate it inside each single room. The bathrooms are divided into two blocs: the male one has 8 sinks, 8 toilets and 6 showers; according to testimonies, the female one has 10 sinks, 10 toilets and 6 showers. Hence, there is one toilet for every 20 guests. The toilets have no windows and no functioning ventilation system and they are insufficient to meet the needs of the people in the center.

The Roma gathering center in *via Visso 12*, a few km from the *Grande Raccordo Anulare*, accommodates Bosnian and Rumanian Roma from the informal settlement located next to the Castel Romano «equipped village» and from the "tolerated camp" in *via del Baiardo*. One of the Roma women lodged there says:

«We are in a disgusting place. Sometimes children hit each other because they are many and they are all crammed. The toilets are gross because everything is closed and there is no air. We have one toilet for every three families, that is one toilet every 15/20 people. I have 6 children and the youngest is 8 months old. I always keep them in the room because I do not want to argue with anybody. If my sister wants to visit me she can't, it's not fair. In prison you can have an interview with visitors, here not even that. After 11 pm you cannot go out! Even if your child is sick, they don't let you go out: we needed a medicine one night and they did not want to let us go out. I want to send my children to school because I don't want to spend the entire winter in the room with them. Luckily, I have a window. We are 8 people in our room, luckily it is bigger than other rooms... but other people don't have any windows. And then, they don't let us cook, they give us dinner and breakfast, but my little one wants milk during the day and I have to warm it up under the hot water from the sink in the bathroom.»⁸⁶.

The three Roma gathering centers enjoy different hygienic-sanitary conditions compared to the facilities that host vulnerable categories in the regional territory⁸⁷. What emerges is that the housing welfare policies targeting the Roma communities are different from the welfare policies targeting non Roma people. The nature of the administrative policies shows that the Roma continue to be perceived as "nomads", as a homogenous population that is not fit for sedentary life, unable to live in conventional houses, and culturally willing to live under minimum living standards and in a perpetual suspension of fundamental human rights.

FORCED EVICTIONS

«No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honor and reputation»
(Article 16, Convention on the Rights of the Child)

«States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse...»
(Article 19, Convention on the Rights of the Child)

1. Lawful evictions and evictions from Roma settlements

In line with the International Covenant on Economic, Social and Cultural Rights⁸⁸ and the European Social Charter (revised),⁸⁹ Italy must protect the right to housing. Based on the International Covenant on Civil and Political Rights⁹⁰ and the European Convention for the Protection of Human Rights and Fundamental Freedoms,⁹¹ Italy must also ensure that nobody is subjected to arbitrary interference in his or her privacy and home and therefore is obliged to refrain from carrying out forced evictions⁹². The unlawful nature of forced evictions was declared for the first time more than 15 years ago by the United Nations Commission on Human Rights, which affirmed that forced evictions constitute a gross violation of human rights⁹³. As a matter of fact, the right to adequate housing does not only encompass minimum livability standards, but also includes the obligation of the state to prevent and refrain from carrying out forced evictions. In General Comment no. 7 on forced evictions from 1997⁹⁴, the Committee on Economic, Social and Cultural Rights points out the procedural protections that must be respected when carrying out an eviction, these are: an opportunity for genuine consultation with those affected and an assessment of possible alternative housing solutions; evictions not to take place at night or in particularly bad weather; adequate and reasonable notice prior to the scheduled date of eviction and information on the proposed evictions and on the alternative purpose for which the land or housing is to be used; government officials or their representatives to be present during an eviction and all persons carrying out the eviction to be properly identified; provision of legal remedies and provision of legal aid to persons who are in need of it; right to adequate compensation for any property, both personal and real, which is affected⁹⁵. Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Evictions must be justified and must be carried out in a way that ensures respect for the dignity of people⁹⁶.

It was observed that, despite having ratified several international instruments⁹⁷, during evictions from settlements inhabited by Roma people, Italy did not respect the applicable procedural protections⁹⁸.

According to several international organizations⁹⁹, evictions carried out against Roma in Italy were sometimes accompanied by arbitrary destruction of personal property and particularly violent and aggressive behavior by local authorities. Forced evictions have rendered Roma communities vulnerable and exposed them to further human rights violations because they have led to the loss of personal properties and social networks, and have jeopardized continuous presence at work, school attendance of children, and access to health care¹⁰⁰.

2. Evictions from social housing units and evictions from «equipped villages»

Based on the current legislation, Roma families removed from "equipped camps" do not enjoy the same rights as families who are evicted from social housing. The fact that the two eviction practices follow different norms, seems to point at a discriminatory approach towards Roma communities residing in the "camps". Unlike the procedures leading to eviction of households from social housing, those applicable to evictions from authorized "camps" do not follow the general provisions of administrative law. The "nomad emergency" authorized local authorities to derogate from several provisions of the law on administrative procedure. In the case of formal settlements, the official from the XIV Department of the Municipality of Rome, notifies the decision revoking the permit to reside in the "camp" to the family, and orders them to leave the settlement within 48 hours of notification of the decision. If the family appeals against the decision within two days, the execution of the decision is suspended, otherwise the household must leave the settlement and if they do not do this within the following 48 hours, the local police is authorized to carry out a forceful eviction immediately. The household can file an appeal against the final decision revoking the authorization to stay within 60 days from notification, before the first instance administrative tribunal (*Tar - Tribunale amministrativo regionale*) and it can also request the tribunal to issue an interim measure suspending the eviction. However, given the short notice of 48 hours, often the eviction takes place before the family can even approach the tribunal. In the case of social housing units, the competent authority sends a letter to the family informing them of the opening of an administrative procedure which may result in a revocation of the entitlement to social housing and giving them 15 days to present any potential observations. After the expiry of the 15 days, the authority may revoke the

allocation and set a deadline not exceeding 6 months for the property to be vacated. The decision revoking the allocation can be appealed before a higher administrative body; if the decision of the higher administrative body is negative, the household can appeal before the *Tar* within 60 days of notification. The administrative decision becomes final and can be forcibly executed only if no appeal before the tribunal is filed within the 60 days deadline. Pending a decision on the merits, the household can request the *Tar* to issue an interim measure suspending the eviction until the decision is issued. The decision of the *Tar* can be appealed before the *Council of State*; this decision is final¹⁰¹.

The circumstances that lead to the eviction of a family from an «equipped village» do not constitute grounds for eviction from a social housing unit. Failure to comply with the rules of the "camp", criminal convictions of the head of the household, or failure to ensure attendance at school by children of compulsory school age would not constitute sufficient reasons for evicting a family from a social housing unit, but are sufficient to carry out an eviction in the case of a family residing in a "camp". Moreover, Roma families lose their entitlement to stay in the settlement if they are absent for a period of one month, compared to six months for residents of social housing units¹⁰².

3. Evictions from informal settlements

Among the four types of housing for the Roma communities in Rome – «equipped villages», "tolerated camps", Roma gathering centers and informal settlements – the evictions have mostly affected the Roma families living in the informal settlements; local authorities call these settlements "illegal settlements". According to Amnesty International the *Nomad Plan* has «paved the way for the forced eviction of thousands of Roma from all types of settlements in the capital [as] it envisages the resettlement of communities in new or expanded camps on the outskirts of Rome»¹⁰³.

The logic of the *Nomad Plan* was recently reiterated by the councilor for Security Policies of the Municipality of Rome: «*The philosophy of the policy of the Nomad Plan is to combine respect of the rules and reception of people. We have a coexistence problem here in Rome, because in the periphery people's uneasiness clash: on one side the Roma, on the other the inhabitants of the periphery who are socially vulnerable. With our policies we want to avoid that citizens set camps on fire. We have to ensure that conflicts are tempered, this is why we move the camps outside the Grande Raccordo Anulare. Before we enter the camps with the bulldozer for the*

evictions, we enter with the social welfare services and we offer them to go to the homeless shelters. Why don't they accept? Because the families do not want to split up. It is not for who knows what reasons: it is because children and wives are a good business for the husbands; they exploit women and children and they do not want to be subjected to the control that they would find in the reception centers. Consider that only 10% of them accept to go to these centers. The others are free¹⁰⁴.

Since July 2009, around 480 evictions from informal settlements, affecting around 500 families have been carried out. The fact that the number of evictions and the number of families affected are mostly coinciding, shows that over the past three years, the same families have been evicted several times. This means that in Rome, since three years, every two months around 500 families are very likely to witness the demolition of their shacks and be forced to abandon their settlements, move to other places and build their homes from scratch, knowing these will be destroyed again. The Municipality spent more than an estimated 7 million Euros just for the evictions from informal settlements, an amount that is 10 times higher than what was spent to promote the social and labor inclusion of the residents of the "camps". Although the practice of evictions is widely recognized as a costly one, this appears to have a clear reason for being, as it is explained by a representative of the Municipal Police:

«In the case of illegal camps, we do evictions for reasons of environmental and socio-sanitary pollution. The cleaning of the air is mandatory, it is a matter of social justice, we constantly receive thousands of complaints from the citizens. We cannot allow that they pollute the environment in this way. It is true that over the past years, we spent a lot of money just for clearing the sites, but we have obtained a result: the number lowered, there was a decrease in the presence of people who live illegally. Those from the European Community and Amnesty International believe that we should provide accommodation to the people? The administration does that. The eviction is "forced" only because it is necessary and it becomes imperative for sanitary reasons. It is absolutely not true that they are illegal. We conduct a statistical survey first, we interview people and we make them sign a paper, we explain them. And anyway, I am sorry, do you think that if I went to Germany I would build a shack in the field?»¹⁰⁵.

Several international organizations report that most evictions from informal or "tolerated" settlements carried out in the framework of the *Nomad Plan*, amounted to forced evictions, since they were carried out against the will of the Roma, without legal protections and without respecting procedural safeguards. Field

research shows that evictions from informal settlements in Rome were often carried out without notice or official communications and in presence of a disproportionately high number of police officers compared to the number of people to be removed. They were also characterized by episodes of physical and verbal abuse and by the arbitrary destruction of personal belongings. An opportunity to challenge the eviction order was offered only to a few Roma, while most of the times the evictions caught the residents of the settlements by surprise. Many times, Roma children and their families were rendered homeless and when alternative housing was offered, this did not take into account the right to family: offers of accommodation were only made to women and children and implied the separation of the household. Even when accepted, these offers proved to be inadequate, since they did not guarantee a number of freedoms and rights to the Roma¹⁰⁶. Those who did not accept these offers or who did not receive them at all, were left in an even more serious condition of housing emergency than the one in which they were before the eviction. In fear of new evictions, the people evicted were forced to settle down in places that are difficult to reach, "invisible" to the society and to the authorities, and for this reason often dangerous and unhealthy. Rarely Roma who were evicted, reported to have been informed in advance or to have received information on the remedies and the legal protection available to them.

«They came here at 8, in the morning. No papers, no notice beforehand. They said: "Go away now, you are out now, those who don't have children now, those with children can stay in the shacks until tomorrow, then we evict them too". They didn't give us another place to go and now where do we go? On the street, at the station...»¹⁰⁷.

Fifty-three families, 63 children and several persons with disabilities, lived in the informal settlement in Stacchini, close to Rome. In 2011 their shacks were demolished, their personal belongings destroyed and the Roma were forced to spend the nights after the eviction outdoors. The eviction took place at the end of winter, in March. None of the families received an eviction notice, and no alternative housing solutions were offered.

«I have 4 children who go to school. They will be back in twenty minutes and they will not find the shack anymore. They do not know anything and in a few minutes they will find out that they don't have a home anymore»¹⁰⁸.

The people interviewed describe how evictions abruptly interrupt schooling paths, how they are lived with sorrow and how they put an end to the social inclusion path of Roma children and parents.

An official of the Public and Emergency Security Office of the Municipality of Rome, is of an opposite opinion:

«If I was aware of having ever violated any children's rights, I would resign immediately! All our activities are under video surveillance to guarantee everybody! The right to school... The right to housing... if public policies were to guarantee the right to housing to everybody, how much would we have to spend? The right to housing of the nomads is limited to the camps, because they cannot be included in the ranking of social housing, they are not registered residents. Even I, if I go to Bucharest, I do not get social housing! It is not a matter of racism, I believe the criticism from Amnesty International is fabricated. There is no violation of children's rights. And if we give them houses, another thousand come, and then what do you do? Wherever they go they litter, they send their women to steal and the children to beg... »¹⁰⁹.

The imminence of the evictions provokes a forced change of residence that undermines the schooling path and the learning process, and creates a sentiment of strong psychological tension that prevents the child from attending school regularly and serenely. Among all the human rights violations and the troubles that they go through, children suffer in particular from those that are connected to the attendance at school.

«Yes I go to school, I am in IV grade and I do well, my classmates, the teacher, everybody treat me fine. I would like to continue this school until junior high school, until I complete all the grades. I would kindly wish that they do not break this camp down anymore, because otherwise because of them, I cannot go to school anymore. If they send me away from here, I cannot continue going to school. I go to school until 4, then I come home and I do my homework, all on my own, I help grandma to do things in the house. My dream is to become a good person, how can I say, like a veterinary or a dancer, I would like to help others, the children, the poor people, like you help me. I don't want that the police come to evict us again, because otherwise I cannot go to school and my dream cannot come true»¹¹⁰.

This is the testimony of a Roma child who, despite having endured yet another eviction, continues her schooling path with great material difficulties.

The request of a 13 years old male adolescent residing in the informal settlement in *via* Cave di Pietralata, goes along the same lines. He reads his prayer during the celebrations of the Holy Week in the parish of his neighborhood: *«May our home stay at least another three or four weeks, until the end of the school year. And*

*we thank God and all the Italians, we apologize for the disturbance and the troubles. Happy Easter*¹¹¹.

Evictions are often carried out under the incredulous and terrorized eyes of the children, as it was the case in the Tor de' Cenci "tolerated camp", dismantled by the municipal administration in autumn 2012. The violence that characterized the eviction, triggered criticism by the Italian Government and the associations of the third sector. According to the Minister for International Cooperation and Development «the consensus logic prevailed over the search of reasonable and balanced solutions»¹¹². Minister Andrea Riccardi reports that the demolition of the caravans and the shacks was done in front of the children and that the eviction did not take into consideration the educational continuity of the children and their right to education. Several organizations denounced the prejudiced and aggressive attitude of the police forces who came to the "camp" in large numbers, and stated: «We have a bitter certainty: if there were other children in that camp instead of Roma children, the approach, the attention, the language would have been different. [...] The cry of those children is a heavy rock on the conscience of those who wanted to do the eviction in such a shameful way»¹¹³.

A similar approach was adopted a few months earlier in the neighborhood Tor di Quinto in the north of Rome, when in July 2012 the shacks of the inhabitants of the settlement in *via del Baiardo* were demolished. An organization working in the settlements, denounces how children were, once again, the most affected and damaged. «We would like to underline that these operations of "transfer", damage also those children who, either through projects implemented by the administration or upon initiative of their parents, are enrolled in the schools of the area»¹¹⁴.

Once again, the obligation of notice stipulated by international norms was disregarded, and as an alternative to the street, some of those affected were transferred to the La Barbuta «equipped village», the new "mono-ethnic mega-camp" set up by the municipal administration. After suffering the traumatic experience of the eviction, many Roma children are forced to reside in "mega-camps", where they have to live in close contact with totally unknown communities that they perceive as dangerous, in inadequate containers and in areas far away from their neighborhood of origin, their school and their city.

«My 5 years old nephew is always sad – tells a Roma woman – because there is no space to stay at home. How can they feel fine like this? My children are sad and nervous here, and they always cry. They have no space to do anything [...]. They are sad,

they need to be more integrated with the others in the city. Here they are not doing good like this»¹¹⁵.

Three years since the beginning of the implementation of the *Nomad Plan*, the number of informal camps, which were repeatedly dismantled, has not diminished: it tripled. The eviction practices implemented in Rome, besides being illegal, also fully contradict the principles stated in the National Inclusion Strategy elaborated by the Italian Government¹¹⁶ and they provoked the criticism and the indignation of the United Nations. In March 2012 the Committee on the Elimination of Racial Discrimination stated: «The Committee deplores the targeted evictions of Roma and Sinti communities which have taken place since 2008 in the context of the "Nomad Emergency Decree" and notes with concern the lack of remedies provided to them despite the ruling of the Council of State in November 2011 annulling the NED. The Committee encourages the State party to take the necessary measures to avoid forced evictions and provide adequate alternative housing to these communities»¹¹⁷.

Suddenly depriving a child of his or her home, forcing him or her to sleep on the street and to look for a shelter during the day, amounts to a violation of the right to education and the right to health, exposes him or her to an extremely traumatic situation, characterized by psychological instability, extreme material poverty and lack of points of reference. Having ratified the Convention on the Rights of the Child, Italy is required to ensure that no child is subjected to arbitrary interference with his or her privacy and home, and to protect the child from all forms of physical or mental violence, injury or abuse¹¹⁸. When they carry out forced evictions, the Roman authorities not only fail to safeguard these rights, but they also cause their systematic violation.

ROMA CHILDREN AND THE SCHOOL

«States Parties recognize the right of the child to education»
(Article 28.1, Convention on the Rights of the Child)

Education is not only a right¹¹⁹, but also the main instrument of individual self-determination¹²⁰. As underlined by the former United Nations Secretary General Kofi Annan: «Literacy is the key to unlocking the cage of human misery, the key to delivering the potential of every human being, the key to opening up a future of freedom and hope»¹²¹.

There is a strong link between education and enjoyment of rights. The lack of education undermines the understanding of these rights and the ability to invoke them whenever they are violated. The case of Roma people who, during the evictions, accept to sign documents that they don't understand because they are unable to read and write, thereby unconsciously relinquishing some of their rights, is emblematic. Limited education implies a condition of disadvantage in any relation that is regulated by a written contract: labor, sale and rent relations. The right to education is a precondition for the enjoyment of another fundamental right, the right to work, because it contributes to defining the ability of the individual to compete on the labor market.

Education plays an even more crucial role for women: fertility rates, the average age at marriage and the average age having the first child, are strongly correlated to the level of education of women. More educated women are women who are able to play an active role in family, marriage and sexual choices¹²². According to a research conducted in Italy, 14% of Roma women are illiterate. When families lack resources, girls are the first ones to quit school¹²³, even though Roma girls appear to continue their education in high school or in vocational training more frequently than boys¹²⁴.

