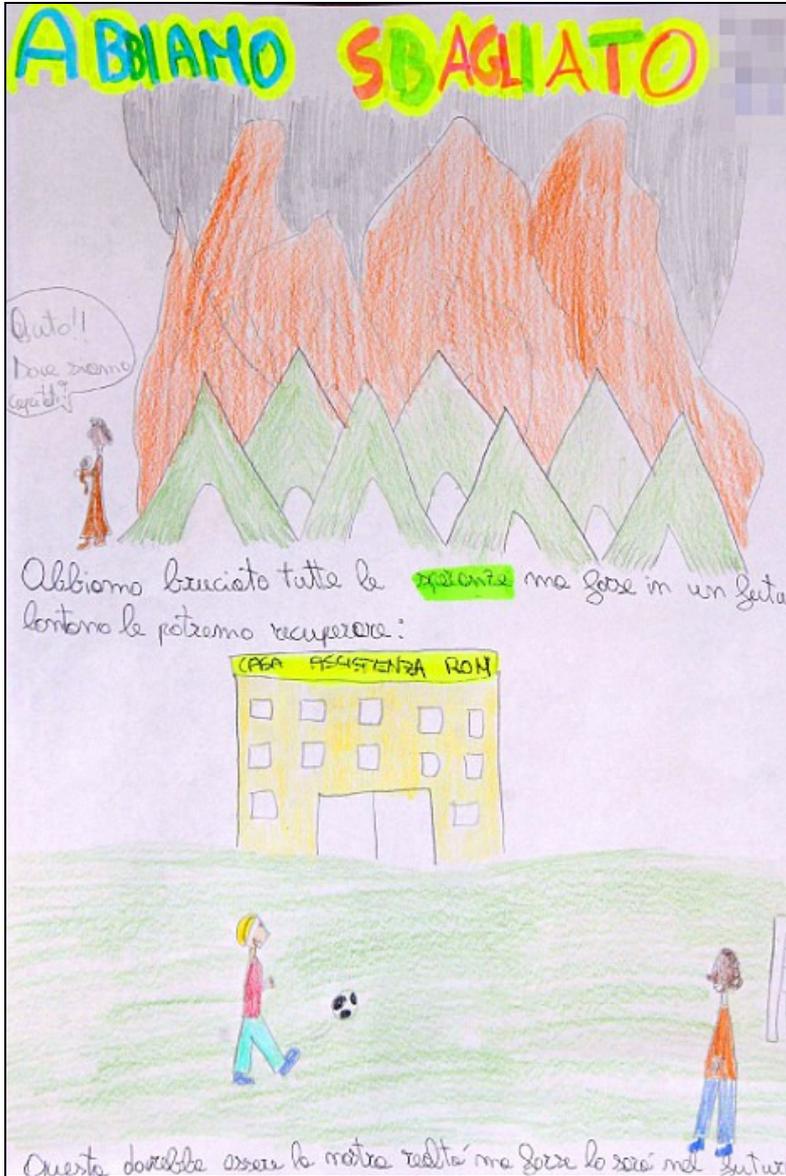


# Incident Report

Violent attacks against Roma in the  
Ponticelli district of Naples, Italy

**FRA 2008**

Data and information for this report were provided by COSPE, RAXEN National Focal Point for Italy. The Agency's conclusions are expressed in the relevant chapter. No mention of any authority, organisation, company or individual shall imply any approval as to their standing and capability on the part of FRA.



Children's drawings inspired from the events in Ponticelli<sup>1</sup>

- Abbiamo sbagliato (**We were wrong**)
- Aiuto!! Dove siamo capitati? (**Help!! Where did we end up?**)
- Abbiamo bruciato tutte le speranze ma forse in un futuro lontano le potremo recuperare (**We have burnt all hopes, but maybe in a distant future we could get them back**)
- Questa dovrebbe essere la nostra realtà ma forse lo sarà nel futuro (**This should be our reality, but maybe it will be in the future**)

<sup>1</sup> Available at <http://www.thisislondon.co.uk/news/article-23488450-details/The+Italian+schoolchildren's+drawings+which+illustrate+a+chilling+hated+for+Roma+gypsies/article.do> (01.08.2008).

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## Introduction

The European Union Agency for Fundamental Rights (FRA) commissioned this report immediately after the violent anti-Roma incidents which took place in Italy in May of 2008. The purpose of the report is to provide the Community and its Member States with a factual overview of the situation during these months in Italy.

Whilst the main focus of this report is on the events relating to Roma, some information is also related to other minority groups. That is because measures taken by the Italian government in response to the events were simultaneously packaged with measures affecting irregular immigrants, and because the climate of public opinion generated by the Roma events also manifested itself in attacks on non-Roma immigrants.

The Agency collected the information on these events by drawing on its Racism and Xenophobia Network (RAXEN)<sup>2</sup> of National Focal Points (NFPs), of which there are 27, one in each Member State. The Italian NFP, COSPE<sup>3</sup>, was asked to document the facts of the violent incidents against the Roma population in Italy, the actions of the authorities, and the responses of the media and of civil society, as well as to provide other relevant contextual information to the FRA. The FRA National Liaison Officer for Italy<sup>4</sup> also kindly provided additional input.

The time-line for this data-gathering exercise was from the beginning of May to the 20th June 2008, and the Italian NFP was asked to document incidents and responses which took place during this period. However, it should be noted that even in the short time between collecting data and the publication of this report, some things may have changed. For example, some of the policies announced by the Italian government during the reporting period may have been altered or withdrawn. On the other hand the proposal of the Italian authorities to fingerprint all Roma in Italy was made *after* the June 20 cut-off date. For that reason Section 8 covering this development has been included at the end of this report.

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<sup>2</sup> Since 2000 the Agency collects data through its RAXEN National Focal Points (NFPs) in all EU Member States on issues of racism, xenophobia and related intolerances. NFPs are organisations selected by the Agency through an open call for tender and contracted to provide through different reporting tools background material on phenomena of racism, xenophobia and related intolerance, as well as policies and initiatives promoting equality and diversity; details at <http://www.fra.europa.eu> (01.08.2008).

<sup>3</sup> Cooperazione per lo Sviluppo dei Paesi Emergenti (COSPE), [www.cospe.it](http://www.cospe.it) (01.08.2008).

<sup>4</sup> Each EU Member State has nominated a government official as a National Liaison Officer (NLO) to the Agency to ensure close cooperation between the Agency and the Member States. NLOs are the main contact points for the Agency in the Member States. The Agency communicates to the National Liaison Officers all its reports and studies in order to promote the work of the Agency among relevant government departments and bodies.

## 1. Description of events

On the evening of May 10<sup>th</sup> 2008, a young Italian mother of a six-month old baby living on the Principe di Napoli Street in the suburban district of Ponticelli in the municipality of Naples, found a young girl – later identified as a 16-year old Roma living in one of the city's camps – in her apartment carrying her baby in her arms. She shouted at the girl and snatched her baby from her and the intruder tried to run away. On getting down the stairs, the woman's father who had heard her shouting for help engaged and caught the Roma girl and in a short time many of their neighbours converged on the scene. Only a timely intervention by the police saved the intruder from the crowd threatening to lynch her. Soon afterwards, she was charged with attempted kidnapping and unlawful intrusion into a private home and transferred to a nearby correctional centre for minors.<sup>5</sup>

The GIP (*Giudice per le indagini preliminari*) of the Tribunal for Minors later confirmed the arrest of the girl, held in the CPA<sup>6</sup> in Nisida, after applying to her the restrictive measure of *custodia cautelare* (precautionary detention). The magistrate confirmed the charges. According to the media, the Roma girl involved had left a community based in Monte Procida where she had been staying since 26 April after having been arrested for stealing.<sup>7</sup>

There was an immediate backlash against the Roma in Ponticelli, and law enforcement agents started patrolling the area to discourage attacks against Roma camps. Three hours after the supposed kidnap attempt, about 20 Italian residents of Ponticelli attacked a Romanian labourer returning home from work; he was beaten and stabbed in one shoulder. Fearing possible attacks against them, the Roma on their part organised themselves to keep watch over their shacks and alert the residents in case of an attack.<sup>8</sup> On the afternoon of May 12<sup>th</sup>, three Italian boys set the entrance to a Roma camp in the district on fire after pouring petrol around it. Meanwhile small groups of Roma who lived in isolated shacks in the district started abandoning their homes and during the night between 12<sup>th</sup> and 13<sup>th</sup> May, unknown persons set a number of these isolated shacks on fire.<sup>9</sup> In the days following the supposed kidnap attempt, numerous attacks were carried out against the Roma.

