



Romanian Government



Government of Romania
The Presidency of the
Decade of Roma Inclusion



INTERNATIONAL CONFERENCE ON THE IMPLEMENTATION AND
HARMONIZATION OF NATIONAL POLICIES FOR ROMA, SINTI AND TRAVELLERS.
GUIDELINES FOR A COMMON VISION

BUCHAREST, ROMANIA, 2-6 MAY 2006

DRAFT

CONFERENCE REPORT

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Europe. The opinions and information it contains do not necessarily reflect the policy and position of the ODIHR.

ACKNOWLEDGEMENTS

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- Government of Romania;
- National Agency for Roma in Romania;
- Ministry of Foreign Affairs of Romania;
- Ministry of Foreign Affairs of Austria;
- Ministry of Foreign Affairs of Belgium.

The OSCE ODIHR Contact Point for Roma and Sinti Issues, the Council of Europe and the EUMC appreciate the support given by your respective Ministries and look forward to further cooperation in the future.

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1. Executive Summary

The International Conference on the Implementation and Harmonization of National Policies for Roma, Sinti and Travellers, that took place in Bucharest, on 4-5 May 2006, represented a follow-up of the Warsaw conference, held in October 2005, which addressed the problem of implementation of policies/action plans for Roma, Sinti and Travellers, as well as the issue of anti-Gypsyism in Europe. A new practice seems to be materializing since EUMC, OSCE-ODIHR and Council of Europe noted in Bucharest that making these meetings regular, would be very constructive and would represent a sign of strengthening and consistency in the international coordination, which impacts on the policy making on the Roma, Sinti and Travellers communities. In this sense, some OSCE member states have already expressed an interest in organizing a third meeting of that kind during the second half of 2007, with a possible focus on relations with the Police in multi-ethnic communities.

The messages sent out by the Conferences in Warsaw and Bucharest and their format are summarized below:

- the focus of these Conferences was on the implementation, harmonization and coordination of the existing Roma, Sinti and Travellers policies and programs, national and international; launching new initiatives and/or formulating new comprehensive recommendations were not part of the objectives;
- the principal organizers of the meetings were in particular the participating/member States, as they are the main responsible for implementing their commitments towards Roma, Sinti and Travellers. The main organizers of the Warsaw Conference were the Governments of Poland, as host country, and that of Slovenia, as OSCE Chairmanship in Office (in 2005). The Bucharest Conference was organized with the very generous support of the Romanian government and the preparation was coordinated between various segments of the administration: the Cabinet, the Ministry of Foreign Affairs, and the National Agency for Roma (which currently ensures the Presidency of the Decade for Roma Inclusion 2005-2015).
- political leadership of the States was an important element in facilitating exchange on implementation and harmonization of policies of Roma, Sinti and Travellers. The Conference in Bucharest took place under the aegis of the Romanian Presidency of the Committee of Ministers of the Council of Europe and in cooperation with the Ministry of Foreign Affairs of Belgium as the OSCE Chairmanship in Office and with the Ministry of Foreign Affairs of Austria as Presidency of the European Union; a number of international NGOs, in particular the European Roma and Travellers Forum (ERTF) and the Project on Ethnic Relations (PER) were also co-organizers. Improvement of coordination among various co-signatories might be achieved through early planning among various partners.
- the Conference in Bucharest constituted a step forward to increased coordination by providing the framework for a series of side events organized by various stakeholders in policy-making on Roma, Sinti and Travellers:

- 21st meeting of the Council of Europe Group of Specialists on Roma and Travellers (2-3 May);
 - EUMC Round table with Romani women initiatives: International Roma Women Network (IRWN) and Joint Romani Women Initiative (3rd May) which contributed at the same time to integrating Romani women in the agenda of the conference, in particular working groups on employment, housing and relation with the police;
 - PER side event on the role of mass-media in promoting a positive image related to Roma, Sinti and Travellers.
- Organizations representing the Roma, Sinti, Travellers themselves, such as ERTF, IRWN, Joint Romani Women Initiative and the Roma Party of Romania, took a higher profile and higher responsibility in organizing the meetings in Bucharest. In this sense a suggestion was made (by the representative of the Council of Europe) that a future meeting could be organized not just with Roma, for Roma, but also by Roma, referring to the ERTF.
 - Long term sustainability of policies on Roma, Sinti and Travellers and lasting improvement of situation of Roma requires: (1) Empowerment of Roma professionals, women and men (2) inclusion of the local governments as stakeholders in policy implementation.
 - Processes of awareness raising on anti-gypsyism, as a particular form of racism, involving media are necessary
 - Involvement of new audiences and actors in policy implementations and discussion about addressing the situation of Roma is required.
 - Coordination among various actors at local, national and international level needs to be improved.

The Bucharest Conference put on the agenda the issue of harmonization in implementing national policies for Roma, Sinti and Travellers. Participants draw attention to challenges of coordination among numerous players and partners. The representative of PER asserted that no coordination was in place since harmonization of policies is difficult to reach or there is no harmonization among a number of Roma initiatives because each one is bounded by its own mandate and sometimes these mandates lead to competition and stepping on each other 'territory' rather than to cooperation, especially when competition for funds are at stake. While stressing that overlaps cannot be positive, since constraints - especially those of financial nature - do not allow for duplications and overlaps, the representative of the Council of Europe and the EUMC contrasted this view, emphasizing that numerous successful examples of joint initiatives exist already: the joint programs on Roma between the European Commission, the Council of Europe and OSCE-ODIHR, the Informal Contact Group between International Governmental Organizations, the Decade for Roma Inclusion, a joint initiative of the World Bank and Open Society Institute (OSI), etc. Harmonization should be therefore used in conjunction with coordination.

Another point of view which emerged during the debate concerning harmonization was that if all partners do their job in a professional and conscious manner, this can only generate more projects and improve the situation of the Roma, Sinti and Travellers.

The EUMC underlined a need to move a step ahead from solitary focus on projects to long-term policies with active involvement of Roma and Travellers.

At the same time while the main responsibility for implementing national policies lies with the governments, views were expressed by some participants that it is essential that Roma and Travellers have a feeling of ownership in the policy making process, one that would accommodate diversity within Romani communities. Nevertheless, while a more active implication of Roma, Sinti and Travellers in the implementation of policies that affect them is necessary, the debate stressed that governments should assume their commitments and responsibility for the implementation process of policies for their citizens.

When discussing implementation and harmonization of policies, the speakers in the opening session highlighted the role of the decentralization process which allows different stakeholders to better benefit from the opportunities created by existing policies and legislation. In this way, actions for improvement of the situation of the Roma were placed in a broader framework, of human and civil rights, rather than with a strict focus on ethnicity.

Discrimination and Anti-gypsyism

A very important topic on the agenda, one of the most highlighted, was of discrimination of Roma and Travellers and anti-Gypsyism. Beyond the regular grievances regarding wide-spread discrimination accompanied by concrete examples of cases of discrimination, the Bucharest Conference offered a new dimension in the way of tackling this problem, through the approach of *Fundación Secretariado Gitano (FSG)* in Spain. The experience in some Western European member states in tackling this problem has lacked sufficient attention, being overshadowed by the calls for addressing the situation in Eastern Europe. Within this context, the Bucharest Conference marked a separation in strategies addressing the need for immediate action and the requirement for targeting and mainstreaming of actions. The need to go beyond the emotional message to a pragmatic, organized approach targeting structural changes, involving professional and technical assistance emerged with clarity.

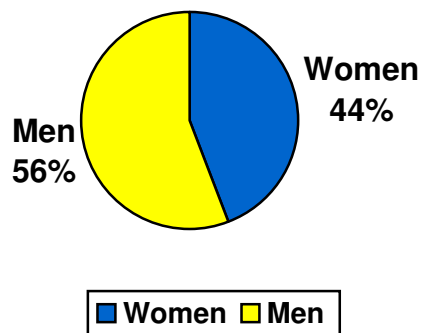
The issue of anti-Gypsyism was raised throughout the conference a particular form of racism - parallel with anti-Semitism - and of discrimination in access to housing and employment, but also impacting on relations between Roma and the police. It also constituted the main message of the European Roma and Travellers Forum (ERTF) which, also in a press conference, denounced anti-Gypsism as the main problem standing in the way of improving the situation of Roma, Sinti and Travellers in Europe. However, it was stressed that dwelling on the issue of anti-Gypsism without considering certain technical, as well as socio-economic macro-aspects of the problems facing the Roma today will make it difficult to record advancements in tackling these issues. That is why this year's conference has identified and explored three key areas, namely Housing, Employment and Relations with the Police, while bearing in mind the linkages between the three and linkage between employment of Roma and access to education.

Specific recommendations made during these workshops are appended to the present report.

Analysis of participants' categories at the Warsaw, 2005 and Bucharest, 2006 conferences

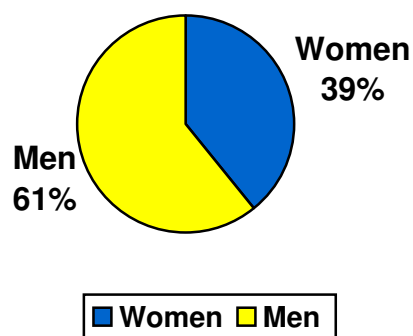
The substantial lists of participants at both conferences are testimony to all the hard work of organizing such an initiative. Actually the fact that so many agencies managed to coordinate in organising this series of events speaks of the mobilization of the Roma community. The final participants' list of the Warsaw conference reveals a number of 161 participants, out of which 90 are men and 71 are women.

Participants at the Warsaw Conference, 2005 categorised by gender



In 2006, the events which took place from the 2th and 6th of May managed to bring together for the main event - the Conference on the 4th and 5th of May - 187 participants, out of which 114 men and 73 women. The lower percentage of women participating at the conference in Bucharest, compared to the previous one, should boost efforts to achieve a gender balance.

Participants at the Bucharest Conference, 2006 categorised by gender



Making a cross-section comparative analysis of the categories of participants along governmental and non-governmental lines combined with group of nations to which they belong we obtain the following picture:

Categories of participants at the Warsaw Conference, 2005

Type of participants	Total	Central-Eastern Europe		Western Europe and non-European countries	
Government representatives	70, out of which:	50	71%	20	29%
NGO representatives	54, out of which:	37	69%	17	31%
IGO representatives	37				
Total number of participants	161				

The high number of government representatives can be noted and at the same time the need for a higher mobilization of NGO representatives. A third of the NGOs come from Western Europe, which is an encouraging signal. The problem is that at the Warsaw conference there were no representatives from NGOs based in Spain, France or Italy, leaving thus uncovered Mediterranean Europe, which records a significant Roma population. In fact, it is activists based in the Scandinavian countries and the UK that dominated the bulk of NGO representatives from Western countries at this conference in 2005.

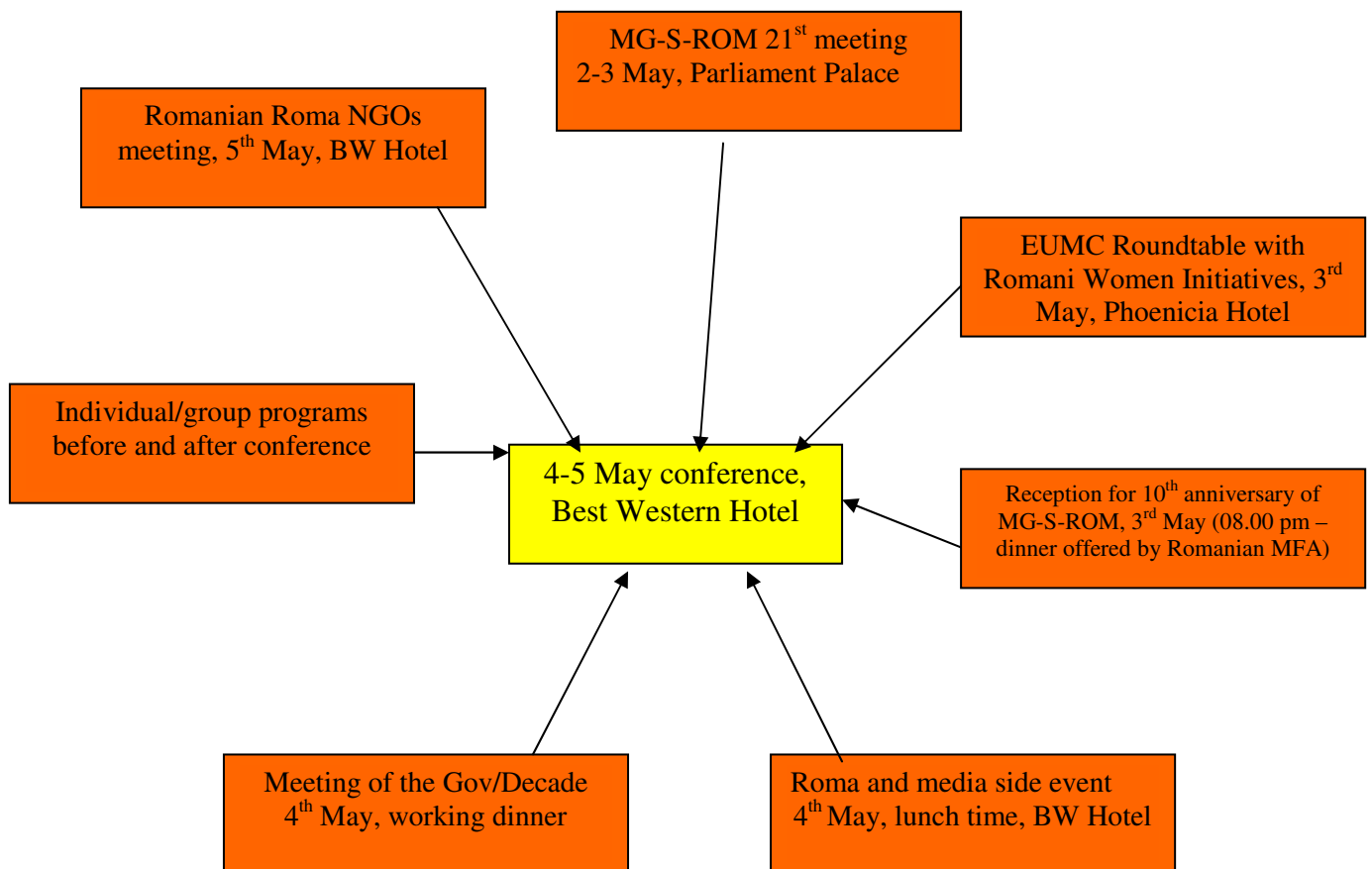
Categories of participants at the Bucharest Conference, 2006

Type of participants	Total	Central-Eastern Europe		Western Europe and non-European countries	
Government representatives	86	58	67%	28	33%
NGO representatives	75	54	72%	21	28%
IGO representatives	26				
Grand total	187				

The conference in Bucharest registered a higher number of participants, with an interesting surge in the number of NGO representatives and a reduction in the number of IGO representatives. The high number of NGO representatives can be explained in fact through a massive presence of Romanian NGOs, in a country with a more significant Roma population compared to Poland. The large representation of NGOs representatives included also a new element: NGO representation from Southern Europe: Spain, Italy etc. Additionally the presence of trade unions and business representatives must be noted.

Events related to Roma, Sinti and Travellers, 2-6 May 2006

In addition to the main meeting on the 4th and 5th of May, several events and meetings related to Roma, Sinti and Travelers unfolded between the 2nd and the 6th of May, as can be seen in the graph below:



The conference was preceded by the 21st MG-S-ROM meeting, under the auspices of the Council of Europe. **COUNCIL OF EUROPE TO ADD REPORT OF MEETING.**

On the 3rd of May the EUMC organized a round table with Roma women. Below is the statement which resulted from the round table discussions and which was read in the plenary in the last day of the Bucharest Conference:

EUMC Round table with Romani Women Initiatives

May 3, 2006

Bucharest, Romania

Joint Statement of European Roma women activists

At the meeting held on May 3, 2006 in Bucharest, Romani women representing different networks and organizations as well as individuals agreed on the following common values:

- There is not one single definition of a 'true' Roma woman. Roma women across Europe are diverse. The concept of 'real Roma woman' and 'not enough of a Roma woman' does not exist.
- We are aware of our differences, we accept them and we fully appreciate them
- Everyone is free to choose their partner based on their sexual orientation and we shall not discriminate against and/or exclude homo/bisexual women from the Roma women's agenda.
- We want to preserve our Romani culture but also acknowledge that there are harmful practices which violate the human rights of Roma women.

