The Migration of the Romanian Roma to the UK: A Contextual Study

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1. Introduction

On 4 August 2001, the Guardian newspaper published the following report under the heading ‘16 Romanians hide under Eurostar’:

‘Sixteen Romanian asylum seekers, one of them a three-year-old child, were found hiding in cramped compartments under a Eurostar train in London yesterday after its high-speed journey from France. Police were called to Waterloo station after passengers on the train from Paris heard a knocking sound from beneath the coaches. Officers found five women, two men and nine children between three and 15.’

This was not the first time such a method of entry had been used by Romanians. In March 2001, nine were found, including a child, hiding under a Eurostar train. Other methods, too, were used. In one notorious incident in December 1998, 103 Romanian men and women were discovered hidden at the back of a 40-foot container at Dartford. All of these groups of asylum seekers were described in the press as Roma.

The emergence of the Roma as a new category of asylum seeker began in earnest in the summer of 1997, with the sudden arrival of hundreds of Roma from Slovakia and the Czech Republic. The Romanian Roma were soon to follow. From 1996 to 1999, the applications lodged for the three countries, excluding dependants, were as follows:

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<tbody>
<tr>
<td>Czech Republic</td>
<td>55</td>
<td>240</td>
<td>515</td>
<td>1,790</td>
</tr>
<tr>
<td>Romania</td>
<td>455</td>
<td>605</td>
<td>1,015</td>
<td>1,985</td>
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<tr>
<td>Slovak Republic‡</td>
<td>55</td>
<td>290</td>
<td>835</td>
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3 Home Office, Asylum Statistics United Kingdom 1999, Issue 17/00, 12 October 2000, Table 2.1.
In these figures, the number relating to the Roma is indeterminate since the ethnicity of asylum seekers is not recorded. Nonetheless, the assumption is that the majority of these applications were made by Roma. Certainly, the press is of this view. Articles discussing Czech or Romanian asylum seekers refer frequently to the Roma. As a result, it is easy for the ordinary member of the public to assume that such groups of applicants are of Roma extraction.

This paper will deal with the migration of Roma asylum seekers from Romania to the UK. It will begin with a brief study of the historical context of Romanian Roma, and will proceed to an examination of the treatment of Roma in Romania today. This historical perspective allows us to understand better the current migration of the Roma to the UK, and to assess the extent to which their claims for asylum, as a group, may be well founded. The paper will then go on to discuss the results of empirical work carried out in Transylvania in which a number of Roma who had travelled to the UK were interviewed regarding their motivations for migration and return. It concludes with an overview of the UK’s handling of Roma asylum claims and a commentary on the case-law.

2. Historical Background

The true origins of the Roma are a matter of some speculation.\(^5\) Lack of written record ‘for something like half their history’ is largely responsible for this uncertainty.\(^6\) Unable to rely upon documentation, historians have been forced to turn to other disciplines for assistance, and the study of language has proved the most valuable. Linguistic evidence points strongly towards links with the Indian sub-continent. This is not a recent assessment. Similarities between Romani and some of the Indian dialects were first perceived over 200 years ago.\(^7\) At present, the prevailing view is that the gypsy people originated from the northwest region of India and commenced their migration westwards some time before 900 AD. The reasons for such an exodus are not clear, and many of the opinions proffered are pure hypothesis. A recent interpretation, advanced by the American linguist Terrence Kaufman, has challenged the now widely accepted belief that the Roma migrated directly from the Indian sub-continent. He suggests that ‘the phonological facts are best explained by postulating that protoGypsy moved on into Iranian-speaking territories before 300 BC – perhaps as a result of the inroads of Alexander the Great into north-western India in 327–326 BC’\(^8\).

With this indeterminate historical legacy, it is unsurprising that the date of the first appearance of Roma in Romania is also a moot point. One theory suggests they started arriving in Wallachia in the 12th century and later in Moldavia, although the

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\(^6\) Id., p. 10.

\(^7\) Id., p. 14.