



NEWS REPORT

Date: 31 October 2010
Expert: Athanasios Theodoridis
Title: Forced illegal eviction and demolition of housing of a Roma family
Country: Greece
Context
Issue at stake: Cruel, inhuman and degrading treatment ; right to equality before the law ; protection of minorities ; protection of housing and family ; interdiction of discrimination
Ground of discrimination: Race , ethnicity
Source: View of the Human Rights Committee under Article 5, paragraph 4, of the Optional Protocol to the International Covenant on Civil and Political Rights (ninety-ninth session)
Field: Housing
Legislative provisions: International Covenant on Civil and Political Rights - I.C.C.P.R. (Articles : 7 alone on interdiction of inhuman treatment and in conjunction with 2 on effective access to judicial means without discrimination, paragraphs 1 and 3 ; 17 on protection of housing, paragraphs 1 and 2 ; 23 on protection of family, paragraph 1 ; 26 on interdiction of discrimination ; 27 alone on protection of minorities and in conjunction with 2, paragraphs 1-3)

Content

Case development: During July and August 2006, Antonios Georgopoulos ,Chrysafo Georgopoulou and their seven children, born and raised in the Roma settlement of Riganokampos in the city of Patras, left Patras for the city of Agrinio to perform seasonal employment and to visit relatives. On 25 August 2006, a crew of the Municipality of Patras visited the Roma settlement of Riganokampos and demolished all the sheds of the inhabitants who were not present at that time. Upon return, the Roma family complained to the Welfare Department of the municipality of Patras. There, they were told that they should start looking for an apartment to

rent and that the Municipality would award rental subsidies. They were then given a sum of approximately 200 euros for the destruction of their home and some of their belongings. The Georgopoulos family claim that their forced relocation and demolition of their shed were acts which had not been authorised by any judicial or other decision and therefore could not be subject to judicial review. Their forced relocation and demolition of their shed were termed as “cleaning operations”. While looking for an apartment, they lived in the shed of a relative in Riganokampos, one of the three that had not been demolished. Due to overcrowding, the family decided to build a new shed in the settlement.

On 26 September 2006, a police patrol car and a bulldozer were dispatched, and they were told to stop erecting their shed otherwise they would be arrested. Faced with the threat of arrest, they decided not to oppose the demolition of their shed. On 22 June 2007 the Roma family brought the case in front of the U.N. Human Rights Committee which is competent for the enforcement of the I.C.C.P.R. According to the Roma family, the authorities are not willing to let them, and other Roma residents of the Riganokampos settlement, implement improvement measures at their own initiative. They also claimed that numerous prosecutors had not only failed to launch criminal investigations in relation to the failure of local authorities to deal with Roma’s housing problem for the last 10 years, but they also employed blatantly racist arguments in reaching their decisions, which remained unauthorised. Finally, among others, they argued that the destruction of their houses twice and their unfulfilled expectation with regard to their non-eviction pending relocation, amounts to cruel, inhuman and degrading treatment in violation of article 7 of the I.C.C.P.R.

View of the Committee: In a View publicized on 16 October 2010 (and issued on 14 September 2010), the U.N. Human Rights Committee considered the Roma family’s allegations, also corroborated by photographic evidence, claiming arbitrary and unlawful eviction and demolition of their home with significant impact on the authors’ family life and infringement on their rights to enjoy their way of life as a minority, have been sufficiently established. For these reasons, the Committee concluded that the demolition of the Roma family’s shed and the prevention of construction of a new home in the Roma Riganokampos settlement amount to a violation of articles 17, 23 and 27 read alone and in conjunction with article 2, paragraph 3, of the Covenant. However, in the light of the Committee’s findings, it does not deem it necessary to examine the Roma family’s allegation of a violation under articles 7 and 26 alone and read in

conjunction with Article 2, paragraphs 1, 2 and 3 of the Covenant. However, there is no further relevant process at national level concerning sanctions of compensation.

Internet link source and additional information :

<http://cm.greekhelsinki.gr/index.php?sec=192&cid=3709>

http://cm.greekhelsinki.gr/uploads/2010_files/georgopoulos_v_greece_views_2010.pdf

http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC49Merits_en.pdf