On the afternoon of May 13<sup>th</sup>, a group of about 300 to 400 locals led by women launched an assault against one of the biggest Roma camps in the district, home to 48 Roma

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<sup>5</sup> B. Coscia (2008) 'Voleva rapire una bimba'. Una rom rischia il linciaggio', in: *Corriere della Sera* (12.05.2008), p. 18; F. Milone (2008) 'La rom ruba una neonata', in: *La Stampa* (12.05.2008), p. 6.

<sup>6</sup> A temporary custody centre for minors.

<sup>7</sup> B. Coscia (2008) 'Voleva rapire una bimba'. Una rom rischia il linciaggio', in: *Corriere della Sera* (12.05.2008), p. 18; F. Milone (2008) 'La rom ruba una neonata', in: *La Stampa* (12.05.2008), p. 6.

<sup>8</sup> 'Napoli vendetta anti-rom 'Via chi rapisce i bambini'', in: *Corriere della Sera* (13.05.2008).

<sup>9</sup> I. De Arcangelis (2008) 'Napoli, è assalto ai campi nomadi', in: *La Repubblica* (14.05.2008), p. 11.

families. Using wooden and metal clubs, the attackers succeeded in pulling down the metal fence. Once inside the camp, they shouted insults and threats, threw stones against shacks and caravans, and overturned some cars. At about the same time an abandoned building which until two days before had been used by six Roma families was set on fire. In two separate incidents on the same day, two Roma boys were beaten by a gang of local boys and a small pickup owned by a Roma person was set on fire.<sup>10</sup> Two Roma women were harassed and driven out of a supermarket close to one of the big camps while they were shopping.<sup>11</sup>



Children's drawings inspired from the events in Ponticelli ("help, help")<sup>12</sup>

On the same day, law enforcement agents decided to evacuate smaller camps and concentrate the former residents in a bigger camp with a police cordon around it, in order to protect them better. During the night of the 13<sup>th</sup> and 14<sup>th</sup> May, another camp in the district was evacuated and the 60 persons living in it were moved to a school on the opposite side of the city. Others left their shacks in small groups of two to three families to look for hospitality in camps in other districts of the city, or to join relatives outside the city. On May 14<sup>th</sup>, two other abandoned clusters of shacks were set ablaze with petrol and incendiary bottles. In a short time, the shacks were burnt down before a cheering crowd of locals, who also showed their disapproval of the fire services' attempts to put

<sup>10</sup> 'Napoli, spranghe e molotov contro i nomadi', in: *Corriere della Sera* (14.05.2008);

<sup>11</sup> M. Solani (2008): 'Molotov e spranghe, vendetta contro il campo nomadi', in: *L'Unità*, (14.05.2008).

<sup>12</sup> Available at [http://glottorellando.files.wordpress.com/2008/05/1211961933671\\_004.jpg?w=500&h=336](http://glottorellando.files.wordpress.com/2008/05/1211961933671_004.jpg?w=500&h=336) (01.08.2008).

off the fire. As the few remaining Roma left the place under police escort, the crowd chanted: 'we have won', 'away, away'; 'you should all go away'.<sup>13</sup>

A third attack against another abandoned Roma camp by a group of local youngsters on motorbikes was partially foiled by rainfall, while the police managed to stave off the attackers at a fourth site.<sup>14</sup> By the end of the 15<sup>th</sup> May, all Roma residents had been forced to leave the Ponticelli camps to go to camps and a school in other districts. On the same day, images of the burning camps and frightened faces of Roma children on pickups watching their former homes in flames made the headlines on television and in newspapers.

Some local administrators claimed that organised crime (the *Camorra*) may have been behind the attacks.<sup>15</sup> Other NGO observers, who helped the Roma organise their transfers and maintained contacts with police and municipal authorities, agree that organised crime may well have been involved, but insisted that there had been an orchestrated effort by other actors who have economic interests in the area. In support of their claims, they point to the fact that the area where the camps were located fell under the Urban Rehabilitation Programme (PRU) approved by the municipal council with a pre-financing amount of 67 million euros and the condition that work would have to start on the programme before and no later than the 4<sup>th</sup> August, otherwise the pre-financing would be withdrawn. They argued that the Prefecture of Naples had already planned to evacuate the camps and to demolish the shacks so that construction work could start in the designated PRU area.<sup>16</sup>

The Under-Secretary of State for the Interior in a statement<sup>17</sup> addressing the Parliament on the 29<sup>th</sup> May unreservedly condemned the violence and intolerance against the Roma and reaffirmed the government's will to act firmly to remove the causes at the root of these manifestations of intolerance. He also stated that according to a report of the investigative branch of the Naples police department (DIGOS) forwarded to the judicial authority there was no evidence at that time of "Camorra" criminality in the organisation or management of the attackers, without ruling out the possibility that local criminal elements may have used the situation to secure their presence on the territory.

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<sup>13</sup> F. Saudino (2008): 'Ordinarie emergenze partenopee' in: *OsservAzione – Centro di ricerca azione contro la discriminazione dei rom e sinti*; <http://www.osservazione.org/index.html> (20.06.2008).

<sup>14</sup> G. Fasano (2008) 'La fuga dei rom dai campi sotto assedio'. in: *Corriere della Sera* (15.05.2008), p. 2.

<sup>15</sup> I. De Arcangelis (2008) 'Napoli, ancora roghi contro i rom 'La camorra dietro agli assalti'', in: *La Repubblica* (15.05.2008), p. 11.

<sup>16</sup> D. Pizzuti (2008): 'I vesperi napoletani di Ponticelli' in: *OsservAzione – Centro di ricerca azione contro la discriminazione dei rom e sinti*; <http://www.osservazione.org/index.html> (20.06.2008).

<sup>17</sup> Statement of the Undersecretary of State for the Interior on the violent acts against Roma in the province of Naples on 29 May 2008, provided by the FRA National Liaison Officer for Italy.

## 2. Background information

The District of Ponticelli, officially called District n.6 of the municipality of Naples, is located on the eastern part of the city and has a resident population of 117,641, which comprises people who live permanently in the same municipality. It covers an area of about 19.28 square km, with a population density of 6,102 inhabitants per square km, one of the lowest of the ten districts in which the municipality of Naples is divided (the municipal average is 8,566 inhabitants / square km).<sup>18</sup> These figures do not include Roma groups living in shacks in the district and mostly affected by the outbreak of anti-Roma violence in the area, mainly because most, if not all, of them are not registered in the municipal registry of residents. According to the local branch of *Opera Nomadi*, a major national organisation working with Roma groups, the number of Romanian Roma in the eastern district of Naples is about 400 to 500 people and about 1,000 in the entire municipality, out of about 1,500 to 1,600 Roma from the Balkans living in the municipality altogether.

According to information provided by the FRA's National Liaison Officer for Italy the province hosts around 5,400 Roma from both the former Yugoslavia, who arrived during the 1980s, and Romania, who settled after 2002. Unauthorised Roma camps are located in the Neapolitan districts of Ponticelli, Scampia, Poggioreale and Pianura with around 2,000 residents. The district of Ponticelli has seven unauthorised camps, with a total of 600 Romanian Roma. The municipalities of Giuliano, Caivano, Torre Annunziata, Acerra, Nola, San Giorgio, Casoria, Torre del Greco, Afragola-Casalnuovo also host large Roma settlements. According to the NLO, the relationship between Roma and local residents progressively worsened due to an increase in criminal activity and deteriorating public hygiene.

The great majority of Roma groups in Italy live in either 'authorised' or 'unauthorised' camps and this is particularly true for those from Romania who entered Italy after the visa requirement was removed in 2000 for Central and Eastern European countries and in 2002 for Bulgaria and Romania. The municipality of Naples has only one authorised camp.<sup>19</sup> Inside these camps, often located close to motorways or railways or close to factories and far away from city centres, Roma families live in caravans and shacks, often without access to drinkable water or electricity, gas for cooking or heating, access roads or drainage systems. The situation in unauthorised camps is worsened by frequent forced evictions of the residents and destruction of their shacks in response to protests by inhabitants of the districts where such camps are located. Forced evictions

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<sup>18</sup> Comune di Napoli <http://www.comune.napoli.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/60> (20.06.2008).

<sup>19</sup> F. Saudino (2008): 'Ordinarie emergenze partenopee' in: *Osservazione – Centro di ricerca azione contro la discriminazione dei rom e sinti*; <http://www.osservazione.org/index.html> (20.06.2008).

are often accompanied by the expulsion of camp residents who do not have a legal title to stay in the country.

