



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Italy
Title:	Roma Forced Eviction - ECtHR Order v. Italy
Date:	30 May 2016
Expert:	Chiara Favilli
Issue at stake:	Forced eviction, housing policy of people of Roma origin
Ground of discrimination:	Racial and ethnic Origin
Source:	Interim Measure
Field:	Housing
Applicable law:	Decree 215/2003

Content

Case: The Municipality of Rome had ordered the forced eviction of a woman with disability of Roma origin with her daughter. The two women are living, with 322 other people, in what was a former factory, converted into a reception centre. The Municipality of Rome had notified to several families to leave the centre by 28 March, without providing alternative housing, thereby leaving them homeless, thus contributing to their social exclusion and to the children's drop out of school.

Decision of the Court: The ECtHR sent an interim measure to Italy, according to Art. 39 of the Rules of Court, ordering not to execute the forced eviction of the two women. The interim measure is not a public document but it is likely that the right alleged to be infringed is the right to respect for private and family life (Art. 8 ECHR). Now the proceedings shall continue for the purposes of reviewing the merits.

Key points of analysis: The claim was brought to the ECtHR by two NGOs acting in support of the victims (ERRC and Associazione 21 Luglio) and two lawyers belonging to ASGI. According to the press release they succeeded in showing the lack of effective means of redresses at national level. In fact, this is one of the admissibility criteria of applications according to Art. 35 of the ECHR. This is probably the first time that an interim measure is sent to Italy regarding forced evictions of persons. Since the lack of alternative housing as of 28 March, the Court found that it was necessary to halt the forced evictions, thus avoiding the two women becoming homeless. The right to effective remedies and the right to private and family life are two basic rights, enshrined also within European Union Law (Articles 47 and 7 of the Charter of Fundamental Rights), therefore the case will be relevant also to assess the conformity of national laws and praxis with EU Law.

After the judgment *La Barbuta* of 9 June 2015 (see Flash Report 76-IT), this is a second important step that could shed some lights into a consolidated pattern of segregation in housing towards Roma communities.

Internet link source: <http://www.21luglio.org/la-corte-europea-ferma-litalia>.