

ROMA ADVOCATES SUE THE DANISH RED CROSS, CLAIM THAT DETENTION OF
ASYLUM SEEKERS VIOLATES THE UN TORTURE CONVENTION

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Washington, DC: In a case that has major implications for the treatment of Roma and asylum seekers throughout Europe, Roma advocates in Denmark are suing the Danish Red Cross over the treatment of Roma from Kosovo whose appeal for asylum has been rejected.

The lawsuits are being filed by a Danish advocacy group Romano, on behalf of six Roma families in two Red Cross camps, Sandholm and Avnstrup.

The suits allege that entire families have been forced to live in single rooms in the camps for several years, and subjected to a range of other pressures that violate the UN Torture Convention and the Danish Constitution.

Eric Stottrup, President of Romano, told the Advocacy Project (AP) that 40% of the adults have psychiatric problems. "They (the Red Cross) have made these people insane," he said.

Contacted by AP, the Danish Red Cross acknowledged receipt of the law suits but expressed confidence that they would be quickly rejected by the Danish courts.

The lawsuits, which come on the eve of International Refugee day (June 20), have alarmed Roma advocates in Europe, including the International Roma Women's Network (an AP partner), because they suggest that the Danish authorities are making conditions in the camps so difficult for rejected Roma asylum seekers that they will choose to return to Kosovo - even though this is not safe.

The case has even sparked an uproar over the ethics of conducting research on the children of asylum seekers. Romano has complained to the Danish Ministry of Science and Technology that students from the Slagelse College of Social Education recently interviewed and photographed Roma children in the Avnstrup center without properly informing their parents.

Asked for a comment, Red Cross officials said the students were training under proper supervision.

- "Motivation Furthering"

The plaintiffs are among thousands of Roma who fled from Kosovo after violence erupted in the province in 1999. Those who sought asylum in Denmark were granted temporary refuge (known as a "procedural stay") until their requests for asylum could be heard.

But Danish policy towards immigrants hardened after a new government was elected in 2001, and rejected asylum seekers were given a choice between returning home and being sent to the Sandholm or Avnstrup centers. According to Romano, the two camps hold around 1,200 individuals, including about 30 Roma families from Kosovo. They include 53 Roma children.

The official description given to the treatment of camp dwellers is "motivation furthering." Mr. Stottrup suggested that this means forcing the Roma to return to Kosovo even though the UN Mission in Kosovo has warned it cannot ensure their safety.

Kosovo is currently lobbying for independence from Serbia, and some are convinced that Western governments, including Denmark, have secretly offered independence to Kosovo's politicians if they agree to take back asylum seekers. This, say advocates, could be particularly dangerous for Roma, who are viewed as pro-Serbian by many Kosovars and could be vulnerable to discrimination in an independent Kosovo. Advocates also fear that any large-scale return of Roma from Europe could destabilize the region.

- Suicide Attempts

In an interview with AP, Danish Red Cross officials rejected any suggestion that the agency is the willing instrument of an inhumane government policy, and pointed out that those living in camps can move in and out of the camps. This, they said, is not "detention."

But they did admit that conditions in the camps can cause considerable stress. Ann-Sofie Bech, a legal consultant with the agency's asylum department, said that some families have been in the camps for years. Families are not allowed to cook in their rooms, and some are required to report to the police each week.

Children in the camps are supposed to receive the same education as Danish children, but adults are prohibited from receiving language classes. Up to now there has been no official mother-tongue education for adults or children.

Ms. Bech agreed that the camps had seen a "lot" of psychiatric problems in recent years. "They were traumatized (in 1999) and have been here a long time. A lot of people are receiving psychiatric help and medicine in the center."

According to Red Cross statistics, there were two suicides and 55 attempted suicides in 2001 among a population of 7,218 asylum seekers who received assistance from the Red Cross. In 2004 - the last year for which statistics are available - there were 52 attempted or threatened suicides among 2,327.

Ms. Bech said that the availability of services is partially determined by funds and that the Red Cross receives 33,213 Danish crowns a year (\$5,770) for each asylum seeker, plus a supplement for specialized services. Following a national debate over Denmark's asylum policy in recent months the agency will now receive an extra 37 million crowns (\$5 million) for education, and improvements in housing and services.

Ms. Bech said that this will allow the Red Cross to provide mother-tongue language classes, but it is not clear how this will affect the Roma. Roma language (Romani) classes could be made available, she said, but services are offered on the basis of individual need and "vulnerability," as determined by the Red Cross. Roma are not considered to have special needs or rights, and - like all rejected asylum seekers - are identified by an alien ID instead of ethnicity or nationality.

Some advocates, like Roma, feel this is another strong argument for declaring Roma to be an ethnic minority in Denmark. This would entitle Roma to language and other rights.

- Controversy Over Research

This broad-ranging dispute over camp conditions has been further enflamed by reports that six students from the Slagelse College of Social Education recently interviewed Roma children over three days in the Avnstrup center, as part of studying for a degree in "social education."

Mr. Stottrup charged that the College had only made a cursory effort to get the consent of parents. On May 17, two days before the research, the children were reportedly given a letter for their parents to sign, asking for permission to photograph children but without explaining the purpose of the research. On the day of the research, they were given a further letter that read: "Six students will today bake and play bingo with the children in MiniClub. Is your child allowed to participate in this?"

The Red Cross maintained that parents who signed this were giving their consent. They defended the training as valuable for the students, who are learning to work with "children at risk," and also refreshing for the children who gained from the presence of extra day-care personnel.

But Mr. Stottrup said that several parents had complained and he accused the Red Cross of "enormous arrogance" and unethical behavior. "They (the parents) felt they could not object. They feel they are prison inmates and don't have a choice," he said, comparing the training to Nazi experiments on camp inmates during the Second World War.

Romano has complained to the Ministry of Science and Technology and called for Roma to be represented on committees that monitor such research.

Romano's energetic advocacy has mobilized the Roma in the camps and galvanized other Roma advocates in Europe. But its tone has offended Red Cross officials, who predicted that Mr. Stottrup's references to Nazi concentration camps would backfire with a population that suffered greatly in the war. After several weeks of intense national debate over asylum, Danes know enough to dismiss the comparison, they said.

Mr. Stottrup defended his tactics. He said that the dispute is indicative of a deep "racism" in Danish society, and that Romano's credentials are sound. The organization was formed in 1942 by Danish Gypsies and was part of the Liberal Danish Resistance Movement known as Holger Danske, which helped Gypsies and Jews to escape from the Nazis.

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