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# Submission of evidence to Special Rapporteur Tomoya Obokata in his call for call for input on Homelessness as a cause and a consequence of contemporary forms of slavery

This submission by **Global Forum of Communities Discriminated on Work and Descent (GFoD) in collaboration with the European Roma Grassroots Organisations Network (ERGO Network) focuses on** **Communities Discriminated on Work and Descent, more specifically Roma located in the European Union.**

**1. Who are Communities Discriminated on Work and Descent (CDWD) and why are those groups particularly vulnerability to homelessness as a consequence of forced labour, labour and modern as well as traditional forms of slavery?**

In Asia, the Dalits, the Haratins in the Sahel region of Africa, the Roma/Romani people in Europe and globally, the Burakumin in Japan, and the Quilombolas in Brazil are a small selection of various groups who experience oppression through discrimination on work and descent.

Communities Discriminated on Work and Descent do not share a common history or origin, but a common scarring by a social structure that ascribes a permanent status of devalued personhood and requires of us the performance of stigmatized and exploitative forms of labour.

This mode of oppression diminishes the life chances of 270 individuals, the equivalent of what would be the 5th largest country in the world. Their condition has yet to be fully recognized by the global community including the United Nations and its institutions.

Communities Discriminated on Work and Descent are characterized by the stigma of “impurity, pollution or uncleanliness” by birth often reinforced by physically segregated housing and living spaces and lack of access to water and sanitation. The lack of electricity, water and infrastructure characterizes those settlements.

Dominant groups often require CDWD to labour in conditions of slavery as domestic servants without their own home, expect free manual labour or force CDWD to take up menial manual labour forced labour, often related human and animal death, excrement, recycling and waste or death, cleaning, and other general tasks of servitude all of which characterizes the often-hereditary *work* element the Communities Discriminated on Work and Descent.

As a consequence of the factor mentioned, CDWD are particularly vulnerable to homelessness as a consequence of forced, menial and forms of modern and traditional slavey. The choice between forced (often domestic) labour/slavery, menial jobs or homelessness makes bleak prospects for CDWD.

**2. The situation of Roma relating to homelessness in Europe can be a consequence of escaping conditions of forced and menial labour, exploitation and/or trafficking.**

Despite an outward commitment to human rights manifested in ratified international treaties, conventions, recommendations, obligations and frameworks the member states of the European Union stagnate regarding the implementation of human rights laws within the Roma minority. The 'Copenhagen criteria'[[1]](#footnote-1) joining the European Union (EU) has incorporated the principle of protection of minorities, therefore it serves as an obligation for states to enforce it into their national legislations. However, the reality Roma people face is different.

The Roma minority presents the largest ethnic minority in Europe, with 10-12 million inhabitants, whose rights are not successfully secured on the international, national, regional or local level. Access to affordable housing is one of the human rights of which Romani people are deprived. The primary cause of the housing crisis within the Roma communities was hardened by worsening discrimination on the national level. The European Commission study has shown that 43% of Roma are discriminated against when buying a house or renting accommodation (Feantsa, 2022). In recent years, Roma has been experiencing forced eviction that has caused homelessness in some countries of the EU. While travelling to other member states of the EU, Roma usually find themselves on the street, homeless. The member states have been mandated by the European Commission and Council to take into consideration recommendations and EU Roma strategic frameworks – particularly, the EU Roma strategic framework for equality, inclusion and participation[[2]](#footnote-2) – to submit their national strategies for improving living conditions for Roma people on the regional and local levels. According to FEANTSA, homelessness is not sufficiently addressed in most of the national strategies; in certain situations, homelessness has been caused by the decision taken by certain countries of the EU to demolish Romani housing (Feantsa, 2022).

Roma communities are often in “position of vulnerability[[3]](#footnote-3)” compared to the rest of the population due to their aforementioned perceived “low status” and other discriminatory and stereotypes, summarized as *antigypsyism*.

The vulnerability results in conditions of abuse, trafficking sexual exploitation, domestic servitude and labour exploitation[[4]](#footnote-4).

The housing crisis of Roma citizens in Bulgaria is an abhorrent example of the causes and effects of deeply rooted antigypsyism. Romani people represent more than 10% of the Bulgarian population (700-800,000 inhabitants). Most of them live in segregated areas with poor social services, schools, and low or no access to health care or drinking water and sanitation. Many Roma neighbourhoods lack public transportation, infrastructure and basic services such as electricity. Many of those units face difficulty to obtain building permits which means it is considered to be illegal construction. The Bulgarian law passed in 2014[[5]](#footnote-5) states that illegal buildings cannot be officially connected to electricity and water. Without the status of ownership, or utility bill, it's impossible to obtain registration to a permanent address, which causes the obstacle for citizens to obtain ID documents, upon which access to basic rights and social services depends (Open Society European Policy Institute, 2017 & 2022).

The status of illegal construction is determined by Bulgarian law. The possibility of legalising illegal buildings can be applied only to those built before 2001, however under certain conditions. There should not be any violation of the construction requirements. If there happened to be some no matter how minor, the sanction is demolition. Any illegal construction built after 2001[[6]](#footnote-6) is directly subjected to demolition. In February 2016, 6080 demolition orders had been issued, of which 4530 had been executed. Out of which 514 demolition orders were stated against residential buildings, where Roma buildings constituted 97% (500) of the constructions. Vulnerable families including children have not been provided with alternative accommodation which has resulted in being left homeless. Information received from Bulgarian regional mayors showed that demolition orders have been executed as a response to individual complaints. Such a practice has revealed that official state institutions rely on individual opinions rather than a rational, human approach that undeniably demonstrates the misuse of power against Roma (Open Society European Policy Institute, 2017).