In light of the importance of education in the social inclusion, labor insertion and self-determination paths, access of children to the national education system is the first objective mentioned in the document *An EU Framework for National Roma Integration Strategies up to 2020*¹²⁵. The schooling rate of Roma children is extremely low and significantly lower than that of non Roma children of the same age. The European Commission pointed out that in Europe, only 42% of Roma children complete primary education – compared to a European average of 97,5% – and only

one Roma child out of 10 attends secondary education. Even though they allow children to begin their schooling on an equal footing with non Roma children (in terms of cognitive and intellectual development, acquisition of language, etc.), participation to and availability of programs for early childhood are very limited¹²⁶. Italian percentages are not very different from the European ones. According to data of the Ministry of Education, University and Research, in the school year 2009/2010, the Roma children who attended Italian schools – from kindergarten to high school – were 12.089¹²⁷, around half of the Roma children in school age living in the Italian “camps”. In Rome, the inclusion of Roma in education reflects the national trend. The Municipality of Rome «since more than 15 years earmarks 2,5 million Euros per year for the schooling of around 2.000 children, regrettably with results close to zero. After 15 years of implementing a project worth this amount of resources, a good level of schooling for a significant number of children that would justify such a high investment, was not achieved »¹²⁸.

In 2011-2012 the schooling service for children from Roma communities living in the 7 «equipped villages» (Cesarina, Camping River, Salone, Gordiani, Candoni, Castel Romano, Lombroso¹²⁹) was regulated by a special bid contract emanated by Department XI – Office for Roma Schooling – of the Municipality of Rome; it involved 1.306 children, compared to 1.205 children in the previous school year (2010-2011). This service also involved the 420 children from the 8 unequipped settlements (La Barbuta, Salviati I, Salviati II, Foro Italico, La Martora, Tor de' Cenci, *via del Baiardo* and *Monachina*¹³⁰) and the 22 children from the first reception center in *via Amarilli*. Four managing entities were involved in the schooling of Roma children. Public transport was committed to the joint stock company ATAC and was carried out with 33 bus lines.

In spite of the limited results achieved, the costs of the schooling projects financed each year by the Municipality of Rome, appear to be particularly significant: «The costs amount to 2.000.000 Euros each year, plus 1.300.000 Euros for school transport and not less than 3.600.000 Euros for educational and recreational activities, school trips and/or projects aimed at countering school dropout »¹³¹.

During the last years, in particular since 2008 – when the state of emergency in relation to the presence on the national territory of Roma and Sinti communities was declared¹³² – schooling projects targeting Roma children have been affected by two important policy choices.

On the one hand, the municipal administration has decided to turn the notice of competition for the implementation of education projects from triennial to

biannual for the «equipped villages», and from triennial to annual for the "tolerated camps", thereby undermining their continuity and their overall success.

On the other, with the start of the *Nomad Plan* of Rome, the evictions from informal settlements and the forced transfer of Roma communities living in the "tolerated camps" of the capital of Italy intensified, which has the effect of compromising the schooling path of many Roma children and consequently their social inclusion.

With regard to the informal settlements and their distance from the urban areas, an officer from the Office for Roma Schooling of the Municipality of Rome states: *«The objective of our schooling activities is not to increase the number of children involved, but to decrease it over the years, because children become capable of going to school on their own. Of course, the project of mega-camps at the outskirts of urban areas makes mobility very difficult for the Roma, it prevents them from being autonomous in their movements and even from taking their children to school on their own. There is always the need of the bus of the municipality. Also because one of our policies, is to pulverize enrollment in schools, to avoid that all the children concentrate in the only school close to the camp – when there is one. We don't want to have schools for Roma children only, in order not to exclude them, but also to ensure that Italian children from the area do not run away from that particular school. You see, nowadays the Gordiani camp and the Lombroso camp do not have a project for the transport of children to school by bus anymore, because in some way, now the families are autonomous. Of course, those are camps that are part of the town, not like the ones in Castel Romano and La Barbuta. There, in those camps, a similar approach is not even conceivable, because public buses do not even go there!»*¹³³.

One of the most important measures of the *Nomad Plan* was the closure of the Casilino 900 "tolerated camp". In February 2010, following their eviction from the "camp"¹³⁴, the 618 Roma people who had been residing there for years, are permanently transferred to the «equipped villages» of the Municipality of Rome.

The effects of the transfer are devastating, especially for the Roma children. Among them, 37 fail to complete the school year. A similar fate affects the Roma children who, from Casilino 900 where they were born and had grown up, suddenly end up in the «equipped village» Salone, in a "mega nomad camp" at the outskirts of urban life, where they have to coexist with more than 1.000 people of different origins.

«I had pupils from the camp [Casilino 900] – says a teacher. The eviction was the exact opposite of what one would expect from common sense. What I perceived from my pupils was that Casilino was their home, their quarter, their space. And this was taken away from them and so there was great fear for the future, fear of leaving those rather solid points of reference that they had built with the school and with the quarter. I would like to know if one of my pupils who finished junior high school and who was going to attend the first year of high school here, in via Palmiro Togliatti¹³⁵, managed to continue to go to school. I don't know, I don't even know where she is now »¹³⁶.

As reported by privileged observers, despite the assurances given by institutional representatives, the eviction from Casilino 900 does not appear to have taken into consideration the needs of the children and the schooling path they were already undertaking in the nearby schools of the quarter.

The deputy headmaster of a school in Casilino remembers: «In spite of the fact that the mayor had underlined during a public session that he would have done everything not to affect the schooling path of the children and that the eviction should take place when the schools are closed, during the summer, the eviction took place in February, close to the end of the first term, it broke the school-year in two. [...] Without being polemic, I see in the eviction of February a clear sign of carelessness, and also the perception that all the efforts of the teachers and of the Roma pupils are useless, that the schooling of Roma is useless »¹³⁷.

The chaos of those days had a significant impact on the emotional state of the children affected: «Often [Roma pupils] said: "We don't know if we are coming to school tomorrow, maybe tomorrow we go away". This creates a condition of uncertainty and a lack of perspectives. It's as if they were in a black hole. They live this with anguish»¹³⁸.

Roma mothers report with extreme lucidity the repercussions of the housing uprooting from Casilino 900 on their children.

«When they did the eviction in Casilino, children did not go to school for almost two months. [...] It was better in Casilino, because children were going [to school] all together, they were friends. Now they never see each other, we are far away because we all went to some other place. They divided us everywhere, they placed us in the woods, they placed in the reception center. This is not a camp, it's a reception center, because we are locked up here and children do not integrate with other children. I am sorry about that, because we want the children to integrate with other

children. Not just with the Roma, because in Casilino our children had Italian friends who were coming to our house. Since we moved here they only came once or twice, but then they did not come anymore because they are afraid. Because it's a reception center not a camp. Maybe they don't come because they have to show a document at the entrance, maybe because they have to ask the vigilance, maybe because it is too far away. Our children have interrupted their relationship with the Italians. They can only see the Italians when they go to school. Here they only see the guardians. Here we are like dogs, because they move us away from the people. Dogs live in a doghouse and they locked us in a gate. This place is called doghouse»¹³⁹.

What clearly emerges from these testimonies, is that the school represents for many Roma communities a learning place, but especially a moment of interaction and integration with the majority society. Allowing the Roma communities in precarious housing to permanently live in the urban areas, makes the mediation of the third sector in the schooling of children, superfluous. On the contrary, isolating Roma in "camps", even if called «equipped villages», located outside the Roman transport network, far from the services and the socialization centers, prevents children and adolescents from going to school autonomously and obliges them to use "special" school-buses, that are exclusively used by Roma children residing in the camps. These are buses that, starting from the school-year 2011-2012, have been marked with the letter *N*, to indicate the alleged "nomad ethnicity" of communities that have been sedentary for generations¹⁴⁰. The physical distance from the schools and the absence of public connections, limit the possibility of the parents to attend school meetings, to associate with other parents at the end of school-hours, to establish continuous relations with the teachers. Moreover, the children who use special bus lines arrive at their respective schools much later than the entry time established for all the pupils, and must leave the classes before the end of school hours in order to be taken back to the "camp". This prevents many children from attending classes planned at the first and at the last hour of the weekly program, creating difficulties in the comprehension and the study of some disciplinary contents and hindering the socialization with the other pupils in front of the school, before and after school hours.

«Every day I lose almost three hours of school because of the travelling. I should go out at 14.10 but I go out at 12. I go in at 9 in the morning. I almost always skip math because it is at the first and at the last hour. I don't know anything about math»¹⁴¹.

«The Roma child always arrives late at 9.30 and leaves early at 12.30. The result is that there are some subjects that he or she does not even know they exist and teachers that they don't know. In the best case scenario, these children lose 10 hours a week! The right to education is violated»¹⁴².

These dynamics do not only concern children from Casilino 900, but also those groups that experience forced transfers and evictions. The testimonies included above are similar to those of the students and the parents who live today in the new La Barbuta «equipped village». Just like in 2010 the families from Casilino 900 were transferred from a Roman quarter to the extreme periphery of east Rome, in 2012 the Roma families residing in the Tor de' Cenci "tolerated" settlement were evicted and relocated to the La Barbuta «equipped village», 30 km away – travelable by public transport with two bus journeys and one underground ride – from their previous settlement. The schools where children continue their education are still those of their district of residence, i.e. they are located close to the abandoned settlement and they are for that reason, extremely far from the «village» where they currently live:

«I cannot live like this, I want to give up everything. The school is too far, when I get there I am already exhausted and I find it hard to concentrate»¹⁴³. This is the testimony of a girl who, since she lives in La Barbuta, employs about two hours to reach the hairdressing school she has been attending now for two years.

The Municipality of Rome arranged two bus-lines for the transport of Roma children from La Barbuta to their schools, all located in the area of their "camp" of origin and reachable after a long journey.

The schoolmaster of a school reports: *«It already seems to me in these days, that their attendance at school has decreased. It would be more logical if the children attended schools close to La Barbuta. In this way, they are at the mercy of public transports and they cannot attend full time».*

A Macedonian Roma girl says: *«Until June I was going to school on foot and before the classes I had time to chat with my friends and have breakfast. Now I am always late and the relationship with my classmates is not the same anymore»¹⁴⁴.*

A mother denounces: *«In Tor de' Cenci I could take my children to school in 5 minutes. We, the parents, were taking them. Here in La Barbuta the bus leaves around 8.00 and returns at 14.00, they get there almost on time. But afterwards they come home and here they cannot play. In Tor de' Cenci we had a park close to the camp, the*

pizzerias, the bar... here nothing! Children play on the asphalt under the sun. And then the cars pass by at all hours and it is dangerous for the children to even be in front of the house and play»¹⁴⁵.

The physical distance of the "camps", together with the lack of private means of transport, jeopardizes the participation of Roma children to extra school and socialization activities with their peers, such as birthday parties, gatherings, afternoon walks. It is difficult that the Roma children make it to the houses of their classmates and as difficult that these visit the "camp". Teachers and parents find that there is also a difficulty in the integration of Roma children in the classroom. Often, Roma children live in a condition of marginalization and do not participate to the usual relational exchanges that take place during school life. According to what the teachers reported, the distance in the way of being and appearing between Roma and non-Roma children, is accentuated by the living conditions in the settlements where Roma live. The perception of this distance also contributes to consolidating stereotypes and prejudices that are currently still widespread in the general society and also within the school. Some of the people interviewed, reported about episodes of racism against Roma pupils which occurred in the classroom.

The marginalization that Roma children live is not only social but also didactic. Teachers observed that working with Roma children in the classroom is particularly challenging because, compared to the other children of the same class, due to their social unease, they show some didactic gaps. The condition of poverty and socio-economic disadvantage are foretelling factors of the learning discrepancies and the risk of school drop-out. As a result, teachers stated that they find themselves in the difficult position of having to move on with the regular didactic program with the majority of the class, and at the same time engage Roma children in parallel didactic activities to catch up on parts of the program that the other pupils have already learnt and assimilated. This could lead to a slow-down of the didactics and to a didactic marginalization of Roma children, who perceive themselves and are perceived, as different from the others. Numerous studies¹⁴⁶ point out that, sometimes, teachers lower their expectations and are less demanding towards Roma children, which results in the Roma children sharing the stereotype and adapting their performances – by lowering them – to the expectations. They convince themselves that they are not equal to non Roma children and they complete primary education accumulating significant gaps. Parents of Roma children also reported about the difference in the level of learning, between their children and the non Roma pupils, underlying the importance of the intervention of the teachers in removing its causes. In the course of the research, it emerged that sometimes, the

approach of the teachers towards the socio-cultural situation of the Roma communities can be defined as relativist. This approach sometimes entails an alleged incompatibility between the Roma child and the didactics offered to the rest of the pupils. An alleged or wrongly interpreted cultural feature (for example: Roma culture = nomadic culture = oral culture = cultural difference = difficulties in learning) that should indicate an "ontological" ethnic belonging, may become, even unconsciously, the driving force of a differentialistic dynamic.¹⁴⁷ This concept of "ethnicity", together with a social condition of exclusion, becomes an additional obstacle that risks to negatively affect the schooling path of Roma children.

«Teachers – a Roma parent explains – should not put you on a separate desk and say: "you draw something" and move on with the class. This must not happen. In my opinion, everybody who teaches non Roma should, also teach the Roma children that they should not be excluded from the subjects, from grammar, mathematics and from all these important things»¹⁴⁸.

Moving entire Roma communities from one point of the city of Rome to another, taking them away with violence from the social fabric they have built over the years, increased tensions with the majority population and also strengthened the elements of differentiation in the school environment. Marginalization, social distance, the school bus for Roma children, housing and didactic segregation, the delays in reaching the schools and the anticipated exits, are all elements that make, also in the classroom, the Roma child "different". It is therefore not surprising that in 2010, in the XVIII District, the Institute «Papa Wojtila» decides to publish its Educational Offer Plan with a table showing the number of pupils enrolled, divided into: Italian pupils, foreign pupils, H pupils (disabled) and «nomad pupils».

THE RIGHT TO PLAY

« States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

*States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity»
(Article 31, Convention on the Right of the Child)*

The right to play is recognized internationally in the Convention on the Rights of the Child: as a matter of fact, playing activities represent a fundamental moment in the life of a child. Playing has an important structuring function on the personality of the individual, as it contributes to his or her intellectual, affective, cognitive and relational development. The experience of playing, increases awareness of one's own interior and external world, it teaches how to acknowledge one's abilities, how to start relations with peers and it stimulates creativity¹⁴⁹. By playing, the child experiments successfully the possibility of discovering and actively intervening on the elements that surround him or her, thereby strengthening also his or her self-confidence. Playing opportunities represent a way of access to one's sensitivity and they provide an opportunity for elaborating information, indications and signals coming from the external environment. Moreover, playing is a pleasant and gratifying activity of discovery, since it is mostly free from the influences and the pressures of the adults¹⁵⁰.

Inside the Roma gathering centers, spaces for playful-educational activities are lacking: in the center in *via Salaria*, more than one hundred children from different communities spend their days in large rooms without adequate dividers.

In the biggest «equipped village» in Rome, the one in Salone, several Roma parents report that internal spaces are too limited for their children to be able to play.

«At Salone camp there is no space for community life, for playing»¹⁵¹.

«Inside, for the children, there is no space to do anything, to play, to sleep, to study»¹⁵².

«Children spend a lot of time at school and they study there. They have no space to play inside and those who study, argue with the younger ones»¹⁵³.

Even where external areas for the children are present, these are inadequate and sometimes not easily usable. In some "camps", for example, the vigilance personnel forbid parents from letting their children play in the areas organized for them.

Two parents report:

«Here in the camp there are games for children and a small soccer field, but the vigilantes send them away when they go there»¹⁵⁴.

«Where do they play here? Here there is nothing. There is a place where small children could play, but the vigilance personnel do not let them in, they say that the children litter and break everything»¹⁵⁵.

As far as the outdoor spaces in the "camps" are concerned, the smallness of the residual surface – that is, the total surface minus the surface where the dwellings stand – leads to a limitation of the right to play of the children.

A mother who lives in the «equipped village» Salone reports:

«Children play outside the houses, like outside here. But there isn't much space and it is dangerous. They have to content themselves and be careful. At Casilino there was a park close to the shacks. There is a place where to take children to play here in the camp as well. But I don't take them there, I don't let them go, because I am afraid some arguments with other children come up and they end up fighting»¹⁵⁶.

Informal and "tolerated" settlements are generally characterized by non-fenced spaces, where children can exercise more freely their right to play, even if security and hygiene are not guaranteed.

Inside the places organized by the authorities for Roma people, the right to play seems to have been forgotten. It appears that the implementers of the *Nomad Plan* are unaware of the fact that playing is a fundamental aspect for the psychological and physical well-being of Roma children; this activity plays a very marginal role in the context of the actions envisaged for "educational and social promotion".

THE RIGHT TO HEALTH AND TO SECURITY

« States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services»

(Article 24.1, Convention on the Rights of the Child)

1. The health of Roma

For many years, the issue of the health of Roma people has been tackled purely in medical terms¹⁵⁷. Around one third of the scientific articles on "gypsy health" written between 1979 and 1992, focuses on the genetic dimension, ignoring almost completely the exogenous factors of diseases, such as for example, housing conditions, income and food habits. It is only in recent years that a different approach considering the disease as a result of a series of variables, both environmental and physical, and recognizing the role of the so-called social determinants of health, has gained terrain¹⁵⁸. The social determinants of health relate to the individual living conditions and include social disadvantages, barriers and difficulties of the individual such as: lack of family resources, lack of education, work uncertainty, precarious housing, low income, isolation and social exclusion, exclusion from urban mobility and from transports, lack of control on working and domestic life¹⁵⁹. According to a recent study¹⁶⁰, the quality of health services in a country affects the individual's health for 10-15%, the genetic patrimony for 20-30%, the eco-system for 20% and socio-economic factors for 40-50%. The approach of health social determinants shows how systematic inequalities in the health of certain groups are also ascribable to economic and social policies and how personal health is not exclusively the responsibility of the individual.