The policy of offering camps to Roma populations as places of residence stems from the belief that they were nomads and as such, frequently on the move from one territory to another. This belief is in contrast with the needs and preferences expressed by most Roma when consulted on the subject. A recent survey found that 75 per cent of the interviewees had been living in their current place of residence for, at least, the last four years and the average duration of residence in a camp was roughly 7.5 years.<sup>20</sup> Even so, the policy of setting up camps for them by local authorities continues. In most cases, people evicted from unauthorised camps either take refuge under highways, where they may end up building a number of shacks gradually transforming them into another unauthorised camp or, find temporary shelter with relatives in unaffected camps. A small group of those forced out of the Ponticelli district in May 2008 were re-located to an abandoned school, while the rest were escorted by law enforcement agents to nearby camps outside the district.

The health conditions in Roma camps are very poor. Often they are located close to waste dumps or, in some cases, directly on former dump sites. In most cities, access to health services by the Roma is provided by civil society and voluntary organisations. In education, similar problems as in the health sector are encountered: limited access to public educational services and the voluntary sector taking the lead in trying to meet the educational needs of children living in various camps in the district.

The district of Ponticelli has a lower employment rate (22.99 per cent) and a higher unemployment rate (39.95 per cent) than the municipal average (29.28 per cent and 31.39 per cent respectively), but these figures do not include Roma. The Soleterre/Axis Market Research survey found that 61 per cent of Roma were employed and only 2 per cent turned to begging<sup>21</sup>. The traditional trades of Italian Roma – such as collecting metal for re-cycling or horse rearing – have long fallen into crisis, except for amusement parks run mostly by Sinti groups. Roma groups from the Balkan region face even more difficulties finding employment.

### **Hostility against the Roma**

Hostility against Roma populations is not a recent phenomenon in Italy and it is not limited only to the Ponticelli area. In this neighbourhood, as in many other areas where Roma camps are located, relationships with non-Roma populations are often difficult and

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<sup>20</sup> Survey conducted by Soleterre/Axis Market Research on a sample of 286 people living in Roma camps in Milan, Pavia, Reggio Emilia, Rome and Turin *published on Il Sole 24 Ore* (22.052008): *Come vivono i Rom e i Sinti nella società italiana?*; available at: <http://sucardrom.blogspot.com/2008/05/come-vivono-i-rom-e-i-sinti-nella.html> (16.07.2008).

<sup>21</sup> See above.

tense. In the days following the events in Ponticelli, inhabitants of the neighbourhood declared that thefts and other petty crimes had increased social tensions and, for this reason, the Roma should be forced out of the district. Compositions written by pupils attending schools in Ponticelli reflected strong stereotypes against Roma as well as hostility and concerns about their presence in the neighbourhood.<sup>22</sup>

There is no evidence of any significant steps taken by local authorities to prevent problems related to the camps. Unauthorised Roma camps were 'tolerated' by local authorities and there is no evidence of any attempts to improve living conditions in both authorised and unauthorised camps in Naples in the period before the events.

In the previous months and years, some similar events had occurred in Naples and in other areas of Italy. Only a month before the violent attacks in Ponticelli, in Giugliano, a small town near Naples, two boys had temporarily run away from home. Rumour quickly spread around to the effect that they had been kidnapped by Roma. Two men organised a punitive expedition against Roma residents of a nearby camp. Police intervened in time and stopped them and shortly afterwards the two boys were found playing in an amusement park.<sup>23</sup> In 2005, in another small village near Naples (Ercolano), a group of young boys attacked a Roma camp, poured petrol into some shacks, and tried to set them ablaze. All inhabitants of the camp were rescued and the attackers were promptly arrested.<sup>24</sup>

At the national level, during the last year several cases of crimes committed by either Roma or Romanian citizens had stirred waves of xenophobia, by civil society, media and politicians. The most serious episodes were the murder of an Italian woman by a Romanian Roma in Rome in November 2007, and the death of an Italian girl injured in the underground in Rome by a young Romanian girl.<sup>25</sup> A year before there was a car accident caused by a drunken Roma boy that caused the death of three boys and a girl.<sup>26</sup> All these cases had given rise to bitter controversies on the presence of Roma in Italy and a wave of anti-Roma reactions, including the burning of the camp where the

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<sup>22</sup> B. De Fazio (2008) 'I temi choc dei bimbi di Ponticelli 'È giusto bruciare i campi rom'', in: <http://www.repubblica.it/2008/05/sezioni/cronaca/sicurezza-politica-5/temi-ponticelli/temi-ponticelli.html> (28.05.2008).

<sup>23</sup> I. Urbani (2008) 'La dura vita dei campi tra Ponticelli e Scampia', in: *Il Manifesto*, 14 maggio 2008.

<sup>24</sup> 'Rogo al campo nomadi Arrestati dieci giovani', in: [http://archivioistorico.corriere.it/2005/gennaio/31/Rogo\\_campo\\_nomadi\\_Arrestati\\_dieci\\_co\\_9\\_05013104\\_0.shtml](http://archivioistorico.corriere.it/2005/gennaio/31/Rogo_campo_nomadi_Arrestati_dieci_co_9_05013104_0.shtml) (18.06.2008).

<sup>25</sup> 'Delitto in metrò, pm: 'Omicidio volontario'', in: [http://www.corriere.it/Primo\\_Piano/Cronache/2007/04\\_Aprile/30/delitto\\_metro\\_rumene\\_incidente.shtml](http://www.corriere.it/Primo_Piano/Cronache/2007/04_Aprile/30/delitto_metro_rumene_incidente.shtml) (12.06.2008).

<sup>26</sup> 'Rom travolge e uccide 4 ragazzi. Guidava ubriaco un furgone', in: <http://www.repubblica.it/2007/04/sezioni/cronaca/falcia-ragazzi/falcia-ragazzi/falcia-ragazzi.html> (13.06.2008).

drunk driver used to live, after the inhabitants had evacuated it within two hours of the incident.

It is worth noting that in some cases, the mere presence of a camp in an area can spark off violent attacks against Roma. On 21<sup>st</sup> December 2006, a protest march against a Roma camp near Milan ended up with the camp being set on fire. Among the 15 people charged over the episode, two were municipal councillors.<sup>27</sup> In the night between 19<sup>th</sup> and 20<sup>th</sup> September 2007, about 40 people wearing masks and armed with Molotov cocktails, stones and chains tried to attack a Roma camp in Rome. The only person arrested for this arson attack claimed to be a member of a spontaneous committee of citizens protesting against the presence of the Roma in the neighbourhood.<sup>28</sup>

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<sup>27</sup> O. Liso (2007) 'Rogo al campo rom, politici indagati', in: *La repubblica* (01.03.2007).

<sup>28</sup> P. Vuolo (2007) 'In 40 all'assalto del campo rom armati di molotov, sassi e catene', in: *Il Messaggero* (21.09.2007), p. 13.

## 3. Impact of the events

The Italian legal system provides a framework of guarantees protecting the fundamental rights of individuals fully and extensively and based on the principle of non-discrimination enshrined in the country's Constitution. Legislative Decree n. 215 of 9 July 2003 transposed the EU Racial Equality Directive 2000/43 providing legal protection against discrimination on grounds of race or ethnic origin in addition to existing legislation. The Italian Equality Body, the National Office against Racial Discrimination UNAR<sup>29</sup> (*Ufficio Nazionale Antidiscriminazioni Razziali*) was set up since November 2004 with the task to combat and record discrimination, and to assist victims in legal and administrative procedures. UNAR operates a multilingual toll free number 800.90.10.10 recording complaints and providing victim support. During 2007 it received approximately 8.000 phone calls, including cases of discrimination for which proceedings were instituted. However, UNAR could provide no information on the impact of the Ponticelli events to COSPE, the Italian RAXEN National Focal Point.

### 3.1. Legislative responses

Prior to the events in Ponticelli, the government had announced its intention to address criminality through a comprehensive 'security package' that included measures facilitating the deportation of irregular immigrants and criminalising the unauthorised entry into the country. The government further announced its intention to use the armed forces in law enforcement activities in cities, regulate the entry of Roma and Romanians by temporarily suspending the Schengen Agreement, and dismantle all unauthorised Roma camps deporting their residents.<sup>30</sup> On the 23rd of July 2008 the Italian Senate approved the security package decree transforming it into law.<sup>31</sup>

Following the events in Ponticelli, the political debate on the security package proposed by the government intensified, and proposed legislative measures were broadened in content, leading the government to split them into four distinct legislative instruments: a bill, a decree and three legislative decrees approved by the Council of Ministers during its meeting held in Naples on May 21<sup>st</sup>. The decree,<sup>32</sup> which by its nature went into force

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<sup>29</sup> Information available at <http://www.pariopportunita.gov.it/defaultdesktop.aspx?page=91> (17.07.2008)

<sup>30</sup> C. Mustacchio (2008) 'Sicurezza, Bucarest stoppa Maroni "Norme xenofobe"', in: *Liberazione* (13.05.2008).