Roma women recognize the existence of double standards in the movement for human rights of Roma. Double standards should not be present. This refers to Roma activists who call themselves human rights defenders. One cannot fight racism in a society while discriminating others on the basis of gender in their community.

Joint position on early marriages, arranged/forced marriages and virginity testing:

We, Roma women activists acknowledge the fact that these practices are harmful to young women and men and should be eliminated. These practices are not 'Roma practices' but they rather exist in every patriarchal society/community. Although these practices are present within the community, the Roma do not have the sole responsibility in overcoming them. We, the human rights defenders of Roma women believe that law must prevail and culture should not be used as an excuse whenever such practices are being performed.

Supporters of the Joint Statement of Romani women activists

Rachel Francis, UK Association of Gypsy women
Cathrine Beard, UK Association of Gypsy women
Lucie Horvatova, Athinganoi, Czech Republic
Marta Hudeckova, Slovo 21, Roma Women's Group Manushe, Czech Republic
Violeta Naidenova, Roma Participation program
Nicoleta Bitu, Joint Roma Women's Initiatives
Mihaela Gheorge, Romania
Crina Mortanu, Agency " Together", Romania
Magda Matache, Romani Criss Romania
Mirela Faites
Isabela Mihalache, Roma Participation Program
Diana Sima, IRWN
Soraya Post, IRWN
Enisa Eminovska, Joint Roma Women's Initiatives
Teodora Krumova, Amalipe – Veliko Turnovo, Bulgaria
Miranda Vuolasranta, IRWN
Elena Dobre, Agency Together Romania
Letitia Mark, Gypsy women Association " For our children"
Sarita Jasarova, IRWN
Sanela Besic, Council of Roma BiH, ERTF delegate
Dr. Rita Iszak, ERRC
Mabera Kamberi, Macedonia
Ramiza Mehmedi, Bolja Buducnost, ERTF delegate
Dana Varga, IRWN
Agnes Daroszi, Hungary

* The original document is in English language

On the 5th of May, the European Roma and Travellers Forum hosted a press conference at which the following press announcement was made:

PRESS RELEASE

Press release issued on 5th of May 2006 by the European Roma and Travellers Forum (ERTF) on the occasion of the International Conference on the Implementation and Harmonization of National Policies for Roma, Sinti and Travellers.

The international institutions, CoE, EU, OSCE consider Roma as a pan European minority (15 million) whose human rights situation and living conditions are one of the topical core questions of these institutions today.

This conference was organized to join the efforts and policies done and find common visions together with the respected member states on these institutions and the Roma representatives unified in a political platform – European Roma and Traveller Forum. ERTF is the only international organisation of Roma at the European level, having a legal Partnership Agreement of cooperation with the Council of Europe.

Despite all efforts of the international agencies, the implementation of the agreements and recommendations related to Roma is still not visible in practice. Housing conditions, the employment situation, and the relation with the police which were the main topics of the conference have not improved so much in the last 15 years. A rampant antigypsyism and the negative stereotypes on Roma are prevailing.

The European Roma and Travellers Forum pointed out that the lack of equal opportunities to participate is the main reason for social marginalization of Roma. In order to harmonise policies for Roma at the European level there is a clear need to involve Roma themselves in all levels of the decision making processes.

The representatives of the Forum stated that measures should be taken urgently by the states together with Roma to prevent violation of human rights and discrimination against Roma. Institutions for the prevention of racial discrimination should be created by the states where individuals can complain against abuse or disrespect of their human rights.

Roma should be aware of their civil rights and be active partners in the creation of all policies concerning them.

ERTF during the conference highlighted that poverty is a vicious circle which is the reason behind all the serious core problems facing Roma today. In addition, the problems of Kosovo Roma and migration as a whole remain urgent priorities that need to be addressed and resolved jointly by all the relevant parties together with the representatives of Roma.

2. Agenda of the main meeting and invitation letter –in his comments from 10 July Mr. Gheorghe wrote “Point 4. Agenda. Missing: invitation letter”

Dear Mr./Mrs...,

It is our pleasure to invite you to the **“International Conference on the Implementation and Harmonization of National Policies on Roma, Sinti and Travellers: *“Guidelines for a Common Vision”*”** to be held in Bucharest, Romania, on 4-5 May 2006.

The conference is organized under the aegis of the Romanian Chairmanship of the Committee of Ministers of the Council of Europe, by the Romanian Government and the National Agency for Roma, under the auspices of the presidency of the Decade of Roma Inclusion, in joint co-operation with the Council of Europe, the European Roma and Travellers Forum, the Ministry of Foreign Affairs of Belgium as the Chair-in-Office of the OSCE, the OSCE Office for Democratic Institutions and Human Rights, the European Monitoring Centre on Racism and Xenophobia, the European Commission, the Austrian Ministry of Foreign Affairs, the Austrian Presidency of the European Union, and the Project on Ethnic Relations Regional Centre. Other international bodies are invited to take part in the organization of this event.

The conference will focus on concrete measures taken by the member states in order to implement the Council of Europe’s recommendations on Roma and Travellers, the Action Plan for Improvement of the Situation of the Roma and Sinti within the OSCE Area, the European Union’s relevant standards, as well as the national strategies/action plans, including those undertaken in connection with the “Decade of Roma Inclusion, 2005-2015”.

The Conference should aim to develop a set of commonly agreed criteria to measure the progress in implementing the aforementioned policies/action plans with a view to improving inter-agency cooperation and synergies of the relevant actors at both national and international levels. The participants will share their experience, best practices and lessons learnt over recent years, including those under the Decade of Roma Inclusion, to ensure effective participation of Roma, Sinti and Travellers in implementing and assessing the impact on the grass root communities as main beneficiaries of policy-making.

At the same time, as a follow-up of the “Joint International Conference on the Implementation of Policies/Action Plans for Roma, Sinti and Travellers, and Measures against the Anti-Gypsyism Phenomenon in Europe,” which was held in Warsaw, Poland, 20 – 21 October 2005, the Conference will tackle the appropriate modalities through which states, NGOs and international community could better contribute to combating racism and intolerance faced by Roma, Sinti and Travellers.

The meeting, organised under intergovernmental auspices, aims to improve the inter-agency cooperation at the national and international level, in order to obtain a better political planning of actions “with Roma, for Roma”.

The main participants and speakers of the Conference are governmental and non-governmental representatives from the States that adopted a national policy/action plan for Roma, Sinti or Travellers, or from the ones in the process of doing so (*see the proposed agenda*), as well as representatives from partner international organizations. Other interested states and organizations are welcome to participate.

In the afternoon of the 3rd of May, participants are invited to take part in the public hearing of the Group of Specialists on Roma, Gypsies and Travellers of the Council of Europe (MG-S-ROM), on the occasion of its 10th anniversary. The public hearing will address in particular the situation of Roma and returnees in Kosovo.

We kindly ask you to confirm your participation [before 31 March](#) to the Ministry of Foreign Affairs of Romania, to the attention of Mr. Nicolae Nastase (nicolae.nastase@mae.ro and/or phone +40 21 319 21 89, fax +40 21 319 23 67), mentioning the “Roma Conference in Bucharest”. Logistical details will follow your confirmation of attendance.

Please accept, Excellency, the assurances of our highest consideration.

Yours sincerely,

Markó Béla, Deputy Prime Minister



Government of Romania

Mariea Ionescu, State Secretary



Roma National Agency
Government of Romania

**INTERNATIONAL CONFERENCE ON THE IMPLEMENTATION AND
HARMONIZATION OF NATIONAL POLICIES FOR ROMA, SINTI AND
TRAVELLERS:**

GUIDELINES FOR A COMMON VISION

Bucharest, 4 - 5 of May, 2006

DAY ONE

Morning session

9.00-9.30 Registration of participants

9.30-10.15 **Opening and introductory remarks**

Chair: **Mr. Teodor Baconschi**, Secretary of State, Ministry of Foreign Affairs of Romania

Opening remarks by:

- **Mr. Markó Béla**, Deputy Prime Minister, Romanian Government
- **Mr. Ivo Hartman**, Deputy of the Vice Prime Minister, Czech Republic
- **Mr. Frederik Develter**, Chargé d'affaires, Embassy of Belgium to Romania
- **H.E. Walter Siegl**, The Austrian Presidency of the Council of the European Union
- **Dr. Beate Winkler**, Director of the European Monitoring Centre on Racism and Xenophobia (EUMC)
- **Mr. Alexander Vladychenko**, Director General of Social Cohesion, Council of Europe
- **Mr. Rudko Kawczynski**, President of the European Roma and Travellers Forum (ERTF)

10.15-13.00 **First Plenary Session**

Chair: **Mr. Nicolae Gheorghe**, OSCE-Office for Democratic Institutions and Human Rights
Rapporteur: **Mrs. Maria Koreck**, Project on Ethnic Relations – Regional Center for Central, Eastern and South-Eastern Europe, Romania

Topic: Current situation on the implementation of states' policies at national and local levels in the fields of housing, employment and police: examples of best practices bearing in mind requirements of the OSCE Action Plan on Improving the Situation of Roma and Sinti and of relevant legal instruments and recommendations of the Council of Europe, the European Union and relevant international initiatives, such as the Decade of Roma Inclusion.

10.15-11.20 **General introductory presentations of Conference topics (max. 15 minute presentation)**

- a) **Mrs. Carolina Fernandez**, Fundación Secretariado Gitano (FSG) on the Spanish awareness-raising campaign against anti-gypsyism "*Get to know them before judging them*"
- b) **Mr. Robin Oakley** (Consultant to the OSCE/High Commissioner on National Minorities) on the overall framework concerning relations between the police and Roma, Sinti and Travellers

- c) **Mr. Vladimir Macura**, Serbia and Montenegro, on the inclusive urbanism for Roma settlements and housing
- d) **Mr. Jef Helmer**, Spolu International Foundation, the Netherlands and **Mr. Radu Motoc**, Open Society Foundation-Romania, on affordable housing for people in need, with special focus on Roma in Romania
- e) **Mr. Valeriu Nicolae** (Roma Diplomacy Group) on the European Union employment framework and its effects for the European Roma

11.30-11.55 Coffee break

12.00-13.00 Short interventions (max. 7 minutes) by governmental officials referring to concrete good practices in some of the areas below:

Housing:

Mrs. Klára Orgovánová, Slovakia- Progressive legalization of land and housing in Roma settlements

Mr. László Teleki, Hungary - Integration of people who are living in Roma settlements

Mr. Czesław Walek, Czech Republic - Fighting social exclusion - preventing evictions of vulnerable Roma households

Mr. Csaba Ferenc Asztalos, Romania - Influence of anti-Gypsyism in access to housing

Employment:

Mr. Cristian Tomescu, Romania - Romanian approach of the Roma issues on employment

Mrs. Vesna Peasinovic, Croatia - Roma advisers in local employment agencies

Police:

Mr. Niță Vasile Gabriel, Romania- Commitments concerning the relations between the police and national minorities, including Roma

Comments and reaction from participants

13.05–14.25 Lunch break in Hotel Best Western Park

13.15 – 14.15 Side event on the role of mass-media in promoting positive image related to Roma, Sinti and Travellers, as well as in fighting against prejudices – organized by PER
Regional Center for Central, Eastern and Southeastern Europe

14.35-18.00 **Three working group sessions held in parallel:**

<u>Working Group I:</u> Housing Policies for Roma, Sinti and Travellers: implementation, assessment and harmonization <i><u>Moderator:</u> Mr. Michaël Guet, Head of Roma and Travellers Division, Council of Europe</i> <i><u>Rapporteurs:</u></i> Mr. Florin Moisa, CRCR Mrs. Jennifer Mitchell, OSCE-ODIHR	<u>Working Group II:</u> Employment Policies for Roma, Sinti and Travellers: implementation, assessment and harmonization <i><u>Moderator:</u> Mrs. Eva Sobotka, Administrator for Communication and External Relations, EUMC</i> <i><u>Rapporteurs:</u></i> Mrs. Nicoleta Bițu, OSI, Women Network Mrs. Florentina Constantin - OSCE/ODIHR	<u>Working Group III:</u> Relations between the Police and Roma, Sinti, and Travellers: implementation, assessment and harmonization <i><u>Moderator:</u> Mr. Nicolae Gheorghe, Adviser on Roma and Sinti Issues, OSCE-ODIHR (CPRSI)</i> <i><u>Rapporteurs:</u></i> Mr. Costel Bercuș- OSI Fellow Mr. Chris Taylor - European Dialogue
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14.30-16.00 Speakers (max. 8-10 min) a) Mr. Balan Paustin and Mr. Vasile Galbea (Romania) on how to facilitate the creation of institutional procedures and mechanisms ensuring access to legal housing of Roma b) Mr. Samuel Delépine (France) on Roma mahalas and urban planning: facts and proposals c) Mr. Vladimir Macura (Serbia and Montenegro) on planning and architecture issues - Return to Roma Mahala Project (UN-RRMP) in Mitrovica - Kosovo d) Mr. Claude Cahn (ERRC) on crisis issues related to the right of adequate housing in Central& Southeastern Europe e) Mrs. Beata Olahova (Slovakia) on segregation, including gender aspects f) Mrs. Catherine Beard (United Kingdom) on evictions, including gender and Traveller aspects g) Mrs. Alexandra Radu (Romania) on Romanian policies on housing h) Mrs. Mabera Kamberi (“the former Yugoslav Republic of Macedonia”) on legalization of Roma settlements, and assistance to get property documents i) Mr. Andor Ürmös, (Hungary) EU funds and Roma Housing j) Mrs. Soraya Post (ERTF), viewpoint of the European Roma and Travellers Forum on the issues above 16.00 – 16.25 Coffee break 16.30-18.00 Discussion, questions and answers, working group conclusions	14.30-16.00 Speakers (max. 8-10 min) a) Mrs. Rita Izsak (ERRC) on Roma Employment Policies b) Mrs. Isabela Mihalache (OSI Roma Participation Program) on Romani women’s experience in accessing employment c) Mrs. Teodora Krumova (Roma Diplomacy, Bulgaria) on Phare employment project d) Mrs. Maya Cholakova, Bulgaria on income-generating programmes, capacity-building, ownership e) Mrs. Szilvia Rezműves (PAKIV European Roma Fund) on access to employment: regional perspectives on increasing qualifications f) Mr. Gelu Duminica (Together Agency - Romania) on vocational training and skills building g) Mrs. Sofia Daskalova (Slovakia) on enhancing the employability of the disadvantaged job applicants at the labour market h) Mr. Emil Nechifor (Romania) on Valen Est Industries’s experience in employing Roma i) Mr. Petru Dandea (Romanian Trade Union Cartel Alfa) on the role of trade unions in addressing the employment situation of Roma j) Mrs. Anne-Marie Cukovic (Serbia and Montenegro) on employment of Roma coordinators within the local self-governments k) Mr. Gheorghe Raducanu (ERTF), viewpoint of the European Roma and Travellers Forum on the above issues 16.00 – 16.25 Coffee break 16.30-18.00 Discussion, questions and answers, working group conclusions	14.30-16.00 Speakers (max. 8-10 min) a) Mrs. Margareta Flesner (General Inspectorate of Police, Romania) on the main findings of the report on self-assessment exercise conducted by the Romanian General Inspectorate of Police on current policing policy and practice relating to Roma in Romania b) Mr. Robin Oakley on (European Dialogue) on The Recommendations on Policing of the OSCE High Commissioner on National Minorities c) Mr. Marian Mandache (Romania) on reference points in relation between Roma and the Police in Romania; Experience of Romani CRISS d) Mrs. Miranda Vuolasranta (IRWN) on Romani women’s experience with the police e) Mr. György Makula (Hungary) on the establishment of a national Roma police association f) Mr. Gabor Adam (Romania) on the training of policemen on multicultural communities g) Mr. Ondrej Gina (ERTF), viewpoint of the European Roma and Travellers Forum on the above issues 16.00 – 16.25 Coffee break 16.30-18.00 Discussion, questions and answers, working group conclusions
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DAY TWO