The study of sociologist Lorenzo Monasta,¹⁶¹ illustrates how conditions in "nomad camps" in Italy favor the diffusion of specific aches and diseases. Ten per cent of the children surveyed in the course of his research¹⁶² was born underweight: this is twice the percentage of children born at home and is equal to the percentage of Egyptian, Iranian and Zimbabwean children¹⁶³. In the period when the survey was conducted, one Roma child out of three had diarrhea, and more than half suffered from coughing attacks. Respiratory problems are also consequences of life in the "camps": the incidence of asthma there, is higher than the national average and it varies according to the quality of the settlements, particularly the housing units. The

strong link between respiratory-infectious diseases and housing conditions is explained by the formula of the "nomad camps": located in humid and unhealthy areas, often lacking sanitation and characterized by such deteriorated housing units that families are exposed to the seasonal bad weather.

2. The children psycho-physical unease and the "ghetto pathologies"

Since 2010, Amnesty International has been denouncing on several occasions the appalling health conditions of Roma communities in the "nomad camps"¹⁶⁴. Roma people state that they are limited in their daily activities due to health problems, seven times more than non Roma people¹⁶⁵.

According to the coordinator of health issues from an organization working in one «equipped village» in Rome, the most common pathologies affecting Roma children are those called "ghetto pathologies"¹⁶⁶: respiratory problems due to houses where rooms are very hot in summer and cold in winter, dermatitis, pediculosis, warts and scabies¹⁶⁷.

A doctor from an organization that has been involved for years in campaigns to promote health in Roma settlements in Rome, reports:

«When it comes to health, we don't have absolute and general data, but only our experience. Basically, Roma suffer from diseases due to poverty that is, respiratory diseases and diseases of the digestive system, incidents and traumatism. Moreover, especially among the Bosnians, there are bad food habits that lead to a greater incidence of pathologies of the metabolism, fat-related diseases, cases of diabetes and hypertension. These pathologies are more widespread than in the rest of the population and, without a doubt, they are anticipated: in the camps you can find a 30 years old who already suffers from hypertension. Their pathologies are not peculiar; any human group that lives in poverty and in extremely precarious environmental-hygienic conditions suffers from them. The cold and the humidity in the camps favor respiratory diseases, which are also typical of those who live in informal settlements and who come into contact with the toxic smoke from the fires that they lit up to keep warm. There isn't a great difference between equipped and tolerated camps, the conditions are similar. The real difference is represented by the spontaneous settlements, a completely different thing: a delirium. You ask yourself how they don't all end up sick and infected, it's a life on the edge, made of infections, it's like living on the street... especially in Rome, where they are evicted all the time. Children in

particular, suffer from scabies, skin diseases, infections... all problems connected to poverty»¹⁶⁸.

The expression «extremely precarious hygienic–environmental conditions»¹⁶⁹ refers to the lack of electricity and running water, the lack of toilets, the appalling conditions of the housing units, the high housing density and the unhealthy air. The case of the Cesarina «equipped village», the smallest in Rome, is paradigmatic. The around 180 inhabitants are compelled to share 4 toilets and 4 showers – so that every day a minimum of 45 people utilize each shower and each toilet; hot water is generally available only two hours per day and only inside the common bathrooms, because the housing units do not have adequate water connections. During the months preceding this report, only cold water was provided. Electric power has very low voltage, so the possibility of using a fridge, a hair dryer, an electric stove and aerosol is *de facto* denied to the residents. Female adolescents complain about the bad hygienic conditions in the shared bathrooms and report about frequent intimate infections, such as *candida*, cystitis, vaginal irritations. The choice of depriving the Roma of the electricity they need to satisfy their basic daily needs, like for example preserving food, has extremely negative effects on the health and safety of children:

«[During the past years] several children burnt themselves with the [gas] stoves inside the caravans. In winter it is almost impossible to turn them off, but this led to this type of problems»¹⁷⁰ a former operator in the settlement reports.

Some women from the settlement tell:

«When children are sick and the doctor prescribes aerosol, it is pointless, there is no electricity»¹⁷¹.

«Here there is no fridge, but I need a fridge. Last winter I needed to buy an antibiotic for my son, but without a fridge how do I refrigerate it?»¹⁷².

The pathologies of the children from the Roma settlements, who live in urban cracks, in the interstices of survival, are affecting the body and the mind, from physical they turn into psychological. The analysis of the interviews conducted in the Salone «equipped village», currently the largest in the Roman context, reveals how, due to the housing environment, children sometimes present major psychological distress. The presence of this set of problems was confirmed by the coordinator of health issues in the framework of the project "Management of equipped villages" of the XIV Department of the Municipality of Rome:

«There is a strong correlation between the development of the child and the environment in which he or she lives or is forced to live. The children from the Salone camp are necessarily more vulnerable compared to other children who grow up and live in healthy environments, full of opportunities and socio-cultural stimulus. Psychological disorders is among the most widespread pathologies among the children who live in a nomad camp like the one in via di Salone. This type of disorder is less obvious than a physical one, but it is often more insidious and more dangerous for the development of the individual. Research studies have revealed that the environmental deprivations that children suffer in contexts such as nomad camps, produce a high percentage of anxiety disorders, phobias, sleep and attention disorders, hyperactivity, and learning delays. These disorders are serious and invalidating for the children, they prevent a full integration in the society and they create serious difficulties in relationships. They are also predictive of more serious disorders during adolescence and adulthood. A degraded and deprived environment does not allow a full, free and conscious development of the individual, because via di Salone is a context where time is still, where everything is always the same and where one cannot cultivate any ambitions and any hopes. There is no real perception of time, there is no evolving time, therefore there is not even a real chance of growth. In the camp, the social disorder also corresponds to a lack of accepted and shared rules. Living in affective and social disorder, growing up in a state of deprivation and without opportunities for an adequate education, being forced to become adults too early, obliges Roma children to live under contradictory rules that they often endure without understanding them. All this leads inevitably to difficulties in the recognition of the authority and in the interiorization of the super-ego and of the moral conscience»¹⁷³.

Roma parents forcefully moved to the «equipped villages» organized by the Municipality of Rome, are very concerned about the life prospects of their children. These are forced to live in a space that is perceived as asphyxiating because of the high density of people, and as stirring exclusion for being disconnected from any social opportunities.

«I see that my children are always sad here and they tell me that they want to go back to where we were before. Here there are many mentally sick people, who have many problems. Staying here, I am afraid that my children may have the same problems. [...] Here my children are locked up, more locked up than before. They are locked up in the house and in the camp. They are not fine here»¹⁷⁴.

In the city of Rome, among the Roma children who live in informal settlements, one out of three admissions to hospital is caused by diseases that can be

triggered by adverse hygienic-housing conditions¹⁷⁵. Over the last years, the most frequent causes of hospitalization of Roma children were: acute bronchitis, tonsillitis, *otitis media*, intestinal infections¹⁷⁶.

The Roman authorities appear to ignore the consequences on the physical and psychic health of Roma children, at individual and family level, of forced relocations into closed and marginal spaces. During the evictions that over the past three years have followed one another on the Roman territory, upon their return from school many Roma children witnessed the demolition of their homes, observed their world of daily objects, memories, reference points and stories crash, disappearing among the blades of the bulldozers. The violence on their space and homes has become a violence on their history, their body and their memory.

In the new housing reality of the «equipped villages», which was imposed and not chosen, Roma children and adolescents have perceived and manifested the psycho-physical unease of their relatives. For many of the children met, the pain due to the separation from their houses torn down by the bulldozers, to the forced relocation to an unknown space and to the isolation, somatized into strong migraines, depressive symptoms, hallucinations, anxiety, panic attacks and insomnia. Following the shock of the evictions, even the growth of some children seems to have suffered an interruption. For some Roma children, childhood has become sad, marked by traumas that are difficult to elaborate.

3. «In these camps there must be security and legality»¹⁷⁷

As it was already recalled, the issue of legality and security constitutes one of the pillars on which the *Nomad Plan* of Rome is founded¹⁷⁸. This issue can have various nuances and it is a very neglected aspect in the daily life of the people who live in the «equipped villages».

Many Roma interviewed for this research feel there is a complete lack of security in the «equipped villages» where they live: the fight against spontaneous settlements and the promotion of mega-equipped-settlements, cause the forced and compulsory cohabitation of communities and families that do not know each other, stranger to each other, often bearers of different educational systems, values and disadvantages. Hence, it is understandable that parents are concerned about the security of their children in moving around freely, even inside the settlement. A Roma individual reports:

«I don't want that my children stay here. If they stay here, I am sure that when they grow up, they will have mental problems. Many people have mental problems here. It is dangerous here for the children: there is sadness, depression, schizophrenia. You cannot live here, there is too much stress due to the fights, to the fear of being alone of my children. I don't want them to live so badly. If they will continue to live here like this, they will feel bad, there is no future for them like this [...]. They are too locked up and isolated here. I am afraid that growing up, they may feel mentally bad; my children have no future here»¹⁷⁹.

The people who in July 2012 were object of the first transfer, from the Tor de' Cenci "tolerated" settlement to the La Barbuta «equipped village», experience similar dynamics. As reported by several local newspapers¹⁸⁰, the coexistence between the two Roma groups lasted a little more than a month. The Roma who had just settled there, were forced to return to the place where their "camp" of origin was located, because they could not live together with the Roma community that had been residing in La Barbuta for 20 years. The latter, appears to have had an intimidating and threatening attitude towards the newcomers. The families of Tor de' Cenci were then obliged to go back to their original settlement, by that time already largely dismantled, and hence lacking houses, containers and sanitation. At the time when this report was being drafted, the families interviewed lived in a condition of extreme uncertainty, deprived of services and of fundamental rights. At the time of the research, the "camp" looked like a heap of debris, dangerous for the children. Families could neither cook and warm up food nor wash themselves, since there was no water supply and they slept on the concrete base where their containers were once located.

A Roma woman interviewed reports:

«Here I am not worried for my children. Before I was, when I arrived in Barbuta I was. I did not know those people, they are mean, they told us they were good. When we arrived, after 10–20 days, I saw people being against us. Swear words, you could not look them in the eyes, otherwise they would get angry, we always had to keep our head down in front of them. I was afraid for my children, I was afraid that, when they took the bus to school, people would come and beat them up. They wanted money, I was afraid they would beat us up. I have been in Italy since 22 years and I have never felt so bad like in that camp. Now that I am back here I am more relaxed, I am not afraid for my children. It's better to sleep outdoors, not to have water, but at least I am not afraid for my children. At least it doesn't hurt here [she touches her chest at heart level]»¹⁸¹.

Another woman adds:

«I prefer to be here even without water, without container, I want to be here. I sort things out, I sleep with my children under the blanket in the open air, but I want to stay here. I am more serene»¹⁸².

The testimonies collected, portray the will, the priorities and the needs of the Roma communities interviewed. These have put the freedom to choose where and with whom to live, the security, the need to protect the social relations created over the years around their settlement of origin, the will to move around autonomously in their neighborhood - between the schools, the parks, the supermarkets, independent from the assistance that is necessary in the La Barbuta "equipped village", which is isolated from all services - before their material well-being. This material well-being consisted in the new and functional containers with private bathrooms and electricity of the La Barbuta "camp".

«We have a large family. We have no comforts now, and we would like to live like we used to, here. We have been here for a long time. We have no bathroom, no water, no container. Before, everything was perfect, now I live outside with a tarpaulin that I bought myself. I have a 10 days old little girl, I put her to sleep in the van. While me, my wife and our 10 children sleep here, under the tree. We can also go somewhere else, but not with other communities that we don't know, it's dangerous for our children. One has to choose with whom to live. If you take a house you can't live there with drunk people, criminals, you want to be able to choose with whom to live there. We are a community of 12 families, we are peaceful. We now try to put up a small tent, to clear this little place and to settle down here »¹⁸³.

Children have feelings similar to those of their parents and they confirm that, even though it was torn down, their home is still in Tor de' Cenci.

«When I was at La Barbuta I didn't like it at all, I couldn't play and if I had an argument with someone they were beating me up. I prefer to stay here, even if there is no container anymore. We have grown up here. We don't go anywhere, we stay here: this is our home»¹⁸⁴.

The day after the interviews, the people whose testimonies are reported here were evicted again and they were transferred to the La Barbuta «equipped village»¹⁸⁵. After a few days, a Roma adolescent reports:

«Here we always fight. Every day. For example, if a child plays with a ball in the alley, somebody immediately gets out of the container to tell him to stop, because

he may break the glass of the window and maybe the mother of the child comes out as well and they start arguing. They are all very nervous. There are people who drink, who listen to music all night long, they are out of their mind. This morning at 6 I suddenly woke up because our neighbors started fighting, shouting at each other»¹⁸⁶.

Hence, the tensions due to the forced cohabitation among stranger groups in a very small space, are a source of serious concern for the Roma children. The perception of insecurity is not only due to the difficult cohabitation, but also to the frequent serious accidents inside the settlements. In several «equipped villages» for example, there are no adequate anti-fire measures.

A Roma father says: «I am afraid of fires. The containers are too close to each other and the entire camp can be set on fire. Now they even closed the water for the fires, they say we use it for washing. I did a fire exercise two years ago. I am afraid for my children»¹⁸⁷.

Another Roma father also expresses serious anguish for the safety of his children: «Here is it not safe at all. I asked the V Department for an emergency exit in case of fire, but they told me that everything must be closed. I am afraid there may be a fire. There are also many stray dogs, they bite us and we are afraid. They have already bitten my daughter, they could have torn her to pieces. We reported it to the local police and they said: "Kill the dogs yourselves". I have a fire-extinguisher at home, but I had to get it myself for my own safety. Since I am here, we haven't received any training or done any fire drills. They even disconnected the emergency water in case of fire»¹⁸⁸.

The other critical points mentioned by the inhabitants of the «equipped villages» are: the excessive distance from the nearest hospital, the absence of permanent health aid, the fact that ambulances often arrive at the "camp" a long time after the emergency call is made. In some cases, the interviewees state that the health personnel of the ER refused to come to the settlement:

«A few days ago, my mother wasn't feeling well and we called the ambulance, but after 30 minutes it had not yet arrived and then I went out to take her to the hospital myself. Here if something happens, even to the children, nobody cares»¹⁸⁹.

The protection of health is often used by the authorities to justify the forced transfer of Roma from informal settlement to «equipped villages». According to the statements of the representatives of the Municipality of Rome, the «equipped villages» are supposed to better guarantee the right to health, since they are

healthier places than the "illegal camps". Despite the declarations of intent and the 5 million Euros spent every year for the maintenance of the «equipped villages», these continue to present alarming hygienic-sanitary conditions. In October 2012 an extremely serious sanitary emergency burst in the Salone «equipped village». The settlement was initially created to accommodate around 600 people, but following numerous evictions carried out in Rome, the inhabitants of Salone raised to more than 1.000. The overcrowding in the "camp" put the functioning of the sewerage at serious risk, provoking the leaking of the sewage in the soil. The first case of hepatitis A was identified where the leak is more significant. The hepatitis A virus can be transmitted via fecal-oral route, through contaminated waters. At the time when this report was being drafted, around 10 Roma children were hospitalized in several hospitals in Rome and 80 children were under prophylaxis conducted by the local ASL (health-care center).

Even in the Roma gathering centers safety guarantees are missing. There is a high risk of fire due to the accumulation of furnishing and flammable materials used by the guests to delimit the family housing units: in a situation of emergency, this could lead to a rapid and uncontrolled propagation of fire and smoke.

4. When housing emergency and environmental emergency combine together

The placing of «equipped villages» and Roma gathering centers in unhealthy areas, characterized by high acoustic pollution and close to garbage dumps and incinerators, aggravates the housing emergency of the Roma and exposes them to situations that are potentially harmful to their health.

The settlement of Salone, described by the municipal administration as the "model camp", and inhabited by around 450 children who spend their days outdoors, is located in a scarcely populated area close to a BASF plant. This is a German multinational chemical firm that disposes of noxious and toxic waste through an incinerator that is located a few hundred meters from the «equipped village». The inhabitants of the "camp" have complained several times about the queasy smells and the problems to the respiratory ducts caused by the smokes emitted by the chimney stack of the incinerator. Moreover, the plant had a series of accidents between 1999 and 2004: the breakage of the hydrochloric acid tank, the blast of an oven and the start of a fire. In 2003 an epidemiologic survey of the Health-care Center, pointed out that male mortality due to cancer in that territory in the period

1987–2001, was 30% higher than the Roman average. A new survey of the Health-care Center from 2006, confirmed this data and indicated that deaths due to Hodgkin lymphoma were 156% more than the forecast and denounced the high number of brain tumors among the residents of the area. Environmental surveys pointed out that the concentration of dioxin in the control unit located 300 meters from the incinerator, was 5 to 20 times higher than the average in other Italian areas. Furthermore, the concentration of palladium was twice than normal. In 2009 the Health-care Center states: «It is assessed that the houses and the various activities located within a distance of around 500 meters from the perimeter of the plant, find themselves in the area of maximum impact of polluters dangerous for human health, even in conditions of normal functioning of the plants». In a memo sent to the implementer of the *Nomad Plan* of Rome, the Health-care Center states its opposition to the issuance of an Environmental Integrated Authorization for the incinerator of toxic waste, because it is harmful to public health. The presence of BASF, dangerous because of the harmful substances that it emits as well as because of the accidents that it may cause, was contested by the non Roma residents of the neighborhood, who fought for the closure of the plant. It is striking that in the various articles found on the web and written by the district committees, Roma are never included in the category of citizens at risk, they are never considered among the people who are forced to breath the toxic fumes because they reside in the area¹⁹⁰. The «Roma camp-ghetto used as a waste dump» is mentioned only in one article¹⁹¹ and not as a living area, inhabited by people who are exposed to the unhealthy air, like the nearby houses, but as an alleged source of pollution and further dangers.

