

A social catastrophe : the destructive effects of contemporary politics on Roma housing in Russia

The undemocratic political developments in modern Russia made political speculation on racial hatred very popular to gain votes in elections. In some parts of Northwest Russia local politicians decided to use anti-Roma sentiments as a catalyst in their election campaign. They presented their plan for "cleaning" their city from "gypsies" as the biggest promise to be fulfilled after winning the elections. In their propaganda, presented by the mass media, these politicians openly accuse the entire local Roma population of earning a living on drug trade. The problem of growing drug addiction among young Russians is constantly used as a reason to scapegoat Roma as the greatest problem about. However in order to evict Roma officially, some other arguments were presented in the courts. The reactions in the mass media, most notably on internet forums show the extreme hatred and racism among the population and their support for the politicians in question.

In both cases that we are describing below, namely in the Northern city of Archangel'sk and the most Western part of Russia - Kaliningrad, Roma were officially accused of building illegal dwellings. Quick legal decisions were made to declare Roma housing illegal and to force Roma to leave their homes. However, as analysis clearly shows : the claim of criminality had a deciding impact on the public opinion and not the courts' decisions on illegal construction. The question of the illegality of the constructions is also very doubtful and difficult for the administration to prove but still they insisted on it, also because the land that Roma houses were located on , situated on the edges of big cities became very expensive and interesting for local businessmen, especially since the new legislation for buying and selling land came into effect.

Following the description of the cases, we will provide a more general picture of the situation that compact Kelderary Roma settlements in Russia are in at this moment. For us it is clear, that the fundamental problems between the compact settlements of Roma and the local authorities, that take an incomprehensive position towards them, are interwoven and based upon a lack of understanding on a policy maker level. A national action plan for compact Roma settlements could normalize the life in the compact settlements and prevent local politicians to actively scapegoat and persecute the Roma for their own benefit.

Kaliningrad

The most cruel and swift action was taken recently by the authorities of the Kaliningrad province, where in the village Dorozhny lived a few hundred Roma. The eldest of these people were forced to settle in this village in accordance with the decree of 1956 " On involving vagrant Roma in labour activities". It was the first place for many of them to get official homes and registration. The Kaliningrad administration created the Dorozhny village especially for Roma and since 1956 only Roma have lived there, some already for three generations. The social-economic structure of this village has been the worst in the region ever since - there has never been a good road, waste disposal has always been absent, the nearest school has always been situated 5 kilometres away, there has never been public transport and for the last seven years the electricity in the whole village was shut off because of bad technical conditions. Since state owned houses could be privatized, according to the new Russian economic system, the Roma tried to privatize their homes. During the years 2000 and 2001 most of them applied to the court to get their houses recognized as private property and they received positive answers from the court. The administration of the Guryevsky district of the Kaliningrad province offered the Roma community of Dorozhny to develop a general (re)construction plan for their village, which would include social facilities such as a waste disposal, electricity supply etc. In March 2001 Roma presented this plan, that had cost them a substantial sum of money, to the administration. It was discussed on a special meeting and received general approval. It was decided to continue developing the plan.

Soon, however, followed the demand of the general prosecutor of the Kaliningrad province to stop the registration of Roma houses in Dorozhny motivated by what he called the "criminogen" situation over there. As a result, all social development stopped and the majority of Roma did not receive a property certificate for the privately owned houses, though most of them have the decision of the court of 2001 and official technical certificates of their houses. In their passports Roma also have stamps proving the registration in their village. Nevertheless at the end of 2005 the governor of Kaliningrad province Georgi Boos and the local state drug enforcement agency (Gosnarkokontrol) declared a state of war with the village Dorozhny. Dozens of publications in the media appeared describing Dorozhny as a notorious place for drug dealing and it was proposed to destroy a number of houses in the village.

The local authorities made a series of quick court cases proving the illegality of more and more houses in Dorozhny, thus gaining permission to demolish them. Most of the decisions were made in the absence of the defendants and no one of the court cases was postponed though some of the people charged had not received any summons and some of the people got informed about the demolition plans for their houses when the bulldozers had already arrived at the village.

