



Ref: CommHR/LS/sf 009-2016

Ms Alice BAH KUHNKE
Minister for Culture and Democracy
Sweden

Strasbourg, 26 January 2016

Dear Minister,

Recently, I have received several reports of evictions of Roma immigrants in Sweden. I am particularly concerned about the reported eviction of about 200 people – mostly Roma from Romania and Bulgaria – which took place in the Sorgenfri district of Malmö on 3 November 2015. I have been informed that many Roma were left homeless as a result of the eviction as the Malmö city authorities initially offered emergency accommodation for five days to only around 50 people affected.

I would like to recall that rendering people homeless as a result of evictions is in contradiction with Sweden's human rights obligations under the revised European Social Charter with particular reference to its articles 16, 30 and 31. The European Committee of Social Rights has stressed that when alternative solutions to evictions cannot be found, evictions must be carried out under conditions which respect the dignity of the persons concerned; be governed by rules of procedure sufficiently protective of the rights of the persons; and be accompanied by proposals for alternative accommodation. The Committee has specifically pointed out that these conditions also apply to all migrants, irrespective of their legal situation (see the Decision on the Merits of 11 September 2012 regarding complaint no. 67/2011).

The European Committee of Social Rights has emphasised that short-term immigrants, including irregular migrants, are protected by the Charter's minimum guarantees for the right to housing and emergency shelter. Shelter must be provided even when immigrants have been requested to leave the country and even though they may not require long-term accommodation (see the Decision on the Merits of 1 July 2014 regarding complaint no. 90/2013).

I would like to ask you to provide me with information on measures the Swedish authorities intend to take to prevent homelessness among Roma immigrants and to ensure that evictions which cannot be avoided take place under conditions that fully respect human rights.

Looking forward to continuing a constructive dialogue with you and your government, I remain

Yours sincerely

Nils Muižnieks