
Human rights: European Court, “lawful to beg in order to survive”. Switzerland fined for imprisoning Roma woman

Switzerland was wrong, the woman had the right to ask for charity: the European Court of Human Rights ruled so today, contradicting the Geneva authorities that in 2014 had imposed a fine of 500 Swiss Francs on a Roma woman who was begging on the streets of Geneva and was later jailed for 5 days for being unable to pay it. According to the Court, since the woman came from an extremely poor family, was illiterate, had no work and was not in receipt of social benefits, “begging constituted a means of survival for her”.



Immagine non disponibile

In that “clearly vulnerable situation”, the woman “had the right, inherent in human dignity, to be able to convey her plight and attempt to meet her basic needs by begging”. Also, according to the Court, the fine imposed “had not been proportionate either to the aim of combating organised crime or to the aim of protecting the rights of passers-by, residents and shopkeepers”. The Court in its sentence also referred to the Geneva Criminal Law Act prohibiting begging, saying that “an outright ban on a certain type of conduct was a radical measure which required strong justification and particularly rigorous scrutiny by the courts empowered to weigh up the various interests at stake”. Now Switzerland will have to pay the woman 922 euros for “non-pecuniary damage”. The sentence is available at: <https://t.co/FueD7uu5uW?amp=1>

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