Some of the characteristics of the Salone settlement are also common to the La Barbuta «equipped village». Built in winter 2011, La Barbuta is the first "camp" set up *ex novo* by the current municipal administration. Besides being gated, video-surveilled and isolated, it is located in an area affected by significant acoustic and environmental pollution. The settlement is situated in the suburban area La Barbuta, near the *Grande Raccordo Anulare*, the railway line Rome-Cassino and the Ciampino "Pastine" airport. The area is located within the flying path and close to the approach route of the aircrafts of the airport (200 airplanes land there every day), and is consequently not compatible with the applicable norms on restrictions within airports' flying paths. Furthermore, the "camp" is located in «an area over an aquifer, in an archeological zone and, as reiterated by undersecretary Giro, an area where there is an eternit illegal waste dump that continues to be affected by copious fires»¹⁹². According to the Municipality of Rome, the eternit illegal waste dump was removed following clearing operations¹⁹³. The location of the "camp" is defined in

the Landscape Territorial Plan of the Lazio Region as a «terrain included among the landscape protected areas of significant public interest» and hence subjected to the restrictions of legislative decree 42/2004. In any case, it is not suitable for human settlement.

*«The air is not good and every half an hour there is the noise of the airplanes: Italians would have never come here, but because we are "gypsies", they thought this place would be good for us»*¹⁹⁴: these are the complaining words of a Roma woman who lives in La Barbuta.

The situation in the Roma gathering centers is not very different. In winter 2009-2010, some Romanian Roma families are transferred to the center in *via Salaria 971*, the first reception center created exclusively for Roma people. As already pointed out, this center, which is classified by the Agency for the Territory as a «factory», is located in a high industrial density area, and borders with a plant of AMA (Municipal Environment Firm) that impregnates the air with exhalations, because it can treat daily up to 750 tons of urban waste.

By analyzing the locations of the Roma settlements, it appears that over the years, municipal administrations have been allocating without offering any alternatives, urban areas that are considered "waste", uncomfortable and unsuitable for living¹⁹⁵. These choices seem to have been guided by the conviction that the cultural and social diversity embodied in Roma and Sinti communities, justifies living in spaces marked by an "environmental contamination"; this should help exorcising the alleged threat of a "cultural contamination" that may be caused by the proximity of the Roma way of living.

5. Growing up with a disability in precarious housing

Numerous Roma children with psycho-physical disabilities were encountered in the formal and informal settlements in Rome. Their daily life is made even more difficult by the housing and hygienic-sanitary conditions and further aggravated by the lack of adequate therapies, due to scarce economic resources. A doctor who has been operating for years in the informal settlements of the Roman periphery, clearly explains that sometimes in these situations, the mechanism of "natural selection" prevails:

«There are a lot of problems with regard to disabilities: there are a few tools to handle them, a person with disabilities is difficult for everybody. If you have money

and means you can make it, if you don't, these kids lead a very difficult life and if their disabilities are serious, they don't survive. If you are mentally disabled, everything in street life is risky, everything can threaten your life. If you are physically disabled there is a natural selection, you can't make it. You need a wheelchair, somebody who spoon feeds you, a bucket to wash you... it is already difficult for children who are not disabled, imagine for those who are»¹⁹⁶.

The case of a little girl encountered in April 2011 in the Roma gathering centre in *via Salaria* is emblematic¹⁹⁷. The child suffers from a serious form of child paralysis with spastic tetraparesis and enteral nutrition. Given the diagnosis, she would need specific care and assistance that the operators in the center are unable to provide. Born premature due to a placenta abruption, she is initially diagnosed with neurological damage and convulsions. She is hit by a very rare pathology (necrotizing enterocolitis with intestinal necrosis and subsequent intestinal perforation) and immediately undergoes surgery; the outcome is positive but to ensure her survival, she needs to be fed artificially with a PEG (percutaneous endoscopic gastrostomy).

The conditions of the child are progressively deteriorating: pulmonary and respiratory complications arise in addition to the already existing problems. She needs continuous checks and a specialized assistance that cannot be guaranteed inside the facility; she needs a special type of nutrition that her mother pays for. The Office of Preventive Medicine of the Rome A Health-care Center, reported the case to the District IV Social Office of the Municipality of Rome, requesting the immediate transfer of the little girl to a institution suiting her needs so that she can receive the care that she requires. «The current accommodation is not adequate – an official of the Health-care Center of the Municipality of Rome writes – therefore the family [of the child] should be urgently transferred to a place that is more suitable to the specific family needs »¹⁹⁸. After it is ascertained that the parents of the girl do not have a registered residence, a precondition for accessing the social assistance circuit in the district to which they belong to, the request is rejected¹⁹⁹.

The lack of recognized and structured assistance to disabled Roma children and their families, was confirmed also in other cases. A volunteer who dedicated part of her time to supporting children in the Lombroso «equipped village» in their studies, and who helped a deaf mute boy doing his homework during several months, says:

«I was a volunteer in the Lombroso camp and helped an adolescent. He is deaf and mute and I was giving him mathematics tutoring. I must say that he was very dedicated and always went to school [the school for deaf mute pupils], he managed

well and I learnt afterwards that he even graduated, despite the not very easy family situation and despite living in the camp. I don't have the feeling that he was very integrated in the camp, both because there were no comforts but also because nobody knew the sign language, nobody from the association working in the camp was following him. I am not saying everybody, but at least one person from the association present there, should have known the sign language and taught it to the parents, to give them a means of communication and make sure that this boy was not completely isolated in the camp. I was the only one taking care of him, a volunteer, but I absolutely do not know the sign language!»²⁰⁰.

Sometimes the lack of assistance and the scarce interest of the authorities can have dramatic consequences. This is the case of a boy affected by Down syndrome who in 2010 died at the age of 16, due to a kidney infection. The child was living with his family of 10 people in an «equipped village» of Rome, in conditions of extreme destitution and without the economic means necessary to guarantee medical care and basic comforts. During rainy days, water used to get into the container; the poor quality materials of the housing unit exposed him to humidity and cold in winter, as well as to burning temperatures in summer. The few toilets in the settlement were in appalling conditions. Kidney infections often originate from bacteria and germs, and they are influenced by the condition of the immunity system.

The mother comments on the death of her son: «*If my son had grown up in a normal house, with concrete walls, without mud surrounding it, no, he would not have died. He would still be alive*»²⁰¹.

It emerges from the survey and the testimonies collected, that environmental conditions may represent an objective risk factor for disabled Roma children who live with their families in the spaces organized by the Municipality of Rome for the Roma and Sinti communities. «*In diseases – a doctor from an organization working in the "camps" explains – organic, that is physical, as well as environmental conditions must be considered: these two elements influence the risk probability, and naturally a child with Down syndrome who grows up in a house, indoor, always clean, has much less chances of getting sick than a child with Down syndrome who grows up in the mud, with water leaks in the container. Therefore a poor hygienic-housing condition is by itself a risk factor that can favor the disease*»²⁰².

The housing polices for the Roma do not guarantee in any way the care and survival of children with physical and mental disabilities. The fragility of their lives, the lack of support to the families, the inadequacy of the toilets and the precarious

housing, constitute risk factors that may contribute to raising child mortality among Roma and Sinti communities in Rome.

6. Child mortality

At European level, there are no reliable data on life expectancy and child mortality of Roma, only some estimates. Some studies showed that the majority of Roma families have a life expectancy that is on average 10 years lower than that of the majority society in the State in which they live²⁰³. According to a UNDP study from 2003, in some European countries the child mortality rate of Roma children is two to 6 times higher than that of non Roma children²⁰⁴, due to causes ranging from greater exposure to risks, to discrimination in access to public services and lack of access to quality health-care services. As far as Italy is concerned, according to Minority Rights Group, in 1983 only 3% of the Roma population was older than 60, whereas in 1990 50% of it was younger than 18²⁰⁵. In 1991 the child mortality rate in Rome was 24 per 1.000 live births, compared to 9 per 1.000 of non Roma Roman citizens²⁰⁶.

Based on the testimonies collected, it can be inferred that currently, in Rome, child mortality in the "camps" is still a widespread phenomenon. In the last decades, the most frequent circumstances appear to relate to: children, even just a few months old, who died of cold; children who died because of house fires; children run over on motorways close to the "camps"; children who drowned in rivers while they were playing; sick children or children that the doctors refused to treat. Often these accidents do not only concern one child but also his or her siblings.

In all social environments, a high birth rate corresponds to a very high child mortality rate. A doctor who works for the promotion of health of Roma, reports: *«I don't have scientific data on child mortality, but roughly I can tell you that in the history of a large family, it is rare that there are no cases of child death. Often, it is because of serious and genetic diseases or because of accidents and traumas... The latter represent an important risk, they are very frequent: children who are run over by cars because they live on the street... many»*²⁰⁷.

Because of their social conditions, child mortality among Roma families in Rome, appears to have a higher incidence. The policies of "camps" and evictions, appear to aggravate this phenomenon because the former invest in precarious and transitory housing solutions, while the latter lead Roma to find shelter in dangerous areas where the level of safety is extremely low.

With regard to informal settlements, a privileged witness says: «*There is no particular neglect from the parents, therefore it is evident that a series of problems are connected to the living conditions. It is sufficient to think about all the children who died of cold or in fires due to precarious conditions. Or to all the accidents, children run over by cars, in the rivers, in the streams, due to the fact that they live in camps near the motorways*».

On 28 August 2010 a three years old Roma child loses his life in the informal settlement in La Muratella, charred to death in his house. The family, originally from Romania, used to live in a wooden shack and had kept candles burning during the night to keep the mice away. The fire propagated from the shack where the child died, to the others nearby. Those that were still standing were razed by the municipal bulldozers in the following days²⁰⁸.

On the evening of 6 February 2011, four Romanian Roma siblings die in the fire of their shack, in an informal settlement along the *via Appia*. The family who lived in the shack was composed of 7 people: three adults and 4 children. At the time of the fire, the adults were out to get food for the family and, upon their return, they couldn't do anything against the already high flames emanating from the brazier. There is no way out for Raul, Sebastian, Patrizia and Fernando and they die in their sleep²⁰⁹.

In summer 2012, a sixteen years old boy loses his life while playing: he drowns in the Tiber river after diving in, probably to have fun and to escape the heat. Marian lived in a very small spontaneous settlement on the gravel bed of the river, close to a cane field located on *Lungotevere Dante*. The family sees him disappearing in the eddies of the river²¹⁰.

The «equipped village» of the *Nomad Plan* appears to be unsafe and domestic accidents are frequent. «*The camp itself is unsafe for the life of the children, the more it is equipped the least it should be dangerous, but it is dangerous anyway*»²¹¹ a representative of an organization states.

In August 2011, a one year old Roma child loses his life in the Tor de' Cenci "tolerated" settlement. The child dies struck by an electric wire while he is playing in his caravan. He touches an uncovered wire to get a small ball from under the fridge and consequently suffers a strong electrical shock, immediately losing his consciousness. He dies in front of the entrance of the first aid²¹².

Faced with the sorrow of the families, the authorities did not start a reflection on the gaps in their policies, on the temporariness and the dangerousness of the housing solutions adopted. On the contrary, in some circumstances, the City Hall appears to have used for its own ends the reports on the deaths of the Roma children. In some cases, in order to prevent child mortality in the "camps", the local authorities took into consideration the removal of children from their families. In several statements, some representatives of the institutions ascribed the death of the four Roma children to the neglect of the family,²¹³ invoking also the application of article 403 of the civil code, providing for child protective custody by the social welfare authorities²¹⁴.

Here below is the testimony of a woman who lost her child in an «equipped village», because of what she considers the failures of the Municipality of Rome. Today this mother reports having won the lawsuit against the Municipality. However in the days following the death of her son, she was accused together with her husband of unintentional murder, whereas the Roma community residing in the settlement was accused of having stolen the fire extinguishers that could have saved the boy's life. The woman underlines that it emerged during the proceedings, that the Municipality of Rome had installed the fire extinguishers only after the death of the boy and that, despite the requests of the family, no maintenance activities on the container were ever carried out.

«I have a lawsuit against the Municipality for the death of my son. He died on 2 December 2006 because of a short circuit, a fire in the container. A small fire, and his death could have been easily avoided. The first day we came to this camp in 2001, in the contract it was written that the holder of the container had to pay for any damage caused to the items in it. As soon as I entered mine, I realized that the meter did not work, it was always on zero, and the small glass covering it was broken. Since I did not want to pay for a damage that was already there, I immediately went to the person in charge to tell him that the meter was broken. He gave me this answer: "What do you care, you don't have to pay for power". I didn't pay for power but I paid with the life of my son; if they were more careful they would have fixed the meter and I am 100% sure the fire would not have happened. We had signed contracts to come here in 2001, and two years later the Municipality was supposed to come for maintenance works, but after four years they still had not come. Still today nobody has come. They only came to put the fire extinguishers, but only after the death of my son. They said they had put them since the beginning, since 2001, and that if they weren't there when my son died, it is because we "gypsies" had stolen them! I read these lies on the newspapers, said by a councilor, and I still keep them. They closed the case with this lie. In the end the

Municipality was declared guilty, but since they are many people they told me: "Who should go to prison?". Nobody. Since we are foreigners, or rather "gypsies", they don't make an effort like they would do for an Italian, it is also for this reason that I felt sick: two children died [her sixteen years old son and his partner] and they don't even want to find out the reason why they died, on the contrary, do you know what they did? They investigated on us, the parents, they thought I had put my son in the container and set him on fire. At the trial, the defense of the Municipality wanted to accuse us, the parents. I felt sick in the courtroom, how can you investigate on us, the parents?»²¹⁵.

ETHNIC FILING

« No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation»
(Article 16.1, Convention on the Rights of the Child)

The first census of Roma and Sinti residing in formal and informal settlements in Rome takes place in the course of 2008. In the first months of 2009 police forces and the army conduct a second census, which culminates in forced evictions and home searches ²¹⁶.

These operations provoke the criticism of the European Parliament which in July 2008 adopts the *European Parliament resolution on the census of the Roma on the basis of ethnicity in Italy*²¹⁷, concerning the discriminatory nature of censuses carried out on the basis of ethnicity. In the same period, the Council of Europe²¹⁸ and the Organization for Security and Cooperation in Europe²¹⁹ also denounce the policy of the Roman institutions.

Despite international criticism, in December 2009 administrative authorities of the Municipality of Rome, in agreement with the prefect and extraordinary commissioner for the "nomad emergency", start the procedures of collection of dactyloscopic and photographic data in the Roman settlements. These procedures are aimed at the issuance of the DAST²²⁰ card and at the possible request of international protection for people who, in order to regularize their legal status, may need to obtain a residence permit for humanitarian reasons. The Consolidated Law on Public Security states that only «dangerous or suspicious individuals and those who are not able or refuse to prove their identity»²²¹ can be compelled to provide dactyloscopic or photographic data. In spite of what is envisaged in the current legislation, the collection of data does not only concern *de facto* stateless people, but also Roma people who hold the Italian citizenship or the citizenship of members of the European Union, as well as Roma people from third countries who hold a residence permit.

As far as children are concerned, the guidelines of 17 July 2008 state that «the capture of fingerprints will only concern subjects who are older than 14, except in cases when their identification is not possible in any other way. For those younger than 14 but older than 6, fingerprints can be captured only for the issuance of the residence permit, if requested by those who have parental authority, in accordance with EU regulation no. 380/2008, or, if necessary, through the judicial police with the

involvement of the Prosecutor's offices of the Republic in Juvenile Courts. The collection of dactyloscopic data by the judicial police can be authorized below this age with regard to minors who are abandoned or where there is a suspicion that they may be victims of a crime, only in exceptional cases, in agreement with the Prosecutor's offices of the Republic in Juvenile Courts»²²².

Here below are three testimonies from which it can be inferred that, contrary to what is recommended in the Guidelines of 17 July 2008, independently from their age and legal status, Roma children were also taken to the offices of the Immigration Office of the *Questura di Roma* for the capture of their photographic and dactyloscopic data:

«When we were in the Questura, first I entered with my grandmother and they took a picture. Then, I stayed alone and they asked me when I was born and they took my fingerprints»²²³.

«[The operators of the State Police] took fingerprints also to the adolescents. Also to the children. My children were 4 and 6 years old. The real fingerprints. Also to my daughter, who is 12»²²⁴.

«They also took the fingerprints to my disabled child. He is 18 now and he neither walks nor talks. I took him there. I put him on the wheelchair and I took him in front of the Questura. They took his fingerprints, they took pictures. They did everything to him. In order to take the fingerprints, the police took his hand. Then they measured his height and they took a picture all together. They grouped us and then they took pictures. At the end they didn't even give us a piece of paper. They gave us nothing!»²²⁵.

The Lazio Regional Administrative Tribunal with verdict no. 6352 had already annulled in July 2009 the provisions of the ordinances of the Presidency of the Council of Ministers of 30 May 2008, authorizing the identification of individuals, including children, through photographs and fingerprints²²⁶.

PART THREE

THE REMOVAL OF CHILDREN

«States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child»

(Article 9, Convention on the Rights of the Child)

1. Adoptions of Roma children in Italy

A recent study shows²²⁷ that around one fourth of the juvenile courts in Italy, issued in 21 years 227 decisions of adoption of Roma and Sinti children. The total percentage of Roma children out of the total number of children declared adoptable, appears to be of 2,6%. This figure is very remarkable, since in Italy, Roma represent 0,2% of the national population, hence, proportionally, the Roma children declared adoptable should not be more than 13. Compared to this figure, the number of Roma declared adoptable is 1700% higher²²⁸. The comparison between the various estimates allows us to calculate that between 1985 and 2005, in the provinces of Turin, Florence, Bologna and Venice, more than one Roma child out of 10 between 0 and 4 years old, was declared adoptable.

The author of this research asks herself if the intervention in favor of Roma children is unconsciously moving towards the annihilation of a culture²²⁹ and whether the phenomenon of adoption of Roma children risks taking the form of a "genocide", in the sense of a «forced transfer of children from one group to the other»²³⁰. According to anthropologist Leonardo Piasere, unlike in the case of the *Stolen Generation*, of the *Jenische* removed from Swiss families and of the Canadian *Sixties Scoop*²³¹, in Italy the removal of Roma children appears to be a systematic phenomenon signed by the institutions and endorsed by the verdicts of the juvenile courts. The transfer of the child becomes foster care and the removal turns into legal adoption²³².

