Resolution on the census of the Roma on the basis of ethnicity in Italy

2008/2614(RSP) - 10/07/2008 - Text adopted by Parliament, single reading

Following the debate which took place during the sitting of 7 July 2008, the European Parliament adopted by 336 votes in favour to 220 against with 77 abstentions, a resolution on the census of the Roma on the basis of ethnicity in Italy. The resolution had been tabled for consideration in plenary by the, PES, ALDE, GUE/NGL, and Greens/EFA groups.

Parliament recalls that on 21 May 2008 the Italian Government issued a decree declaring a state of emergency in relation to nomad settlements in the regions of Campania, Lazio and Lombardy, followed by a further decree on 30 May allowing Italian authorities to derogate from a series of laws concerning a wide spectrum of issues affecting constitutional prerogatives. Fingerprinting operations regarding the Roma are already under way in Italy. The Italian Minister of the Interior has repeatedly declared that the purpose of taking fingerprints is to carry out a census of the Roma population in Italy and that he intends to allow the fingerprinting of Roma living in camps, minors included, by way of derogation from ordinary laws.

Parliament urges 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 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. It would also constitute an act of discrimination between EU citizens of Roma origin and other citizens, who are not required to undergo such procedures.

Parliament shares the view of UNHCR that it is inadmissible to violate children’s fundamental rights and to criminalise them. The best way to protect the rights of Roma children is to guarantee them equal access to quality education, housing and health care, within the framework of inclusion and integration policies, and to protect them from exploitation. Policies which increase exclusion will never be effective in combating crime and will not contribute to crime prevention or security. Members reiterate the importance of developing strategies at EU and national level, making full use of the opportunities provided by EU funds, to abolish Roma segregation in education, to ensure equal access to quality education for Roma children.

Parliament condemns utterly and without equivocation all forms of racism and discrimination faced by the Roma and others regarded as 'Gypsies'. It expresses 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. Parliament is also concerned that, owing to the declaration of a state of emergency, extraordinary measures in derogation from laws may be taken by Prefects to whom authority has been delegated to implement all measures, including the collection of fingerprints, based on a law concerning civil protection in the event of 'natural disasters, catastrophes or other events', which is not appropriate or proportionate to this specific case.

Member States are called upon to :

- take firm steps to protect unaccompanied minors subjected to exploitation, irrespective of their ethnic origin and nationality, and, where the identification of such minors would be useful for this purpose, to employ, on a case-by-case basis, ordinary, non-discriminatory identification procedures ensuring full respect for every form of legal guarantee and protection.

- to review and repeal laws and policies that discriminate against the Roma on the basis of race and ethnicity, directly or indirectly ;

- within the framework of an EU Roma Strategy and in the context of the Decade of Roma Inclusion 2005-2015, to enact legislation and policies to support Roma communities while promoting their integration in all fields to launch anti-racism and anti-discrimination programmes in schools, employment and the media and to enhance the exchange of expertise and best practices.

The Council and Commission are asked to :

- to monitor the application by the Member States of the Treaties and of the directives on measures against discrimination and on freedom of movement in order to ensure their consistent and full implementation and to take the necessary measures if that is not the case;

- to evaluate the legislative and executive measures adopted by the Italian Government in order to check their compatibility with the Treaties and with EU law;

- to strengthen EU policies on the Roma by launching an EU Roma Strategy to support and promote actions and projects by Member States and NGOs linked to the integration and inclusion of the Roma, particularly of Roma children;

Lastly, Parliament welcomes the creation by the Commission of an anti-discrimination working group with representatives of all the Member States and calls for the competent Parliamentary committee to be associated with the proceedings of the working group.