An example : mr. Arlauskas was not in the village when his bother called him on the 21st of February in 2006 and told him that his house was being demolished. When mr. Arlauskas arrived, he only found a ruin on the place where once had been his home. Mr Arlauskas was the owner of this house and was officially registered in this house. It had been the second attempt to destroy his house. At a previous attempt in December 2005, mr. Arlauskas had been at home and could prove his ownership rights with official papers. Still it didn't prevent the second attempt which ended so badly. Mr. Arlauskas commented : "There is only a well left on the place of my home. Am I registered in a well now ? " Mr Arlauskas as well as other Roma insist on their innocence and say they have nothing to do with any drug trade and therefore no prosecutor can make a criminal case against them. There are more houses that are to be demolished soon.

Another example : ms. Arlauskenia, who is bringing up 7 grandchildren, some of them orphans, was in hospital on the 15th of January when she got the news that her house had been destroyed. Her neighbour Sophia Arlauskenia went to court to ask to postpone the destruction of her house until June 2006 so that she could survive the winter. She was refused.

Roma in Dorozhny are also losing their registration. Children are not getting registered together with their parents and people who exchange passports on new ones get no more stamps proving their registration. That means that hundreds of people suddenly became officially homeless. The decision on their registration was made without any legal reason or court case except of the quite unproveable "Criminogen" accusation behind it.

The whole campaign against Dorozhny was happening in the same time as the pre-electional campaign in the Kaliningrad province and there are reasons to believe that in this quite popular among Russians action the government was gaining votes. Roma from Dorozhny are also sure that the land of their village is interesting for investors as the Kaliningrad is growing and Dorozhny could become an elite suburb.

Experts of the Northwest center of legal and social protection for Roma and Memorial of St. Petersburg visited the Dorozhny village and Kaliningrad city 26th-28th of February, met Roma and received a lot of information and juridical proof from them. They also tried to meet all officials involved, including Georgi Boos and the provincial administration, the head of Guryevski district, Mr. Karabakin, the local ombudsman Ms. Vershinina and the officers of the state drug enforcement agency, but none of them agreed to meet the human rights' experts. All of them deny the problem in Dorozhny and repeated that no inhabited houses were destroyed yet, which is in contradiction with the obvious facts.

In its turn the Northwest center of legal and social protection for Roma involved the human rights organization "Justice initiative", which actively started to aid the Roma community with juridical help. An application to the European court of Human Rights is almost ready. This application concerns the right to non-discrimination, the peaceful enjoyment of private possessions, the right to respect for family life, and freedom from inhuman and degrading

treatment, and the right to life of the 35 Romani people, citizens of the Russian Federation and Lithuania and residents of the Dorozhnoe village of the Gur'evskij District of the Kaliningradskij region of the Russian Federation

As Vladimir Luzin, lawyer of the "Justice initiative" commented : "The residents of the demolished houses are camped out in the backyard in unsanitary conditions without having necessary medical and other social aid. The number of homeless people is increasing with every passing day. I've just got the urgent call from Victor Bogdanavichus, the local Romani activist and one of my clients, that the local authorities would be going to demolish the next 29 Romani houses on Friday, May 19 in the morning. Such a dangerous situation in particular puts the children who may lose their shelter in greater jeopardy."

On the 7th of June, the local authorities proudly presented the end of what they called the first round in the fight against drug dealing in Dorozhnoe. Both governor Georgi Boos and the chief executive for the operation Mikhail Karabakin argued that the demolition of houses would put an end to drug dealing effectively. All houses except one or two (that belonged to a Russian family) had been demolished by then. Most Roma continued to live among the ruins in tents and primitive shelters. In August 2006 they were forced to leave the place and got dispersed to various spots around. Furthermore, the Roma, that do not have valid resident papers, but possess Lithuanian citizenship face deportation.

The authorities have given the Roma an ultimatum to leave until the end of June. They have deliberately blocked the legal purchase of houses by Roma and warned them that the Dorozhnoe area will be evicted and turned into an empty field surrounded by barbed wire. They have promised to provide housing to some of the evicted, but did not make concrete offers. We are very worried, that the tragic fate of Dorozhnoe will become a precedent as an example of how to perform unlawful acts based upon racial prejudice, political manipulation and land speculation against Roma communities under the pretext of fighting drug dealing and drug abuse.