Sometimes a crucial aspect in the adoption of Roma children seems to be the approach of the institutions: the declaration of adoptability appears to constitute the outcome of many cases of removal of Roma children, even when the inadequacy of the parent is connected to conditions of poverty and even when social care addressing the family deprivations is scarce. The Convention on the Rights of the

Child sets forth the principle of best interests of the child, a criteria that should inform the actions of the juvenile justice system. Still, as noticed in the research of Saletti Salza, in Italy «it is as if the Roma child was considered as a child like the others, only the moment a judicial procedure begins»²³³, because the civil protection tends to replace the social protection.

Even acknowledging the extreme complexity and heterogeneity of the categories and the people involved in the various phases of the proceedings concerning Roma children, research indicates that the approach of some figures – from social workers to judges – is sometimes vitiated by prejudice. In many written pieces on criminal and civil procedures, it is recurrent an implicit equivalence between being Roma and being automatically – based on ethnicity – an exploited or deprived child. According to the Law on adoption and fostering of children «the child has the right to grow up and to be educated in the family. Conditions of destitution of the parents cannot be an obstacle to the exercise of the right of the child to his or her family. To this end, support and help is provided to the family» and «the right of the child to survive, grow up and be educated in the family, is ensured irrespective of sex, ethnicity, age, language and religion, respecting the cultural identity of the child and in line with the fundamental principles of the legal system»²³⁴. Often the condition of material and moral neglect that Roma children declared adoptable suffer from, can be attributed to the state of poverty of the parents. Sometimes it is a socio-economic matter rather than a judicial issue. In the documents drafted by social workers and judges from juvenile courts, there is sometimes a tendency to ascribe the origin of the situation of damage and risk for the child, to the Roma "culture". Thus, based on the idea that Roma are a group that is "culturally" unfit to raise children, the removal of the child risks to replace the social intervention, exonerating in some way the institutions from their responsibilities. In this way, the failures of the social and civil protection are compensated through the judicial protection.

The statements of the deputy mayor of Rome who, face the conditions of poverty and the precarious housing of the Roma families, has invoked several times the application of article 403 of the civil code - in other words of the procedure of removal of the child from the family - are in line with this approach: «Until today, this article has been used only in cases of serious abuse of the children, for those who show bruises, injuries etc. [...] but it has never been used for the nomads. However, in my opinion, having visited and seen the nomad camps, and seeing the conditions in which they live, living under a tent put up in an emergency, without heating, lighting and water, often alone, in a state of neglect because parents are

away to work or beg, is a serious deprivation for the children»²³⁵. A month after this statement, in March 2011 Sveva Belviso renewed her commitment to remove Roma children from their parents in case these are unable to provide adequate material resources to the children: «[It was decided] to carefully monitor the illegal camps and to report cases of children who are forced to live in a condition of moral and material deprivation, of neglect and uncertainty, to the Councillorship for social welfare services»²³⁶. It is interesting to note that the use of the term «forced», suggests the intention of the parents to deliberately impose a life of destitution to the children. A few weeks later, new statements of the deputy mayor reiterated threats to the Roma: «All evicted people were included in the census and were warned that, if found again living with their children on the Roman territory in the same conditions, the procedure 403 of the civil code, providing for child protective custody by the social welfare services, would be activated immediately»²³⁷. Afterwards, commenting on an eviction, the deputy mayor stated that during its execution, Roma women were asked to sign a document by which they «commit themselves to making their children live in a safe place, accepting, in case a new control would establish a situation of destitution, the entrustment of the children to the municipal Social Welfare Services»²³⁸.

Sveva Belviso expresses herself as if the condition of destitution was ascribable to the lack of commitment of the parents, as if it could change in a short timeframe. Furthermore, the statements and the initiatives of the deputy mayor of the Municipality of Rome appear to indicate that the right to family is not taken into consideration. Every child has a right to be raised by his or her parents and the State has the duty to support parents who live in destitute conditions²³⁹.

2. The case of Alessio and Miriam²⁴⁰

A recent story of removal concerning two Roma siblings from Rome is reported here below. The case is emblematic of the consequences that institutional failures can have on families.

The story begins in September 2008, when Ms Maria, who is with her two children, is arrested in the city of Z.²⁴¹ for having allegedly stolen a wallet. The police report the case to the local Social Welfare Services, which place the 4 months old son and his 10 years old older sister in a family community. The father, who was in Rome with the rest of the family, goes to Z. The Juvenile Court of Z. confirms the entrustment of the children to the Social Welfare Services, because the mother is

detained and it is necessary to conduct some verifications on the father – in spite of the fact that he has parental custody and that he holds the birth documents of the children.

The Social Welfare Services of Z. draft the initial reports on the family – that they afterwards send to the Juvenile Court – on the basis of the information provided by the parents themselves: the lack of a regular job and the lack of a stable home, are the reasons why the children are not allowed to reunite with their parents. However, a social worker of Z. points out in various reports, that the physical distance between the family and the family community does not facilitate but rather jeopardizes the relationship between parents and children. An association of volunteers from Rome close to the Roma family, sends reports attesting the constant commitment of the parents to ensuring the right to education of the other children and to taking care of their hygiene and health. In spite of the conditions of serious destitution and precariousness, the Roma couple seems fit to raising the children. The Social Welfare Services of Z. consider the parents fit from an affective point of view but, given the material living conditions, they deem that the children cannot yet go back to their family of origin. For this reason, the Social Welfare Services of Z. exhort their colleagues in Rome to work on the case directly, reiterating this request numerous times through the years.

The conduct of the Rome Social Welfare Services has irreversible consequences: Alessio, who at the time of his mother's arrest was 4 months old, does not recognize his parents anymore. During the meetings with her parents, his sister Miriam appears detached towards them and progressively integrates in the urban context of Z., where she attends school and a youth association. In various statements, the child – who according to the report of the social worker is «fascinated by the western culture » – expresses the wish not to cut off relations with her parents but to remain in the context of Z., where she has built social and affective relations. Through the years, the child develops the wish of leaving the family community and growing up in a family in Z. in virtue of the links built there and of the gradual detachment from the family of origin that – as she states – she remembers less and less.

In spring 2010 the Juvenile Court of Z. confirms the entrustment of the children outside the family on the basis of the information provided by the workers of the family community and the police of Z., and in light of the fact that «the parents are not able to adequately take care of the children, as they live in a shack in Rome and they don't have a stable job».

«The absurdity of this story – the lawyer of the natural parents reports – is that the family investigation that was requested many times, will never be conducted, despite the fact that the family gets in touch with the Social Welfare Services of Z., and those of Rome, that they appear before the judge, that they produce reports with the help of a Roman association; despite all this, the investigation is not conducted and the children remain in the family community»²⁴².

In September 2010 the public prosecutor requests the opening of proceedings to ascertain the state of moral and material neglect. The court orders the opening of the proceedings, confirms the temporary decisions already adopted and suspends the parental custody of both parents, nominating also a temporary guardian and a special curator.

In the course of 2011, the judge of Z. hears the parents, the managers of the family community, the curator and the child. The manager of the family community states: «Miriam contests the way of life of the parents. She expresses her wish not to return home, does not ask information on the whereabouts of her parents or her siblings whom she doesn't know; the relationship with the mother is detached, she asks for her father more, but he stays in Rome to take care of the other children. During the visits, the mother doesn't manage to get in contact with the daughter because by now, she is culturally distant from the way of living and operating of the daughter. The latter perceives an enormous distance from her family, especially from the cultural point of view, she contests the rules and the habits [...]. She manifests strongly her need to become acculturated [...]. She states that she is emotionally connected to them, but not enough to give up the opportunities offered by the western culture. Although she is fascinated by the western culture, she wants to leave the family community because she wants a stable affective relationship in a new family. She and her brother are tired of the way of living of the parents, with whom they don't share anything except for the blood ties».

In the reports of the social workers, as well as of the managers of the family house and then of the court, the reference to an alleged "Roma culture" and to a specific way of life typical of the Roma is recurrent. The language used is approximate and it unveils a lack of knowledge of the phenomenon and of the housing emergency of many Roma, of the evictions that they have to endure and of the working difficulties of many. The frequency of the expression «western world», opposed to the "gypsy world", reveals the superficiality of the analysis and points out how the Roma reality is erroneously considered as an absolute, indistinct and immovable entity. Ascribing the condition of poverty of some families to the "Roma

culture", may become the justification of the negligence of the social welfare services and implies the uselessness of any social intervention.

In summer 2011, after three years of requests and reminders by the Social Welfare Services of Z., the social workers of Rome finally conduct the family assessment, which takes place on the same day of the eviction from the informal settlement where the household lives, in a precarious and intimidating environment. The report addressed to the judges states: «After a series of researches on the domicile of the parents, these were found in the illegal settlement X²⁴³. They are all enrolled in school and the family lives of occasional proceeds. With regard to the situation of the other two children, the family expressed the intention of having them back and raising them like the other children, in what they define as their family and social environment and in line with their education model, which is certainly referable to the Roma culture. What can be certainly asserted is that, unlike many other families, this one continues to be rooted in its culture, and does not question in any way its way of living; it would be harmful to let their children go back to this way of living, since in these years they have been living in a protective and stimulating environment which suits their individual needs».

The Juvenile Court of Z. never hears the parents, does not ask the Social Welfare Service to conduct further family investigations and issues a verdict of adoptability for both minors. The declaration of adoptability is justified in virtue of the parental incapacity of the two Roma parents who, according to the panel of judges, appear to be «strongly motivated to not question their way of living, to the point that the children do not share anything with them anymore».

In 2012 a decree of the Court orders the placement of Alessio and Miriam in a non Roma family that is considered suitable.

Today, the parents of Alessio and Miriam are challenging this decree denouncing that they were not allowed in any way to demonstrate their parental ability. Their lawyer reports that the negative appraisal on the parents by the Court, was elaborated based on sketchily collected information, erroneously reconstructed and assessed in absence of a careful family assessment. As a matter of fact, the only family assessment was carried out three years after the placement of the minors in a family community, in the dramatic and chaotic context of the eviction.

MINORS AND PRISONS

*«States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status»
(Article 2, Convention on the Rights of the Child)*

1. «How many taps does the sea have?»

Eighty per cent of children inside Italian female prisons are Roma²⁴⁴. In line with the penitentiary legal system²⁴⁵, while they serve their sentence, women who commit crimes have the right to keep their children with them in the cells. This regulation does not apply to all children, but exclusively to children between 0 and 3 years old²⁴⁶. In some way, the evolution of the legal system expanded the rights of detained mothers and Law no. 40 of 8 March 2001²⁴⁷ established that not all the children of convicted women must spend part of their childhood in prison. The alternative measure of house arrest is envisaged for all mothers who did not commit a serious crime, who are not recidivist and who have a domicile that ensures that they will not commit any more crimes. Alternative measures to detention do not exist for many Roma women²⁴⁸. Often, living in the "camps" does not imply the right to a registered residence and even when it does, usually judges do not consider the "camps" suitable for serving the alternative measure of house arrest.

According to a lawyer: *«The sense of house arrest as alternative measure, is to allow the mother to raise her child in an environment where, though, the danger of committing more crimes is nearly non-existing. A negative assessment of the nomad camps is very widespread among judges; the camps are considered criminal environments, places that do not in any way guarantee that the detained woman does not enter the criminal circuits again. For this reason, if the woman resides in a nomad camp, usually the judge does not consider serving the sentence in her house appropriate»²⁴⁹.*

In the period when this *White Paper* was being drafted, of the 10 children present in the Roman prison of Rebibbia, 8 were Roma.

A vast scientific literature demonstrates that when your home is a cell shared with other families all composed of females, when your space is delimited by walls and bars and your needs follow strict timeframes, your early childhood risks becoming a dark zone lacking stimulus and impulses²⁵⁰. As a matter of fact, in prison

the visual horizon is limited, the tactile experiences are reduced, hearing is limited to the noise of the keys and the reprimands of the inmates, and children are not used to listening to the sounds of life and they risk to not fully develop their sensorial dimensions.

Various groups of volunteers work in the prison of Rebibbia to reduce the damage on the children's lives; they organize many activities to arouse their curiosity and encourage their creativity. The activity of an organization that operates in a prison facility has the objective of «providing a continuous stimulus to the children by stimulating their visual, hearing, tactile and olfactory experiences»²⁵¹.

Every Saturday the association organizes an external excursion for the children. *«What characterizes the first excursions – the person in charge from an association that works with children in detention says – is the surprise: children go out of prison and in the trip to the place of the excursion, there is a whole world that they discover for the first time: the traffic, the noise of wheels, the cars taking us over. The first impact is with the trip, the tunnels, the trees that flow behind them. And then, depending on the diversity of the places, they discover new things. Last time we went to the sea a child kept asking us: "But where are all the taps... But how many do you need to fill the entire sea?". If we spend the day indoor we see how the child experiences the home, there the child asks: "Do you lock me up? Why don't you lock me up?" because they have the locking up of spaces in their memory»*²⁵².

On the occasion of a trip to the mountains, a little Roma girl answered to the operators who were asking what she was putting in her pocket: *«The snow. I put it in the pocket so I keep it and tonight I show it to mummy»*.

It emerges from the inquiries conducted in the Roman prison, that the rights of the children are not always respected. According to the manager of the association *A Roma Insieme*: *«If the child gets sick, the mother cannot take him or her to the hospital for a doctor's visit, unless there is an agent who can accompany her. Not to mention hospital assistance. If instead of a visit we talk about hospitalization, then things get complicated: not only the child is sick in the hospital, but he doesn't even have the assistance of the mother. The authorization for the mother is given by the supervisory judge and in case he or she is not available, by the prison director. But the weak point of the legislation is the discretionality given to those who issue the authorizations. The judge or the director may decide arbitrarily to not issue the authorization and so it can happen that a mother cannot assist her child in the hospital»*²⁵³.

In Italy the children who live with their mothers in penitentiary facilities are around 60, a very low number that could allow a different management of the situation. According to several key actors in this sector, a protected family house could be the solution for all mothers who do not have a registered residence, like many detained Roma women who cannot serve alternative measures such as house arrest.

2. Minors in prison

More than 50% of the minors in the First Reception Centers (CPA - *Centri di Prima Accoglienza*) and in the Offices of Social Service for Minors (*USSM - Uffici di Servizio Sociale per i Minorenni*)²⁵⁴ are foreigners. According to some studies, the fate of Italian and foreign children is not the same: for the same crime, migrant children have more chances of being convicted, they receive longer sentences, they are more frequently subjected to custodial restrictive measures and they rarely receive alternative measures such as referral to community housing or to the family²⁵⁵. Data of the Department for Juvenile Justice disaggregated by «Italian, foreign and nomad» origin, indicate that 12% of the minors referred by the Juvenile Judicial Authority to the Offices of Social Service for Minors are Roma²⁵⁶. As far as restrictive measures are concerned²⁵⁷ – prescriptions, house arrest, referral to a community home and custody – Roma minors, compared to Italian minors, appear to have almost twice the chance of receiving custodial measures. The recourse to pre-trial detention is chosen in 40% of the cases concerning Roma, while the percentage decreases to 22% in the case of Italian minors.

These data would not be symptomatic of a discriminatory attitude by the Juvenile Judiciary and the Juvenile Justice Services, but rather indicate that often Roma minors lack documents proving their identity or positive family points of references when they are “unaccompanied”. This would allow them to easily avoid orders they could possibly be subjected to, in case of non restrictive criminal sanctions²⁵⁸.

According to the former director of the Roman prison Casal del Marmo, juvenile prison does not represent an effective solution: the rate of recidivism among minors, that the prison experience should reduce and hinder, is very high and the separation of the minor from his or her family, environment and affections, appears to aggravate his or her unease, instead of removing it. For this reason, alternative

solutions where punitive instruments are replaced by pedagogical and educational ones, such as family homes and therapeutic communities, seem more appropriate²⁵⁹.

The Casal del Marmo juvenile prison, in the northern part of Rome, disposes of 12 thousands m² and accommodates around fifty inmates. The green spaces are well maintained and there is a soccer field and a volleyball court. The juvenile inmates do educational activities – carpentry, pizzeria, schooling – in the morning and in the afternoon. As of 22 February 2011 there were 43 males and 7 females, a number below the maximum capacity; 80% of the inmates were not Italian citizens. Due to drug addictions, psychiatric pathologies and episodes of violence (more self-inflicted than directed at others), some medical personnel are present in the prison²⁶⁰.

Because of the lack of documents, the lack of a registered residence or due to their residence in the "camps", in the penitentiary justice system, Roma run the risk of being affected by behaviors and sentences that can be defined discriminatory. The right to benefit from alternative or non custodial measures is enjoyed by non Roma mothers and minors, whereas it appears to be often *de facto* denied to Roma who live in formal and informal settlements.

CONCLUSIONS

Before the *Nomad Plan* was inaugurated on 31 July 2009, public security authorities had ascertained the presence of 7.177 Roma in around a hundred settlements. Today, three years later and following an intense campaign of forced evictions, the situation appears as follows: the «equipped villages» went from 7 to 8; the 14 “tolerated camps” were reduced to 8; due to the evictions, the 80 informal settlements fragmented into 200 micro-settlements scattered on the municipal territory; there are three Roma gathering centers. According to official estimates, in Rome Roma and Sinti living in «equipped villages», “tolerated camps”, informal settlements and Roma gathering centers are 7.370, among which around 3.900 children.

This *White Paper* aimed at analyzing the impact of the policies of the *Nomad Plan* on the life of Roma children who live in the Roman “camps”. Since 1991 Italy is obliged to respect the principles set forth in the Convention on the Rights of the Child. It emerged from this research that the policies of the *Nomad Plan* not only do not guarantee the rights of Roma children, but they often also create the material conditions for their violation.

As far as the right to housing is concerned, the housing policies of the “camps”, as well as the solution of the Roma gathering centers, disregard livability criteria, housing quality and international standards on adequate housing. The 8 «equipped villages» of Rome are characterized by distance from the urban areas, – except for Lombroso and Gordiani – , inadequate and rigid housing units that do not contemplate the natural expansion of the family, lack of outdoor spaces, often critical hygienic and sanitary conditions, and lack of recreational and educational spaces. All these factors heavily limit the chances of social inclusion of the children, they reduce opportunities to meet and interact with non-Roma peers, opportunities for growth and development through sport, play, music and recreational paths; they discourage school attendance and make any trip out of the “camp” difficult. Although they are often located in areas with more services and with greater opportunities of social inclusion than the «equipped villages», and despite the fact that the containers are generally adequate and suitable to the size of the family, the “tolerated camps” are nonetheless suffering from serious plights, generally connected to hygienic-sanitary neglect. The three Roma gathering centers present poor hygienic-sanitary conditions, sometimes vexatious regulations and narrow spaces lacking adequate ventilation.