<sup>31</sup> Text available at [http://www.cittadinolex.kataweb.it/article\\_view.jsp?idArt=85127&idCat=120](http://www.cittadinolex.kataweb.it/article_view.jsp?idArt=85127&idCat=120) (25.07.2008).

<sup>32</sup> Italy/ Decree Law n. 92 (23.05.2008). This type of Decree is a 'necessary and urgent measure' approved by the Government and it goes into force immediately after approval and publication and remain in force for a maximum of 60 days within which it has to be converted into law or it ceases to be in force.

following approval by the Council of Ministers and publication in the Official Gazette, provides that the expulsion of an irregular immigrant, both from the EU and non-EU, can be on the orders of a *Giudice di Pace* (Peace Judge). Failure to leave the country following an expulsion order issued by the judge will carry a jail term of one to four years; renting a house to an irregular immigrant, according to the decree, will lead to confiscation of the apartment and a jail term of up to three years.

The decree also introduces a new and general aggravating circumstance when a crime 'is committed by someone who is illegally on the territory of the state', which will apply also to EU citizens. For illegally resident immigrants found guilty of criminal offences, the penalties will be increased by a third. The decree also confers more powers on city mayors to prevent and eliminate dangers to public safety and urban security, as well as on municipal or administrative police, to intervene in cases of criminal offences in the act of being committed.

The new legislation criminalises unauthorised entry into the country (*illegal immigration*), punishable with a six-months to four-years prison term, and introduces fast track proceedings for immigration-related crimes. Detention of irregular immigrants in 'Identification and Expulsion Centres' is to be prolonged from the current maximum of 60 days to 18 months. The use of children in begging will become a crime punishable by imprisonment for up to three years and loss of parental powers or authority.<sup>33</sup> It also provides that registration in the municipal registry of residents will be on condition that the apartment or house meets a given health standard, a condition not applicable to Italian and EU citizens.

On May 14<sup>th</sup>, the Mayor of the city of Milan announced the appointment of the Prefect of the city as Extraordinary Commissioner for the 'Roma emergency'.<sup>34</sup> Following this development, the Minister of the Interior appointed Extraordinary Commissioners in Lazio (Rome), Lombardy (Milan) and Campania (Naples) and on May 26<sup>th</sup>, the relevant decree was published in the Official Gazette.<sup>35</sup> The mandate of these Commissioners is to coordinate the monitoring, mapping, rehabilitation and evacuation, where necessary, of Roma camps, and setting up new ones.

The 21<sup>st</sup> May Council of Ministers in Naples declared a state of emergency till May 31<sup>st</sup> in the Campania, Lazio and Lombardia Regions. Furthermore, the Prefects of Naples, Rome and Milan were entrusted with special powers to deal with the state of emergency,

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<sup>33</sup> R. Miliacca (2008) 'Via la casa al clandestino in affitto', in: *Italia Oggi* (22.05.2008), p. 6; L. Milella (2008) 'Alt ai bimbi mendicanti arresto per i clandestini e nascerà la banca del DNA', in: *La Repubblica* (22.05.2008), p. 3; S. Mastrantonio (2008) 'Banca dati del DNA e giro di vite sull'accattonaggio', in: *Quotidiano Nazionale* (22.05.2008), p. 6; M. Ludovico (2008) 'Contro l'immigrazione clandestina più poteri ai sindaci', in: *Il Sole 24 Ore* (22.05.2008), p. 7.

<sup>34</sup> F. Sarzanini (2008) 'Un commissario per l'emergenza rom', in: *Corriere della Sera* (14.05.2008).

<sup>35</sup> Italy / Decreto del Presidente del Consiglio dei Ministri (21.05.2008).

in cooperation with mayors, local authorities and NGOs. The Naples Prefect highlighted the need to speed up decision making on issues regarding immigration, but also called for dialogue with other institutions, authorities, representatives of the Roma communities and civil society. The Prefect proposed a package of measures, which included a Roma census, improvements to regular settlements, gradual phasing out of illegal camps, reallocation of Roma in small groups across the region, and promotion of integration and of social inclusion projects.

On May 26<sup>th</sup>, the Minister of the Interior announced his intention to start mapping Roma camps and take a census of the residents.<sup>36</sup> The first such exercise took place in the outskirts of Milan on the 6<sup>th</sup> June, when about 70 law enforcement agents (State and Municipal Police and *Carabinieri*) moved into an authorised camp and searched all the homes, and the 35 residents, all of them Italian Roma. However, the association *Opera Nomadi*, as well as opposition parties, NGOs and the trade union CGIL criticised this initiative.<sup>37</sup>

During a meeting at the Prefecture of Milan on June 17<sup>th</sup>, the Minister of the Interior declared that Prefects would close down authorised camps that were not properly provided with such basic facilities, e.g. drinking water or electricity. Only Italian Roma and Sinti groups would be allowed to settle in authorised camps, while foreign Roma would be allowed to use transit camps for a period not exceeding three months.<sup>38</sup>

## 3.2. Reactions to legislative responses

The National Association of Magistrates strongly criticised the provision criminalising unauthorised entry by immigrants because it would be almost impossible to manage and would have a negative impact on the entire judicial machinery.<sup>39</sup> The President of the Association of Criminal Law Practitioners defined the provision making irregular stay in the country an aggravating circumstance as ‘unlawful from an equality perspective’, because such a measure is connected to a subjective condition of the person.<sup>40</sup> Strong

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<sup>36</sup> M. Ludovico (2008) ‘Frattini fondi UE per l’integrazione dei rom in Italia’, in: *Il Sole 24 Ore* (27.05.2008), p. 33.

<sup>37</sup> D. Carlucci (2008) ‘Milano, blitz all’alba al campo rom "Schedati come al tempo fascista"’, in: *La Repubblica* (07.06.2008).

<sup>38</sup> ‘In Italia la musica è cambiata. DNA per i rom e chiusura dei campi’, in: *Quotidiano Nazionale* (17.06.2008), p. 8.

<sup>39</sup> D. Stasio (2008) ‘“Ingresso illegale? Ipotesi ingestibile”’, in: *Il Sole 24 Ore* (23.05.2008), p.12. See also a joint and detailed analysis by Magistratura Democratica and ASGI of the ‘security package’ entitled ‘La Sicurezza Apparente. L’intolleranza normativa sugli immigrati stranieri e sulla circolazione dei cittadini della UE nel pacchetto sicurezza del nuovo Governo italiano.’

<sup>40</sup> L. Ferrarella (2008), ‘E’ illegittima l’aggravante per i clandestini”, in: *Corriere della Sera* (28.05.2008), p. 18.

criticism of the same provision was also expressed by the National Association of Democratic Jurists.

Many civil society actors also criticised the security package. The national association ARCI declared that the package fuelled insecurity, lawlessness and fear. Two major Catholic organisations – Caritas and ACLI – pointed out that linking crime to immigration only generates confusion.<sup>41</sup>

The Romanian Prime Minister expressed concern about the proposed package and anti-Romanian measures that would mostly damage honest and hard working Romanians living in Italy.<sup>42</sup> After the package had been approved, the Romanian Under-Secretary at the ministry of External Affairs declared that the provisions seemed to respect EU norms, but that it would be necessary to monitor how they would be applied.

### 3.3. Other incidents against Roma

In many cities, there were cases of verbal and physical aggression against Roma and Romanians. In Milan, Genoa, Viareggio, Trento, Asti and Bologna groups of citizens protested against the presence of Roma camps in their neighbourhoods.<sup>43</sup> In Pisa, a Roma youth was attacked and beaten for no apparent reason.<sup>44</sup>

In Milan, an incendiary bottle was thrown into an abandoned shop used by two Roma boys as a sleeping place.<sup>45</sup> In May a Romanian boy was beaten and insulted by four Italian boys. The aggressors shouted insults at him saying: 'stinking and disgusting Romanian, go away from Italy'.<sup>46</sup> At a maternity ward in a hospital in Pisa, some women refused to share a room with a Roma woman in labour and the nurses had to find a separate place for her.<sup>47</sup> A 16-year old Roma girl in her sixth month of pregnancy was insulted and beaten, while she was begging along the beach in Rimini, by a man who hit her on the back. Fortunately, the incident did not affect her pregnancy. The incident was later made public by activists of the Roma support organisation *Gruppo Everyone*.<sup>48</sup>

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<sup>41</sup> F. Nacinovich (2008) 'Pacchetto sicurezza Maroni: "Dall'Europa pressioni indebite"', in: *Liberazione* (23.05.2008), p. 6.

