

RAD GENOSSENSCHAFT DER LANDSTRASSE



Swiss Federal Council
Federal Chancellery
Bundeshaus
3003 Bern

Federal Councillor Alain
Berset
Secretariat-General
Department of Home Affairs
Inselgasse 1
3003 Bern

Registered mail

Letter to the Federal Council and to the responsible Department Head,
Federal Councillor Alain Berset

The Yenish sound the alarm – a national minority’s existence is under threat

Dear Federal Councillors
Dear Federal Councillor Alain Berset

In recent weeks, the situation of the Roma, Sinti and Yenish ethnic minorities – and, in particular, the so-called traveller population – has escalated. The events of July and August 2017 in the district of Wileroltigen BE, in which a racist demonstration directed against all “travellers” took place, is given here as just one example.

As spokespeople and umbrella organisation for the Yenish and Sinti national minority in Switzerland, we are respectfully turning to you for assistance, support and a statement, and at the same time, we appeal to you to introduce effective measures.

I. The situation of the Yenish and Sinti is getting rapidly worse

We have established that with the current polemics surrounding places for so-called “travellers”, the living conditions for Yenish and Sinti, who are a recognised national minority of Switzerland, have suffered and have, at times, been deliberately degraded. Under the title “travellers” the groups are played off against each other, as well as being lumped together. Authorities at various levels stand helpless and inactive in the face of this situation. Political forces incite conflicts with the obvious intention of discrediting all members of the minorities by criticising an individual group or a single problem. Racism is becoming increasingly open and more palpable. As a result of this, discrimination by authorities at various levels is becoming worse and worse.

Under these circumstances, the Yenish and Sinti, who have recently been expressly recognised as a national minority of this country, suffer directly:

1. We are criticising the fact that the authorities at all levels are not capable of providing sufficient living space in the form of pitches and transit areas for both Swiss Yenish and Sinti, as well as for foreign caravan communities who arrive in this country under the principle of freedom of movement of persons.
2. We regret that administrative hurdles have increased for Swiss Yenish and Sinti at various levels, for example in the form of intensified bureaucratic measures and arbitrary and excessive police controls. If Swiss Yenish and Sinti drive to a place designated for them, not only must they present their identity card, but this will be copied, the license number of each vehicle, towing vehicle and caravan trailer will be noted, and vehicle and caravan registration documents will be copied. Moreover, we have received statements that these details are not treated in accordance with data protection law, but are passed on to other parties. Members of our minorities generally see themselves as being treated as if they potential criminals.
3. We are criticising the fact that moves by Federal Authorities and cantonal governments have the goal of restricting the opportunities of travelling tradespeople to find work in various fields. The “right to peddle” (Hausiererpatent) is, therefore, being undermined, and a hard fought success is being reversed. There are already cantons and local authorities that have taken measures against freedom of trade and recommended a ban on “peddling”.
4. We have established that with the growing distrust and the smears on all sides, that have also given rise to distrust on the part of the travellers, the cleanliness at the existing sites, for which many members have advocated for and fought for, is gradually declining; standards have been reduced. An attitude best characterised as “I couldn’t give a damn” is proliferating. Standards of cleanliness and hygiene are increasingly difficult to enforce, with the consequence being a spiral of escalation.
5. The image of travelling tradespeople, which was positive in many rural and urban regions, and above all among customers who had direct contact with them, has declined due to media reports about problems with so-called travellers. Tradespeople from our minority groups experience this almost daily.

The travelling tradespeople, however, have a reputation for being clean, honest and good workers. They now have to look on powerlessly as their reputation is no longer dependent upon they themselves, but is defined by a public perception shaped by scandals.

6. Although Switzerland is a small country, the number of pitches for domestic and foreign travelling tradespeople is disproportionately small. Freedom of movement of people is a fact that cannot be shrugged off. It requires space for everyone. Yet, it is not possible to accommodate large convoys on small sites. Solutions are required to this, which do not simply trample over Swiss Yenish and Sinti. On small pitches, it may be necessary to give priority to Swiss travelling tradespeople.

7. Members of the travelling groups should, in principle, be prosecuted when they act against environmental protection laws, regardless of which ethnic group they belong to, just as is the case among settled populations. The Radgenossenschaft der Landstrasse consistently advocates cleanliness on all sites, large or small and of all types.

Dear Federal Councillors

It is clear to us that the Swiss state structure does not allow or enable the Federal Government alone to solve these problems. However, the Federal Government can contribute to solving them, and it must do so.

II: The Federal Government is urged to act

We are currently missing any noteworthy action by the Federal Government to stem racism and discrimination against Yenish, Sinti and Roma. We were pleased to be able to recognise that Federal Councillor Mr Alain Berset advocated for Swiss Yenish and Sinti in a programmatic speech at the Feckerchilbi of Bern. We are still, however, awaiting efforts towards implementation of the stance declared.

This begins with the elementary issue of naming. The Federal Council has promised to speak of our minority groups in future using the names with which they identify themselves: Yenish, Sinti – and we would add to that: Roma. Federal Councillor Mr Alain Berset announced in a speech on 15th July 2016 at the so-called Feckerchilbi in Bern, the concrete recognition of the Yenish and Sinti under their own names by the Federal Council. In the same speech, he explained; “I recognise these claims to self-designation. I will make the case for the Federal Government calling you ‘Yenish’ and ‘Sinti’ in the future.” That has so far absolutely not been the case. “Travellers” are referred to outside and inside of committees, which dumps all of the different ethnic groups into one pot, which enflames differences.