The housing policies for the Roma – which are different from those adopted for the rest of the population – prove that Roma continue to be perceived by the institutions as “nomads”, as a homogenous population that is not fit for sedentary life, unable to live in conventional houses, and culturally willing to live under minimum living standards and in a perpetual suspension of fundamental human rights.

The analysis presented in this report shows that in Rome, the evictions affecting Roma communities do not respect the procedural protections prescribed by the international conventions ratified by Italy. Over the past three years, around 480 evictions took place only in Rome; these were often accompanied by the arbitrary destruction of personal property and by particularly violent and aggressive behaviors by the local authorities. Suddenly depriving a child of his or her home, forcing him or her to sleep on the street and to look for a shelter during the day, amounts to a violation of the right to education and the right to health, exposes him or her to an extremely traumatic situation, characterized by psychological instability, extreme material poverty and lack of points of reference. It was also observed that the expulsions of families from the «equipped villages» follow a different procedure compared to the one that is applied in the case of families residing in social housing units. Although they are both institutional spaces, in the first case the evictions enjoy weaker protections and guarantees and tighter timeframes.

The suspension of the right to housing – typical of the life of Roma children – has significant consequences on the enjoyment of the right to education and the right to health. The school represents for many Roma communities a learning place, but especially a moment of interaction and integration with the majority society. Isolating Roma in “camps”, even if called «equipped villages», located outside the Roman transport network, far from the services and the socialization centers, prevents children and adolescents from going to school autonomously and obliges them to use “special” school-buses, that are exclusively used by Roma children residing in the camps. The physical distance from the schools and the absence of public connections, limits the possibility of the parents to attend school meetings, to associate with other parents at the end of school-hours, to establish continuous relations with the teachers. Moreover, the children who use special bus lines arrive at their respective schools considerably later than the entry time established for all the pupils, and must leave the classes before the end of school hours, in order to be taken back to the “camp”. All this prevents many children from attending classes planned at the first and at the last hour of the weekly program, it hinders the socialization with other pupils in front of the school before and after school hours, creating difficulties in the comprehension and the study of some disciplinary

contents. The Roma pupil is often a victim of social but also didactic marginalization in the classroom, as well as of episodes of racism.

As far as the health situation is concerned, the physical and psychological pathologies observed, are ascribable to the material and environmental conditions of the "camps" and to the experience of the forced evictions: respiratory problems, dermatitis, warts, scabies, pediculosis, disorders such as panic attacks, insomnia, migraines, depressive and anxiety states. The "camps" are dangerous spaces because they are degraded, isolated and overcrowded. The forced cohabitation with stranger and unknown communities creates a state of great alert and insecurity among children and adolescents. It was also observed that the sometimes extreme living conditions in the "camps", do not protect but rather aggravate the fragility of disabled children and are in some cases one of the causes of premature deaths.

The consolidated Law on Public Security states that only «dangerous or suspicious individuals and those who are unable or refuse to prove their identity»²⁶¹ can be compelled to provide dactyloscopic and photographic data. In spite of what is envisaged in the current legislation, in Rome the collection of data does not only concern *de facto* stateless people, but also Roma people who hold the Italian citizenship or the citizenship of members of the European Union, as well as Roma people from third countries who hold a residence permit. As far as children are concerned, the guidelines of 17 July 2008 state that «the capture of fingerprints will only concern subjects who are older than 14, except in cases when their identification is not possible in any other way. However, between 2009 and 2011, some children, because they are members of the Roma community, were compelled to provide photographic and dactyloscopic data.

The last part of the *White Paper* focused on the discriminations that Roma children suffer because they belong to poor families, families who – despite having been sedentary in Rome for decades – lack a registered residence and who are forced, due to the lack of resources and because of the local policies, to live in "camps". The residence in the "camps" makes the recourse to alternative measures to detention for mothers – and their children from 0 to 3 years of age – and for minors who commit a crime, difficult. A high incidence of adoptions of Roma children and sometimes, the presence of a discriminatory attitude founded on prejudices and stereotypes among some operators of the social welfare services and some judges of juvenile courts, were also noted. It is not unusual for these figures to treat the condition of destitution and the precarious housing of Roma people as a cultural feature, rather than a socio-economic issue.

Article two of the Convention on the Rights of the Child specifies that the rights of the child belong to all children. Even the Roma children who live in Rome, we add in this *White Paper*, must be protected «irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth or other status».

Yet, when a child loses the school year because of an eviction, his or her right to education is denied; when he or she is exposed to bad weather because of the conditions of the housing units, when there is no access to water and adequate toilets, his or her right to health and to security are suspended. When a child does not dispose of the physical space to play, his or her right to play ceases. When he or she is removed from his or her parents because they cannot afford a house and they don't have an income, his or her right to family life is violated. As intellectual Jovica Jovic states, «to be born from a gypsy mother» means having a life marked from the beginning, and having many more chances than a non Roma child to be born underweight, to get sick, to develop some form of psychological distress, to have a lower life-expectancy, to be excluded from the education environment, to not be able to go to university, to be removed from your family, to experience prison, in absence or for the same crime.

With this *White Paper*, *Associazione 21 luglio* brought to light the violations of rights that Roma children who live in "camps" experience on a daily basis in the city of Rome. These violations are rarely denounced because they take place in the "underground" and "invisible" reality of the "camps", they concern the Roma communities – who are extremely unpopular in Rome – and they are often the consequence of the institutional actions envisaged by the *Nomad Plan*. The actions promoted by the municipal administration since 2009, have compromised the present of young Roma, have limited their self-determination potential and risked creating an entire generation of people who are present in Rome since their birth, but remain excluded from society, education, work and active citizenship.

ENDNOTES

¹ The Convention on the Rights of the Child was adopted in New York by the United Nations General Assembly on 20 November 1989 with resolution 44/25; Italy ratified it with law no. 176 of 27 May 1991.

² As stated under article 1 of the Convention on the Rights of the Child, by child it is meant «every human being below the age of eighteen years».

³ Article 2, Convention on the Rights of the Child, New York, 1989.

⁴ Source: Commission of the Social Regulatory Plan of Rome, *Annex 7 to the 2011-2015 scheme of the Regulatory Plan – Interventions for the Roma populations*, April 2011.

⁵ European Roma Rights Centre, *Security a la Italiana*, 2008; European Union Agency for Fundamental Rights, *Housing Conditions of Roma and Travelers in the European Union. Comparative Report*, Vienna, October 2009; Sigona N., Monasta L. (a cura di), *Figli del ghetto. Cittadinanze imperfette, Rapporto sulla discriminazione razziali di Rom e Sinti in Italia*, Edizioni Spartaco, Caserta, 2006.

⁶ Since 2008 Rome has been governed by the centre-right administration presided by mayor Gianni Alemanno.

⁷ *Associazione 21 luglio* uses the expression “Roma gathering centers” to indicate those reception centers established by the municipality of Rome that are reserved exclusively to Roma individuals. This expression was for the first time used by *Associazione 21 luglio* in its report, *La casa di carta. Il Centro di Raccolta Rom*, from May 2011.

⁸ In particular: *Associazione 21 luglio, Esclusi e Ammassati. Rapporto di ricerca sulla condizione dei minori rom nel villaggio attrezzato di via di Salone a Roma*, November 2010; *Associazione 21 luglio, Report Casilino 900. Parole e immagini di una diaspora senza diritti*, 15 February 2011; *Associazione 21 luglio, La casa di carta. Il Centro di Raccolta Rom*, May 2011; *Associazione 21 luglio, Linea 40. Report sulla scolarizzazione dei minori rom a Roma*, 20 October 2011; *Associazione 21 luglio, Memorandum per il comitato per l'eliminazione della discriminazione razziale dell'ONU*, Roma, 15 January 2012; *Associazione 21 luglio, Anime Smarrite. Il piano degli sgomberi a Roma: storie quotidiane di segregazione abitativa e malessere*, 16 February 2012; *Associazione 21 luglio, Diritti Rubati. Rapporto sulle condizioni di vita dei minori rom e delle loro famiglie nel “villaggio attrezzato” di via della Cesarina a Roma*, 17 September 2012.

⁹ The *Nomad Plan* was presented on 31 July 2009 at the Salone «equipped village». The deputy mayor Sveva Belviso, the prefect Giuseppe Pecoraro and the Minister of Interior of the time Roberto Maroni also attended the ceremony. See:

[http://www.comune.roma.it/PCR/resources/cms/documents/Giornale - Piano nomadi.pdf](http://www.comune.roma.it/PCR/resources/cms/documents/Giornale_-_Piano_nomadi.pdf)

¹⁰ “Equipped village” is the literal translation of the Italian expression “villaggio attrezzato”; it refers to those “camps” that are authorized and managed by the municipal authorities and that are sometimes called “authorized camps” (*campi autorizzati*).

¹¹ Municipality of Rome, *The Nomad Plan*,

<http://www.stranierinitalia.it/briguglio/immigrazione-e-asilo/2009/agosto/slides-piano-nomadi-rm.pdf>

¹² Following the alleged attempted kidnapping of a child by a Roma girl, the settlements of the Ponticelli area in Naples became the target of violent acts by the Neapolitan residents. See: *Vendetta dopo il tentato sequestro. Molotov e spranghe contro i rom*, 13 May 2008; <http://www.repubblica.it/2008/05/sezioni/cronaca/rom-napoli/molotov/molotov.html> ; *Napoli, nuovo incendio contro ex campo rom di Ponticelli*, 28 May 2008; <http://www.repubblica.it/2008/05/sezioni/cronaca/rom-napoli/incendio-campo/incendio-campo.html>

¹³ 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 Campania, Lazio and Lombardy*;

http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/immigrazione/0979_2008_05_27_decreto_21_maggio_2008.html

¹⁴ Decree of the President of the Council of Ministers of 28 May 2009, *Extension of the state of emergency for the continuation of the initiatives concerning the settlements of nomad communities in the territory of the regions Campania, Lazio and Lombardy and extension of the above mentioned situation of emergency also to the territory of the regions Piedmont and Veneto*;

http://www1.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/protezione_civile/0961_2009_05_28_dPCM_proroga_emergenza_nomadi_.html;

Decree of the President of the Council of Ministers of 17 December 2010, *Extension of the state of emergency for the continuation of the initiatives concerning the settlements of nomad communities in the territory of the regions Campania, Lazio, Lombardy, Piedmont and Veneto*;

<http://www.gazzettaufficiale.biz/atti/2010/20100304/10A15622.htm>.

¹⁵ Ordinances of the President of the Council of Ministers no. 3676, no. 3677 and no. 3678 of 30 May 2008, *Urgent measures of civil protection aimed at confronting the state of emergency in relation to the settlements of nomad communities in the territory of the Lazio region, of the Lombardy region and of the Campania region*;

http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/protezione_civile/0987_2008_06_03_OPCM_30_05_08.html

¹⁶ Commission of the Social Regulatory Plan of Rome, *Annex 7 to the scheme of the Regulatory Plan 2011-2015 – Interventions for the Roma populations*, April 2011.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ The *questura* is the office of the Ministry of Interior in charge of police matters established in each province.

²¹ Commission of the Social Regulatory Plan of Rome, *Annex 7 to the scheme of the Regulatory Plan 2011-2015 – Interventions for the Roma populations*, April 2011.

²² See: <http://www.programmaintegra.it/modules/news/article.php?storyid=4312>

²³ Adnkronos, *Roma: Maroni, su nomadi capitale esempio da seguire*, 31 July 2009; <http://www.fabriziosantori.com/modules.php?name=News&file=article&sid=4702>.

See: Il Tempo.it, *Vertice Alemanno-Zingaretti-Marrazzo con Maroni*, 4 February 2009. In February 2009, mayor Gianni Alemanno mentioned an allocation of 23 million Euros: «Adding the 8 million Euro from the Campidoglio and the 5 millions from the Region to the 10 millions - out of one hundred - allocated by the Government at national level for security and the Roma emergency, we come to a total of 23 millions; these funds will be utilized for the construction of new Roma camps, for the refurbishment of the existing ones as well as for the structures necessary for their management. »; http://www.iltempo.it/roma/2009/02/04/985356-patto_sicurezza.shtml.

²⁴ See: Stasolla C., *Sulla pelle dei rom. Il Piano Nomadi della giunta Alemanno*, Ed. Alegre, Roma, 2012.

²⁵ Verdict of the Council of State, Section IV, no. 06050/2011 of 16 November 2011;

http://www.giustiziaamministrativa.it/DocumentiGA/Consiglio%20di%20Stato/Sezione%204/2009/200906400/Provvedimenti/201106050_11.XML.

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ The data on the origin of the people were extracted from the document *List of Nomad Camps*, source: Municipality of Rome, Department for the Promotion of Social Welfare Services and Health, July 2010.

³⁰ The figures on the presence of Roma in the “equipped villages” of Rome are those mentioned in the document *Interventions for the Roma populations, Social Regulatory Plan of Rome*.

³¹ Since these figures are estimates, the numbers included in this table and in the following ones, were rounded to the nearest ten.

³² The same procedure used to estimate the number of children present in the “equipped villages”, was also used in relation to the “tolerated camps” and the Roma gathering centers.

³³ See the chapter of this report on the removal of Roma children from their families.

³⁴ General Comment no.13/2011 of the United Nations states clearly that the child must be protected from all forms of violence both in the family and within society and therefore must be protected from violence perpetrated by the institutions. See: United Nations, Committee on the Rights of the Child, General Comment No.13 (2011), The right of the child to freedom from all forms of violence, 18 April 2011. See also the chapter of this report on unlawful evictions.

³⁵ See the chapter on the right to health.

³⁶ See the chapter on the right to education.

³⁷ See the chapter on the right to play.

³⁸ According to article 25.1, «Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, [...]», United Nations General Assembly, Universal Declaration on Human Rights, article 25.1, 1948, New York; <http://www.un.org/en/documents/udhr/>

³⁹ United Nations General Assembly, International Covenant on Economic, Social and Cultural Rights, article 11.1, 1966, New York; <http://www2.ohchr.org/english/law/cescr.htm>

⁴⁰ United Nations General Assembly, International Convention on the Elimination of All Forms of Racial Discrimination, article 5, 1965, New York; <http://www.unric.org/html/italian/humanrights/racism-ita.pdf>

⁴¹ United Nations General Assembly, Convention on the Rights of the Child, article 27.3, 1990, New York, <http://www2.ohchr.org/english/law/crc.htm>

⁴² Committee on Economic, Social and Cultural Rights, *General comment 4. The right to adequate housing*, 1990; <http://www.unhchr.ch/tbs/doc.nsf/099b725fe87555ec8025670c004fc803/469f4d91a9378221c12563ed0053547e?OpenDocument#%20Contained%20>

⁴³ *Ibid.*

⁴⁴ Amnesty International, *Ai margini. Sgomeri forzati e segregazione dei rom in Italia*, September 2012, www.amnesty.it/flex/cm/pages/...php/L/.../BLOB%3AID%3D5597; Amnesty International, *I diritti dei rom in Italia*, <http://www.amnesty.it/diritti-rom-italia>; Centre on Housing Rights and Evictions, *European slams Italy's treatment of Roma*, <http://www.cohre.org/news/press-releases/the-decade-of-roma-inclusion-or-exclusion>; Centre on Housing Rights and Evictions, *The Decade of Roma Inclusion or Exclusion?*, <http://www.cohre.org/news/press-releases/the-decade-of-roma-inclusion-or-exclusion>; European Roma Rights Centre, *Security a la italiana*, www.errc.org, 2008.

⁴⁵ The European Roma Rights Centre called Italy “*campland*” because the policy of “camps” is implemented exclusively in our country. See: European Roma Rights Centre, *Campland*, 2000.

⁴⁶ United Nations Committee on the Elimination of Racial Discrimination, *General Recommendation no. 27: discrimination against Roma*, 2000.

⁴⁷ Council of Europe, Recommendation 4/2005 of the Committee of Ministers to member states on improving the housing conditions of Roma and Travelers in Europe, Strasbourg, 23 February 2005,

<https://wcd.coe.int/ViewDoc.jsp?id=825545&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>

⁴⁸ European Committee of Social Rights, Decision on the merits, *Centre on Housing Rights and Evictions v Italy*, 25 June 2010 .

http://www.coe.int/t/dghl/monitoring/socialcharter/complaints/CC58Merits_en.pdf

⁴⁹ See: Senate of the Republic, XVI Legislature, *Concluding report on the inquiry on the condition of Roma, Sinti and Caminanti in Italy*, approved by the Extraordinary Commission for the Protection and the Promotion of Human Rights on 9 February 2011, Rome;

<http://www.senato.it/documenti/repository/commissioni/dirittiumani16/Rapporto%20conclusivo%20indagine%20rom,%20sinti%20e%20caminanti.pdf> .

⁵⁰ Since more than 5 years, various Italian municipalities, such as Lecce, Turin, Padua, Genoa, Modena, Bologna, Reggio Emilia and Messina, have been implementing housing policies for the Roma that aim at their integration and not at their exclusion. These policies mostly consist in projects of self-construction of housing units in bricks, rental subsidies or allocation of social housing to evicted Roma. See: *Annex 4. Good practices* in Presidency of the Council of Ministers, *National strategy for the inclusion of Roma, Sinti and Caminanti implementing European Commission Communication no. 173/2011*, 28 February;

http://www.cooperazioneintegrazione.gov.it/media/6639/allegato_buone_prassi_strategia_italiana_rom.pdf

⁵¹ Presidency of the Council of Ministers, *National strategy for the inclusion of Roma, Sinti and Travelers, European Commission Communication n. 173/2011*, 28 February 2012; ec.europa.eu/justice/discrimination/files/roma_italy_strategy_en.pdf.