Morning session

09.00-10.00 **Second Plenary Session**

Chair: Mr. Andrzej Mirga, PER, Director for Roma Programs

Rapporteur: Mr. Dan Doghi, OSCE-ODIHR

Topic: *Roma in crisis and post-crises situations*

Up-dates on relevant activities of different organizations regarding the situation in Kosovo since the Joint International Conference from October, 2005

Comments, questions and answers

10.00-10.30 **Coffee break**

10.30.13.30 Third Plenary Session

Chair: Mr. Henry Scicluna, Council of Europe Co-ordinator for Activities Concerning Roma and Travellers

Rapporteurs: Mr. Georgian Lunca (PER Regional Centre) and Mr. Michael Guet (Council of Europe)

Topic: How to ensure synergies and harmonization of policies for Roma, Sinti and Travellers at a pan-European level, as well as to ensure the Inclusion of Roma, Sinti and Travellers in the institutional and international policy-making relevant for these groups

10.30-11.00 Working group rapporteurs briefly present the conclusions and recommendations of the previous day's working group discussions

- Working group 1: **Mrs. Jennifer Mitchell** (OSCE ODIHR)
- Working group 2: **Mrs. Nicoleta Bitu** (consultant OSI, Joint Roma Women Initiative)
- Working group 3: **Mr. Costel Bercuş** (OSI Fellow)

11.00-12.30 Presentations on the role and added value of actors promoting policies/action plans for Roma (max. 8 minutes each)

a) Mrs. Mariea Ionescu, State Secretary, National Agency for Roma. Complementarities of Romanian public policies at the national and international level, on behalf of the Romanian Presidency of the Decade of Roma Inclusion (2005-2015)

b) Mr. Ian Naysmith, Chair of the MG-S-ROM -Council of Europe "Group of Specialists on Roma, Gypsies and Travellers" (to be soon renamed "Committee of Experts on Roma and Travellers")

c) Mr. Nicolae Gheorghe, Adviser on Roma and Sinti Issues, OSCE-ODIHR

d) Mr. Andrzej Mirga (PER), Member of the EC High Level Group on Minorities and Employment

e) Mr. Nezdets Mustafa, Member of the Executive Committee of the European Roma and Travellers Forum (ERTF)

f) Mrs. Livia Plaks, President of Project on Ethnic Relations (PER)

g) Mr. Ivan Ivanov, Director of the European Roma Information Office (ERIO)

h) Mr. Andre Wilkens (OSI Bruxelles) or/and **Mr. Iulius Rostas** (Roma Initiatives Office - OSI Budapest)

12.30 -13.30 **Discussion, questions and answers**

13.30-14.00 CLOSING SESSION: Towards Guidelines for a Common Vision on Implementing and Harmonizing National Policies for Roma, Sinti and Travellers: conclusions

Chair: Mrs. Mariea Ionescu, State Secretary, National Agency for Roma, Romania

Concluding remarks by:

- **H.E. Ambassador Jonathan Schelle**, European Commission Delegation to Romania

- **Mrs. Renate Weber**, President of the Open Society Foundation - Romania

- **Mr. Nicolae Gheorghe**, Adviser on Roma and Sinti Issues (OSCE-ODIHR)

- **Mr. Alexander Vladychenko**, Director General of Social Cohesion, Council of Europe

- **Dr. Anastasia Crickley**, Chairperson of the EUMC Management Board

- **Mrs. Miranda Vuolasranta**, Vice-President of the European Roma and Travellers Forum (ERTF)

14.05 Lunch and departure of participants

3. Opening Remarks

Teodor Baconschi

State Secretary

Ministry of Foreign Affairs of Romania

Distinguished Vice-Prime Minister,
Your Excellencies,
Distinguished guests,

I feel honoured to address you at the opening of this well-titled conference “Common Guidelines for a Common Vision”. This occasion is a special and long-awaited one. The initiative of the Romanian Presidency of the Committee of Ministers, developed in close cooperation with the OSCE and the Council of Europe, offers us the opportunity to analyse the efforts made by the governments of the states present here, in view of combating discrimination and intolerance, and implementing practical measures for the improvement of the situation of the Roma. At the same time, this reunion provides a good framework for a comparative analysis with regard to the standards and the action plans of the different international actors involved.

I hope that, beyond the necessary evaluation of the implementation status of different commitments, the event, which begins today, will also provide opportunities for the harmonization of visions and action models. There is a certain perception that the Roma benefit from numerous action plans and political declarations at all levels, which however are not implemented, or worse even, there is a discrepancy in priorities among the main actors involved in the process. That is why one of the objectives of the conference should be a qualitative inventory of projects and plans in view of the second key- objective: harmonization.

I have no doubt that the debates will emphasise the similarities and the existing connections and I hope that the need for a viable perspective on this issue will be reasserted.

Distinguished audience, the situation of the Roma requires coherent policies of economic, social, political and civic inclusion. In other words, it is about Roma’s equal opportunities to participate in a democratic system, their equal access to a job and a decent house; the equal access to the social services furnished by the state and the facilitation of non-governmental initiatives to the Roma communities.

Participation requires real involvement; the problems of the Roma can only be solved with the support of the Roma. We have to discourage an assistance-oriented mentality and to support initiatives stemming from within the community. At the same time, we have to give the Roma the power to decide and build themselves. In other words, before the state authorities, the Roma must assume the responsibility of their own development.

As far as we are concerned, Romania has adhered to most of the international instruments in the field of combating discrimination and national minorities' protection, demonstrating good will in implementing/ applying the monitoring mechanisms. I recall, in this context, the International Convention for the protection of national minorities, as well as the regular reports of the European Commission against Racism and Intolerance or, in direct reference to our topic, the Report of the European Commissioner for Human Rights, Alvaro Gil Robles.

Beyond the efforts made directly by Romania in different fields, and which the government officials directly involved, will present extensively, I should mention here the Decade for Roma Inclusion, the presidency of which is held this year by our country. I would like to congratulate the National Agency for the Roma for the progress registered within the Decade for Roma Inclusion. The most important achievements are certainly the approval of the terms of reference of the Decade and the institution of the national annual contributions.

Ladies and gentlemen, Roma issues are a European issue, with consequences in all the fields of economic and social life. Beneath the quantifiable effects – the lack of jobs, the difficulties in obtaining a decent house and the relations sometimes tensioned with the Police – lies a grave and worrying phenomenon for the European conscious: racism. The relation between these two levels of analysis is in my opinion a causal one. To affirm this is however not enough. What is the internal mechanism of such a process? What are its vectors and what are the practical ways to fight it? These are only two of the questions at which I am sure this conference will find an answer, even a partial one.

I have emphasised only some aspects, which I am persuaded will generate a prolific exchange of ideas in the days to come. The Romanian Authorities hope that this conference will offer a new breath to the efforts to improve the situation of the Roma in different fields. Thus, I propose to consider the adoption of a common declaration at the end of this event. The document might contain the most important conclusions and certain recommendations to be brought forward to the Council of Ministers of the Council of Europe and the Permanent Council of the OSCE for political validation.

Concluding, I have to thank those who made possible this reunion; the OSCE chairmanship in office and the colleagues from the Office for Democratic Institutions and Human Rights, the Council of Europe and the foundation Project on Ethnic Relations. The Ministry of Foreign Affairs also thanks the Austrian presidency of the European Council and the EUMC.

Not least, I thank you all for having accepted our invitation. I wish you good luck!

Marko Bela

Deputy Prime Minister of Romania

Raiale, tai Rainale

Pakivale acarde,

Ladies and gentlemen, distinguished guests,

In my capacity of state minister, but also in my capacity of President of the Democratic Union of Hungarians in Romania, I feel honoured to be invited to this event. This is not the first time, when I participate in seminars and conferences organised by You, which proves that the Government which I represent pays special attention to the Roma community, works to eliminate the differences between Roma and non-Roma communities, between the majority and minorities in general, in terms of/ with regard to living conditions. In addition to these issued another important aspect is changing people's mentality. Both as representative of the Hungarian minority in Romania, and president of the Democratic Union of Hungarians in Romania and as minister, I can testify that in the last years we managed to achieve important steps in this field, we have contributed to a certain extent to the change in the mentality of society, proving that a minority can work effectively with the majority in solving the general problems of the country.

As far as the Roma are concerned allow me to express my belief that this community must be defined, recognised and appreciated first of all as an ethnic community with its own culture, tradition and, not least, its own language. In a future Europe without borders in which we will all be in minority, in a united Europe the concept of majority will disappear.

We have to overcome certain stereotypes, even more so now when we witness a change of mentality, the rise of a new generation of Roma capable of representing responsibly the community. It is not true that an institution, law or strategy in itself can solve the problems of the Roma community; a partnership, cooperation with the Roma is needed. These strategies, plans, projects included in the government programme will be effective only if the Roma will actively partake in their evaluation, implementation and monitoring, and - as it should be - in the decision-making processes.

Focusing the conference on concrete measures to be adopted by member states will lead to improved implementation of the recommendations of European institutions and to the appropriation of relevant standards of the European Union, correlated with the Project Decade of Roma Inclusion, 2005-2015.

One of the most important achievements of the last years is the process of decentralisation. The effectiveness of these efforts has a major impact in the Roma communities and these efforts must be continued: in future the Roma community must be represented not only at the level of the Prefect's office, but also at the level of County Councils, Local Councils and the Police. Only in this way can a true partnership

between the political sphere, the institutional sphere and civil society be achieved, a partnership capable to put into practice the ideas formulated in strategies and projects.

At the same time, we must ensure the flexibility of coordination of this mechanism between countries, the Roma civil society and the international community.

The exchange of experiences between the participants with regard to the involvement of local communities in the decision-making process, as direct beneficiaries of the public policies implemented in partnership with them, under the slogan: “for Roma with Roma” will lead to improved knowledge of best practices, their multiplication and improved coordination in view of implementing public policies and action plans for Roma, Sinti and Travellers.

In my capacity of minister for the coordination of activities in the fields of education, culture and European integration and as president of the Democratic Union of Hungarians in Romania I extend my full support and I encourage you to get actively involved in solving problems. I consider especially important to ensure effective relations between the government and the community and our task, the task of the Cabinet I lead is exactly that of creating a proper framework for achieving results.

The Democratic Union of Hungarians in Romania militates for the majority population to accept that we, the minority communities, have decision-making rights concerning our problems because we are best fit to decide in these aspects. In addition to the official relation government-community allow me to emphasize the need to develop cooperation between ethnic communities, between the Roma and the Hungarians in Romania. We already have common results, one year ago we formulated together the project for the law regarding the statute of national minorities and now I believe that only through unity between these minorities we can persuade the Romanian society, the political class of the necessity to adopt as fast as possible our project which offers the possibility to these communities to decide on their own in the problems that concern them.

I take this opportunity to wish you success, persuaded that this reunion marks an important step in accelerating the process of improving the situation of the Roma.

Mangau tumenghe bath,

Te aven bahtale andotumari avutni vremea!

Frederik Develter

Charge d'affaires

Embassy of Belgium to Romania; the OSCE chairmanship in office

Excellencies, Ladies and Gentlemen,

On behalf of the Chairman-in-Office of the OSCE, Belgian Foreign Minister Karel De Gucht, I would like to express my sincere gratitude to the organizers of this conference. I am particularly grateful to the Romanian authorities (among others: the Ministry of Foreign Affairs, the National Agency for Roma, and the National Council for Combating Discrimination) for having functioned as the driving force of this meeting. The Romanian government and its various ministries and agencies have a track record of putting Roma and Sinti issues on international agendas. The initiatives that Romania has taken as present Chair of the Committee of Ministers of the Council of Europe and President of the Decade for Roma inclusion, and also in the past as OSCE Chair, are a case in point.

This is a most valuable and timely event. Indeed, the situation of Roma, Sinti and Travellers deserves more attention than it is granted today. I therefore hope that this gathering triggers further interest and commitments to the benefit of the Roma community. The fact that this conference is co-organized by such a wide array of organizations is a positive indication of such an evolution.

The goal of our meeting is to find ways to harmonise the implementation of Roma-related policies, both at the local and international levels. Greater coordination and cooperation implies increased participation across policy-sectors in the resolution of Roma problems. That is why this conference will explore three key policy areas, namely housing, employment and relations with the police, while bearing in mind the linkages between the three.

Ladies and Gentlemen, I have the honour to say a few words on the significant work of the OSCE in relation to Roma and Sinti.

The OSCE was the first international organisation to pay particular attention to the situation of Roma in the context of racism, intolerance and discrimination. The OSCE's Copenhagen Document already mentions the issue in 1990. These early commitments were bolstered significantly in 1994, when a Contact Point for Roma and Sinti Issues was established within the OSCE Office for Democratic Institutions and Human Rights (ODIHR). Mr Nicolae Gheorghe, a highly respected individual within and outside the Roma community, has been heading the Contact Point since 1999. In 2003 an Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area was also adopted, notably with the strong support of the Romanian authorities.

A plethora of activities are channelled through the Roma and Sinti contact point. The OSCE field missions play an important part in turning these initiatives into concrete actions.

Finally, and perhaps most importantly, the OSCE was successfully involved in creating a broad and effective network of Roma organisations. This has been a difficult task, again with great involvement of Mr. Nicolae Gheorghe from ODIHR.

Ladies and Gentlemen, I look forward to an interesting meeting and fruitful discussions among all participants. I wish this conference a great success.

Thank you.

Ambassador Walter Siegl

The Austrian Presidency of the European Union

Excellencies, Ladies and Gentleman,

It is an honour and a pleasure to address you on behalf of the Austrian Presidency of the European Union at the opening of this important international conference.

Let me say at the outset that the EU-Presidency would like to warmly thank the Romanian government for its generosity in hosting this conference as well as the OSCE, ODIHR, the Council of Europe and the EUMC for participating in this effort. We thank them for bringing us here together in order to reflect on the situation of the biggest marginalised minority on our continent with the resolve to redress long-ignored deficits in human development in affluent Europe.

In recent years awareness has increased that the situation of Roma and Sinti must be treated as an area of serious policy concern. This is true for the EU and for other international actors, many of whom are represented here today, ever more conscious of the need to work together closely.

Concerning the EU, this awareness has resulted in a number of initiatives, strategic reports, specific programs and in not negligible funding. Let me make a brief reference to this policy.

The seminal Report "The Situation of Roma in an Enlarged European Union" (of 2004) is a very useful tool to assess the options provided in the framework of the European legal system and to identify the gaps which demand further and urgent action. In this respect, the EU anti-discrimination acquis marks a significant advance. The above report addresses the EU Member States and the EU institutions, but also Roma themselves, since it is essential that Roma as part of civil society, but also as stakeholders in the various Roma representative bodies - such as the recently formed European Roma and Travellers Forum - participate actively and effectively in all stages of policy formation and implementation.

Reflecting the need to clearly and explicitly identify Roma within comprehensive antidiscrimination and social inclusive policies, the European Commission has set up an Inter-Service Group including members of 14 General Directorates[1] to ensure a coherent multidimensional approach. In addition, the European Commission recently

established a high-level group of experts to improve the social and labour market integration of ethnic minorities. This group[2] will focus on the issue of multiple discrimination and the socio-economic situation of ethnic minorities within the EU. Policy recommendations will be formulated on how to deal with problems of social and labour market exclusion of disadvantaged minorities.