Though the destruction of a whole village by the Kaliningrad administration is certainly one of the worst examples of persecution of a whole Roma community, other Roma communities in Roma face similar problems. Another Roma community in Archangel'sk, are being forced to leave that city now, after becoming a target in a local political game, mixed with economic interests.

Archangel'sk

The group of Kelderary Romani families involved in the dispute arrived from Volgograd in 2004, following their leader, Khulupij Bakalaevich Gomon. It is tradition for Kelderary Roma to change location over long periods of time. Having lived in Arkhangelsk several decades before, the community decided to return there once more after selling their homes and possessions in Volgograd. Before all the families made the move, however, Mr. Gomon began arranging the necessary permits and arrangements for them to do so, and by September of that same year the families obtained legal permission to rent their current parcels of land, which are located in the Noviposyolok region. The permit was signed by Arkhangelsk's mayor at the time, Nilov, and other local authorities.

The dispute over "allowing" the Roma to remain in Arkhangelsk began when mayor Nilov's political opponent, Danskoy, accused the former with charges of corruption for permitting the Roma to settle there, and accused the Roma themselves of illegally building homes on their land parcels. The permit given to the families allowed for them to occupy the land, but did not yet grant them permission to build houses, although the necessary legal provisions for them to do so were already in discussion at the time. Regardless of the contract, it was in any case indispensable for the Roma to begin construction on proper homesteads in order to provide shelter for their large families during the coming winter months (within their time in Arkhangelsk alone a total of 9 children were born, adding to this necessity). In November 2004,

however, former mayor Nilov, began the legal dispute over the Roma's right to live at all on the lands which he granted them himself, due to the accusations of corruption he was charged with by the far-rightist Danskoy.

In his campaign speeches Danskoy charged that the only possible way the Gypsies could have been permitted to settle in Arkhangelsk was through corruption in Nilov's administration. At the same time he explicitly promised that he would do all that was necessary in order to rid Arkhangelsk of its Romani community—not because of the legality of their homes, but because according to him, all Gypsies are “beggars, swindlers, and thieves [and] are incapable of doing anything else.” When Danskoy won the election for mayor later that year, he kept true to his promises and began demanding that the courts not only demolish the Roma's homes, but expel them from their lands completely. Had the mayor's discriminatory stance towards the Roma been unclear before, he further upheld it during a round-table meeting on the subject, in which he openly stated in front of journalists that his “position has not changed,” and that such criminals cannot be allowed to remain in Arkhangelsk because no citizen “would want Roma for neighbors.” Thus, the suits being brought against the Roma are clearly not matters of legality, but of straightforward and simple discriminatory politics.

Regardless of the temporary nature of these houses, it is not disputed that they were illegally constructed. Nonetheless, the Russian legal system clearly stipulates that it is possible to legalize homes with such a status in order to protect their residents. The North-West Center of Social and Legal Protection of Roma, itself, has provided legal assistance to Romani families in the Novgorodskaya Oblast and Leningradskaya Oblast regions, whose homes were in similar legal binds. Thus it is clear that there is a precedent for legalizing the status of such homes.

In November 2004 the Roma's attorneys, Marina Nosova and local Margarita Golenisheva, won the court case by alleging that the construction of illegal houses is not reason enough to evict the Romani families since they were legally granted to the right to inhabit their properties. The mayor's legal team then changed its strategy upon realizing that it could not win the case on the grounds of illegal construction of homes alone. The mayor's team proceeded to declare that the contract which granted lands to the Roma in the first place was not valid because it did not properly adhere to the legal procedures necessary in such an action. Furthermore, they claimed that although the administration itself was to blame for this mistake, it was still necessary for the Roma to abandon their land, since it was not obtained by means of a proper contract.

So far, the attempts to evict the Kelderary Roma community have failed. The Roma have principally agreed, that they would leave, if they had a place to go to and if they would receive financial compensation, for their work carried out to make the marshy parcels of land, that they had received fit for the construction of homesteads as well as reimbursement of their travel expenses. Mayor Danskoy reacted by creating a special fund and campaigned to fundraise the required sum of money, but only raised enough money for train tickets. All in all, it has become another example of a failing government policy.