<sup>42</sup> C. Lania (2008) 'Bucarest avverte niente xenofobia', in: *Il Manifesto* (13.05.2008).

<sup>43</sup> A. Milluzzi (2008) 'Cresce la violenza in tutta Italia. Il PRC invoca l'UE', in: *Liberazione* (15.05.2008).

<sup>44</sup> P. Zerboni (2008) 'Violento pestaggio, rom in ospedale', in: *La Nazione – Pisa* (16.05.2008), p. V.

<sup>45</sup> <http://www.rainews24.rai.it/notizia.asp?newsid=81682> (15.05.2008).

<sup>46</sup> 'Ciprian pestato sotto scuola "Rom schifoso vattene"', in: *L'Unità* (15.05.2008), p. 9.

<sup>47</sup> C. Virgone (2008) 'Cacciata dalla corsia la mamma rom', in: *Il Tirreno – Pisa* (30.05.2008), p. VI.

<sup>48</sup> L. Eduati (2008) 'Manifestazione dei rom e dei sinti contro il "genocidio culturale"', in: *Liberazione* (08.06.2008).

The Association *Sucar-Drom*<sup>49</sup> has reported a number of cases of intolerance and racist violence in various cities against Roma and Sinti groups. In Brescia, a little Roma girl was insulted at school and in Mantova the home of a Roma family was attacked. Another association, *Gruppo Everyone*, reported an act of aggression that took place on June 17<sup>th</sup> against a Roma girl and the beating of her father, a missionary of the Christian Evangelical Pentecostal Church, on June 20<sup>th</sup> in Milan, by two uniformed police agents.<sup>50</sup>

In Novara, two unknown persons on a motorbike threw four incendiary bombs at a Roma camp causing damage to property. The police said the attack might have been related to a public controversy in the city over the transfer of the local Roma population to a new site.<sup>51</sup>

In some authorised camps around Rome, the residents organised voluntary night patrol groups to guard the camps soon after the attacks in the Ponticelli district of Naples.<sup>52</sup>

Teachers at a middle school in the outskirts of Milan wrote a letter to the Minister of Education denouncing the climate of intimidation and violence against Roma pupils in their school. The teachers said that Roma pupils were targets of racist insults and threats by their non-Roma schoolmates and as a consequence, many of them had abandoned the school.<sup>53</sup>

### 3.4. Incidents against non-Roma minorities

In the climate of xenophobia and racism that was generated during this period, non-Roma minorities were also caught up.

On May 14<sup>th</sup>, the chief conductor of a train was accused by a Ghanaian woman of abuse of power, violence, unlawful damage of property and physical assault. The chief conductor, according to the woman and witnesses who had been at the scene, had thrown her luggage off the train one stop before the one where she was supposed to get off, pushing and insulting her.<sup>54</sup> In Civitavecchia, a Senegalese citizen was attacked for

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<sup>49</sup> <http://sucardrom.blogspot.com/> (20.06.2008).

<sup>50</sup> See also <http://sucardrom.blogspot.com/> (20.06.2008).

<sup>51</sup> 'Bottiglie incendiarie tra le roulotte del campo', in: *La Stampa* (12.05.2008), p. 6.

<sup>52</sup> P. Brera, L. Serloni (2008) 'E ora anche i rom organizzano le ronde: "Viviamo nel terrore dobbiamo difenderci"', in: *La Repubblica* (16.05.2008), p. 3.

<sup>53</sup> Z. Dazzi (2008) 'Insulti e minacce a studenti rom "Schifosi tornatevene nel vostro paese"', in: *La Repubblica* (04.06.2008), p. 11.

<sup>54</sup> G. Gentile (2008) 'Le dice "sporca negra" e la schiaffeggia', in: *L'Unità* (15.06.2008).

no apparent reason by two women and one man. The police charged them with discrimination, injury, threat and racist insults.<sup>55</sup>

A racist poster was circulated in different cities saying that 'the hunting season had been declared open' for the following 'migratory species – Albanians, Kosova, Talibans, Gypsies, non-EU citizens in general'. The authorities in the cities where this racist flier was distributed condemned it and announced their intention to lodge complaints with the judiciary.<sup>56</sup>

An Albanian dancer and TV performer was attacked and beaten up inside his school by unknown persons shouting 'stinking Albanian, we'll send you back to Albania'.<sup>57</sup>

On May 24<sup>th</sup>, in a neighbourhood of Rome with a high density of foreigners, a group of 15 to 20 people wearing masks and carrying clubs and metal bars attacked three shops owned by Indian and Bangladeshi immigrants. The attackers broke windows, goods and furniture inside the shops, injuring a client in one of the shops. The aggressors shouted 'Bastards, go away from here'. All political parties condemned the attack as xenophobic.<sup>58</sup> The following day, Italian and foreign residents of the area organised marches against racism.<sup>59</sup>

In the small municipality of Altopascio in Lucca Province, the kebab shop of a Turkish citizen was badly damaged by five incendiary bottles thrown into it at night by unknown persons. After the initial investigations, police said the arson might have had a xenophobic motivation.<sup>60</sup>

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<sup>55</sup> 'Razzismo, denunciate tre persone', in:

<http://www.civonline.it/CivOnlineNotiziaStandard.php?IDNotizia=66973&IDCategoria=354>  
(05.06.2008).

<sup>56</sup> A. Celata (2008) 'Un volantino che ci ferisce', in: *La Nazione – Grosseto* (21.05.2008), p. VII.

<sup>57</sup> M. Solani (2008) 'Da Ponticelli a Pisa lo chic dell'Italia intollerante', in: *L'Unità* (30.05.2008), p. 2.

<sup>58</sup> P. Brogi (2008) 'Roma assalto ai negozi degli immigrati', in: *Corriere della Sera* (25.05.2008), p. 5; S. Menafra, M. Zenobio (2008) 'Assalto razzista nel cuore di Roma', in: *Il Manifesto* (25.05.2008), p. 4; C. Piccozza (2008) 'Raid razzista contro gli immigrati pestaggi e negozi distrutti a Roma', in: *La Repubblica* (25.05.2008), p. 6; 'Raid razzista contro i bengalesi', in: *La Stampa* (25.05.2008), p. 8.

<sup>59</sup> A. Caporale (2008) 'Roma, corteo di rabbia e paura "Siamo in Italia per lavorare"', in: *La Repubblica* (27.05.2008), p. 6.

<sup>60</sup> O. Sabato (2008) 'Assalto al negozio di kebab con 5 molotov', in: *L'Unità – Firenze e Toscana* (01.06.2008), p. I.

## 4. Responses to the events

### 4.1. Responses by public authorities

The police reacted swiftly to the Ponticelli incidents, deploying significant forces to protect Roma living in camps and guard their property. The Municipality and civil protection units were mobilised to provide support to affected Roma residents with the assistance of the “Opera Nomadi” organisation. Those living in the attacked settlements were moved to camps outside Naples or to the reception centre of “Santa Maria del Pianto” in the Poggioreale district.

The *Carabinieri* identified five residents of Ponticelli (four 15-year old boys and one 33-year old man) as perpetrators of one attack against a Roma camp and they were charged with stealing objects from the shacks, and setting the camp on fire.<sup>61</sup>

On May 16<sup>th</sup> the Councillor for Social Policies of the Campania Region organised a meeting with representatives of the Municipality of Naples, the Province of Naples, Sant’Egidio Community, *Caritas* and *Opera Nomadi*, to discuss issues related to the accommodation of Roma who had been forced out of their former camps. During the meeting, participants (local authorities and associations) decided to create a permanent consultative group that will define and implement further actions and initiatives. The Councillor allocated 400,000 euros to promote Roma social integration, and proposed to assign small areas belonging to the Region and other local authorities to Roma and Sinti. The Councillor also announced the establishment of a consultative group that will carry out social and cultural activities in order to defuse tensions and create a new climate of reconciliation.<sup>62</sup>

The Romanian Embassy made available, since April 2008, a hotline for Romanian citizens to report situations of danger or extreme difficulties encountered in Italy. The Embassy emphasised that it would do all that it could, diplomatically and otherwise, to help anyone who may be facing discriminatory and/or xenophobic treatment.<sup>63</sup>

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<sup>61</sup> ‘Prima il fuoco, poi il saccheggio. Arrestati’, in: *Il Manifesto* 816.05.2008).

<sup>62</sup> Campania Region (2008) *Regione, tavolo di lavoro permanente per i nomadi*, Press Release, in: [http://www.regione.campania.it/portal/media-type/html/user/anon/page/DettaglioCS\\_2008.psm!/?itemId=2676&ibName=ComunicatiStampa&theVectString=-1%2C-1](http://www.regione.campania.it/portal/media-type/html/user/anon/page/DettaglioCS_2008.psm!/?itemId=2676&ibName=ComunicatiStampa&theVectString=-1%2C-1) (20.05.2008).