Discrimination and racism against Roma within EU member states is also being addressed by the European Monitoring Centre for Racism and Xenophobia, an EU-institution, about which Dr Winkler, the next speaker this morning, will talk to us.

Against the background of enlargement, old and new EU member states have been strengthening their efforts to improve the situation of the Roma. The Copenhagen Criteria include respect for human rights and respect and protection for minorities, and thus the situation of Roma in accession countries is actively monitored by the European Commission.

Speaking of EU financial assistance, substantial sums have been made available. For example, social inclusion in the field of labour and education in old and new EU member states is promoted through programmes such as PHARE or through the European Social Fund. In this respect, it is often stressed that the main question in promoting the cause of the Roma is not a lack of financial resources.

What are the real causes of marginalisation? Pertinent answers can be expected in this conference, attended as it is by many personalities with a life-long commitment to the cause of the Roma. I shall limit myself to the following remarks:

In Warsaw, October last year, it was said that the then conference was not about launching new initiatives or commitments, but should examine how the already existing recommendations and action plans could be put into practice at the local level, yielding real benefits for human beings. This motto can also guide us through this conference.

The Austrian Foreign Minister Ursula Plassnik stressed this point in her statement at the Ljubljana OSCE- Ministerial Council: "Concerning the situation of Roma and Sinti, we have been dealing with the necessary strategies for quite some time - their implementation requires increased efforts".

The basic and urgent issues are in fact well-documented: access to quality education, housing, health, employment, participation in public life, relations with the police etc. There is the burning topic of refugees and of internally displaced persons in Kosovo. We should also not forget to recognise and address the double discrimination that Roma women often face. All these issues are interlinked and effective progress depends on stronger political commitment on all government levels, supported by the whole society.

I am confident that this conference will mark progress - deepening our understanding of the challenges, assessing realistic perspectives of change, strengthening the network of those working for and with the Roma. Taking up the words of the well-known UNDP-Report on the subject (Avoiding the Dependency Trap): The conference should offer specific recommendations in selected policy areas so that the long- term objective

of policy efforts - integration of Roma people into the mainstream of society - becomes feasible.

Thank you for your attention.

[1] Including DG employment and social affairs, enlargement, education, culture, justice human rights, health care and rural development.

[2] The expert group brings together ten eminent persons from business, politics and media including ethnic minorities. Andrzej Mirga (former head of the CoE Specialist Group of Roma) is one of them.

Dr. Beate Winkler

Director

European Monitoring Centre on Racism and Xenophobia

Chair, Excellencies, Ladies and Gentlemen,

It is a real pleasure to welcome you in Bucharest, on behalf of the EUMC as the co-signatory to this conference.

The European Monitoring Centre on Racism and Xenophobia (EUMC) was created specifically to provide the Community and its Member States with objective, reliable and comparable information and data on racism, xenophobia, Islamophobia and anti-Semitism at the European level and facilitate knowledge transfer between different parts of the European Union. Learning from each other for each other at all levels is a central part of our job.

The EUMC has a special focus on the situation of Roma within the European Union. We are releasing today the Report "Roma and Travellers in Public Education in EU 25". The report presents an overview of the situation regarding access to education of Roma and Traveller pupils in the European Union focusing on primary and secondary public education.

My first message is: Implementation of policies in education should have top priority

The report highlights problems of discrimination, exclusion and segregation, which impact on the lives of Romani pupils and have consequences in a later stage of life in accessing labour market. The report also shows that the availability of official statistical data regarding Roma and Traveller education is poor.

Education and qualification is a prerequisite for accessing employment and minimum requirement to access employment programs. We consider it very well fitting to highlight insufficient equal access to education for Roma and Travellers in today's Europe.

"Our report shows that education systems across the EU are failing Roma pupils. As a result, Roma pupils tend to leave education early, which deprives them of the qualifications that would enable them to compete later in the labour market. Much remains to be done, particularly regarding segregation, which, in all its forms, remains the major obstacle for Roma and Traveller children in the education system. While the

necessary legal and policy instruments are now in place, we need action on the ground, particularly at local level, to apply measures more efficiently.”

The EUMC report finds that segregation in the education of Roma and Traveller pupils still persists in many EU countries - sometimes as the unintended effect of policies and practices, and sometimes as a result of residential segregation. Wrongful assignment and hence over-representation of Roma pupils in special education for mentally handicapped remains particularly common in some Member States. Albeit enrolment and attendance rates of Roma pupils have somewhat improved, they remain low. In most countries transition to secondary education is particularly poor.

To improve the situation, the EUMC calls for comprehensive strategies designed and implemented with the involvement of Roma representatives. These should among others include removing administrative requirements for enrolling, providing truly free access to education for Roma pupils, establishing parent-teacher programmes, reducing adult illiteracy, and focusing on pre-school programmes.

Where segregation of Roma and Traveller children exists, the authorities should deploy desegregation strategies. The assignment of Roma to special education must be closely monitored. Intercultural education should be integrated into national education programmes and curricula.

Such measures could include mother tongue teaching in the Romani language, the inclusion of Roma and Traveller history and culture in textbooks, hiring more Roma teachers and specific inter-cultural training for teachers. Finally, an official system of data collection in line with standards on data protection to document the implementation of policies on Roma must be put in place.

The report lists a variety of innovative projects implemented in several Member States, often with the support of EU education programmes, such as Comenius or Leonardo. Also the PHARE programme was successfully used for Roma projects during the accession phase of the ten “new” Member States.

“The educational situation of Roma and Traveller pupils shows how critical it is that the EU and the Member States accelerate efforts to address the discrimination faced by Roma. Poor educational attainment directly relates to precarious conditions of life, high unemployment, substandard housing conditions and poor access to health services. We need more vigorous implementation and adequately resourced policies so that Roma will finally obtain equal opportunities in Europe.”

Today and tomorrow discussions should follow up on the last year policy implementation conference in Warsaw. Here in Bucharest we will continue discussion about implementation and harmonization of policies in the area of employment, housing and relations with the police. In Warsaw we agreed to consider creating Task Forces to help to facilitate implementation and harmonization of policies and address anti-Gypsyism in various areas of life. Today and tomorrow we should focus on looking into practical ways how to improve implementation of policies and raising questions that need inter-institutional discussion and approach.

Commitment to improve situation of Roma has been firmly established at the European and national level. We need to move quickly from the level of commitment to level of implementation. Our discussion today will be devoted to implementation, to its practical aspects, difficulties on the ground and ways how to overcome them.

My second message is: Implementation of policies and measurement of implementation through data collection

Member States need to step up the implementation of policies in order to adequately address the situation of Roma. We need more action on the ground. Implementation of policies also implies sufficient budgetary resources in a long-term to make implementation possible.

Member States need to step up the implementation of anti-discrimination policies, in particular linked to the process of transposition of the Racial Equality and Employment Equality Directives.

In the context of implementation we have to think also in terms of evaluation. Most Member States need to improve or develop data collection structures and mechanisms in order to improve data comparability by establishing common indicators.

This will allow an effective and accurate assessment of the impact of policies, measures and initiatives taken at Community, national and local level.

The EUMC acknowledges concerns voiced in different fora regarding the collection of ethnic data, but stresses the crucial importance of the collection and statistical elaboration of objective, reliable and comparable ethnic data. This will allow robust and objective analyses supporting effectively the development of appropriate and effective strategies and measures at both national and EU level. Such data can be collected anonymously and with adequate safeguards protecting the identity of individuals and any private and sensitive information.

My third message is: Empowerment of Romani men and Romani women

Implementation of policies has to come hand in hand in empowerment of Romani men and women in the process of planning, implementation and evaluation of policies. The EUMC objective for this conference has been a discussion of implementation, critical assessment of work done so far. The EUMC objective is also to bring relevant partners to the process. Day before the conference the EUMC has facilitated a Roundtable with two Romani women networks: The International Romani Women Initiative and the Joint International Romani women initiative. Both networks represent significant amount of resources and expertise. As you can see from the Agenda of the conference, experts active in those networks will speak to the themes of employment, housing and relation with the police.

I think that these kinds of networks should be strengthened and became a powerful tool for self representation.

Lastly, our discussion today, have to be taken back to our working contexts and I hope that they will motivate further progress in implementation of policies on Roma. It is a challenge – but I am confident that we can succeed.

And therefore let me conclude:

When we speak about empowerment and self representation, when we speak about implementation and education we speak about change. And how can we create change? I think by even working more closely together and giving one clear, common message by all of us: “Our challenge is that Roma became respected members of our society – and feel as such”.

Alexander Vladychenko,
Director General of Social Cohesion
Council of Europe

Mr Chairman,
Mr Deputy Prime Minister,
Ladies and Gentlemen,

Let me first of all to thank the Romanian authorities for having invited all of us to Bucharest to hold this major conference. For Romania, dealing with Roma related issues is a priority. It is also a priority for the Council of Europe. So, we are natural partners.

Over the last Decade we have seen undeniable progress both in terms of the adoption of international standards and national programmes for the improvement of the situation of Roma in Europe, and in terms of the adoption by a number of governments of concrete measures to remedy some of the problems identified. I would like here to congratulate the Romanian authorities for the very recent adoption of a new General Plan of Measures for the National Strategy for Roma, for the period 2006-2008. We should continue to promote the adoption of comprehensive targeted national policies for Roma in countries that have not done so yet.

And still, despite this progress not a single day goes past without headlines in European media concerning difficult situations faced by Roma in most of the European countries, including the oldest members of the European Union.

Not a single day goes past without the Council of Europe receiving alarming reports on:

- Social exclusion of Roma populations;
- Forced evictions and demolition of Roma houses or settlements;
- Appalling situations of Roma living in hazardous areas;
- Restrictions on Travellers’ free movement and encampment ;
- Hate speech – and sometimes violent attacks - against members of the Roma communities;
- Police brutality vis-à-vis members of the Roma communities; etc.

Proof of the seriousness of these issues, and I limit myself to the topics of this conference, is the growing number of justified complaints coming before the European

Court of Human Rights (ECHR) or before the European Committee for Social Rights through the collective complaints mechanism of the Social Charter. The recent judgments by the ECHR on Bulgaria (Nachova case about police brutality and discrimination and Anguelova case about inhuman treatment and lawful arrest), on Greece (Bekos and Koutropoulos case about degrading treatment, police brutality and discrimination), on Romania (Moldovan case about respect for family and private life) are warning signs. Such as are the recent decisions of the European Committee for Social Rights about Greece (concerning family housing) and Italy (concerning housing conditions and principle of non-discrimination).

As a pan-European human rights organisation engaged in combating all forms of discrimination, the Council of Europe addresses these multiple issues on the basis of the principle of equal access of all European citizens – and particularly vulnerable groups – to basic human and social rights, as well as the effective enjoyment of these rights. The Council of Europe was the first European inter-governmental organisation to start normative work in the field of minorities. Since the beginning of the 90s we have promoted and continue to actively promote the development of national comprehensive strategies for Roma.

This has led the Committee of Ministers to adopt specific recommendations addressing the particular situation of these communities. I will not quote all of them but let me mention those which are particularly relevant for our Conference, i.e. Recommendation (2001)17 on Improving the Economic and Employment Situation of Roma/Gypsies and Travellers in Europe and Recommendation (2005)4 on Improving the Housing Conditions for Roma and Travellers in Europe.

These reference documents were drafted by the Group of Specialists on Roma, Gypsies and Travellers (MG-S-ROM). Let me congratulate on behalf of the Secretary General the current and past members of the MG-S-ROM – at a time when we are celebrating the 10th anniversary of the Group's existence – for their active intellectual contribution to the international recognition of problems faced by Roma and for the remedies they have proposed. I would like also to congratulate all other actors that contributed actively to the drafting and preparation of these documents (consultants, independent experts, representatives of international governmental and non-governmental organisations, and most recently the European Roma and Travellers Forum) since many of them are present today.

A number of governments did refer to the Council of Europe's recommendations when drawing up their national strategies or action plans for Roma. However, these recommendations are regrettably too often not enough known and not enough followed. Most of the time these documents are not even translated into national official languages, not to mention into Romani, thus limiting their impact. It is an issue to be very seriously tackled within the MG-S-ROM and within other fora such as the Decade for the Roma Inclusion.

The Secretariat of the MG-S-ROM has recently undertaken the drafting of a document, which should aim at compiling all existing national strategies and highlight how

effectively, if at all, the Council of Europe standards have been taken into consideration. This should be considered as a monitoring exercise of the work of this Committee and in general of the CoE recommendations' impact in the field, as well as a tool to study how to harmonize the existing policies at a pan-European level. I shall encourage all of you to contribute to this major document, which will be made public after the next MG-S-ROM meeting scheduled for October or November this year.

Ladies and Gentlemen,

As it clearly appeared at the Warsaw Conference last October, anti-Gypsyism is still a scourge in today's Europe. Not enough was done in the past to address the prejudices of the majority of society, including parliamentarians and local authorities. And this often affects the implementation of policies for Roma and sometimes negatively impacts governmental well-intended action. Better communication strategies should be considered by those in charge of implementing and monitoring the policies for Roma. Awareness-raising campaigns should be organised to address anti-Gypsyism, using existing experience. The Spanish campaign will be presented to you in a few minutes.

Within the new joint EC/CoE programme "Equal rights and treatment for Roma", the Council of Europe will address the two above-mentioned priorities: i.e. training interministerial commissions on better monitoring and communication, and launch a two-year awareness-raising campaign. Since some of the countries concerned by the joint programme (Albania, Bosnia and Herzegovina, Serbia and Montenegro and "the Former Yugoslav Republic of Macedonia") are also participating states of the Decade for Roma Inclusion, we hope to establish good relationship and coordination with the relevant Decade partners, World Bank, OSI and UNDP included, to join our technical and financial resources to achieve the common goals and avoid duplication or overlaps. It is also our appeal to the current and upcoming presidencies of the Roma Decade.

Ladies and gentlemen,

Let me highlight another challenge for the years to come, i.e. to ensure that these communities become the subject (i.e. actor) of the drafting, implementation and monitoring of policies and not just an object of discussion at European level between governments and/or international institutions. There is indeed a mounting discontent amongst Roma over decisions being taken by non-Roma on their behalf. All our joint efforts risk being counter-productive if they are not undertaken jointly with those directly concerned. We should work for Roma with Roma.

The involvement of the European Roma and Travellers Forum as a partner of this Conference is a move towards the right direction. The Council of Europe looks forward to be invited to a similar conference organised by the Forum where the agenda and the discussion will be determined by Roma and Travellers themselves in co-ordination with their partners.

I wish all participants a very successful meeting.
Thank you for your attention.

Livia Plaks

President

Project on Ethnic Relations

In the past 15 years since the Project on Ethnic Relations (PER) is in existence, I witnessed great changes in the field of our work with the Roma communities. Whereas in the early '90s this type of work was considered a bit of "exotica" by many in the international fora, the issue of the Roma has now become such an important topic that it has been embraced by many international institutions, and even the US Congress. Today, the Roma are on the agenda of almost all international organizations and national governments in Europe. The visibility that has been brought to Romani issues however, has not yet resulted in tangible results on the ground.

Most of the efforts of the past decade in relation to Roma issues resulted in the elaboration of a number of rights-oriented recommendations and in the development of governmental policies towards the Roma. Despite the many efforts and initiatives devoted to the Roma, change has been slow and results have been less than anticipated. Criticism of these efforts and results is strengthening, as is frustration inside the Romani communities.

Currently the focus is on the implementation of Roma policies at the national level. This is lagging due to the following reasons: insufficient will of governments, ineffective management, poor coordination of various aid programs, the often low education level of Romani partners, and from insufficient funding. There is also an absence of a common vision among policy makers on how to address the Roma issues. To date, the implementation of Roma policies is burdened by all these ills. The typical Roma community still suffers from the lack of coherence in policies and actions of various governments and institutions, from poor coordination of various aid programs and the absence of a common vision among policy makers on how to address the Roma issues.