Finally, on the 20th of July 2006, the Kelderary Roma community were evicted, rounded up and brought to the Arkhangelsk train station. There they were put on the train to Moscow in two wagons, that had been especially reserved for them and were guarded throughout the journey. Once arrived in Moscow, they were left to themselves. The ombudsman of Arkhangelsk ms. Okhromenko labelled this event “a deportation” in her letter of protest to mayor Danskoy.

It's obvious that a change in approach towards compact Roma settlements is needed. In Russia political instruction tends to overrule jurisprudence and therefore it's not only important to fight for justice in the courts, but also to confront the policy makers with a true analysis of the actual problems and possible solutions.

Recent researches on Russian Roma¹ have been approaching Roma as a homogeneous group without paying attention to particular groups among the Roma, such as the Kelderary. Roma-Kelderary communities usually consist of several hundreds or even thousands of people living all together in (self-built) houses in compact settlements. Kelderary are the most noticeable of Russian Roma, with their traditional way of living in large communities, their traditional professions based upon the principle of craftsmanship and their rich and colorful cultural life. Unfortunately, Kelderary are also the most hated and segregated, sometimes even discriminated by other (more integrated) "Russian Roma". While "Russian Roma" most often face discrimination inside the justice system and in the economy, Kelderary always face discrimination on a social level : they are frequently refused housing, education, health care and even access to public baths.

Discrimination, segregation and poverty have pushed Kelderary into a position of marginals and outsiders. The compact settlements in which they live are usually situated at the outskirts of big cities and towns. From the moment, that they have been forced to settle in 1956, the Kelderary have developed their own style of creating settlements, renting useless marshy lands, making those fit for the construction of houses, building first temporary houses, then permanent houses and finally constructing public works (e.g. water, gas, electricity, school etc). As the population of Kelderary settlements is usually rapidly growing, construction works are carried out permanently. In most of the cases, Kelderary settlements have been constructed without prior consultation with or permission of the local authorities and therefore none of them has all its houses registered.

The growing commercial interests of the local authorities, that handle the privatization of land, have resulted in serious restrictions on the formation, growth and well-being of Kelderary Roma settlements. In the village Solontsy, that is situated in the Emelyanovsky district of Krasnoyarsk, there was even erected a wall between a newly built settlement of cottages and the local Kelderary Roma settlement, barring the Kelderary Roma from the regular road and therewith from unlimited access of public services like ambulances or fire brigade.

Most often Kelderary have neither the financial nor the political means to sustain the natural growth of their communities. This is clearly felt even by the Kelderary communities, that are richer than others like the ones in Yekaterinenburg and Chudovo (Novgorodskaya Oblast region). Moreover, Kelderary clearly feel the threat of being evicted from their houses and settlements, if they are not able to come to a workable agreement with the local authorities. Unless, there will be a change in the approach of these authorities, responsible for the regulation of the division and sale of land, the worst has to be expected.

Economically, Kelderary have been depending on certain niches ever since full employment ceased to exist in Russia. Collecting scrap metal is one of such niches, which is mainly considered a way for the poor to survive. Richer and more skilled Kelderary earn a living by trading metal, welding metal or refitting electric engines and gear boxes. Kelderary women are working in the streets by telling fortune. The standard income generated by Kelderary is significantly lower than by Russians. The widespread practice of corruption aimed at forcing Kelderary to pay for any violation of the law or just for state protection has often replaced the practice of paying tax. Sadly enough, Russia's Kelderary community has not been able to profit from the economic growth of the country and neither they nor any experts see any perspective in the short term.

Examples of Kelderary Roma employed in regular jobs by state or private companies mainly show the difficulty for Kelderary Roma to overcome discriminative practices. In Usad (Vladimirskay Oblast') Kelderary Roma workers at the Lespromkhoz wood products plant, mentioned a double standard, being paid much less than their ethnic Russian colleagues for doing the same job. Their complaints were not taken into consideration by the company's

¹ The Roma of Russia : the subject of multiple forms of discrimination, a joint report of the FIDH and the North-West Center for the Legal and Social protection of Roma, Paris, 2004 / In Search of Happy Gypsies, country report on Russia, ERRC, Budapest, 2005.

director mr. Zotov. It's a common situation, that the standard income generated by Kelderary Roma is significantly lower than by Russians.