<sup>63</sup> G. Pentelescu (2008) ‘Un numero di telefono per i romeni in difficoltà’, in: <http://temi.repubblica.it/metropoli-online/un-numero-di-telefono-per-i-romeni-in-difficolta/> (03.06.2008).

## 4.2. Responses by civil society

On 15<sup>th</sup> May, hundreds of people took part in a demonstration in front of the Municipality of Naples, to express their solidarity with the Roma. Participants protested against racist acts and condemned the criminalisation of all Roma.<sup>64</sup> Speaking at this event, many associations working for the integration of the Roma in different parts of Italy argued that tackling the problems of camps as places of residence for the Roma was a viable way to reduce social tensions and improve living conditions of these minorities. In particular, they pointed out that in some local areas where Roma camps had been closed and apartments had been assigned to Roma families, tensions have been reduced and problems with other residents have been minimised.

On 17<sup>th</sup> May in Mantova, Italian and foreign Roma / Sinti associations and communities which are part of the first national federation formed in 2007, known as 'Roma and Sinti Together', met to define initiatives aimed at countering the xenophobic climate against them. They decided, among others, to start monitoring discrimination against Roma and Sinti groups, and invited all associations to cooperate in documenting cases encountered by members of their communities. The federation promoted meetings and public debates in May and June on the recent events affecting them, and on the security package adopted by the government.<sup>65</sup>

A number of prominent people, and many other citizens, signed a petition and organised a demonstration to express their solidarity with the Sinti of Venice, who had been verbally attacked by the Northern League party in relation to a new village planned for them. The construction of the village for Sinti families by the Municipality of Venice had been blocked by some activists of the Northern League Party who had chained themselves to the gate of the construction site. The Mayor of Venice condemned this action but decided also to temporarily suspend work on the site in order to reduce tensions.<sup>66</sup>

The Roma association *Them Romano*<sup>67</sup> organised a large demonstration in Rome on June 8<sup>th</sup> with the participation of Roma and Sinti against racism, xenophobia and discrimination. Many other associations working in defence of minorities' rights and anti-racism, including activists of some left wing political parties, took part in the demonstration.<sup>68</sup>

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<sup>64</sup> 'L'altra Italia. C'è chi dice no', in: *Il Manifesto* (16.05.2008).

<sup>65</sup> <http://comitatoromsinti.blogspot.com/> (20.06.2008).

<sup>66</sup> R. Bianchin (2008) 'Campo per i nomadi blitz leghista a Mestre', in: *La Repubblica* (04.06.2008), p. 11.

<sup>67</sup> <http://www.associazionethemromano.it/> (16.07.2008).

<sup>68</sup> F. Amabile (2008) 'Clandestini, stop dei giudici', in: *La Stampa* (09.06.2008), p. 4.

On 17<sup>th</sup> June 2008, Rome based anti-racist and civil rights organisations held a public assembly titled 'A thousand voices against racism' at the University of Rome 'La Sapienza', in order to discuss recent manifestations of racism and the government's bill aimed at making irregular immigration a crime. The assembly took place with the support and participation of a large number of experts, researchers and politicians.<sup>69</sup>

In June 2008, the National Council of the Association of Journalists and the Italian National Press Federation (FNSI), in cooperation with the UNHCR, adopted a document known as the 'Charter of Rome', which outlines professional ethics and standards that should be respected when writing about asylum seekers, refugees, victims of trafficking of human beings, and migrants.<sup>70</sup> The elaboration of the document had started in 2007 following a serious case of ethnic profiling as a result of which a migrant from North Africa had been accused by most of the media of having murdered his Italian wife, their two-year old son, the wife's mother and a neighbour. Within 24 hours, the police had found solid evidence that the migrant had been out of Italy at the time, and that the murder had been committed by an Italian couple living next door to the victims.

Following the events in Ponticelli, a group of journalists launched a petition expressing concern about the active role of the media in fomenting xenophobia against foreigners. The authors of the petition called on fellow journalists to respect the ethics of their profession and fight cases of discrimination and racism in the media.<sup>71</sup>

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<sup>69</sup> E. Martini (2008) 'La Sapienza contro il razzismo: "Dobbiamo far ragionare i politici"', in: *Il Manifesto* (17.06.2008).

<sup>70</sup> <http://www.unhcr.it/images/pdf/carta%20di%20roma%20-%20definitiva.pdf> (20.06.2008).

<sup>71</sup> 'I media rispettino il popolo rom', 21<sup>st</sup> May 2008, available at: <http://www.giornalismi.info/mediarom/> (15.06.2008).

## 5. Domestic reactions

On the occasion of the celebrations for the Italian Republic (2<sup>nd</sup> June), in his message to the nation, the President of the Republic warned against intolerance and violence which he said were growing in the country, highlighting that they were the negation of the Constitutional principles.<sup>72</sup>

However, the local branch of the Democratic Party which governs the Ponticelli District Council issued a statement circulated throughout the district, saying that ‘the continuous increase in Roma shanty settlements in different areas of the district has become unsustainable’ and that the ‘Municipality, the Prefecture, Public Security forces and the Local Health Services should finally respond to requests, so far ignored, for an immediate demolition of the camps and to restore serenity and security to Ponticelli citizens’.<sup>73</sup>

The Catholic Church condemned the acts of violence against Roma, cautioning citizens of Naples not to act in a ‘thoughtless’ way, and the Pope highlighted the right of immigrants to family reunion.<sup>74</sup>

On the other hand, activists of *Forza Italia* and National Alliance parties declared that the mayor of Naples should order the evacuation of all Roma camps because, ‘the time for half measures has run out’.<sup>75</sup> Also in other areas of the country, local centre-right parties requested that the Roma be expelled from cities.<sup>76</sup>

The president of the Province of Milan (a member of the Democratic Party) said in interviews that in the metropolitan area of Milan<sup>77</sup> the number of Roma had become unsustainable and as a consequence, the objective was to close down all camps in the area. He also declared that ‘other repatriations are necessary; agreements with the countries of origin and the Romanian government should be signed, in order to stop them [the Roma] from leaving their countries. After that, expulsions should follow. In the metropolitan area there should not be even one Roma camp’.<sup>78</sup>

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<sup>72</sup> G. Battistini (2008) ‘Fermare violenza e intolleranza’, in: *La Repubblica* (02.06.2008), p. 6.

<sup>73</sup> [http://sucardrom.blogspot.com/2008\\_05\\_01\\_archive.html](http://sucardrom.blogspot.com/2008_05_01_archive.html) (19.06.2008).

<sup>74</sup> L. Accattoli (2008) ‘Il papa: date accoglienza agli immigrati’, in: *Corriere della Sera* (16.05.2008), p. 5.

<sup>75</sup> ‘Vendetta dopo il tentato sequestro. Molotov e spranghe contro i rom’, in: <http://www.repubblica.it/2008/05/sezioni/cronaca/rom-napoli/molotov/molotov.html> (13.05.2008).

<sup>76</sup> See for example the case of Forza Italia party in Florence ‘Via gli zingari dalla città’, in: *La Repubblica – Firenze* (18.05.2008), p. I.

<sup>77</sup> The metropolitan area includes the city of Milan and surrounding smaller cities.

<sup>78</sup> ‘Penati: “L’obiettivo? Eliminare tutti i campi”’, in: *Corriere della Sera* (14.05.2008); R. Sala (2008) ‘E Penati sposa la linea dura “Vanno azzerati gli insediamenti”’, in: *La Repubblica* (14.05.2008), p. 10; G.

On 16<sup>th</sup> May, the Minister of Foreign Affairs declared that it was necessary to reflect at a European level on the Schengen Agreement, which had made it easier to travel across borders between EU member states. The Minister stated that it was necessary to review the 22-year old agreement in order to verify if, in a profoundly changed Europe, some changes could be made.<sup>79</sup>

The Minister for Reforms (leader of the Northern League Party), speaking about the episodes of aggression against Roma camps in Ponticelli, stated that ‘if the State fails to do its duty, people will then do it because after some time, people lose patience and react’.<sup>80</sup>

A parliamentarian from the *Forza Italia* party declared that, in order to deal with the rubbish collection emergency in the Campania region, local authorities could use foreign citizens without regular permits to stay and reward them by granting residence permits. All political parties criticised this statement, including the Northern League.<sup>81</sup>

In an interview for the newspaper *Il Tempo*, the Undersecretary at the Ministry of Interior, talking about Roma, noted that: ‘Figures and sociological studies demonstrate that this ethnic group is associated to some types of crimes: thefts, robberies and, as in the case of Ponticelli, also kidnapping’.<sup>82</sup>

In the days following the events in Ponticelli, some national newspapers published articles referring to the traditional negative stereotype of the “*Roma stealing children*”.<sup>83</sup>

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Della Frattina (2008) ‘Milano, Penati ora fa il duro:”I rom devono sparire tutti”’, in: *Il Giornale* (14.05.2008), p. 9.