The Project on Ethnic Relations has always encouraged partnerships and cooperation between governments and the leaderships of ethnic minorities. While taking a complex approach to the problems of diverse Romani communities, PER believes that the best long-term solution for Roma will be one that provides for their greater inclusion in the political life and decision making institutions of their home lands. Only in this way,

PER believes, will Roma gain the opportunity to define their own agenda and to influence policies that directly affect them.

The PER vision was and still is to make the Roma minority a political stakeholder both at national and local levels. Our conviction is that politics determines policy outcomes and the Roma need to enter it in order to secure some benefits for their communities. Governmental Roma policies cannot turn into patronizing and philanthropic policies. PER has been promoting political participation for the Roma and mainstream parties since the early '90s. It requires first of all a concentrated and united effort on the part of the Roma activists, whether from the politically oriented or civil society organizations, and we all know that this is not easily obtainable.

The European Union enlargement and its emerging Roma policy provide a new framework for Roma-related policy implementation. It offers legal, political and financial means to enhance policy implementation—opportunities not to be missed both by the Roma and national governments to improve the economic and social standing of disadvantaged Romani communities as well as their integration into the respective societies.

PER is pleased and honored to see that its efforts of serving as a neutral mediator between the Roma community and national governments, is appreciated and we take this as a moral duty to continue the activities started in 1991.

I look forward to the discussions in the next two days which should give another chance for international organizations, governments and the Roma to improve coordination and efficiency of various efforts on the ground for the sake of the average Roma family.

Rudko Kawczynski

President

European Roma and Travellers Forum

The European Roma and Travellers Forum is today the representation of more than 14 Million Roma and Travellers in Europe including Turkey.

As the largest body uniting Roma and Traveller civil society in Europe, the FORUM has begun to communicate with European and, when so requested by its participating institutions, with national bodies.

The FORUM is not only reaching out to a growing number of NGOs in order to invite them to become involved; it is also reaching out to European policy-makers and inviting them to engage the FORUM as a voice of Roma and Traveller community leadership in policy formulation.

The European Roma and Travellers Forum (FORUM) signed a Partnership Agreement with the Council of Europe (Council of Europe) on the 15. December 2004. In 2005, participants in 40 member states countries convened to hold meetings in accordance with the FORUM Statutes and Rules of Procedure, to set up a national forum and select national forum representatives to the FORUM Plenary Assembly. To date, 75 elected delegates from 40 countries as well as representatives of 7 admitted international NGOs have been accepted.

After less than twelve months of outreach, the FORUM has become Europe's largest and most diverse Roma and Traveller organization. More than 2000 Roma NGOs have made formal requests to participate in the FORUMS structures. These participants have been encouraged and helped to convene meetings across Europe in order to form umbrella bodies and choose those bodies' representatives who will attend FORUM Plenary Assembly meetings as official delegates of their respective organizations. The FORUM's participating institutions are found in almost all of the countries of Europe in which Roma or Travellers are known to live.

The FORUM is unique not only in the size and geographic distribution of its participants. It is also special in that it brings together representatives of several ethnic Roma groups such as, Kelderas, Lovara, Sinti, Beas, Jenish, Resande, Pavees/ Travellers, and more than twenty others.

This Agreement laid out relations between the two organizations and made the FORUM a consultation partner to the Council of Europe and its institutions on policies and activities concerning Roma and Traveller communities across Europe

It is also special in its commitment to gender balance. It is the only international Roma and Traveller organization which unites NGOs, political parties, religious institutions and other types of leadership in one forum.

In the 21st-century's Europe, the treatment of Roma will be the most important factor in gauging human rights conditions and the treatment of minorities.

A united, democratic Europe which respects the rights of minorities inevitably presupposes respect for Roma and their claim to equal rights. Without the Roma's inclusion in the European societies, there can be no peaceful, normal relationship between Roma and the majority population.

Ladies and gentlemen, we are not asking for privileges.

We are simply asking for equality.

Our people expect us to curb the everyday anti-gypsism and the discriminations.

- They want decent living conditions not in shanty towns or on insalubrious sites.
- They want their children to go to school with all the other children, and not in segregated schools.
- They want jobs to earn a living
- In short: they want to be no worse and no better than the other citizens of the country of which they are citizens as well.

They want to live in a just Europe where their children can grow up with the same chances as everybody else.

We are ready to join you in your efforts in combating the phenomenon of anti-gypsism.

We are ready to share our expertise with you - and to assist you in your recommendations and decisions.

I am well aware that we are only at the beginning of a long journey, and that seven hundred years of prejudice and exclusion of our people can not be abolished overnight.

But, with the path we started to pursue, we have come decisively closer to that goal.

4. First Plenary Session

Topic: Current situation on the implementation of states' policies at national and local levels in the field of housing, employment and police

Introductory presentations

Carolina Fernandez
Consulente
Fundacion Secretariado Gitano



Contents

- ❑ The *Fundación Secretariado Gitano* (FSG)
- ❑ Awareness-heightening campaign:
 - ❑ Why an awareness-heightening campaign?
 - ❑ Objectives
 - ❑ Message
 - ❑ Strategy
 - ❑ Impact



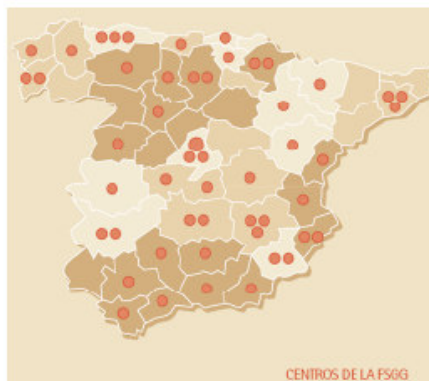
The *Fundación Secretariado Gitano*

- ❑ Spanish non-profit social organisation
- ❑ Mission: the social advancement of the Roma community
- ❑ Activity:
 - ❑ Provision of services to the Roma community
 - ❑ Training, counselling, awareness-heightening



The *Fundación Secretariado Gitano*

- ❑ Direct beneficiaries of our actions (2005): 70,000
- ❑ Work centres throughout Spain: 54
- ❑ Workers: 500



Awareness-heightening campaign

- ❑ **FSG Communication strategy:**
 - ❑ Furnish information and attend to the media
 - ❑ Monitor the press
 - ❑ Web (www.gitanos.org)
 - ❑ Bimonthly Magazine "*Gitanos. Pensamiento y Cultura*" ("Roma. Thought and Culture")
 - ❑ Materials and publications
 - ❑ Training of spokespersons
- ❑ **Strategic Communications Plan 2004-2006:**
reinforce these actions and launch the awareness-heightening campaign



Why an awareness-heightening campaign?

- ❑ Need to improve the **social image** of the Roma community: the group most poorly considered and the one most rejected by the Spanish society
- ❑ Opportunity: funding through the Operational Programme “**Fight against Discrimination**” (European Social Fund, ESF)



Why an awareness-heightening campaign?

Social image of the Roma community:



Why an awareness-heightening campaign?

Where do these perceptions come from?

- ☐ Press and television: news items focusing on crime, murders, etc.
- ☐ Television series and films: Roma portrayed as delinquents
- ☐ Clichés and urban legends: negative stories about Roma



Stereotypes flourish due to lack of first-hand knowledge



Why an awareness-heightening campaign?

Consequences:

- ☐ Discrimination
- ☐ Diminished opportunities
- ☐ Conflict
- ☐ Distrust



Prejudice prevents the exercise of full citizenship



Why an awareness-heightening campaign?

Past research suggests getting at the root of the problem, i.e. the social image of the Roma community, in line with the following process:

1. **Stereotypes**: cognitive component
I think that Roma are... (marginalised, artists...)
↓
2. **Prejudice**: emotional component
They make me feel... (insecure, afraid...)
↓
3. **Discrimination**: behavioural component
I treat Roma ... (unjustly)



Objectives

- Get society to reflect on the serious discriminatory effects of judging people by their appearance.
- Show how unfair it is to base our judgements on preconceived notions and to extrapolate the deeds of a few to an entire community.
- Demonstrate the effort that the Roma community has been making for many years now to be full-fledged citizens and to achieve a better life for themselves and their families.



Message

- The result of this negative social image is discrimination (in terms of access to employment, education, housing, etc.)
- If we are to “educate” society regarding this problem, we must:
 - **Break down stereotypes**: generalisations are absurd and unfair (Phase I: “This is how we view the Roma community”)
 - **Break down prejudice**: your feelings towards Roma are conditioned by “what you have heard” (Phase II: “Your prejudices are the voices of others”)



Strategy

Stereotypes and prejudice breed on ignorance



General campaign slogan

“Get to know them before judging them”



Strategy. Phase I

- ❑ Present an absurd and unfair generalisation to make people think ("*This sign is black*" written on a yellow sign)
- ❑ Seek to differentiate individuals



Components

- ❑ Graphics (posters)
- ❑ Television spots
- ❑ Radio spots
- ❑ Supporting elements:
 - ❑ Campaign website
 - ❑ Brochure
 - ❑ Merchandising

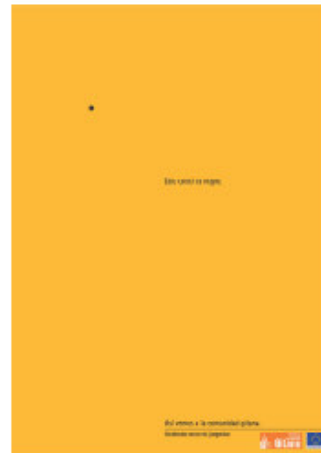


Phase I

This sign is black

This is how we view the Roma community

Get to know them before judging them



Phase I



The plant is dead

This is how we view the Roma community

Get to know them before judging them



Phase I

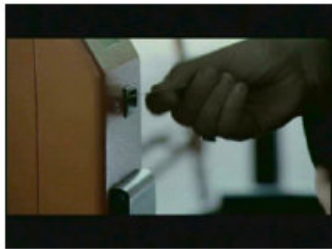
It's cloudy

This is how we view the
Roma community

Get to know them before
judging them



Television spot



*This is how we treat the Roma
community.
Get to know them before judging
them*

Miss, are you going to pay or not?
No, I'll be getting off in just a minute.
You mean you're not going to pay?
Don't make such a big deal about one person
not paying.
Get off the bus right now.
Calm down. You'd think the bus was yours.
Hey kid, you get off too.
But this isn't my stop.
And you, lady, off the bus.
What are you talking about? I'll be late for work.
And the lady back there with the little girl, OFF.
No, my daughter and I paid.
I said OFF. And you, get off.
Wait a minute here. We all paid our fare and
nobody is getting off this bus.
No, you're wrong. Not everybody.
You mean because of one who didn't pay you're
going to make us all get off the bus?
Exactly, I'm going to make you all get off the
bus.



Radio spot

Good morning, Mr. Pedro Torrecilla please.

Speaking.

I'm calling from courtroom No. 3 at Plaza de Castilla Courthouse to inform you that you have been fined 500 € for a traffic violation that your neighbour, Mr. Julio Rodríguez committed.

What?

Yes, you have been fined 500 €.

But I don't understand. I don't even own a car.

Well I am sorry, but you belong to the same community and as far as I'm concerned, you're all the same

"This is how we treat the Roma community. "Get to know them before judging them". This message was brought to you by the FSG and the ESF



Merchandising



Strategy. Phase II

- Appeal to feelings (**emotional impact**) with a direct message where the *Roma component* comes into play (phrases or characters)
- Scenes depicting non-Roma persons expressing their prejudices, discomfort or fear in the presence of Roma persons (with a voice which is not theirs).

“Your prejudices are the voices of others”



Phase II

**Your prejudices are
the voices of others.**

Get to know them
before judging them.



Phase II



**Your prejudices are
the voices of others.**

Get to know them
before judging them.



Impact

	Phase I	Phase II (to 30 March 2006)
<u>Generate news item</u>	- Over 800 appearances in the media 60 public presentations	- Over 600 appearances in the media (aggregate audience of 22 million) 55 public presentations
Involve organisations (monetary or in kind contributions, donation of space use...)	Over 100 organisations e.g. Spanish Public Television (RTVE): donation of 210 seconds (7 spots 30 sec. each = 34,000 €)	Similar to phase I e.g. RTVE: donation of 200 seconds (10 spots, 20 sec. each = 56,000 €)



Impact

	Phase I	Phase II (to 30 March 2006)
Involvement of celebrities	Ministry of Culture, Mayors, Directors-General, artists, etc.	Similar
Co-funding	- Monetary: 40,000 € - In kind: 850,000 €	Similar
Productions	- Dissemination of over 70,000 posters 30,000 pieces of merchandising Street billboards in 10 cities	40,000 posters 70,000 pieces of merchandising - Street billboards in 7 cities



Impact

Qualitative impact: the consulting firm EMER GfK was hired to interview 2,000 individuals following phase I:

- Campaign recollection rate: 15%
- 13.2% of the interviewees claimed that the campaign had changed their opinion of Roma somewhat or significantly.



Dr. Robin Oakley
Independent Consultant
European Dialogue, UK

Overall Framework concerning Relations between the Police and Roma, Sinti & Travellers

Introduction

Policing has been identified by the organisers of this conference as one of three key areas for attention, and the focus of one of the three working groups that follow this afternoon. In this initial plenary presentation on the issue of policing in relation to Roma, Sinti and Traveller communities I shall briefly address the following questions:

- (a) why is policing important (alongside other issues such as employment and housing)?
- (b) what are the main problems?
- (c) what is being done currently to address them?
- (d) what needs to be done next?

As required by the terms of reference for this plenary session of the conference, my aim is to set out some basic elements of a framework for assessing the current situation concerning implementation practices at national and local levels of state policies in the field of relations of Roma with the police, including identification of examples of best practices; bearing in mind requirements of the OSCE Action Plan for the Improvement of the Situation of the Roma and Sinti and of relevant legal instruments and recommendations of the Council of Europe, the European Union and other international organisations/institutions.

Why is the issue of policing important?

On the whole, policing issues have not featured strongly in the Roma policies and programmes of international organisations – nor, with some exceptions, in the strategies and actions plans of individual states. However, in a democracy, policing is essential for protecting rights/liberties of citizens; and in a multi-ethnic society, the police role is crucial for ensuring protection and access to justice for minorities, and thus for their successful integration into the wider society generally.

There is extensive evidence from across Europe that Roma do not receive such protection, do not have effective access to justice, and indeed may be subject directly to police abuse. Specific problems include: extensive ‘racial profiling’ and criminalisation of Roma; disproportionate exercise of police powers and excessive use of force by police against Roma (including ‘raids’ on Roma settlements); personal abuse and exploitation of Roma by police (e.g. demanding bribes); denial of rights to Roma following arrest or in custody; failure by police to respond effectively to Roma victims of crime and racist violence; and lack of means for Roma to challenge and obtain redress for police malpractice. In consequence, in many countries Roma and Travellers

have little trust in the police and are unwilling to cooperate with them. Such problems exacerbate other problems, such as access to housing, employment, and education, and thus contribute to the perpetuation of social and economic disadvantage and segregation.

Policing therefore needs to be a key focus of Roma-related policies, alongside other areas that are more commonly highlighted. However, policing issues should not be addressed in isolation, but as integral element of strategies for Roma integration. Where necessary, they also need to be linked to strategies for more general police reform, to ensure that policing is human rights-based and service-oriented in approach, and is responsive to the requirements of a multi-ethnic society.

To what extent has this need been recognised/responded to by international organisations?

In general, as I have indicated, policing has not been regarded as a key focus for attention by inter-governmental organisations: for example, it is not included among the priorities for the 'Roma Decade', and is not addressed in the recent European Commission report on the situation of Roma in the EU.

The main recognition and response has come from the OSCE, initially through the attention given to policing and justice issues in the High Commissioner on National Minorities' report on the Situation of Roma in 2000, and subsequently through the inclusion of specific recommendations on policing in the OSCE Action Plan on Roma & Sinti Issues of 2003. From 2004 onwards, the Contact Point for Roma & Sinti Issues (CPRSI) within ODIHR has sponsored a Programme of Activities designed specifically to promote the implementation of these recommendations, and I and others will say more about this programme in due course.