Not once has a representative of the “Foundation for the future of the Swiss travellers”, which was set up by the Federal Government, stuck to this promise, as recent interviews prove.

We urge the Federal Council to implement the promised language usage in its areas of competence and to forcefully recommend its use beyond this.

III. Duty to implement the Framework Convention for the Protection of National Minorities

On 21st September 1998, the Federal Assembly ratified the Framework Convention for the Protection of National Minorities, which was concluded on 1st February 1995 in Strasbourg.

It is not sufficient just to sign such an agreement. The Framework Convention contains obligations that have to be implemented. We point to Article 5, Paragraph 1: “The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.”

Or Article 6, Paragraph 2: “The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.”

We point out that the Federal Government has a duty to respect the Framework Convention for the Protection of National Minorities, which they signed. They cannot simply sit back and explain that the state structure of Switzerland does not allow them to act.

a) The Federal Government has the opportunity and the obligation to contribute to the creation of living space for the recognised minorities. This should happen through legislation, influence of its departments on the cantons, as well as via Federal areas under its control, namely the Army. In reality, a study by the government’s own foundation (Stiftung Zukunft für Schweizer Fahrende) found that the number of pitches and transport places have reduced by a third in the past two decades. In our opinion, the reason lies in the behaviour of the authorities at various levels, who could be characterised as being simply indifferent.

b) We have established that there exists a lack of knowledge at practically all levels of the state of what the minorities that they have recognised really do, how they live, how they think and what their culture is. We demand that the acting people in the Government and the organs of state engage with these cultures. We have enclosed with this letter, as a sort of ABC guide, a publication that we have created with the simple title that summarises its contents “Yenish Culture”.

c) We remind you that it was the Federal Government, which in August 2014 (three years ago!) invited collaboration at a national working group, which was to deal with and find solutions to the problems of our national minorities. The Radgenossenschaft, which has been a regular active participant in this working group, has insisted that an action programme which should, above all, show the Federal Government’s perspectives for action must be published at its conclusion. This action programme remains a pipe dream and there is no indication that anything will come of it.

This is a symptom of the entire situation, that we are highlighting with alarm: the Federal Government is clearly not capable of, or willing to contribute anything practically towards the protection of minorities that it has recognised, nor intervene actively to improve their living conditions.

d) The Federal Government has opportunities to point out to various governmental actors (also at the local level) that the ways of life of these minorities must be protected, based on the previously mentioned European Convention for the Protection of Minorities. In reality, a pillar of these cultures and their way of life, namely the freely arranged spontaneous stopping on the land of farmers and other landowners is being gradually complicated, restricted and blocked by local councils. We are able to name a large number of local councils in which farmers are prepared to rent land to groups of travelling labourers, yet the council has thrown a spanner in the works. We feel that it is malicious to expect us to show many local councils the error of their ways, while they play cat and mouse because the number of councils, as you know, runs into the thousands.

e) The Federal Government has possibilities via recommendations to the Conference of State Ministers for Education, as well as to influence via statements the fundamental things that are to be conveyed by schools. The protection of the recognised minorities in accordance with the Framework Convention for the Protection of National Minorities logically includes the protection of their culture. However, one cannot protect a culture that one does not know or understand. The Federal Government must use the means available to it to ensure that the recognised national minorities are acknowledged in school curricula and school books, and that their culture is presented. There has been no progress on this so far, even though we are a part of Swiss society and of Swiss history. All children must be able to learn who we are, otherwise they will be vulnerable to incitement and racism, as was the case in the past.

In view of the political and media escalation of the topic of living space for the Yenish, Sinti and Roma in recent weeks, we are directing this urgent appeal to the entire Federal Council. Our minimum expectation is that the Federal Council and its executive organs speak out about the problems raised here, about real plans for implementation of the Framework Convention for the Protection of National Minorities, and not just about its principles.

Dear Madame/Sir

We are appealing to your good will. Otherwise, there is the risk that a piece of Swiss culture will perish and be extinguished like a Yenish campfire that are more and more often forbidden on official pitches.

We are also informing you that if there are no noticeable improvements for the recognised minorities in the foreseeable future, the Radgenossenschaft der Landstrasse - n.b. which has been working for over 40 years to give the once-victims of the federal foundation "Pro Juventute" a voice – will be forced to carry out publicity campaigning. At its assembly, the Radgenossenschaft der Landstrasse decided in its assembly to drive up to the European Council with its caravans and bring attention to the desolate situation in Switzerland.

Yours faithfully,

Radgenossenschaft der Landstrasse
Unanimously agreed by the governing board of the Radgenossenschaft

For the attention of: Stiftung Zukunft für Schweizer Fahrende, RR Christoph Neuhaus

Enclosed as background information: Publication “Jenische Kultur. Ein unbekannter Reichtum. Was sie ist, wie sie war, wie sie weiterlebt.” (Yenish Culture. An untapped wealth. What it is, how it was, how it lives on). Published by the Radgenossenschaft der Landstrasse, August 2017