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**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**

12 May 2021

Case Document No. 4

European Roma Rights Centre (ERRC) v. Belgium
Complaint No. 195/2020

**RESPONSE FROM ERRC
TO THE COMMITTEE'S QUESTIONS**

Registered at the Secretariat on 23 April 2021

European Committee of Social Rights

Council of Europe

By email only: social.charter@coe.int

23 April 2021

EUROPEAN COMMITTEE OF SOCIAL RIGHTS

COLLECTIVE COMPLAINT NUMBER 195/2020

EUROPEAN ROMA RIGHTS CENTRE (ERRC)

V

BELGIUM

Answers to the Committee's questions to the parties

Number of pages: 4

I. Preliminary Remarks

1. The European Roma Rights Centre ('the ERRC') submits these answers in response to the Committee's questions to the parties dated 1 April and 7 April 2021 respectively.

II. Answers to the Committee's questions to the parties

2. As to the **Committee's first request** to indicate the total number of persons who were affected by the loss of their homes/caravans as a result of the police operations conducted on 4 and 5 April in Jumet and Couillet and which are the object of the collective complaint, the ERRC submits that, as previously

described in the Collective Complaint 195/2020 from 27 April 2020, our Brussels-based team received numerous reports and gathered testimony on this last incident from witnesses, a local Roma activist from Brussels, the Belgian Statutory Equality Body (UNIA), and through direct contact with the affected families. From these sources we learned that on the 4 and 5 April 2020 police operations took place concerning two unofficial Traveller sites located in the Couillet and Jumet areas, in Charleroi municipality. The police exclusively targeted members of the Traveller community with the aim of seizing their caravans. In the course of these operations, they arrested people and seized their property. Notably, **four caravans, two in each area, which were their owners' only homes were seized on the suspicion that they were stolen property.** Adult Travellers were arrested and taken for interrogation at the Charleroi police station. They were made to sign documents and declarations which they did not fully understand and were released without any charges being brought against them. The affected Traveller families were made homeless, without being offered any alternative housing solution, social aid, or COVID-19 emergency support. The families heard the officers say about one of the caravans: *"this is one we missed last year"*, indicating that the police operation is connected to the May 2019 raids described in our previous complaint to the Committee. **Those affected by the police operation and caravan seizure in Couillet include seven family members: four adults (among them was a pregnant woman) and three children. Those affected by the police operation and caravan seizure in Jumet include five family members: four adults and a child.**

3. As to the **Committee's second request** to provide information on the general practice and protocol followed as regards Travellers who have lost their homes, particularly under the conditions of the COVID-19 pandemic, the ERRC submits that it believes that the Belgian Government is best placed to answer this question as it relates to their own state practices and protocols. From the information we gathered from our partners, we already made the Committee aware that concerning official responses to the COVID-19 world pandemic and its disproportionate negative impact on marginalised communities such as Travellers in Belgium, the Centre of Mediation for

Travellers and Roma in Wallonia (Centre de Médiation des Gens du Voyage et des Roms en Wallonie) and the Belgian Equality Body (UNIA) already addressed in written form all of the Mayors of Municipalities in Wallonia, recommending that municipalities: (1) allow Travellers (whatever their nationality) who currently occupy a reception area [an official Traveller site] to continue to occupy this area for as long as they wish, until travel bans are lifted; (2) make the necessary arrangements to allow prolonged occupation, and in particular to invite family members currently present elsewhere who would like to join their families in Wallonia to be able to occupy the same reception area, and to stay there until the Coronavirus situation improves; (3) **allow families currently settled on unofficial sites to be authorised to remain there without being disturbed until the end of the containment measures period, during which all eviction measures should be suspended;** (4) **ensure that access to water and electricity is guaranteed** (See Annex 6 to collective compliant 195/2020).

4. Additionally, we also made the Committee aware of an official communication from 23 March 2020 where the Walloon Minister of Housing, Local Authorities, and the City, Mr. Pierre Yves- DERMAGNE, invited all municipal authorities in the country to conform to the following recommendations: (1) Travellers who are currently living on official or unofficial sites must be able to remain there without hindrance to the exercising of their rights, nor fulfilment of their obligations; (2) Travellers should not move, either within Wallonia or from outside. In addition, the controls on the Belgian border are strict and foreign travel is strictly regulated; (3) **municipal authorities are requested to suspend the execution of eviction procedures which are in progress or are to come;** (4) **municipal authorities should be asked to organise access to water and electricity. This should last for the entire duration of the containment period.**¹

5. **The Committee will have no difficulty in concluding that the recommendations of the Belgian Minister of Housing, Local Authorities,**

¹ An official sample of the written response is available at: <https://cmgv.be/habitat-mobile/gerer-le-sejour-temporaire-des-gens-du-voyage/546-sejour-temporaire-et-communes>.

and the City were not respected by the Charleroi municipal authorities and police in this instance.

6. As to the **Committee's third request** to indicate the current housing situation for the persons who were affected by the loss of their homes/caravans as a result of the police operations conducted on 4 and 5 April 2020 in Jumet and Couillet, the ERRC submits that the ERRC is only able to present information regarding the people affected by the police operation in Couillet. One of the families from Couillet has since separated; the father currently lives in Brussels, the mother lives in a borrowed caravan with their two children in Couillet. The second family also lives in Couillet in a caravan that was arranged with the help of their family. Their current living conditions are still dire, and the affected people are completely dependent on the help of those in their immediate vicinity i.e., other Travellers, friends, and/or relatives. They are still living in inadequate conditions and the children are not able to follow online education. For the moment, the two families from Couillet are staying in borrowed caravans that they have secured with the help of their family and Traveller friends. They were not offered any alternative accommodation or assistance at any point.

Yours faithfully,

Dorđe Jovanović

President

European Roma Rights Centre