The Council of Europe's Roma and Traveller Division, and its Experts Group, have not ignored these issues, but have not focused substantially on them either, though this has been partly to avoid duplication of the work being undertaken by OSCE. However, ECRI have regularly focused on policing and justice issues affecting Roma in their series of country reports, and the recent report on the Human Rights Situation of Roma by the CoE Commissioner for Human Rights highlights policing issues in its chapter on racially-motivated violence.

The role of NGOs has been particularly important for placing policing and justice issues relating to Roma at the centre of attention at international level. Here the central role has been played by the European Roma Rights Centre (ERRC), both through its documentation activities (especially its country reports) and its legal advocacy work which has resulted in a number of landmark cases relating to policing in national and international courts. The US-based 'Project on Ethnic Relations' (PER) has also been active in promoting debate and undertaking projects on these issues in several countries of Central and Eastern Europe, and the Open Society Justice Initiative's current project aimed at tackling 'racial profiling' by police and justice bodies is documenting extensive racial profiling of Roma.

Mention should also be made of the initiative of the London-based NGO European Dialogue, which in 1999 – under the leadership of the British Roma activist Peter Mercer - convened a European Workshop on Roma/Police Relations, held at Turvey in the UK. This initiative was supported by a number of international organisations including the Council of Europe, PER and the ERRC, and was the first occasion on which problems of Roma/Police relations had been addressed at European level. Seven years later, this conference and its police-specific working group will only be the second such occasion that delegates from police and Roma from across Europe will come together for this purpose.

What are the requirements of international law and policy?

The recommendations on policing of the OSCE Action Plan, which has of course been agreed by all OSCE participating states, provide the most immediate relevant statement of international policy. The Action Plan's policing recommendations are for states to undertake the following:

- Develop policies that promote awareness among law-enforcement institutions regarding the situation of Roma and Sinti people and that counter prejudice and negative stereotypes.
- Develop training programmes to prevent excessive use of force and to promote awareness of and respect for human rights.
- Develop policies: (1) to improve relations between Roma and Sinti communities and the police, so as to prevent police abuse and violence against Roma and Sinti people; and (2) to improve trust and confidence in the police among Roma and Sinti people.
- Develop policies and procedures to ensure an effective police response to racially motivated violence against Roma and Sinti people.
- Assess the gap between international standards on police and currently existing national practices in consultation with national police forces, NGOs and representatives of Roma and Sinti communities.
- Elaborate, where appropriate, and in close partnership with international organizations and Roma NGOs, policy statements, codes of conduct, practical guidance manuals and training programmes.
- Encourage Roma and Sinti people to work in law-enforcement institutions as a sustainable means of promoting tolerance and diversity.

This set of recommendations provides a basic framework of action to be taken at national level, and the basis also for a template against which progress can be assessed. The Action Plan also advocates that actions should be implemented at local as well as national levels, and in consultation and cooperation with Roma. The CPRSI in ODIHR is charged with the responsibility for promoting the implementation of these recommendations in cooperation with the OSCE Strategic Police Matters Unit (SPMU).

Behind these recommendations lie a range of international legal instruments & documents setting out professional policing standards. Key documents include the European Convention on Human Rights, the European Code of Police Ethics, and the

UN Code of Conduct for Law Enforcement Officials. A number of relevant practical guidance documents on policing in multi-ethnic societies have also been produced by international organisations. The most recent and comprehensive is the set of 'Recommendations on Policing in Multi-Ethnic Societies', published in February this year by the OSCE High Commissioner on National Minorities. This is an important resource for helping to implement the policing recommendations of the Roma/Sinti Action Plan, and I shall describe it in more detail later in a presentation to the Working Group on Policing. In many ways it constitutes an updated and elaborated version of the so-called 'Rotterdam Charter' *Policing for a Multi-Ethnic Society*, a small guidance booklet produced in 1997 that has been very widely used across Europe by police and NGOs. Other major relevant documents produced by intergovernmental and other international organisations include the guidance booklets on multi-ethnic police training and tackling racist violence produced by the Council of Europe, the recent research report from the EUMC on the police response to racist violence across the EU, the materials being generated by the OSCE/ODIHR Hate Crime Project, and the emerging results from the Open Society Justice Initiative on 'Racial Profiling'.

What is currently being done to address the problems at state level?

One of the purposes of the European Workshop at Turvey in 1999 was to try to identify practical initiatives that had already been taken. Relatively few examples, however, could be identified at that time, and they mainly consisted of isolated training initiatives in particular states.

Since that time, a number of further initiatives have been taken in a variety of countries at national or local levels, particularly in the fields of training and building communication between police and Roma communities. Many of these have been in countries of Central and Eastern Europe, including in Romania (where there has been cooperation with the Danish Institute of Human Rights), in Slovakia (where there have been efforts to build bridges between police and Roma at the local level), in Bulgaria (where community policing initiatives have been introduced in several Roma areas), in Poland (where there have been initiatives in Lower Silesia and the Malopolska area), and in the Czech Republic (where, for example, initiatives were developed in Brno within the framework of transnational RrAJE Programme). In other parts of Europe there has been much less activity, although in the UK the 'Moving Forward' project has been designed to build cooperation between police and Gypsy/Traveller communities in the Derbyshire area, and in Ireland the NGO 'Pavee Point' has cooperated with the Garda Siochana on training and other activities.

This list, however, is illustrative rather than exhaustive, and undoubtedly other initiatives have also been undertaken. In most cases, though, these tend to continue to be isolated initiatives, and they still appear to be relatively few in number; moreover there has been little sign that these issues are being approached in a systematic way, either as core issues in national Roma strategies or as integral components of national community policing strategies.

Also it must be stressed that no systematic survey of initiatives relating to Roma and policing has to date been undertaken, and this conference is the first occasion since the Turvey Workshop in 1999 that provides an opportunity for some kind of overview of current responses to be formulated. The Working Group on Policing that follows this plenary session has been designed to elicit reports from some of those who have been active in this field in recent years.

It is in this context that the Programme of Activities being sponsored by the Roma/Sinti Contact Point in ODIHR takes on particular importance. This programme has been designed to promote the implementation of the policing recommendations of the OSCE Action Plan in a strategic manner, and is being coordinated on behalf of CPRSI by the London-based NGO 'European Dialogue'. Despite the limited funding available (for example by comparison with that available for the Roma Decade), a number of important activities are being undertaken. These include (a) holding regional- and national-level workshops across the OSCE area to highlight issues and identify examples of good practice, (b) the development of a model of good practice for conducting a 'systematic assessment' of current policing policy and practice relating to Roma, which is being undertaken in partnership with the Government of Romania, and (c) the production of a 'Resource Manual on Policing and Roma' which brings together relevant international standards, practical guidance documents and examples of good practice. To date, workshops have been held in Poland and in the Russian Federation, and further workshops will be held shortly in Macedonia for OSCE Missions in the Balkans Region, and in the UK to address policing issues affecting Roma and Travellers in Western European countries. The systematic assessment in Romania is being carried out by the Ministry of the Interior with the support of international experts on policing and minorities, and in partnership with Roma NGOs. And the Resource Manual, which is available from the NGO European Dialogue, includes general guidance on policing and minorities, the report of the 1999 Turvey Workshop, and examples drawn from the current programme of activities sponsored by CPRSI. Further details of these activities will be provided in the Working Group on Policing.

What needs to be done next?

Given the importance of policing and justice issues for ensuring human rights and promoting minority integration, the initiatives undertaken to date – despite the sincere efforts of those involved – can only be regarded as minimal, and indeed as seriously inadequate for achieving the improvements in policing and police-Roma relations that are required. Nonetheless, they constitute important first steps; and it is essential that they should be sustained and multiplied, that lessons are learned from them, and that states and NGOs build on this experience.

It is therefore extremely important that the programme of activities launched by the ODIHR/CPRSI to promote implementation of the policing recommendations of the OSCE Action Plan should be maintained in an appropriate form, and that adequate administrative and financial resources should be provided for this purpose. However, this also needs to be complemented by genuine commitment to address the Roma/policing issues by individual states, following the leadership provided by the

Government of Romania. It is also crucial that Roma and Human Rights NGOs are willing to engage in cooperation with police to help solve these problems, without of course having to relinquish their campaigning and advocacy roles.

To take this work forward, the key next steps would appear to be the following:

- For the OSCE to continue to commit itself to support the implementation of the policing recommendations of the Roma/Sinti Action Plan, by means of appropriate concrete measures, and in cooperation with the SPMU, the HCNM, and other Inter-Governmental Organisations as appropriate.
- For individual states to ensure that policing and justice issues are appropriately addressed in their Roma strategies and action plans, that these are based on a systematic assessment drawing on the model being developed in Romania, and that concrete measures are implemented effectively and in cooperation with Roma NGOs.
- That a programme of capacity-building workshops should be developed at European level to help to equip Roma NGOs to engage constructively with police organisations in order to solve problems jointly and to assist police to achieve the necessary institutional change.
- That actions should be taken not only at national, but also at the local level in individual states, drawing on models of partnerships between NGOs and public authorities such as those set out in the Guidance Manual produced by European Dialogue based on the RrAJE Programme, and in the report of the 'EMAJ' project on police-minority relations recently completed in four regions of the Russian Federation.
- That a European-level network should be established of police and NGOs working actively on Roma/policing issues, in order to exchange experience and to document and disseminate examples of good practice. A systematic survey of current practice could also be undertaken.

I am aware that some steps have already been taken in these directions, but much more remains to be done. Additional suggestions will undoubtedly be proposed during the Working Group on Policing, and further examples of ongoing initiatives will hopefully be presented. This conference, which is the first occasion on which inter-governmental organisations have focused directly on policing issues relating to Roma, may in this respect be seriously overdue, but it also represents a unique opportunity to assess the current position and to develop a shared vision of how to move forward.

Note

- The OSCE High Commissioner's "Recommendations on Policing in Multi-Ethnic Societies" can be accessed via the website: www.osce.org/hcnm.
- The OSCE-sponsored "Resource Manual on Police and Roma", which includes the Report on the European Workshop on Police-Roma Relations held in 1999, can be accessed on the website of the NGO European Dialogue: www.europeandialogue.org.
- The Practical Guidance Manual based on the RrAJE Programme, and the report of the EMAJ Project in the Russian Federation, can also be accessed on the European Dialogue website.

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INCLUSIVE URBANISM FOR ROMA SETTLEMENTS AND HOUSING

The presentation is based on the manuscript
**"ROMA HOUSING AND SETTLEMENTS
In Southeast Europe:
Profile and Achievements in Serbia in a Comparative
Framework"**

By Zlata Vuksanovic and Vladimir Macura

Supported by OSCE/ODIHR

Bucharest, 4-5 May 2006

1

COMMON PROBLEMS OF MOST ROMA SETTLEMENTS

**Each Roma settlement type has its own problems.
Some of the common problems could be one of the
following:**

- Unclear legal status of settlement
- Unclear ownership status of land and houses
- Permanent eviction and destruction threats
- Derelict environment and unhealthy living conditions
- Lack of infrastructure and communal maintenance
- Deficiency of social services
- Bad and sub-standard housing situation
- Absence of development vision and plans

2

CAUSES OF COMMON ROMA SETTLEMENT PROBLEMS

- **Circle of Roma poverty**
- **Irresponsible majority**
- **Circle of settlement decay**
- **Authoritative town-planning and building**

3

APPROPRIATE ANSWER: INCLUSIVE CITY

An appropriate answer to current Roma settlement problem could be found in the following UN-HABITAT concept:

"The Inclusive City promotes growth with equity. It is a place where everyone (...) is enabled and empowered to fully participate in social, economic and political opportunities that cities have to offer"

Overall goal could be defined as equity and inclusion of Roma settlements. These mean:

- **Equality with other parts of the city**
- **Inclusion into the urban system, structure, function, and form**

4

PROPER TOOL: INCLUSIVE URBANISM

- **Inclusive urbanism is one of the set of tools for achieving the vision of Inclusive City**
- **It is approach in which majority town planning system is adapted to minority needs, possibilities, and culture.**

5

SOURCES FOR INCLUSIVE URBANISM

- **OSCE/ODIHR Action plan - Chapter on housing**
- **CoE Rec. on Improvement of housing conditions**
- **DECADE concept: four main areas (E+E+H+H)**
- **UN-HABITAT (Adequate housing + Sustainable development)**
- **New Urbanism movement**
- **Balanced City approach**
- **Concept of Sustainable City**
- **Informal Settlements upgrading theories**

6

STRATEGY FOR ROMA SETTLEMENT INCLUSION

Action	Indicators/ Document
• Reaching a political decision for legalization/inclusion of whole settlement	• Municipal Assembly decision and/or adoption of General urban plan
• Solving and clarifying the problem of land ownership	• Three party agreement: Municipality, Owners and Roma
• Preparing and adopting of an urban plan	• Level of Detail Urban Plan or similar document
• Dividing of public from private land	• Report and conclusions of a Commission for land dividing
• Issuing decision on legality of individual house	• Permit for housing use, and Ownership act at the Court
• Developing and renovating settlement as an equal part of a city	• Set of regular documents for housing, infrastructure etc development

7

MAIN ISSUES OF INCLUSIVE URBANISM

- Participatory planning procedures and tools
- Settlement structure and systems
- Method of plan implementation
- Settlement governance inside the city system

8

INCLUSIVE URBANISM VERSUS CONVENTIONAL TOWN PLANNING

**Inclusive urbanism is not yet in practice.
Some of its elements are incorporated in positive examples**

Main characteristics	
Conventional Town planning	Inclusive urbanism
• RS is very rare subject of planning • Absent of knowledge about RS • Need Cadastral and Topographic map • Transform existing RS situation • Use Minimal standards • Authority and professionals are actors • Roma include at the end of process • DUP is finale output	• Planning of RS is a regular practice • Knowledge on RS is the base • Need of Real Topography maps • Respect and improve existing state • Introduce Basic standards • Authority and Roma are actors • Professionals have service role • DUP is passing document, new Cadastral map is finale output

9

INCLUSIVE URBANISM COULD BE DEVELOPED AND FORMALIZED

Establishing a "Roma Housing Center" could support this development.

