

Ref. CommDH 016(2012)

The United Kingdom should ensure adequate housing for Gypsies and Travellers*

Strasbourg, 1/3/2012 – “The rights of Gypsies and Travellers to adequate housing are undermined throughout the United Kingdom. The authorities must uphold this right, which is a pre-condition for the enjoyment of other human rights, including the rights to education and health” stated Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, while releasing a [letter](#) addressed to the Secretary of State for Communities and Local Government in the United Kingdom, the Rt Hon Eric Pickles.

The European Court of Human Rights and the European Committee of Social Rights have highlighted shortcomings related to the right to housing of Gypsies and Travellers in the UK. “The continuing shortage of adequate permanent and transit sites for Gypsies and Travellers living in caravans is a priority area to address. By and large, local authorities have failed to provide new sites or refurbish existing sites in accordance with identified needs”, wrote the Commissioner.

The Commissioner regrets the dismantling of the system whereby local authorities were required to carry out assessments concerning the accommodation needs of Gypsies and Travellers and to present a strategy to meet those needs. “Without such a system, there is a real risk of a further decrease in the number of publicly-run sites, which is already insufficient.” In addition, Gypsies and Travellers face difficulties in obtaining planning permission, which effectively relegates them to unauthorised encampment. This is the case for approximately one quarter of the 60-70,000 Gypsies and Travellers living in caravans in the United Kingdom. “This situation exposes the persons concerned to a permanent risk of eviction and human rights violations”.

The events of October 2011 at Dale Farm in Basildon, Essex, where over eighty Traveller families, including children, elderly people and persons with health problems, were evicted from the site where they had lived for many years, illustrate the Commissioner’s concerns. “It is highly regrettable that it was not possible for the relevant local authority to find an acceptable solution, respectful of the rights of all parties involved.” In particular, the Commissioner recalls that over 100 children were evicted, and that the authorities are under an obligation to treat the best interest of the child as a primary consideration in all administrative and judicial acts, in accordance with the United Nations Convention on the Rights of the Child.

Many of the approximately 400 Travellers who were evicted, or who left shortly before the eviction took place, have returned to the area. They have either moved to the authorised part of the site or parked their trailers and caravans along the roads leading up to Dale Farm. As a result, they are currently exposed to health and safety hazards. Basildon Council has indicated that there is a possibility of further action to remove these persons from the area, without offering culturally acceptable housing alternatives. “The rights to adequate housing of Travellers in Basildon have already been violated once. The authorities should ensure that no further violations take place, and should work responsibly towards a solution that is acceptable for all”.

Finally, the Commissioner calls on the Secretary of State to ensure that local authorities are made aware of the United Kingdom's obligation to respect the right to adequate housing for all, including Gypsies and Travellers, and to deploy all efforts to identify sustainable solutions, respectful of cultural diversity.

Read the [reply](#) by the authorities of the United Kingdom.

*This terminology refers to a heterogeneous group of persons in the United Kingdom who associate themselves with a Gypsy and/or Traveller identity, including Romany Gypsies and Irish Travellers.

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The Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe, mandated to promote awareness of, and respect for, human rights in the 47 member states of the Organisation. Elected by the Parliamentary Assembly of the Council of Europe, the present Commissioner, Mr Thomas Hammarberg, took up his function on 1 April 2006