⁵² European Commission against Racism and Intolerance, *ECRI report on Italy (fourth monitoring cycle)*, Strasburg, 21 February 2012.

⁵³ United Nations Committee on the Elimination of Racial Discrimination, Consideration of reports submitted by States parties under article 9 of the Convention, Concluding observations of the Committee on the Elimination of Racial Discrimination Eightieth session 13 February – 9 March 2012;

http://www.asgi.it/public/parser_download/save/cerd_raccomandazioni_09032012_ita.pdf

⁵⁴ Council of Europe, Report by Nils Muižnieks Commissioner for Human Rights of the Council of Europe Following his visit to Italy from 3 to 6 July 2012, Strasburg, 18 September 2012;

[http://www.serviziocentrale.it/file/server/file/CommDH\(2012\)26_IT.pdf](http://www.serviziocentrale.it/file/server/file/CommDH(2012)26_IT.pdf)

⁵⁵ See: European Union Agency for Fundamental Rights, *The situation of Roma in 11 EU Member States*, Luxembourg, 2012, p.22-23; http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf

⁵⁶ European Union Agency for Fundamental Rights, *Housing Condition of Roma and Travelers in European Union. Comparative Report*, Luxembourg, October 2009; p.87;

<http://fra.europa.eu/en/publication/2011/housing-conditions-roma-and-travellers-european-union-comparative-report>

⁵⁷ *Associazione 21 luglio* estimates that around 20 million Euros are being spent each year only in the city of Rome.

⁵⁸ Sina Y., *Piano Nomadi – Ricorso contro il campo voluto da Alemanno vicino all'aeroporto di Ciampino. Un villaggio attrezzato tra gli aerei*, Il Manifesto, 27 April 2012.

⁵⁹ See: Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, *CPT standards*, <http://www.cpt.coe.int/en/docsstandards.htm>

⁶⁰ The mayor of Rome Gianni Alemanno has referred to the pair “legality and integration” on several occasions, see: *Roma, Alemanno: riparte il Piano Nomadi*;

http://www.dailymotion.com/video/xs70qg_roma-alemanno-riparte-piano-nomadi-via-chi-non-ha-diritto-legalita-deve-convivere-con-solidarieta-ma_news.

- ⁶¹ The *Grande Raccordo Anulare* is a motorway surrounding the perimeter of the city of Rome.
- ⁶² Interview with F. H., Bosnian Roma man, 40 years old, Rome, Salone camp, 23 July 2010.
- ⁶³ Interview with a 32 years old Romanian Roma woman, Rome, Cesarina camp, 25 May 2012.
- ⁶⁴ Interview with G. S., Roma man with Montenegrin parents, *de facto* stateless, 32 years old, Rome, Salone camp, 23 July 2010.
- ⁶⁵ Interview with F. S., Roma man with Montenegrin parents, *de facto* stateless, 32 years old, Rome, Salone camp, 20 July 2010.
- ⁶⁶ Interview with S. R., Montenegrin Roma woman, 36 years old, Rome, Salone camp, 26 July 2010.
- ⁶⁷ See: Rebughini P., *Devianza e marginalità giovanile*, Franco Angeli, Milan, 2006; Gazzola A., *Intorno alla città. Problemi delle periferie in Europa e in Italia*, Liguori Ed., Naples, 2008; Ferrarotti F., *Spazio e convivenza. Come nasce la marginalità urbana*, Armando Ed., Rome, 2009.
- ⁶⁸ Vincenzi M.E., *Casilino 900, i rom vanno via*, 20 January 2010; <http://roma.repubblica.it/dettaglio/Rom-il-giorno-della-svolta:-via-dal-Casilino-900/1834027>
- ⁶⁹ *Sgomberato il campo La Martora. Trasferite 60 famiglie di nomadi*, 16 December 2010; http://roma.repubblica.it/cronaca/2010/12/16/news/campo_la_martora-10272408/
- ⁷⁰ Grossi F., *Via del Baiardo: cominciato lo sgombero del campo nomadi*, 5 July 2012; <http://www.romatoday.it/cronaca/sgombero-via-del-baiardo-campo-nomadi.html>
- ⁷¹ *Tor de' Cenci, lo sgombero tra le polemiche: Riccardi attacca*, 28 September 2012; <http://www.romatoday.it/cronaca/sgombero-tor-de-cenci-polemica-riccardi.html>
- ⁷² The term “forced” seems to be appropriate since the alternative to the transfer in an «equipped villages» is the street, life in an informal settlement and the perspective of new evictions.
- ⁷³ Interview with F. H., Bosnian Roma man, 40 years old, Rome, Salone camp, 23 July 2010.
- ⁷⁴ Interview with G. R., Roma girl with Montenegrin parents, 13 years old, Rome, Salone camp, 26 July 2010.
- ⁷⁵ Interview with S. R., Montenegrin Roma woman, 36 years old, Rome, Salone camp, 26 July 2010.
- ⁷⁶ Interview with M. D., Italian Roma woman, 27 years old, Rome, Salone camp, 8 March 2011.
- ⁷⁷ Interview with F. H., Macedonian woman, 26 years old, Rome, La Barbuta, 21 September 2012.
- ⁷⁸ Interview with the person from a Roman association in charge of the schooling project in the “tolerated camp” Tor de' Cenci, 27 September 2012.
- ⁷⁹ Interview with D. S., Montenegrin Roma woman, 41 years old, Rome, Salone camp, 20 July 2010.
- ⁸⁰ Interview with D. S., Montenegrin Roma woman, 41 years old, Rome, Salone camp, 20 July 2010.
- ⁸¹ Interview with S.A., Macedonian woman, 27 years old, La Barbuta camp, 05 October 2012.
- ⁸² This number is elaborated based on data from the Department Educational and Schooling Services – Office for the schooling of Roma pupils and they refer to the Project for the schooling of Roma children and adolescents – school year 2010–2011.
- ⁸³ Estimate based on data from the master thesis of Sgolacchia C., *La città rom*, Faculty of Architecture, Università degli Studi Roma Tre, academic year 2010.
- ⁸⁴ The distances were calculated by elaborating the data included in the master thesis of Sgolacchia C., *op.cit.*, academic year 2010.
- ⁸⁵ This estimate was calculated based on the data included in the master thesis of Sgolacchia C., *op.cit.*, academic year 2010.
- ⁸⁶ Interview with R.H., Bosnian woman, 38 years old, reception center in via Visso, 06 September 2012.

⁸⁷ In the Lazio region, the opening and functioning of social-welfare facilities is regulated by regional law no. 41 of 12 December 2003 “Norms on the authorization for opening and running facilities that provide social-welfare services”;

<http://www.actroma.it/Legge%2041%202003%20Lazio.pdf>. According to Law no. 41/2003, social-welfare facilities must respect the following requirements: location in an urban area that allows the residents to participate to the social life of the territory and external guests to pay visits; areas for collective and socialization activities that are separated from the bedrooms; the bedrooms should guarantee individual autonomy, usability and privacy; presence of professionally qualified workers. There should also be a periodical vigilance service respecting, among other things, the rights of the residents.

⁸⁸ United Nations, *International Covenant on Economic, Social and Cultural Rights*, New York, article 11, 16 December 1966; entered into force on 3 January 1976.

⁸⁹ Council of Europe, *European Social Charter (revised)*, article 31, Strasburg, 3 May 1996.

⁹⁰ United Nations, *International Covenant on Civil and Political Rights*, New York, article 17, 16 December 1966; entered into force on 23 March 1976.

⁹¹ Council of Europe, *European Convention for the Protection of Human Rights and Fundamental Freedoms*, article 8, Rome, 4 November 1950.

⁹² For a definition of forced evictions see: Amnesty International, *Stop forced evictions of Roma in Europe*, London, 2010.

⁹³ United Nations Commission on Human Rights, *Resolution 1993/77a*, para. 1.

⁹⁴ United Nations Committee on Economic, Social and Cultural Rights, *General Comment no. 4: The right to adequate housing*, 20 May 1997.

⁹⁵ United Nations Committee on Economic, Social and Cultural Rights, *General Comment no. 7: The right to adequate housing: forced evictions*, May 1997 para. 14, May 1997.

⁹⁶ *Ibid.*

⁹⁷ The Covenants and the Conventions mentioned in the previous endnotes.

⁹⁸ Council of Europe, *Compendium of the jurisprudence of the European Committee on Social Rights*; European Committee of Social Rights, *Collective Complaint, Procedure: 1998 – 2010*, March 2010; European Committee of Social Rights, *Centre On Housing Rights and Evictions v. Italy, Collective Complaint No. 58/2009*, 25 June 2010.

⁹⁹ See: Amnesty International, “Zero tolerance for Roma”. *Forced evictions and discrimination against Roma in Milan*, 2011; Council of Europe, *Collective Complaint: The Centre on Housing Rights and Evictions against the Italian Republic*, 28 May 2009; http://www.escr-net.org/sites/default/files/090528_COHRE_ECSR_Collective_Complaint_Italy_%28FINAL%29.pdf

¹⁰⁰ See: Amnesty International, *Stop forced evictions of Roma in Europe*, London, 2010.

¹⁰¹ See: Amnesty International, *Zero tolerance for Roma”. Forced evictions and discrimination against Roma in Milan*, 2011; <http://www.amnesty.org/en/library/info/EUR30/020/2011>

¹⁰² *Idem*

¹⁰³ See: Amnesty International, *Italy: The wrong answer: Italy's 'Nomad Plan' violates the housing rights of Roma in Rome*, London, January 2010; <http://www.amnesty.org/en/library/info/EUR30/001/2010>

¹⁰⁴ Interview with the mayor’s councilor for Security Policies of the Municipality of Rome, Rome, 26 October 2012.

¹⁰⁵ Interview with a privileged interlocutor from the Office for Public and Emergency Security of the Municipality of Rome, Rome, 26 October 2012.

¹⁰⁶ The reference here is to the Roma gathering centers, the reception centers organized for the evicted Roma families. *Associazione 21 luglio* documented the living conditions and the housing inadequacy of these formulas, which are discussed in the chapter *The right to housing for the Roma children*.

- ¹⁰⁷ Interview with a Romanian Roma woman in the former informal settlement located in the area of Stacchini, 15 March 2011, included in the video *Sgombero Stacchini* available on the website of *Associazione 21 luglio*.
- ¹⁰⁸ Interview with a Romanian Roma man in the former informal settlement in the area of Stacchini, 15 March 2011, included in the video *Sgombero Stacchini* available on the website of *Associazione 21 luglio*.
- ¹⁰⁹ Interview with a privileged interlocutor from the Public and Emergency Security of the Municipality of Rome, Rome, 26 October 2012.
- ¹¹⁰ Interview with a Roma child in the settlement in *via Severini*, in Rai News, *Diritti, Altre voci, Noi e loro*, 11 April 2012; <http://altrevoci.blog.rainews24.it/2012/04/11/rom-sgomberi-e-iniziative-istituzionali/>
- ¹¹¹ *La Repubblica*, *Pietralata, il campo nel mirino delle ruspe. "Salvateci, i nostri bambini vanno a scuola"*, 26 April 2011; http://roma.repubblica.it/cronaca/2011/04/26/news/pietralata_il_campo_nel_mirino_delle_ruspe_salvateci_i_nostri_bimbi_vanno_a_scuola-15382593/
- ¹¹² *Il Messaggero*, *Nomadi, al via lo sgombero del campo di Tor de' Cenci. Riccardi: «Soluzione non ragionevole»*, 28 September 2012; http://www.ilmessaggero.it/roma/cronaca/nomadi_sgombero_tor_de_cenci/notizie/222115.shtml
- ¹¹³ *Sant Egidio e Caritas: "Sgombero violento i bambini piangevano davanti alle ruspe"*, *La Repubblica*, 28 September 2012; http://roma.repubblica.it/cronaca/2012/09/28/news/sant_egidio_e_caritas_sgombero_violento_i_bambini_piangevano_davanti_alle_ruspe-43472903/
- ¹¹⁴ Graziano C., *ARCI di Roma sullo sgombero di Tor di Quinto*, 5 July 2012; http://arci.it/immigrazione/comunicati_stampa_e_appelli/arci_di_roma_sullo_sgombero_di_tor_di_quinto/index.html
- ¹¹⁵ Interview with I. R., Romanian Roma woman, 46 years old, Rome, Salone camp, 20 July 2010.
- ¹¹⁶ Presidency of the Council of Ministers, *National strategy for the inclusion of Roma, Sinti and Travelers*, *European Commission Communication n. 173/2011*, 28 February 2012; ec.europa.eu/justice/discrimination/files/roma_italy_strategy_en.pdf.
- ¹¹⁷ United Nations Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination*, 13 February – 09 March 2012; http://www.asgi.it/public/parser_download/save/cerd_raccomandazioni_09032012_ita.pdf (in Italian).
- ¹¹⁸ Article 16 and article 19, *Convention on the Rights of the Child*, New York, 1989.
- ¹¹⁹ The right to education is recognized in several instruments, such as the *Convention on the Rights of the Child*, article 28, the *Universal Declaration on Human Rights*, article 26 and the *Italian Constitution*, article 33.
- ¹²⁰ Rutsch H., *Literacy as Freedom*, *UN Chronicle*, http://findarticles.com/p/articles/mi_m1309/is_2_40/ai_105657543/ 04 October 2010; Sen A., *Reflection on Literacy*, UNESCO Round table, Literacy and Non Formal Education Section, Division of Basic Education, UNESCO, 2002.
- ¹²¹ Secretary-General's remarks to mark the launch of the United Nations Literacy Decade, New York, 13 February 2003; <http://www.un.org/sg/statements/index.asp?nid=257>
- ¹²² See: Sen A., *Lo sviluppo è libertà. Perché non c'è crescita senza democrazia*, Milan, 2000; Stromquist N., *Women and Illiteracy: The Interplay of Gender Subordination and Poverty*, in *Comparative Education Review*, 34:1, 1990; Silawal-Giri B., *Literacy, Education and Women's*

Empowerment, in Literacy as Freedom, UNESCO Round table, Literacy and Non Formal Education Section, Division of Basic Education, UNESCO, 2002.

¹²³ Save the Children Italia, *Studio sulla salute materno infantile nelle comunità Rom. Il caso di Roma* (2008), available at:

http://www.savethechildren.it/IT/Tool/Pubblicazioni/Related?id_object=47&id_category=35

¹²⁴ ERRC, Opera Nomadi, Idea Roma Onlus, *Parallel submission to the Committee on the Elimination of All Forms of Discrimination against Women on Italy under Article 18 of the Convention on the Elimination of all Forms of Discrimination against Women for Its Consideration at the 49th Session 11 to 29 July 2011 concerning the situation of Romani women in Italy*, 2011;

<http://www.errc.org/article/errc-submission-to-un-cedaw-on-italy-june-2011/3908>

¹²⁵ See: European Commission, *An EU Framework for National Roma Integration Strategies up to 2020*, Brussels, 5 April 2011; [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0173:FIN:EN:PDF)

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¹²⁶ UNICEF, ESO, *Early Childhood Development and the Inclusion of Roma Families. Discussion Paper*, Budapest, 2011; OECD, *Starting Strong II. Early childhood education and care*, Paris, 2006

¹²⁷ School survey "Alunni con cittadinanza non italiana", section dedicated to nomad pupils (Rom, Sinti and Camminanti with or without Italian citizenship), MIUR, 2010.

¹²⁸ Commission on Culture of the Chamber of Deputies, *Accoglienza studenti stranieri in Italia*, 12 January 2011;

http://www.centrocome.it/come_files/userfiles/File/DOC%20VII%20COMMISSIONE%2012%20GENNAIO%202011.pdf

¹²⁹ Since summer 2012, La Barbuta has also become an «equipped village».

¹³⁰ Of these, Tor de' Cenci and *via del Baiardo* do not exist anymore.

¹³¹ Documentation available in the archive of *Associazione 21 luglio*.

¹³² Ordinances of the President of the Council of Ministers no. 3676, no. 3677 and no. 3678 of 30 May 2008: *Urgent measures of civil protection aimed at confronting the state of emergency in relation to the settlements of the nomad communities in the territory of the regions of Lazio, Lombardy and Campania*;

http://www.interno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/protezione_civile/0987_2008_06_03_OPCM_30_05_08.html

¹³³ Interview with an officer of the Office for Roma schooling, Municipality of Rome, 01 October 2012.

¹³⁴ Associazione 21 luglio, *Report Casilino 900. Parole e immagini di una diaspora senza diritti*, 15 February 2011.

¹³⁵ Via Palmiro Togliatti is a street located in the heart of the suburb Casilino 900.

¹³⁶ Interview with a teacher taken from the video *I bambini rom, la scuola e il Piano Nomadi di Roma*, Associazione 21 luglio.

¹³⁷ Interview with a teacher taken from the video *I bambini rom, la scuola e il Piano Nomadi di Roma*, Associazione 21 luglio.

¹³⁸ Interview with a teacher from primary school Salici, Rome, 8 February 2011.

¹³⁹ Interview with F. H., Roma man with Montenegrin parents, *de facto* stateless, 38 years old, Rome, Salone camp, 8 March 2011.

¹⁴⁰ Only 2-3% of Roma people in Italy are nomadic. With regard to the main groups that live in the Roma settlements, the first Bosnian and Montenegrin communities appear to have arrived in Italy in the '60, at the time of the Italian economic boom and in the '90, at the time of the war in the former Yugoslavia. Romanian Roma families came to Italy mostly starting from 2001. See: Senate of the Republic, Extraordinary Commission for the Protection and the Promotion of Human Rights, *Concluding report on the inquiry on the conditions of Roma, Sinti and Caminanti in Italy*, Adopted by the Commission on 9 February 2011,

<http://www.senato.it/documenti/repository/commissioni/dirittiumani16/Rapporto%20conclusivo%20indagine%20rom,%20sinti%20e%20caminanti.pdf>

¹⁴¹ Interview with P. S., Roma child with Montenegrin parents, 12 years old, Rome, Salone camp, 10 February 2011.

¹⁴² Interview with a teacher from S.Benedetto\Catullo junior high school, Rome, 8 February 2011.