The function of RHC could be:

- To collect, analyze and synthesize positive experiences from the Region
- To prepare Guidelines, Recommendations, Draft technical standards, etc
- To network institutions and NGOs dealing with Roma settlements issue
- To support Decade countries in Housing Action Plans implementation
- To advocate inclusive approach for Roma settlement development
- To spread knowledge on Roma settlements and housing

10

SOME OF CRUCIAL STRUCTURAL ELEMENTS OF ROMA SETTLEMENTS

- **Settlement center**
- **Residential parts**
- **Settlement working zone**
- **Street and traffic network**
- **Infrastructure and communal services**

11

SETTLEMENT CENTER

Conventional Town planning	Inclusive urbanism
▪ Omission of a center	▪ Center as a factor of social cohesion ▪ Functional diversity acc. to needs ▪ Space for Decade inclusive programs ▪ Space for children needs

12

SETTLEMENT CENTER



Omission of a center



Center as a factor of social cohesion

13

RESIDENTIAL PARTS OF SETTLEMENT

Conventional Town planning	Inclusive urbanism
- Transforms existing parcels - Uses minimal housing standards	- Respects existing parcels - Introduces Basic housing standards - Possible enlargement of flat/house

14

RESIDENTIAL PARTS OF SETTLEMENT



Existing parcels scheme



Design solution that doesn't accept existing parcels scheme



Design solution that accepts existing parcels scheme

15

SETTLEMENT WORKING ZONE AND WORKIN PLACES

Conventional Town planning	Inclusive urbanism
Does not recognize a need for planning working places in settlement	- Moves "dirty" WP from housing - Forms a working zone - Accepts women needs for WP - Forms a settlement farm

16

SETTLEMENT WORKING ZONE AND WORKIN PLACES



Some economic activities are unhealthy



A working zone – recycling plant is a part of new Roma settlement

17

STREET AND TRAFFIC NETWORK

▪ Conventional Town planning	▪ Inclusive urbanism
▪ Transforms existing network ▪ Simple network hierarchy ▪ Extends street's profile ▪ Heavy damage on private parcels	▪ Improves existing network ▪ Forms appropriate network hierarchy ▪ Respects street's profile ▪ Minimal damage on private parcels

18

STREET AND TRAFFIC NETWORK



Transformation of existing network and heavy damages on private parcels



Improvement of existing network and minimal damages on private parcels

19

INFRASTRUCTURE AND COMMUNAL SERVICES

Conventional Town planning	Inclusive urbanism
- Plan expensive infrastructure systems - Result: some systems stay on paper	- Plan low-cost infrastructure systems - Introduce autonomous systems - Use new "green" technologies (reed-bad, solar, etc)

20

Jeff Helmer

SPOLU Foundation, Netherlands

AFFORDABLE HOUSING FOR PEOPLE IN NEED, WITH SPECIAL FOCUS ON ROMA

Jef HELMER, Spolu International Foundation

Main supporters

NATIONAL AGENCY FOR ROMA ROMA CIVIC ALLIANCE



SPOLU INTERNATIONAL FOUNDATION

Results of the 10 years program

During pilot phase of 4 years:

- ☐ 1,000 new houses in rural areas
- ☐ 1,000 renovated/refurbished apartments in urban areas
- ☐ genuine housing policies for people in need
- ☐ 30 lively communities

During implementing phase of 6 years:

- ☐ construction of 25,000 houses in rural areas
 - ☐ construction/renovation/refurbishing of 25,000 houses in urban areas
 - ☐ 300 lively communities
-

Nusfalau Project: A visible result



What makes this program unorthodox?

Not just building houses, but
communities

Integrated approach

- ☐ employment
- ☐ kitchen gardens
- ☐ saving groups
- ☐ income generating initiatives
- ☐ sport activities
- ☐ mother groups

Using scarce financial
resources in most favourable
conditions

Learning by doing

- ☐ Selection of beneficiaries?
 - ☐ Criteria for good partnership?
 - ☐ Management structure at local level?
 - ☐ Financial schemes?
 - ☐ Romanian standards for decent houses?
 - ☐ Special Task Force?
-

Valeriu Nicolae
Secretary General
European Roma Grassroots Organisations (ERGO)

European Employment framework and its effects for the European Roma. Could Romania be a solution ?

“Focus should be on employment and employability as the best means to alleviate poverty and achieve social cohesion. Again, this **requires education, basic skills, and active labour market policies** to draw **disadvantaged groups** into work.”

European Commission¹ (2nd of February 2005)

Introduction

The main priorities of the European Union are reflected in the Lisbon Strategy. The most important aspect of what drives the European Union at this moment is growth and jobs.

It is my opinion that the European Union offers an excellent framework when it comes to employment in general but up to this point with quite abysmal results when it comes to the soon to be 8 million European Roma that will compose the European Union in 2007.

I am arguing in this paper that there are an excellent strategy, monitoring and evaluation tools and considerable financial power within the European Union. The almost complete lack of expertise and (up to recently) interest in Roma-related issues lead to the fact that the growth, employment and employability framework in the European Union managed practically to ignore the Roma and failed to use the huge potential of the youngest European ethnic group.

In general, it is very hard to collect ethnic segregated data due to different reasons in Europe. Despite obvious problems with collecting data in Romania, there is in fact enough data to be the base of ethnic segregated indicators and effective evaluation of needs and progress in Romania. Romania is the country with the largest Roma population in Europe and most probably together with Bulgaria the litmus test for the integration of Roma for the European Union. This paper has an in depth look at the situation in Romania when it comes to the employment framework of the European Union.

It is unfortunately often enough that a supposed lack of data is used to justify the indifference or failures when it comes to Roma.

Very good existing employment framework and spectacular failures when it comes to Roma

¹ http://europa.eu.int/growthandjobs/pdf/SEC2005_160_en.pdf

Introduced in 1997 the European Employment Strategy is probably the most important document produced by the European Union and the very base of the Lisbon strategy.

In its first Joint Employment Report² of 1997 we can find priorities³ which are almost entirely reflected in the new Employment Guidelines (2005-8). Those priorities are: **attract and retain more people in employment, increase labour supply** and modernise social protection systems; **improve adaptability of workers** and enterprises; **increase investment in human capital through better education and skills**⁴.

Moreover the European Employment Taskforce responsible for the European Employment Strategy and the revision in 2005 of the Lisbon Strategy came up with four priorities which reflect in a large measure priorities established since 1997 namely:

- **increasing adaptability of workers** and enterprises;
- **attracting more people to the labour market** and making work a real option for all;
- **investing more and more effectively in human capital**;
- ensuring effective implementation of reforms through better governance.

Arguably, contrary to all the above, the evaluation of the Phare programs of the DG Enlargement found out that: “Given the scale of unemployment in Roma communities, **it is surprising that only 9% of Phare assistance for Roma minorities was spent on tackling unemployment**. Not enough emphasis or investment has gone to tackling unemployment and labour market reintegration for unemployed Roma...**Direct support to long term employment is a critical missing link in Roma integration policies**. Overall, the activities [Projects focused on Employment] have been piecemeal and have relied on long-established practices such as vocational education and training, supported short-term employment, and public work projects **with little attempt to ensure that the methodologies meet the needs of the target group**.”⁵

In November 2001 the Committee of Ministers of the Council of Europe adopted a Recommendation focused on the problems faced by Roma in accessing the labour markets: “[L]arge groups of Roma/Gypsies and Travellers in Europe **suffer from the effects of long-term unemployment** and poverty, which could **present a threat to the social cohesion of member states**... **Persistent problems of poverty and unemployment** are the result of discrimination against and social exclusion of Roma/Gypsies and Travelers, and are closely interlinked to problems in areas such as accommodation, **education, vocational training** and health... **the labour market** will

² http://www.europa.eu.int/comm/employment_social/elm/summit/en/papers/jointen.pdf

³ Combating Long-Term Unemployment; Integrating Young People into the Labour Market; Promoting Equal Opportunities in Employment; Education, Training and Life-long Learning; Work Organisation and Working Time; The Role of Social Partners; Job Creation Initiatives and Local Involvement; Increased Role and Decentralisation of Employment Services; SUPPORT FOR EMPLOYMENT PROMOTION IN MEMBER STATES PROVIDED BY THE STRUCTURAL FUNDS

⁴ http://www.europa.eu.int/comm/employment_social/employment_strategy/eestm_en.htm

⁵ Review of the European Union Phare Assistance to Roma Minorities 2004

not open up many job opportunities for Roma/Gypsies and Travellers in the near future without **pro-active measures**... the economic problems of Roma/Gypsies and Travelers cannot be overcome unless member states consider equal opportunities as **a policy priority for access to the labour market and income-generating activities.**"⁶

Within the "old" European Union member states the situation is far from being any better.

Spain – an old member of the European Union - has the largest number of Roma from all the "old" 15 European states. According to the European Monitoring Body the EUMC, **"there is not a single study in Spain on employment discrimination related, for example, to the Roma population"**⁷ despite the fact that "[in Spain] **existence of discrimination against Roma in job related matters is universally known**"⁸.

It is not a big surprise that in its Report on Germany, the Council of Europe European Commission against Racism and Intolerance (ECRI) writes: **"Members of Roma and Sinti communities continue to face serious social disadvantage and to be confronted with prejudice and discrimination, including in some cases blatant direct discrimination, in such fields as employment, housing and education."**⁹

However the letter dated 3rd February 2005 sent by Antje Hofert, Coordinator of EQUAL 1, to Odile Quintin, Director General of Employment and Social Policy, about Germany is. She writes: "whereas the German guidelines for EQUAL place a special emphasis on projects that assist the integration of Roma people, in particular Roma refugees, **no projects dedicated to the labour market integration** of Roma and Sinti has so far been selected". The letter concludes **"It is not acceptable** that Germany as a leading economic power **withdraws from its duties towards Roma and Sinti**".

On the website of the European Commission one can find the following text : "Combined with a better use of EU financial resources, most notably the [European Social Fund](#) (ESF), the [revised guidelines](#) adopted in July 2005 and the reinforced mutual learning programme can give a new dynamic to the European Employment Strategy, a strategy fully involving national Parliaments, the social partners, other stakeholders and promoting reform partnerships".

Germany spent over 628,000 Euros (partially funded from European Social Funds) in one single project on Training for Former Drug Addicts- Café de Ville¹⁰ and over

⁶ Recommendation Rec (2001)17 on improving the economic and employment situation of Roma/Gypsies and Travellers in Europe (Adopted by the Committee of Ministers on 27 November 2001, at the 774th meeting of the Ministers' Deputies)

⁷ EUMC Annual Report 2003/2004 page 68

⁸ EUMC Annual Report 2003/2004 page 75

⁹ CRI (2004) 23: Third report on Germany, Adopted on 5 December 2003 and made public on 8 June 2004, available at:

http://www.coe.int/t/E/human%5Frights/ecri/1%2DECRI/2%2DCountry%2Dby%2Dcountry%5Fapproach/Germany/Germany_CBC_3.asp#TopOfPage

¹⁰ http://europa.eu.int/comm/employment_social/esf2000/ms/success_stories/success_stories-n.htm#Germany

2,000,000 Euros (over 1.5 million from ESF) in a project focused on employment in the tourism industry. None of those included any Roma or Sinti.

With an unemployment estimated at around 70% in Europe, Roma are the European ethnic group for which the European Employment Strategy failed the worst. Following the existing indicators for the Lisbon Strategy, Roma score the worst in 10 of the 14 main indicators.

A major importance for the Lisbon strategy is also the focus on small and medium enterprises. The European Commission Communication from February 2005: "Working together for growth and jobs - A new start for the Lisbon Strategy" ¹¹ writes when talking about the environment for business that: "Action here [business environment] is of **particular importance for Europe's small and medium sized businesses (SMEs)** which constitute 99% of all enterprises and two third of employment. There are just too many obstacles to becoming an entrepreneur or starting a business, and, therefore, Europe is missing opportunities. **Encouraging more entrepreneurial initiative implies promoting more entrepreneurial attitudes.** The balance between risk and reward associated with entrepreneurship should be reviewed."

This should have been also of higher importance during Phare funding targeting Roma considering that the only clear positive numbers in Romania can be found in this area (see the next chapter for data on Romania) as the number of Roma having their own business is very close to the national average (1.18% compared with 1.9%).

According to the evaluation from December 2004 of Phare projects, the European Union and governments from the Czech Republic, Hungary, Slovakia, Bulgaria and Romania spent a total amount of 191,000 Euros ¹² during 2 years between 2001 and 2003 for business development focused on Roma. That means 10,000 Euros per country per year, which means in the case of Romania something under **1 Euro per year per Roma enterprise.**

Investment in Income Generating Activities at the level of communities is rare despite a proven potential in creased activation and participation of the communities. The main approach of the funding targeting Roma unfortunately continues to be service oriented stimulating dependency rather than active participation of the Roma communities. The very rare income generating activities are often lead by people who never had any experience in management and have accordingly a very high rate of failures.

Could Romania be a turning point?

The minimum estimate of Roma population in Romania is 730,174 according to the Romanian Government in 2005¹³ which means a ratio of 3.3%. Credible sociological estimates put the Roma population at around 1.5 million¹⁴ or 6.8% of the population.

¹¹ http://www.europa.eu.int/growthandjobs/pdf/COM2005_024_en.pdf

¹² [Review of the European Union Phare Assistance to Roma Minorities](#) 2004 page 6

¹³ O harta sociala a comunitatilor de romi, Banca Mondiala Bucuresti Iunie 2005

¹⁴ Politici publice pentru Romi 2005 – Chapter 1 (Sorin Cace, Mariea Ionescu, Marian Preda)

Up to this moment the lack of ethnic segregated data was always considered a very serious impediment in an efficient approach and in measuring and evaluation of progress.

What follows tries to prove that ethnic segregated data is in fact available and there are certain areas where progress can be measured in Romania.

The European Commission adopted in 2005 a document called :”Indicators to monitor the Employment Guidelines (2005-2008) – endorsed by EMCO, October 2005”¹⁵. Most of those indicators are available in an ethnic segregated form in documents of the Romania Government.

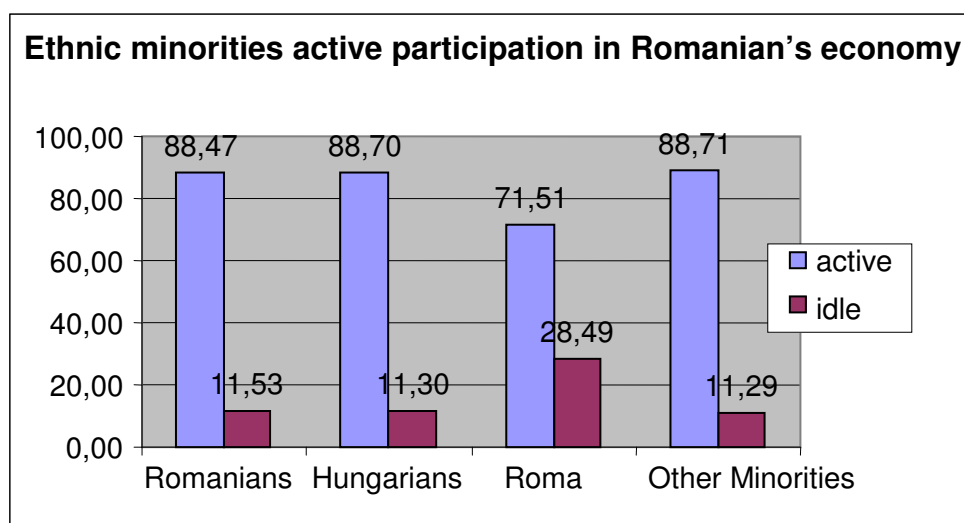
This is an analysis reflecting both the European and Romanian documents and some of the 8 guidelines (from 17 to 24) from the above mentioned document of the European Commission.

Guideline No.19 reads : **Ensure inclusive labour market, enhance work attractiveness, and make work pay for job-seekers, including disadvantaged people, and the inactive.**

Some indicators under this guideline are extremely relevant:

Under the heading: “Support the inclusion of those furthest away from the labour market” we have the indicator : **“Unemployment rate gaps for people at a disadvantage.”**

The chart below comes from an official document of the Romanian government from 2005.