<sup>79</sup> ‘Frattini: “Serve un "tagliando" agli accordi di Schengen. Impronte e banca dati”’, in: *Corriere della Sera* (16.05.2008).

<sup>80</sup> S. Milani (2008) ‘Maroni grazia le badanti’, in: *Il Manifesto* (18.05.2008).

<sup>81</sup> A. Tarquini (2008) ‘Rom, viados e clandestini. Il vento della grande caccia’, in: *L’Unità* (19.05.2008), p. 4.

<sup>82</sup> M. Piccirilli (2008) ‘Dopo il j'accuse del capo della Polizia, prefetto Antonio Manganelli, sull'impossibilità di arginare l'immigrazione clandestina interviene Alfredo Mantovano, magistrato e sottosegretario all'Interno’, in: [http://iltempo.ilsole24ore.com/interni\\_esteri/2008/05/31/885830-maurizio\\_piccirilli\\_piccirilli\\_iltempo\\_dopo\\_....shtml](http://iltempo.ilsole24ore.com/interni_esteri/2008/05/31/885830-maurizio_piccirilli_piccirilli_iltempo_dopo_....shtml) (31.05.2008).

<sup>83</sup> S. Filippi (2008) ‘Altro che leggenda, I rom rubano I bambini’, in: *Il Giornale* (12.05.2008), p.8.

## 6. International reactions

During the debate that took place in the European Parliament on the 20<sup>th</sup> of May regarding the Italian situation following events in Ponticelli, The Commissioner for Employment, Social Affairs & Equal Opportunities criticised the stigmatisation of Roma as criminals and asked all Member States to investigate and punish those who commit racist acts. The Commissioner also invited the government of Italy and the other Members States to tackle integration problems.<sup>84</sup>

The MEP Viktoria Mohacsi, after her visit to some Roma camps in Rome and Naples, declared during a hearing before the Committee on Civil Liberties (LIBE) of the European Parliament that the situation of Roma in Italy was one of the worst in Europe. The MEP highlighted problems of illegality, lack of hygiene, services, or drinking water, and lack of security in the camps where the police carry out night raids for no reason.<sup>85</sup>

Following these developments in Italy, at the end of June 2008 the Council of Europe Commissioner for Human Rights visited Rome to discuss the policies of the Italian government on migration and Roma people. The Commissioner stated that criminalising migrants will have negative effects and put stigma on innocent people. He also expressed his concerns about the climate of anti-Ziganism. "It is important that politicians guarantee fundamental rights to Roma people and discourage any tendency of discrimination and scapegoating", he said.<sup>86</sup>

The OSCE expressed a deep concern for the violent attacks in Naples and urged the Italian authorities to assure the protection for Roma populations living on its territory.<sup>87</sup>

The UN High Commissioner for Human Rights criticised new Italian laws against irregular immigration and the initiatives against Romanian Roma in her address on the occasion of the 8<sup>th</sup> Session of the Human Rights Council.<sup>88</sup>

The European Network Against Racism (ENAR) strongly condemned the attacks in Ponticelli and expressed concern about political and media discourse on the Roma and

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<sup>84</sup> A. Cerretelli (2008) 'L'UE no alle violenze contro i rom', in: *Il Sole 24 Ore* (20.05.2008), p. 4. Text in French at [http://ec.europa.eu/employment\\_social/news/2008/may/vs\\_ep\\_roma.pdf](http://ec.europa.eu/employment_social/news/2008/may/vs_ep_roma.pdf) (01.08.2008).

<sup>85</sup> A. D'Argenio (2008) 'Il caso rom irrompe alla UE, accuse di torture all'Italia', in: *La Repubblica* (20.05.2008), p. 2.

<sup>86</sup> Cited from [http://www.coe.int/t/commissioner/News/2008/080623italy\\_en.asp](http://www.coe.int/t/commissioner/News/2008/080623italy_en.asp)

<sup>87</sup> OSCE-ODIHR (2008) *OSCE human rights body concerned about anti-Roma violence in Italy*, Press Release (16.05.2008).

<sup>88</sup> See: <http://www.unhcr.ch/hurricane/hurricane.nsf/view01/06B91AC08630D980C125745C00304584?opendocument>

Romanian citizens in Italy and the new security measures that affect these groups.<sup>89</sup> The European Roma Rights Centre (ERRC) requested, in a letter to the Italian President of the Republic and the Prime Minister, an urgent intervention by Italian authorities to protect Roma from acts of racist violence following events in Ponticelli and 'to defuse the climate of anti-Romani hostility which is prevailing in Italy'.<sup>90</sup>

Furthermore, on the occasion of the presentation of its 2008 report, the EU Office of Amnesty International expressed alarm about the Italian situation and accused the government of enacting laws aimed at making life difficult for Roma and immigrants in general.<sup>91</sup> The ADL (Anti Defamation League) also called on the Italian government to "publicly condemn xenophobia against Roma".<sup>92</sup>

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<sup>89</sup> ENAR (2008) *Stop anti roma violence in Italy!*, Press release, 19 May 2008.

<sup>90</sup> ERRC (2008) *Letter of 16 May 2008*, available at: <http://www.errc.org> (15.04.2008).

<sup>91</sup> See: <http://www.amnesty.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/953> (16.07.2008).

<sup>92</sup> Available at [http://www.adl.org/PresRele/DiRaB\\_41/5290\\_41.htm](http://www.adl.org/PresRele/DiRaB_41/5290_41.htm) (18.07.2008).

## 7. Surveys and opinion polls

A survey conducted by *IPR Marketing* on behalf of the national daily *La Repubblica*<sup>93</sup> found that Italians had a negative opinion of immigrants and that their aversion against the Roma was even greater. 60 per cent of interviewees felt personally threatened by the presence of the Roma (47 per cent by the presence of non-EU citizens), while 68 per cent (57 per cent for non-EU citizens) were concerned about the Italian situation in general. 68 per cent thought that all Roma camps should be dismantled and Roma populations expelled from the country. The percentage of interviewees who had trust in policies of social integration of Roma was quite low (only 27 per cent). 52 per cent believed that non-EU citizens who live in Italy without working should be immediately repatriated.

The most negative feelings were against Roma: 41 per cent of the sample would have liked to send them out of Italy (10 per cent would like to send non-EU citizens out), 27 per cent were afraid of them (15 per cent are afraid of non-EU citizens), 24 per cent 'tolerated' them and did not have negative feelings towards them (45 per cent in the case of non-EU citizens).

According to a survey carried out by *ISPO* and published in the national newspaper *Corriere della Sera*,<sup>94</sup> Italian citizens welcomed the so-called 'security package'. 31 per cent of the sample knew 'well' the contents of the package and 37 per cent had heard about it. 86 per cent of people who voted for centre-right parties and 58 per cent of people who voted for centre-left parties agreed with security measures affecting Roma.

A weekly survey conducted by the research institute *Istituto Piepoli*<sup>95</sup> examined opinions on the seriousness of the racist incidents. 64 per cent of interviewees thought that the racist episode that had taken place on 24<sup>th</sup> May in a neighbourhood in Rome was a confirmation of widespread racism. Although one out of three Italians believed that it was an 'occasional' episode, 87 per cent were worried about recent racist events.

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<sup>93</sup> B. Persano (2008) 'I Rom peggio degli extracomunitari "Sono un pericolo. Via i campi"', in: *La Repubblica* (15.05.2008), available at: <http://www.repubblica.it/2008/05/sezioni/cronaca/sicurezza-politica-3/sondaggio-rom/sondaggio-rom.html> (18.06.2008). The survey was conducted through telephone interviews on a sample of 1,000 people resident in Italy.

<sup>94</sup> R. Mannheimer (2008) 'Linea dura del governo D' accordo 3 italiani su 4', in: *Corriere della Sera* (18.05.2008), available at: [http://archivistorico.corriere.it/2008/maggio/18/Linea\\_dura\\_del\\_governo\\_accordo\\_co\\_9\\_080518055.shtml](http://archivistorico.corriere.it/2008/maggio/18/Linea_dura_del_governo_accordo_co_9_080518055.shtml) (18.06.2008).