¹⁴³ Interview from the article «*Bimbi rom sradicati dalle scuole*». *Gli sgomberati portano disagio e assegni*, G. Cucinotta, Corriere della Sera, 20 September 2012.

¹⁴⁴ *Ibid.*

¹⁴⁵ Interview with F. H., Macedonian Roma woman, La Barbuta camp, 21 September 2012.

¹⁴⁶ The low level expectations of teachers with regard to Roma children is discussed and argued in various papers, among which: Bauca A., *Development of mathematical and language literacy among Roma students*, in *Psihologija*, 39, 207-227, Belgrade, 2006; Farkas L., *Segregation of Roma Children in Education. Addressing Structural Discrimination through the Race Equality Directive*, EC DG Employment, Luxembourg, 2007; Belgian Presidency (2010), 4th European Platform for Roma Inclusion, *Preventing Social Exclusion Through Europe 2020: Early Childhood Development and the Inclusion of Roma Families*, http://ec.europa.eu/justice/discrimination/files/fourth_romaplatform_meeting_report_en.pdf; UNICEF, *The right of Roma children to education. Position Paper*, Geneva, 2011; The World Bank, *Toward an Equal Start: Closing the Early Learning Gap for Roma Children in Eastern Europe*, EC/UNDP/World Bank, 2012; Bennett J., *The Roma Early Childhood Inclusion Overview Report*, Open Society Foundation/Roma Education Fund/UNICEF, Budapest, 2012. The adjustment of Roma pupils to the expectations of the teachers, is a phenomenon that is referred to in social psychology as "stereotype threat", and is dealt with in gender and diversity management studies. The fear of prejudices and stereotypes leads the victims to conforming to the expectations, and to lower the level of their performance. In this regard, see: Steele C. M, Spencer S.J., Aronson J., *Contending with group image: The psychology of stereotype and social identity threat*, in *Advances in Experimental Social Psychology*, Vol. 34. (pp.379-440). San Diego, CA, US: Academic Press, 2002; Forbes, C., Schmader, T., Allen, J.J.B., *The role of devaluing and discounting in performance monitoring: a neurophysiological study of minorities under threat*, in *Social Cognitive Affective Neuroscience* 3: 253-261, 2008; Inzlicht M., Schmader T., *Stereotype, Process and Application*, Oxford University Press, 2011.

¹⁴⁷ For an anthropological critique to the essentialist rhetoric of culture and "ethnic groups", see: R. Galissot, A. Rivera, *L'imbroglione etnico*, Dadalo, Bari, 1997; M. Augè, *Il senso degli altri*, Anabasi, Milan, 1995; U. Fabietti, *L'identità etnica*, La Nuova Italia Scientifica, Rome, 1995.

¹⁴⁸ Interview with G. S., Roma man with Montenegrin parents, *de facto* stateless, 32 years old, Rome, Salone camp, 10 February 2011.

¹⁴⁹ Cera R., *Pedagogia del gioco e dell'apprendimento. Riflessioni teoriche sulla dimensione educativa del gioco*, Franco Angeli Ed., Milan, 2009.

¹⁵⁰ Baumgartner E., *Il gioco dei bambini*, Carocci Editore, Rome, 2002.

¹⁵¹ Interview with D. S., Montenegrin Roma woman, 41 years old, Rome, Salone camp, 20 July 2010.

¹⁵² Interview with G. S., Roma man with Montenegrin parents, *de facto* stateless, 32 years old, Rome, Salone camp, 23 July 2010.

¹⁵³ Interview with V. H., Roma man with Bosnian parents, *de facto* stateless, 24 years old, Rome, Salone camp, 23 July 2010.

¹⁵⁴ Interview with C. H., Roma man with Bosnian parents, *de facto* stateless, 25 years old, Rome, Salone camp, 23 July 2010.

¹⁵⁵ Interview with F. S., Roma man with Montenegrin parents, *de facto* stateless, 32 years old, Rome, Salone camp, 20 July 2010.

- ¹⁵⁶ Interview with S. S., Montenegrin Roma woman, 58 years old, Rome, Salone camp, 26 July 2010.
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- ¹⁶² *Ibid.*
- ¹⁶³ Unicef, *La condizione dell'infanzia nel mondo, 2001 – Prima infanzia*. Unicef 2001.
- ¹⁶⁴ Amnesty International, *Diritti dei rom in Europa*, <http://www.amnesty.it/diritti-dei-rom-in-europa>
- ¹⁶⁵ European Union Agency for Fundamental Rights, *The situation of Roma in 11 EU Member States*, Luxembourg, 2012, p.21; <http://fra.europa.eu/en/publication/2012/situation-roma-11-eu-member-states-survey-results-glance>
- ¹⁶⁶ See: S. Geraci, B. Maisano, F. Motta (a cura di), *Salute zingara*, Caritas Diocesana di Roma, Rome, 1998.
- ¹⁶⁷ As far as adults are concerned, the other most widespread pathologies are hypertension and diseases of the cardiovascular system due to tabagism, alcoholism, drug abuse and bad diet.
- ¹⁶⁸ Interview with a doctor from *Caritas di Roma*, 12 September 2012.
- ¹⁶⁹ *Ibid.*
- ¹⁷⁰ Interview with a former operator of an organization that was active in the settlement, 5 June 2012.
- ¹⁷¹ Interview with a Bosnian Roma woman, Rome, Cesarina camp, 19 May 2012.
- ¹⁷² Interview with a Romanian Roma woman, Rome, Cesarina camp, 28 March 2012.
- ¹⁷³ Interview with the coordinator of health issues in the project Management of equipped camps of Department XIV of the Municipality of Rome, 27 August 2010.
- ¹⁷⁴ Interview with F. S., Roma man with Montenegrin parents, *de facto* stateless, 32 years old, Rome, Salone camp, 20 July 2010.
- ¹⁷⁵ Health department of "*Caritas di Roma*", *Salute senza esclusione. Sperimentazione di interventi per la promozione dell'accesso ai servizi sanitari e dell'educazione alla salute per la popolazione Rom e Sinta in Italia*, p.14, Rome, 2009.
- ¹⁷⁶ *Ibid.*
- ¹⁷⁷ Statement of mayor Gianni Alemanno, in *Nomadi via da Tor de' Cenci. Alemanno: riparte il piano*, 16 July 2012;
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- ¹⁸² Interview with M. A., Bosnian Roma woman, Rome, Tor de' Cenci camp, 27 September 2012.
- ¹⁸³ Interview with D. H., Bosnian Roma man, Rome, Tor de' Cenci camp, 27 September 2012.
- ¹⁸⁴ Interview with V. H., Bosnian Roma child, Rome, Tor de' Cenci camp, 27 September 2012
- ¹⁸⁵ La Repubblica, *Sant'Egidio e Caritas: "Sgombero violento, i bambini piangevano davanti alle ruspe*, 28 September 2012;
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- ¹⁸⁶ Interview with S. H., Bosnian girl, 14 years old, Rome, La Barbuta camp, 5 October 2012.
- ¹⁸⁷ Interview with C. H., Roma man with Bosnian parents, *de facto* stateless, 25 years old, Rome, Salone camp, 23 July 2010.
- ¹⁸⁸ Interview with G. S., Roma man with Montenegrin, *de facto* stateless, 32 years old, Rome, Salone camp, 23 July 2010.
- ¹⁸⁹ *Ibid.*
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- ¹⁹⁴ Interview with F. H., Macedonian Roma woman, Rome, La Barbuta camp, 21 September 2012.
- ¹⁹⁵ The lack of alternatives is expressed by the words that the deputy mayor Sveva Belviso told a Roma man during a TV story of TG 3 Lazio news: «*If you think that this is not an improvement, with your suitcases, the big bed... wherever you want, you go wherever you want. And don't enter the camp! There are rules that must be respected in the camp. So if you want to stay in Rome, you live in an authorized camp. If you don't want to stay in Rome, you go wherever you want, out of Rome*». See: <http://www.youtube.com/watch?v=UlrrgaX1cyQ>
- ¹⁹⁶ Interview with a doctor from *Caritas di Roma*, 12 September 2012.
- ¹⁹⁷ The episode refers to the period when the research was carried out, that is spring 2011.
- ¹⁹⁸ Letter of the official in charge of Preventive Medicine within the U.O.S. (*Unità operativa semplice* – Simple operational unit), protocol no. 3432, of 12 April 2011; archive of *Associazione 21 luglio*.
- ¹⁹⁹ After the story was mentioned in the report *La casa di Carta* (*Associazione 21 luglio, op.cit.*), the Municipality of Rome transferred the child to a different facility.
- ²⁰⁰ Interview with a former volunteer in the Cesare Lombroso settlement, 04 October 2012.
- ²⁰¹ Interview with Z. M., Roma woman of Bosnian origin, Rome, Cesarina camp, September 2011.
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- ²⁰⁶ *Ibid.*, p. 65.
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- ²⁰⁸ *La Stampa*, Roma, *incendio in un campo nomadi. Muore un bambino, grave il fratello*; <http://www1.lastampa.it/redazione/cmsSezioni/cronache/201008articoli/57977girata.asp>
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- ²¹¹ Interview with a representative of *Comunità di Sant' Egidio*, 4 October 2012.
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- ²¹³ Di Lorenzi C., *Nomadi, parla l'assessore Belviso: «Ora intervenga il Tribunale dei Minori»*, 9 February 2011.
- ²¹⁴ *Belviso: "In campo via Cluniacensi sessanta minori a rischio"*, 22 April 2011; http://roma.repubblica.it/cronaca/2011/04/22/news/belviso_in_campo_via_cluniacensi_sessanta_minori_a_rischio-15276273/; Coletti G.M., *Bimbi rom, Belviso: "Salviamoli dai genitori aguzzini"*, 17 March 2011; http://www.iltempo.it/roma/2011/03/17/1244291-basta_salviamoli_genitori_aguzzini.shtml
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- ²¹⁶ On the violations of European law during the census operations, see: European Roma Rights Centre, Open Society Institute and OsservAzione, *Memorandum to the European Commission: Violations of EC law and the fundamental rights of Roma and Sinti by the Italian government in the implementation of the census in 'nomad camps'*, Budapest, 4 May 2009; <http://www.errc.org/cms/upload/media/03/D5/m000003D5.pdf>; Open Society Justice Initiative, *Roma in Italy: briefing to the European Commission Update to the 'Memorandum on Violations of EU Law' Submitted by the Open Society Justice Initiative, OsservAzione and the European Roma Rights Centre on 4 May 2009*, October 2010; <http://www.soros.org/initiatives/justice/litigation/ec-v-italy-20100910/memorandum-italy-ec-20101018.pdf>
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²¹⁹ OSCE, *Assessment of the Human Rights Situation of Roma and Sinti in Italy: Report of a Fact-finding Mission to Milan, Naples and Rome on 20-26 July 2008*, Warsaw-The Hague, March 2009; <http://www.osce.org/odihr/36374>

²²⁰ As described in Part One p. 12, the DAST (Document authorizing the temporary stay) is necessary to reside in the «equipped villages».

²²¹ See: article 4, para. 1, Royal Decree 18 June 1931 no. 773, “Consolidated Law on Public Security”.

²²² Guidelines for the implementation of the ordinances of the President of the Council of Ministers of 30 May 2008, no. 3676, 3677 and 3678, concerning the settlements of nomad communities in the Campania, Lazio and Lombardy regions. http://www.interno.gov.it/mininterno/export/sites/default/it/assets/files/15/0095_censimento_campi_nomadi_le_linee_guida.pdf.

²²³ Interview with P. S., female Roma child with Montenegrin citizenship, 14 years old, Rome, Salone camp, 29 November 2011.

²²² Interview with M. H. Roma woman with Bosnian citizenship, 40 years old, Rome, River camp, 14 November 2011.

²²⁵ *Ibid.*

²²⁶ Lazio Regional Administrative Tribunal, section I, *Verdict of 24 June 2009, no. 6352, dd. of 01 July 2009*; http://www.asgi.it/public/parser_download/save/tar.lazio.sent.24.giugno.2009.pdf

²²⁷ Saletti Salza C., *Dalla tutela al genocidio*, CISU, Rome, 2010.

²²⁸ Out of the total number of children declared adoptable, the total percentage of Roma is 2,6%. This data is remarkable: Roma in Italy represent 0,2% of the national population, hence proportionally, the Roma children declared adoptable should not be more than 13, compared to 227, as declared in the relevant decisions of adoptability.

²²⁹ “What is the objective of the removals carried out in Italy? [...] Maybe the objective is the annihilation of a culture: taking away the children you take away the possibility of reproducing a culture. What is the difference between what happened in Switzerland [here the author refers to the removal of Jenische children from their parents, a removal that had the explicit objective of eradicating nomadism] and what happens in Italy? [...] What happens in Italy is very different, but maybe not too different in the implicit premises of many of the operators encountered. Those operators who identify the Roma child as abandoned by and to his or her culture”. Saletti Salza C., *op.cit.*, p. 567.

²³⁰ United Nations, Convention on the prevention and punishment of the crime of genocide, 1948, article 2., ratified by Italy with law no.153 of 1952.

²³¹ These are phenomena that occurred in three different continents, where social welfare services removed children from minorities in their countries (Aborigines, *Jenische* and American-Indians respectively).

²³² Piasere L., *I fanciulli della tredicesima notte*, Presentazione del testo Saletti Salza C., *op.cit.*, CISU, Rome 2010.

²³³ Saletti Salza C., *op.cit.*, 2010, p. 32.

²³⁴ “Law on adoption and fostering of children”, Law n.149 of 2001, article 1.

²³⁵ Online News, *Nomadi, parla l'assessore Belviso: «Ora intervenga il Tribunale dei Minori»*, 9 February 2011.

²³⁶ Il Tempo, *Bimbi roma, Belviso: “Salviamoli dai genitori aguzzini”*, 17 March 2011.

²³⁷ La Repubblica, *Belviso: “in campo via Cluniacensi 60 minori a rischio”*, 22 April 2011.

²³⁸ Il Messaggero, *Rom, sgomberato campo alla Muratella. Alemanno: usata logica della solidarietà*, 21 June 2011.

- ²³⁹ The support of the State to families at risk is envisaged by article 1, paragraph 2 and 3 of “Law on adoption and fostering of children”, and by article 3 of the Italian Constitution.
- ²⁴⁰ For reasons of privacy, all details referable to the family affected by the proceedings of removal of the children, are omitted. Thus, the names are invented.
- ²⁴¹ The city of Z. is located more than 200 km from Rome, in a different region.
- ²⁴² Interview with the lawyer of the family, Rome, 11 September 2012.
- ²⁴³ The name of the informal settlement is not specified for reasons of privacy.
- ²⁴⁴ This estimate was reported during an interview with the association *A Roma insieme*, Rome 29 October 2012.
- ²⁴⁵ See article 11, *Norms on the penitentiary system and on the execution of the measures of deprivation or limitation of liberty*, Law no. 354 of 26 July 1975; http://www.lavoro.gov.it/NR/rdonlyres/FDF48DF0-FB7D-4D75-AD02-E95E2142DDF3/0/34_Legge26luglio1975n354.pdf (in Italian)
- ²⁴⁶ With Law no. 62 of 2011 the age limit of the child was extended, so pre-trial detention cannot be ordered in case of mothers with children younger than six years of age unless custody grounds are of exceptional relevance. See: “Changes to the criminal procedure code and to Law no. 354 of 26 July 1975, and other provisions protecting the relationship between detained mothers and underage children”, Law n. 62 of 21 April 2011, <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2011-04-21;62>
- ²⁴⁷ Italian Parliament, Law 8 March 2001, “Alternative measures to detention for the protection of the relationship between female inmates and underage children”, published on the Official Gazette no.56 of 8 March 2001; <http://www.parlamento.it/parlam/leggi/010401.htm>
- ²⁴⁸ In Italy, out of 2.857 detained women, 1.137 are foreigners and, among these, around 25% are Romanian women, mostly from Roma communities. See: Associazione Antigone, *Senza dignità. Nono rapporto sulle condizioni di detenzione in Italia*, Edizioni Gruppo Abele, Roma , October 2012.
- ²⁴⁹ Interview with a criminal lawyer, Rome, 9 November 2012.
- ²⁵⁰ With regard to the effects that life in a penitentiary institution has on the psyches and the development of children see: Biondi G., *Lo sviluppo del bambino in carcere*, Franco Angeli Ed., Milan, 1995.
- ²⁵¹ Interview with an operator of the association *A Roma insieme*, Rome, 15 September 2012.
- ²⁵² Interview with the president of the association *A Roma insieme*, Rome, 29 October 2012.
- ²⁵³ *Idib.*
- ²⁵⁴ In Italy the First Reception Centers (CPA - *Centri di Prima Accoglienza*) are 24 and they accommodate minors under arrest before the custody hearing. The Offices of Social Welfare Service for Minors (USSM - *Uffici di Servizio Sociale per i Minorenni*) in our country are 29; they are responsible for minors from the moment they enter the criminal proceedings, they provide support to the minors and their families and they follow them until they are released. See:<http://www.giustiziaminorile.it>
- ²⁵⁵ See: Bracalenti R., Pesarin S., (a cura di), *Oltre la rete. Bambini rom, immigrati e Giustizia minorile*, Edup, Rome, 2009.
- ²⁵⁶ Giustizia Minorile, *Flussi di utenza dei Servizi della Giustizia Minorile, anno 2006*; www.giustiziaminorile.it
- ²⁵⁷ Restrictive measures are regulated by *Decree of the President of the Republic no. 448 of 22 September 1988, Approval of the provisions on criminal proceedings against juvenile accused*, articles 20,21,22 and 23.
- ²⁵⁸ See: Bracalenti R., Pesarin S., (a cura di), *op.cit.*, 2009.
- ²⁵⁹ *Le carceri minorili vanno chiuse*, published on *Politica Domani*, no.68 year 2007; <http://www.politicadomani.it/index.html?main=Pagine/Giornale/Num68/Carceri%20minorili.htm>

²⁶⁰ Associazione Antigone, *Primo Rapporto sugli istituti penali per minori. Ragazzi dentro*, 24 March 2011; http://www.osservatorioantigone.it/upload/files/Ragazzi_dentro.pdf

Rom(a) Underground

ISBN 978-88-908373-0-2

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