A long term perspective for Kelderary is being undermined by the poor state of the education that Kelderary children receive. Education is regarded a major issue, both among Kelderary as well as those who show a positive attitude towards them. Despite of the Russian law on education, access to education for Kelderary is often limited. In some cases, notably in Perm, Kelderary Roma children are unable to attend primary school, in other places, like in Sviyazhk (Tatarstan), Solontsy (Emelyanovksy rayon Krasnoyarsk), Konakovsky Mokh (Tverskaya Oblast'), Pashino (Novosibirsky Oblast) and Osel'ki (Leningradskaya Oblast') Kelderary Roma children are segregated and kept apart in special classes. In Savatyevvo (Kalininsky Rayon Tverskaya Oblast') Kelderari pupils are studying in a segregated school housed in ramshackle condition building, that was long ago abandoned by Russian pupils.

Sadly enough, non-segregated schools only account for around 10-20 % of Kelderary children attending school. The distance between home and school is often a crucial factor in making decisions on attending school or not. Kelderary often lack money for public transport or winter clothes that are indispensable for reaching schools. The Kelderary children that go to school face the problem of adaptation, both the facts that Russian is not their native language and that their teachers are generally unfamiliar with their cultural and social background create a serious barrier. Many Kelderary children start attending school once they are already older and very few leave school with a diploma. On many occasions the attitude of the teachers and school administration is of crucial importance.

The access of Kelderary to other state services like social aid and health care is much more limited. Partly, this has to do with the Russian system of registration, sometimes referred to as "propiska". Those without registration are automatically excluded from free medical care and social benefits, such as pensions or allowances for children. As many Kelderary happen to be registered in some other municipalities, than were they actually live, they are unable to apply for social benefits out of practical reasons. It is not unusual, that all inhabitants of a compact settlement are registered in one or two houses of the settlement, that are legally fit for that, which gives authorities the right to restrict certain social benefits.

In Tyumen, the local authorities developed an active approach towards the communities of local Kelderary Roma. An additional registration of the Kelderary Roma inhabitants of houses to be demolished was carried out in 2006, while in the same year, the local authorities stopped putting the usual registration stamp in the newly issued passports of youngsters. Both in Barnaul and Krokhal' (Novosibirskaya Oblast') the local authorities refused to issue new passports after old ones had been destroyed as a result of fire. In Krokhal' an entire Kelderary Roma community of hundreds of people are living without documents proving their identity. In Novaya Bykovka (Vladimirskaya Oblast') the local authorities do not issue any documents at all, including birth certificates for new born babies.

Even when Kelderary receive social benefits, these are not improving their quality of life in a substantial way. Life expectancy among Kelderary is lower than among Russians and they tend not to visit doctors on a regular basis, but rather to call for an ambulance in case of emergency.

Other crucial factors determining the quality of life of Kelderary are the supply of drinking water and energy (gas, electricity). In the case of the Kelderary community in Peri (Leningradskaya Oblast region) pollution prevents the consumption of the locally available water and a community of several thousands of people is depending on the purchase of water in nearby villages. In Novinki (Suburb of Nizhny Novgorod) the community depends on the supply of electricity to pump up the water. There are often problems with the supply of electricity connected to arrears in the payment of bills. In the case of the suburban area Chapayevsky belonging to the city of Perm, the local electricity company cut off the electricity supply of the local Kelderary community when the temperatures were down as much as minus 40 degrees Celsius. In Chapayevsky as well as in most other compact settlements, non-registered houses do

not have any meters to count the electricity consumption. The electricity companies tend to count the amount of people and the number and capacity of household appliances to measure this consumption.