The Bulgarian government, between 2017 and 2020 issued 2,857 demolition orders, out of which the majority belonged to Roma residences. The demolitions continue to target primarily Roma people and decisions are undertaken based on Roma ethnic origin. Families across the country have been left homeless without any alternative accommodation. Many of them lack personal identity documentation (ID cards) that has been depriving them of access to basic human rights and services (Open Society European Policy Institute, 2022) .

The research done by FEANTSA (2020) has shown that Romani people found themselves homeless while moving to another EU country to find a job. Homeless Roma in Brussels testified to the tough conditions they found themselves in either at home or abroad. The testimonies delivered by them revealed that they were forced to move to another country for job possible opportunities because they are rejected to be hired at home based on their origin. Unfortunately, they were not many times successful concerning job opportunities abroad as well. The lady that has been interviewed explains the situation they are facing at home and abroad by stating:

“We beg, to tell you the truth. I ask people for spare change, but I don’t insist and I don’t like to make people feel obliged, they should give only if they want to….But we still need to come here, because in Romania there is nothing for us. You know, we are Roma, and there aren’t many opportunities for us there to get a job. It’s difficult for men back home as well, but for Roma women, it is even harder... It’s hard to get an education and then sometimes we are being told that we are ‘g\*psies’... When it’s possible we work daily jobs for the other people in the community, but it’s not enough to earn money to support our families. And I have two children at home, the little one needs his bottle of milk every day. I need to send money to them. This is why we came here” (Felicia - pseudonym, Feantsa, 2020).

Amnesty International published a report in 2018 on the treatment of vulnerable EU citizens with no residence or access to basic human rights such as housing, sanitation, and clean water in Sweden. The report consisted mainly of interviews of people with Romanian nationality, out of which most of them identified themselves as Roma. The outcome of the report stated that the Swedish state stagnates to recognize and take responsibility to secure the rights of EU migrants. Many of them lack a secure and safe place to sleep which cultivates excessive stress and anxiety (Amnesty International, 2018).

The anti-Roma sentiment is quite noticeable in the whole of Europe and France is not the exception at all. Roma has been experiencing for many years repeated evictions from their informal settlements, which is considered to be an expression of racism towards them. There have been 1,079 evictions monitored from informal settlements in metropolitan France, most of them happened to be in towns Grande-Synthe and Calais. However, 122 evictions out of 1,079 were executed outside of Grande-Synthe and Calais towns, out of which 57 have targeted accommodations occupied by Roma. More than half of them were not offered any solution nor provided with alternative accommodation, which resulted in being left homeless. (Feantsa, 2020).

The cases mentioned above are just a few examples of the complex problems Roma have to deal with in Europe. The primary barrier to accessing suitable, affordable housing is based on a specific form of discrimination – antigypsyism, which is notably present within our societies. The security factor concerning minority rights that should be assured by the state is profoundly missing concerning the situations, which Roma people have to face daily. Many Roma live in houses without municipal authorisation, contract or informal settlements. In recent years forced evictions have been a common practice in many member states of the European Union. The evictions that have happened were without any prior notice or providence with any alternative accommodation.

Most importantly, the European policy instruments on housing and homelessness are existing in various legal documents, but do not sufficiently cover today's situation of forced evictions. A new EU Strategic Framework for Roma, Equality, Inclusion and Participation acknowledges the despicable housing situation that Roma people face but unfortunately does not cover housing segregation or forced eviction. The Principle 19 of the European Pillar of Social Rights[[7]](#footnote-7) regarding housing and assistance for the homeless, function as one of the main legal tools however is not efficient enough. Housing is also the key pillar of Sustainable Development Goals[[8]](#footnote-8) (SDG 11) that is specifically stating - “make cities and human settlements inclusive, safe, resilient and sustainable.” Article 13 of the European Social Charter and Articles 30 and 31 of the revised Social Charter[[9]](#footnote-9) state that national governments are obliged to adhere to human rights such as access to a variety of services that includes housing and prevention of homelessness. Despite all the legal documents, recommendations and calls from the European Commission to address the issue and create a national strategy, there is a need for a legal framework that would be protecting citizens against unlawful mass eviction and homelessness (Feantsa, n.d.).

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2. https://ec.europa.eu/commission/presscorner/detail/en/ip\_20\_1813 [↑](#footnote-ref-2)
3. https://www.myria.be/files/External\_contribution\_-\_Breaking\_the\_silence\_-\_Trafficking\_in\_Romani\_communities.pdf [↑](#footnote-ref-3)
4. https://www.myria.be/files/External\_contribution\_-\_Breaking\_the\_silence\_-\_Trafficking\_in\_Romani\_communities.pdf [↑](#footnote-ref-4)
5. https://www.dker.bg/uploads/documents/normativi/zakoni/energy\_act.pdf [↑](#footnote-ref-5)
6. Article 225, para 2 of the TOA (Territorial Organisation Act; Analysis of Legal Framework Report §4.4) - the Bulgarian legislation that requires demolition of all illegal construction (no matter if it is residential or non-residential construction) [↑](#footnote-ref-6)
7. https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles\_en [↑](#footnote-ref-7)
8. Sustainable Development Goals (SDG 11). https://sustainabledevelopment.un.org/# [↑](#footnote-ref-8)
9. https://rm.coe.int/168007cf93 [↑](#footnote-ref-9)