<sup>95</sup> A. Camboni (2008) 'Mercato e Opinione. L'Italia rifiuta il razzismo', in: <http://www.fondazioneitaliani.it/index.php/Mercato-e-Opinione.-L-Italia-rifiuti-il-razzismo.html> (03.06.2008). Survey conducted on a representative sample of the Italian adults. Sample size not specified.

An opinion poll carried out by *Demos* in May 2008 highlighted a growing feeling of insecurity among Italian citizens.<sup>96</sup> 63 per cent of interviewees agreed with the presence of spontaneous vigilante groups in the neighbourhoods of the cities, and 44.5 per cent felt threatened by the presence of immigrants (+1.3 per cent compared to April 2007). About 31 per cent of the sample thought that shanty towns, Roma camps and neighbourhoods significantly inhabited by immigrants should be evacuated or prohibited, 46.6 per cent believed that evacuation should be done only after having identified new accommodation, while 19.2 per cent thought that in these areas, checks by police forces should be intensified.

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<sup>96</sup> Demos & Pi (2008) *Gli italiani tra paura e insicurezza*, May 2008, available at: [http://www.demosonline.it/2008/pdf/capitale\\_sociale\\_18.pdf](http://www.demosonline.it/2008/pdf/capitale_sociale_18.pdf) (18.06.2008). Survey conducted in the period 26-31 May on a representative sample of 1303 aged 15+.

## 8. The Roma ‘census’

On 25 June 2008 the Italian government announced its intention to carry out a census and fingerprint all Roma and Sinti, including children, in the three regions where extraordinary commissioners had been appointed to manage the ‘Roma emergency’. This attracted strong criticism from members of the Catholic Church, opposition parties and civil society both within and outside Italy.

According to the Interior Minister the planned ‘census’ of Roma and Sinti was not ‘ethnic profiling’, but aimed at ensuring decent living conditions for all those who had a legal entitlement to reside in Italy, while those who were there illegally would be expelled. Identifying minors would allow authorities to involve them in projects aiming at ensuring school attendance that would facilitate integration, while the census would also serve to identify persons who committed criminal acts, as well as irregular immigrants. The proposal drew strong critical reactions from civil society, Roma activists and members of the Catholic Church. For example, the Secretary of the Pontifical Council for Migrants and Travellers and Titular Archbishop of Astigi condemned the initiative arguing: ‘We cannot make poverty a crime’. The Comboni Missionary Sisters described the planned fingerprinting of Roma and Sinti children as ‘racist’, saying: ‘It is incomprehensible why at such a tender age they should already be made to feel different – the bearers of a modern-day yellow Star of David that brands them as probable future criminals.’<sup>97</sup>

The government’s announcement also prompted strong reaction from the European Commission in the form of a letter to the Italian government requesting that the government specify the purposes for which fingerprints are collected and processed, the legal basis for doing so, how they are stored and for how long, whether there is written information to individuals prior to the collection of the fingerprints, and to confirm that in the case of minors under 14 years of age, fingerprints are taken only when specifically authorised by a judge and for the purpose of establishing their identity.<sup>98</sup>

On the 10<sup>th</sup> July 2008 the European Parliament, in its resolution<sup>99</sup> on the census of the Roma on the basis of ethnicity in Italy, and noting that the Italian Data Protection Authority has expressed concern that it could entail discrimination that might also affect personal dignity, notably that of minors, urged the Italian authorities to refrain from collecting fingerprints from Roma, including minors, and from using fingerprints already collected, pending the forthcoming announced evaluation by the Commission of the

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<sup>97</sup> Italy: Move to fingerprint Gypsies sparks controversy Roma, 26 June (AKI) <http://www.adnkronos.com/AKI/English/Politics/?id=1.0.2289111304> (16.07.2008).

<sup>98</sup> <http://www.statewatch.org/news/2008/jul/eu-comm-italy-roma-fault-letter.pdf> (16.07.2008).

<sup>99</sup> Text available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0361+0+DOC+XML+V0//EN> (23.07.2008).

measures envisaged, as this would clearly constitute an act of direct discrimination based on race and ethnic origin prohibited by Article 14 of the ECHR and furthermore an act of discrimination between EU citizens of Roma origin and other citizens, who are not required to undergo such procedures.

Furthermore, the European Parliament shared the view of the Commission that such acts would constitute a violation of the prohibition on direct and indirect discrimination, particularly as laid down in Council Directive 2000/43/EC and enshrined in Articles 12, 13 and 17 to 22 of the EC Treaty and called on the Commission to thoroughly evaluate the legislative and executive measures adopted by the Italian Government in order to check their compatibility with the Treaties and with EU law. Finally, the European Parliament expressed its concern at the affirmation - contained in the administrative decrees and orders issued by the Italian Government - that the presence of Roma camps around large cities in itself constitutes a serious social emergency with repercussions for public order and security which justify declaring a state of emergency for one year.

## 9. Conclusions

The aim of this report has been to bring together the basic facts on the anti-Roma events which occurred in Italy during May – June 2008. It gives a summary of the incidents of aggression against Roma and their camps, provides a brief background context to the events, and then describes the responses of the Italian authorities in the form of legal measures. The report illustrates the climate of intolerance generated by the events in Ponticelli and the generally negative subsequent political discourse. The report also presents examples of the critical reactions of civil society and international bodies to the events and to the responses of the Italian authorities.

The events which have occurred in Italy serve as a reflection of the wider problems faced by Roma communities all over Europe. Despite measures and policies promoting Roma integration and inclusion by Member States throughout the EU and at EU level by the European Commission and despite efforts of the Council of Europe and of other international organisations, progress in implementing them is slow. As previous reports by the Agency have repeatedly pointed out Roma, Sinti and Traveller groups are the most vulnerable groups in Europe, suffering problems such as poor and segregated housing conditions, discrimination and forced evictions in more than half of the Member States of the EU.<sup>100</sup> Systematic discrimination against Roma also exists in access to employment, and in the fields of health and education. However, even without this extra burden of discrimination, the appalling housing conditions of the Roma make it difficult to make progress in these other spheres of social life.<sup>101</sup>

It is significant that so many of the Roma camps in the areas where the incidents in Italy took place were *unauthorised* camps. It is therefore important, as an emergency measure, that in all Member States, unauthorised camps are replaced as soon as possible with authorised sites equipped with adequate hygienic facilities providing water, sanitation, electricity and access to public transport. Yet all over the EU there are cases where local authorities fail to assist Roma groups in improving their accommodation. As the Council of Europe Commissioner for Human Rights stated, ‘The non-integration and the hostilities with which the Roma are faced in many European States nowadays

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<sup>100</sup> European Union Agency for Fundamental Rights *Annual Report 2008*.

<sup>101</sup> In its concluding observations for Italy, made during the February – March session in 2008, the UN Committee on the Elimination of Racial Discrimination (CERD) recommended the following: ‘The Committee, recalling its general recommendation 27, recommends that the State party develop and implement policies and projects aimed at avoiding segregation of Roma communities in housing, to involve Roma communities and associations as partners together with other persons in housing project construction, rehabilitation and maintenance. The Committee further recommends that the State party act firmly against local measures denying residence to Roma and the unlawful expulsion of Roma, and to refrain from placing Roma in camps outside populated areas that are isolated and without access to health care and other basic facilities’. See: <http://www2.ohchr.org/english/bodies/cerd/cerds72.htm> (17.07.2008).

originate in action or inaction of regional or local authorities, despite the fact that human rights laws and standards bind them as much as they bind central authorities.<sup>102</sup>

The events in Ponticelli show that protecting fundamental rights in the European Union requires that governments comply with the duty to respect, protect and promote fundamental rights not only by providing the necessary legal safeguards, but also by ensuring that these are applied effectively in practice by public authorities at national, regional and local level.

The Racial Equality Directive 2000/43/EC of 29 June 2000 provides protection against discrimination, but clearly the situation of many Roma and Traveller groups throughout the European Union requires more than that; achieving equal treatment requires strong political commitment and urgent action on the ground in the context of a holistic approach developing long term strategies, policies and measures for all areas of social life.

The FRA recognises that a longer period of information gathering is necessary in order to monitor further developments in this area in Italy and across the European Union. The Agency will continue to collect data and information in relation to the circumstances of Roma, Sinti and Traveller communities across the EU, and will publish them in future reports.

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<sup>102</sup> Available at: <https://wcd.coe.int/ViewDoc.jsp?id=1272387&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679> (16.07.2008).

# European Union Agency for Fundamental Rights

## Incident Report

Violent attacks against Roma in the Ponticelli district of Naples, Italy

FRA 2008

A great deal of information on European Union Agency for Fundamental Rights is available on the Internet. It can be accessed through the FRA website (<http://fra.europa.eu>).

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