The debts of individual Kelderary are treated as collective debts and therefore the electricity supply of the whole compact settlement is switched off in case of individual arrears (A common practice in the city of Perm). In Ryazan' the gas supply to 220 houses was cut off in the autumn without any alternatives for heating of these houses available. In the settlement Kosaya Gora near Tula gas and electricity supplies were switched off under the surveillance of 150 OMON riot police officers with dogs. Other cases were reported of prepayments made, without paid services being delivered. In Omsk, a substantial amount of money was paid to construct gas supply and in Barnaul, money that had been paid for the construction of a water supply was paid back and the water supply was cut off. In another case in Yekaterinenburg, a girl was refused a passport on the pretext, that her mother had not paid the electricity bill yet.

The often complicated relationship between Kelderary communities and local authorities could best be described as chaotic and largely depending on the good or bad will of those responsible. The reason, why local authorities are not effective, is the fact that they don't have a special policy. At best, they are indifferent and treat Kelderary as any other Russian citizens. Most often however, they discriminate Kelderary and sometimes it comes to an orchestrated persecution of a whole Kelderary community. In the city Cheboksary on the Volga, many Kelderary families sold their houses and fled after systematic actions by law enforcement bodies against them on the pretext of investigating a murder. The Kelderary man who was suspected in that murder was eventually found innocent by a Cheboksary court. Evidently, this and likewise cases have contributed to a lack of trust among Kelderary towards the authorities. The authorities in their turn complain about their inability to rule the situation. Some look for opportunities to improve the participation of the Kelderary community, proposing to regulate the issues, that Kelderary would like to normalize. The idea (As proposed by the Chudovo authorities) to give the Kelderary a legal form of self-government over the area, that they are inhabiting and thus creating an administrative unit, that would be responsible for dealing with public works, but meanwhile lacking a budget is an example of a policy that lacks perspective.

In our opinion the problems, that Kelderary face are so similar, that one federal action plan could be developed for the whole Russian Federation in order to provide guidelines for regulating and improving the living conditions of the Kelderary Roma, that live in compact settlements. Additional federal coordination of such a plan by representatives of the national government would prevent the risk of failure on a local level caused by corruption. The above mentioned action plan should include the following measures :

A special law on the regulation on housing and land like done recently with summer cottages. In this way, the houses and land belonging to the Kelderary settlements could be legalized and treated as their property. Additionally, they should be registered and mapped.

The guideline, that every person has to be registered in the houses where he or she lives. This would enable the person in question to receive the social benefits, that he or she is entitled to.

The guideline, to legalise the use of water, electricity and gas including the installation of meters, that indicate the actual consumption. This would secure the access of these resources for the Kelderary community, just as it would secure the companies that supply water and energy from theft and abuse of their resources.

Measures to support self-governing and autonomy, that strengthen intercultural relations and economic development e.g. not basing self-government on racial exclusion and segregation but on the realization of political participation of all neighbours in a mixed neighbourhood. Participation of Kelderary in local politics (Leskolovo, Chapayevsky) has been a rare phenomenon so far, but it has certainly contributed to the involvement of Kelderary in the

caretaking of their area and simultaneously it has led to a certain commitment towards the Roma by local councilors.

Measures to secure access to schools, that offer primary and secondary education, in the vicinity of the compact settlements. If there is no such school, the community should be provided with free school busses to encourage parents to send their children to school. Schools should have evening classes for those who missed some years and special preparatory classes to prepare Kelderary children for the Russian language,. Segregation should be forbidden and it should be controlled that Roma children don't automatically end up in compensation classes for the mentally disabled. Additional education for teachers on Roma culture language and history should be available to enable teachers to understand the background of their pupils in a better way.

The logical outcome of such an action plan would be a clear benefit, both for the Kelderary communities, living in compact settlements as well as for the local authorities, governing them, without proper financial and administrative means. It is of utmost importance to recognize the fact, that Kelderary Roma lack mediation to successfully promote their interests. The expert work on the action plan could provide and support this mediation.

Stephania Kulaeva

Executive director of Memorial of St. Petersburg - Charitable, Historical, Educational, and Human Rights Organization

Address: 9 Razezhaja Street, St. Petersburg, 191002

Telephone: (812) 314-23-68, Fax: (812) 710-65-19, e-mail: stepan@netcourrier.com

Website : www.memorial.spb.ru