



Jacques Barrot  
Commissioner for Justice, Freedom and Security

Vladimir Spidla  
Commissioner for Employment, Social Affairs and  
Equal Opportunities

Brussels, 15 May 2009  
B868

Dear Mr. Barrot and Mr. Spidla,

### **Legislation affecting the Roma community in Italy**

The so called "security package" draft law (ddl 2180/09) was voted this week in the Italian Chamber of Deputies. Although it would still require approval by the Italian Senate, Amnesty International is concerned about the compatibility of certain provisions of this draft national legislation with international human rights standards and European law, including the Race Directive 2000/43/EC. This draft law would heavily affect the rights of migrants and asylum seekers and would introduce provisions which appear to be discriminatory, affecting disproportionately the Roma and Sinti communities.

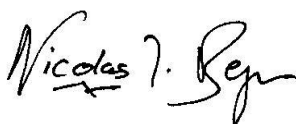
One provision of concern relates to the registration at the Ministry of Interior of those persons deemed to be without fixed abode. These persons will include all those who do not live in a house, i.e. homeless people as well as those who live in mobile homes such as many Roma people. These criteria might extend to Roma communities living in "authorized camps" as well as to those living in houses which have incomplete or no certifications on compliance with building and safety regulations. The latter include many migrants and asylum seekers who are often compelled to rent run down and unsafe homes.

All people living in those dwellings risk being removed from the registries of the town or village where they reside and will be added to a special register held by the Ministry of Interior. As residency in the territory of a municipality is the precondition to obtain access to health, social assistance, education and electoral registration, the new provision might lead to the denial of the right to access social and health assistance, access to public housing and the right to vote in national, local and European elections. It might also affect their right to apply for identity and travel documents and driving licenses in the town or village where they reside. In addition, this can create further discrimination when people want to change residence.

This registration provision affects disproportionately the Roma community, and therefore, it can constitute direct or indirect discrimination on the grounds of racial or ethnic origin in violation of Italian and EU law.

Amnesty International calls on the European Commission to condemn this new provision as potentially discriminatory, closely monitor the legislation process and take necessary steps to ensure that the principle of non-discrimination is respected as enshrined in international and European law.

Yours sincerely,



Nicolas Beger  
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*Amnesty International EU Office*