



*The Permanent Representative of Italy
to the International Organizations
Geneva*

1151

Dear Ms. Balbin,

Following UN Letter, dated May 27, 2019, I have the honour to submit Italy's reply to Joint Communication by four UN Special Procedures that have requested Italian Authorities to provide them with information about the eviction of a Roma community, from Ponte Riccio (Giugliano, Campania).

Should additional information be made available, allow me to ensure you that we will promptly share it with you.

Please accept, Ms. Balbin, the assurances of my highest consideration.

Sincerely yours,



Ambassador Gian Lorenzo Cornado
Permanent Representative

Geneva, 19 JUN 2019

To the attention of the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the UN Special Rapporteur on minority issues; the UN Special Rapporteur on the human rights to safe drinking water and sanitation.



MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

INTER-MINISTERIAL COMMITTEE FOR HUMAN RIGHTS

**ITALY'S REMARKS,
IN RESPONSE TO THE JOINT COMMUNICATION (AL ITA 5/2019)
FROM FOUR UN SPECIAL PROCEDURES,
DATED MAY 27, 2019**

June 18, 2019

ITALY'S REMARKS

Following letter, dated May 27, 2019 (AL ITA 5/2019), sent by four UN Special Procedures (Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on minority issues; and Special Rapporteur on the human rights to safe drinking water and sanitation), Italian Authorities are in a position to provide, as follows:

Introduction

At the outset, as for the settlement in Ponte Riccio, it is worth mentioning that the Municipality of Giugliano had prepared a "project of social inclusion and housing arrangements", aimed to the construction of an "eco-village", with funds from Campania region and the Ministry of the Interior's. This was followed-up, in April 2017, by a special program agreement by the Municipality and the Region under reference.

Subsequently, the Mayor of Giugliano, by highlighting the insufficiency of the funds available, considered it appropriate to make a review of this initiative, also in order to make it more in line with the principles contained in the National Strategy on Roma, Sinti and Caminanti Inclusion, 2012 - 2020, with the aim of overcoming the "settlement-oriented approach": The latter, by creating a physical condition of isolation, reduces the possibility of social and economic inclusion.

Turning to specific issues

1. Local Authorities seized on the matter have promptly provided specific information.
2. The eviction under reference took place, in accordance with Mayor of Giugliano's order, dated April 5, 2019, due to both "the serious hygienic and health-care situation" and "the danger to which people were exposed given the position of this settlement beneath the highway".
3. On a more specific note, it should be noted that the Mayor of Giugliano in Campania, following the reports, dated April 3, 2019, by the local Health-Care Centre - which highlighted the very poor environmental conditions of the Roma settlement in Ponte Riccio -, issued, on April 5, 2019, an eviction order due to the health-care, hygienic-sanitary and public safety situation affecting this settlement, occupied by 425 people.
4. In particular, the Mayor of Giugliano in Campania reported before the provincial Committee for Public Order and Security that he had prepared some transitional assistance measures for the most fragile subjects (children with mothers), such as the preparation of a center within a sports facility and the alerting of some structures for minors, besides envisaging a one-off contribution for the launch of individualized pathways to accompany people towards more definitive solutions.
5. On the scheduled date of the eviction, all the families concerned left the above settlement without interfering with public order and moved with about 50 caravans, to a privately owned area in Via Carrafiello, an area nearby the original settlement. In this regard, the owner of the area filed a complaint.

6. On the same day, the Mayor of Giugliano published the above-mentioned notice for the provision of a one-off contribution, for the launch of personalized pathways to accompany people towards more definitive housing solutions, in line with Axis 4 of the National Strategy for Roma, Sinti and Caminanti Inclusion, 2012-2020, with the aim of increasing for them access to a wide range of housing solutions, in a participatory perspective to definitively overcome the emergency logics and large mono-ethnic settlements, besides respecting local communities, family unity, and a strategy based on equitable dislocation.

7. The above notice offers the possibility for Roma families to independently access a home through a one-off financial contribution, per family. The overall provision is equal to 100 thousand Euros, a sum which, when necessary, can be further integrated.

8. The disbursement of this contribution is also linked to the signing of a social pact by which the representative of each family undertakes to ensure compliance with the rules for the protection of minors, in particular their schooling and social inclusion.

9. The Municipality also reported that it has activated interventions of first support in favor of the community settled in Carrafiello area, by: positioning chemical toilets on public area; distribution of basic services in agreement with the local Caritas; the establishment of a specific task force for social services, with support from local Police that monitor the situation of families concerned, in particular of children.

10. Meanwhile, an application for an interim measure pursuant to Article 39 of the Rules of Court was filed with the European Court of Human Rights (ECtHR). Specifically, on May 16, 2019, "Mr. H. and others (*Requete* No. 25838/19)" lodged an application with ECtHR that ruled with an interim measure. Following this ruling, urgent and temporary accommodation offers were renewed by the Municipality, for the families concerned, at protected structures in the territory of Giugliano or in other Municipalities of the Campania region, in line with the current legislation in force. Subsequently, on May 22, 2019, a further application was lodged with the Strasbourg Court, by "Mr. H. and others (*Requete* No. 27157/19)".

11. However, it is to be noted that: the interim measure issued with regard to the former application was later revoked by the ECtHR; and that, with regard to the latter, the ECtHR decided not to apply the interim measure either, in light of information provided by Italian Authorities, including the indications that no eviction measure had been adopted nor it would be adopted.

Conclusion

The Italian Authorities take this opportunity to express the hope that the information provided by the present letter respond in the widest possible way to the issues under reference. We also take this opportunity to reserve to provide you with further information once available.