¹⁵ http://www.europa.eu.int/comm/employment_social/employment_strategy/docindic_en.htm

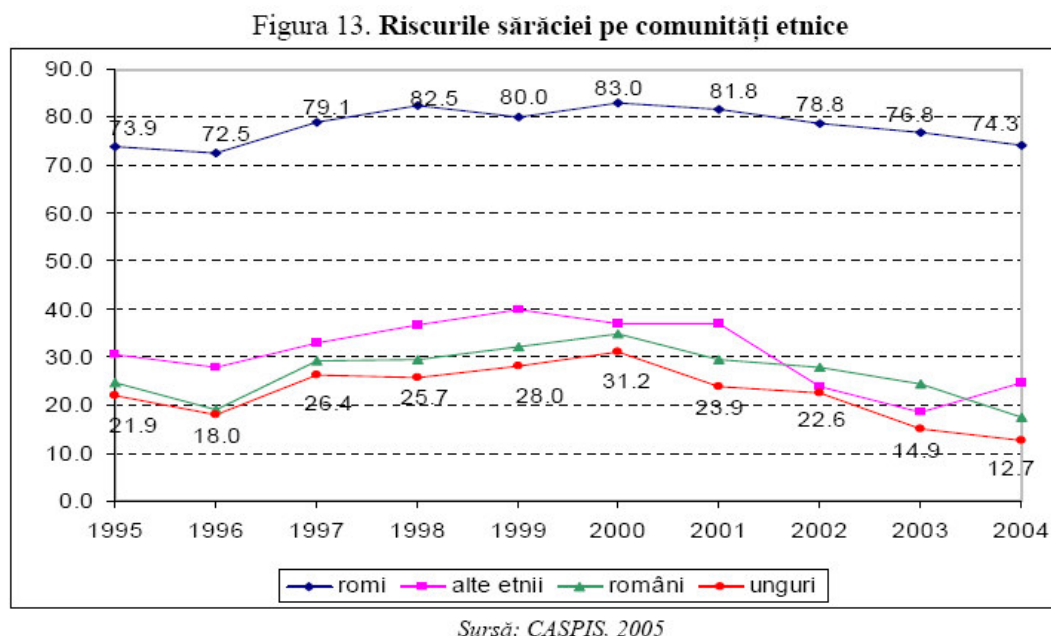
The Communication of the European Commission on the European Year of Equal Opportunities for All (2007) Towards a Just Society emphasizes the fact that Roma are the “**most disadvantaged ethnic minority group in Europe**” and writes about the “significant barriers in employment and education” they face : “disadvantages experienced by some communities e.g. the Roma are so wide-scale and embedded in the structure of society that **positive action may be necessary to remedy the nature of their exclusion.**”

According to the National Program for the Development of Human Resources¹⁶ of the Romanian government, the unemployment rate in Romania in 2004 was around 9% for men and 6.8% for women. The same document discovers a general unemployment rate of 28.5 % within the Romani population with women at a rate of unemployment three times higher than for Romani men. That means the gap between unemployment in general is three times worst for Roma and in case of Romani women almost 10 times worst.

Labour market gaps for disadvantaged groups.

According to the same document of the Romanian Government, the active Roma population is 22.9 % compared to the national average of 44%. Out of those employed, an extremely worrying 41.7 % work on daily basis. Almost half of the active Roma population has no qualification and do work which requires none.

Poverty (low wage) trap.



The figure above shows the poverty risks segregated on ethnic communities. The first one (upper) is Roma ethnic group, second one other ethnic groups, third one Romanians

¹⁶ <http://www.mmssf.ro/website/ro/autoritate/200406pdsdru.pdf>

and the last one ethnic Hungarians. The Roma are at a risk of poverty 3 to 4 times higher than that of any other ethnic group in Romania.

ACTIVATION OF LONG-TERM UNEMPLOYED

Over 50 % of Roma have been unemployed for more than 2 years states the document of the Romanian Government. This is over 10 times more than the national average which is 4.7%. With 16% of the population living exclusively on welfare, the Roma are in by far the worst position compared to all other ethnic groups in Romania.

A comprehensive report on the working situation in Bucharest¹⁷ in 2004 found out that an extremely high 54.3% of Roma were living off the state allocations for their children compared with 36.2 % living out of salaries.

Remarkable is the fact that the number of Roma who receive a pension from the state is almost 6 times lower than the majority population (7.42% compared with 40.03%). The fact that Roma have a significantly lower lifespan than the majority population could be one of the factors justifying this discrepancy.

Number of working poor is also an indicator of the European Commission which can be easily determined from the numbers above for the Roma in Romania.

Use of computers is another indicator; considering the levels of poverty within the Roma population, it is realistic to estimate a number at least 20 times less than the national average of 22%.

Guideline 23 is called: "Expand and improve investment in human resources".

The indicators related to this guideline can also be collected from Romanian government documents in an ethnic segregated form.

The next three indicators are the most relevant.

- **EDUCATIONAL ATTAINMENT OF 22 YEAR OLDS.**
- **EARLY SCHOOL LEAVERS**
- **PARTICIPATION IN EDUCATION AND TRAINING**

In 1998 research of the Romanian Institute for Research of the Life Quality¹⁸ (IRLQ) found out that 17.3 % of Romani children never went to school and 11.6% abandoned compulsory education. The Romani children were 4 times less likely to attend preschool than Romanian children.

A research study from 2002¹⁹ found out that in school with a high percentage of Roma children, the quality of education was much lower and the rate of failure was 3 times higher than the national average.

¹⁷ Tanar rom caut loc de munca – Gelu Duminica, Marin Preda, Florin Moisa

¹⁸ <http://www.iccv.ro>

¹⁹ Participarea la educatie a copiilor romi, Mihai Surdu 2002

Despite the fact that Roma population under 15 years old is estimated to be at around 33% and just 20% in the case of Romanians, the number of Romani students is much lower at 22.08% compared with 30.2% in case of the Romanians²⁰.

Another research from the IRLQ in 2002²¹ found out that the lack of education is in fact on the rise among the new generation.

Participation in Education by age groups

(7-16 years)	(17-25 years)	(26-45 years)	(over 46 years)
18.3%	17.0%	15.2%	26.7%

Research from 2004 by the Romanian Academy²² found out that Roma children are at a risk of poverty over 3 times higher than the majority population (80% compared to 27%) and over 10 times higher when it comes to abject poverty as 43.3% of the Romani children live in abject poverty.

Considering that over 90% of the children outside the educational system in Romania are coming from poor families, it is clear that Roma children continue to be by far the most vulnerable when it comes to access to education.

Worrying is also the fact that the rate at which Romani girls do not enrol in the educational system is almost twice that of Romani boys (23.5% compared to 14%). On a positive side, the number of girls attending school is on the rise in an opposing trend with the situation for the Romani boys²³.

The illiteracy rate continues to be the highest among the Roma population. According to Sorin Cace and Marin Preda, among the old generation around 60% of people are illiterate while among the adult generation is twice less. Both of the interviewed considered also that there is an increase in illiteracy compared with the adult generation among the young generation.

There is another series of indicators: **PARTICIPATION IN EDUCATION AND TRAINING** and **PARTICIPATION IN CONTINUOUS VOCATIONAL TRAINING** which are also very relevant and could make a difference in the way the situation of Roma is addressed. This especially considering the declaration of the European Commission regarding the accession countries: “There are specific problems in education, where the Roma confront discrimination and even exclusion from mainstream educational institutions.”²⁴

²⁰ Institutul de Cercetare al Calitatii Vietii 2003 based on the Romanian Census 2002

²¹ Romi in Romania

²² <http://www.caspis.ro/downloads/ExcluziuneCopil.doc>

²³ According to Gheorghe Sarau from the Ministry of Education

²⁴ European Commission DG Employment and Social Affairs: Equality, Diversity and Enlargement Report on measures to combat discrimination in acceding and candidate countries, September 2003

According to the European Development Bank and to the EUMC, **there was no private initiative known up to 2005 in Europe trying to invest in Roma human resources.**

According to the County Agencies for Employment quoted by Agentia Impreuna, only 5% of the Roma have participated in training and reinsertion to employment initiatives.

More on employment

Research done in 2002²⁵ discovered after interviews with 1,511 Roma that in 67% of the households there were no people employed, and in 19% of the households there was just one individual working. Worrying was the fact that over 42% of the unemployed didn't look for a job.

Peculiar enough The World Bank report in 2004 points out: "Popular stereotypes characterize Roma as lazy. However, survey data indicate that **Roma actively seek employment.** In Romania, 35 percent of unemployed Roma sought employment during the previous week, in comparison with 15 percent of the overall population."²⁶

Another research study conducted in 2002²⁷ on 7,990 Roma people with 4,866 active found out that only 16.5% had a relevant qualification, almost 50% were without any qualification and just 0.6% were specialized in traditional crafts.

It seemed that lately (2005) the situation of Romani women improved as Romani women were just 2 times more likely to be unemployed than the majority population (4 times in 2002). The dependency on others was extremely high (36.5%) within the Roma population as well as within the grade of idleness.

Around 73% of Roma didn't have a qualification or a minimal one, a rate which is 2.5 times higher than the national average. Extremely low was the number of Roma (3.5% compared with 29%) with high and medium level qualifications. This can be seen as a confirmation of the theory that strong social stigma related to anti-Gypsyism links to a massive denial of Roma identity within the well-educated and integrated Roma.

Without doubt there are some positive improvements. Since 2001 the number of Roma employed through the County Agencies for Employment has risen constantly.

In 2001 – 5,188 people, 2002 – 5,535, 2003 – 8,791 out of which 2,396 were Romani women, 2004 – 9,079 and in 2005 – 10,366 out of which 2,503 were Romani women.

In 2002 research conducted by Marin Preda found out that 3.1% of the Roma population do not have any identity papers which practically makes impossible any kind of legal employment for this segment.

²⁵ Centrul de Politici si Servicii de Sănătate and Open Society Institute, New York, 2002

²⁶ Roma in an Expanding Europe: breaking the poverty cycle -2004

²⁷ ICCV Romania

What has been done and conclusions

There is indeed a significant amount of money spent in Romania targeting different problems affecting the Roma population. Between 1993 and 2004 in Romania for instance, the European Commission and the Romanian Government spent 41,884,736 Euros. Over 85% of the money, 36,230,000 Euros respectively, was spent from 2001 to 2004. Generally this period is seen as the best, as most of the visible improvements were witnessed in the last years (with the remarkable exception of electoral participation).

Still the amount is just a fraction of what needed.

In comparison an 18 month long project TRACE²⁸, which focused on employment for young people in difficulty in France (under 25 years old), had a budget over 22 times bigger with just over 3,600 jobs created.

A single project focused on employment and training towards employment in Spain (Acceder) spent over 50,000,000 Euros for a period of 5 years for a target population less than half than the estimated number of Roma in Romania.

An important donor in Romania has been the Open Society Foundation which contributed with 3,284,784 USD (1997 to 2005), mainly to the development of the Romani Civil Society.

The European Commission in Brussels spends practically the same 1,000,000 per year for the running costs of 4 NGOs dealing with antidiscrimination employing a total number of around 20 people.

Arguably the best examples in Romania are in education and health.

Most of the employed Roma paid from the budget are working in education. There are 490 teachers or teaching assistants, 183 scholar mediators and 26 Romani inspectors in their majority of Romani origins. In total there are 699 people employed within the Romanian educational system dealing with Roma. There are also a number of 220 special places for Roma in Universities and the National Agency for Roma estimates that at least 100 Roma students finish university each year as a result of affirmative action.

The health mediator scheme was very successful in the employment for Romani women as it created 250 budget paid jobs in their overwhelming majority occupied by Romani women.

²⁸ Joint Report on Social Inclusion – DG Employment and Social Affairs 2004 page 36

According to documents of international and european organisations, the participation of Roma in local and national administrations as well as in political life is a major factor towards the inclusion.

In February 2003 the Report of the National Democratic Institute²⁹ discovered that out of 39, 718 jobs as councillors nationwide, some 160 were occupied by Roma which means a percentage of 0.4%. That meant an under-representation of Roma at least 10 times less than average. According to the Romanian Agency for Roma, at this moment there are around 470³⁰ or a three-fold increase since 2003. Still the Roma continue to be under-represented by at least 3 times compared with the majority population. Also to be taken into consideration is the fact that over 350 Roma experts were employed at local level, most of them of Romani origins.

Out of 485 people in the bicameral Romanian parliament in 2003, there were 2 Roma MPs (0.41%), over 10 times less than average. One of those MPs had been elected on the electoral lists of the party which won the election, the PSDR, the other being elected as part of the “minorities group”, a constitutional form of representation in Romania.

Since 2004 there has been just one Roma MP in the Romanian parliament who is part of the minorities group.

The number of civil servants in the central administration (government) is 6,404 according to SNFP³¹. Out of those, there is just one known to be of Roma origins. For a population estimated at 22,329,977, it means that one in 3,500 people are employed by the government. The ratio is between 200 to 400 times less for the Roma as at this moment there are just two Roma³² employed as public servants.

There are 24 ministers (none of them Roma) and around 180 secretaries of state. One of those is of Roma origin which means 7 times less that it should be according to the population percentage.

In 2003 according to a monitoring report of EUMAP,³³ there were five Roma employed within the government structures.³⁴

The number of Roma employed within the central administration (government) saw also an increase since the National Agency for Roma was established. At this moment there are 13 Roma working in the premises of the Agency in Bucharest and 28 in the territory.

At the political level of the government, there are some positive developments. At this moment there is one Roma employed as a councillor for the Ministry of Labour, another

²⁹ Roma Political Participation in Romania

³⁰ See Annex 3

³¹ <http://www.snfp.ro/>

³² Maria Ionescu – President ANR and Vasile Burtea (Avocatul Poporului)

³³ <http://www.eumap.org/topics/minority/reports/romap/report/overview/overview.pdf>

³⁴ Ilie Dinca who replaced Ivan Gheorghe, Plebis Florea and Marcela Constantin, Tranca Ion, Maria Ionescu, Cristina Dobre

one as the advisor to the Prime Minister and one Roma man as the advisor for the Deputy Prime Minister. Compared to 2003 there is an increase as at that time there was just one councillor for the Ministry of Culture³⁵.

It is interesting to note that over 70 % of the Roma working within the central administration are women while practically they are completely excluded from leading positions in Roma organisations which participate(d) in elections.

Considering the fact that there are 15 Ministries and 13 of them do not employ a single Roma at the central administration level, the situation is far from normal. Since 1990 there were no Roma among Romania's ministers and the under-representation of Roma in national and local administration continues to be at least 10 times less than normal.

The fact that these numbers are in fact available could easily lead to ethnic segregated indicators capable of measuring active participation of Roma in designing and implementation of policy affecting them, but also regarding employment within budget paid jobs in Romania. The numbers prove that there are clear improvements but at the same time emphasize the limited participation of Roma when it comes to local and national administration, as well as political life.

Conclusions.

Out of 14 major indicators of the Lisbon strategy, 10 are of much importance to Roma in Europe. The lack of data and focused reporting which is considered endemic and repeatedly underlined (EUMC, ECRI and European Commission Report "Roma in an Enlarged Europe"), is sometimes used to justify the inaction of European and international institutions. I proved in this paper that at least in Romania (and most probably in many other countries) some of the needed data is in fact available, even in documents of the national governments.

The main priority of the European Commission according to President Barroso's Communication Paper³⁶ is focus: "First, **Europe's actions need more focus**. We must concentrate all our efforts on delivering on the ground policies that will have greatest impact."

Up to this point most of the programmes, including those of the European Commission, did quite the opposite in regard to Roma. There can not be focus where there is lack of expertise and at least in Brussels everybody seems to agree on the fact that Roma expertise within the EU Commission is lacking.

The acknowledgement of the discrimination and harsh living conditions of European Roma is indeed a major achievement of the European Commission, Council of Europe, international organisations and of the work of the European Parliament.

³⁵ Vasile Ionescu

³⁶ http://europa.eu.int/growthandjobs/pdf/COM2005_024_en.pdf

The switch from acknowledgement to concrete actions is still missing. Often the Roma are held responsible for their situation and the Draft Joint Employment Report 2004/2005 also recognizes it: “The burden is often placed on individuals to adapt rather than addressing wider issues of discrimination in society at large. **The Roma or migrants often seem to be portrayed largely as responsible for their labour market exclusion**”.

The Lisbon Strategy could very well be the best opportunity that the Roma had for being included in European Society, and the European Employment Strategy together with Structural Funds an excellent tool for tackling social exclusion and unemployment, the main factors in reducing the gap between the majorities and the Roma minority.

It could provide the opportunity for Roma to better and more actively contribute to the European economy and become equal citizens.

The only thing needed is that Europe lives up to its often excellent documents and starts applying them also for the Roma.

And Romania could be a very good place to start.

Annex of commented relevant excerpts from European Commission documents related to employment

I argue that the Commission’s documents already have everything they need for a dramatic improvement in the situation of Roma. In the fortunate case mainstreaming would work and the extreme anti-Gypsyism at some national levels wouldn’t make invisible the fact that Roma are in fact not only the most disadvantaged group but also one of the best assets Europe has. For the sake of making the document easier to read I emphasised my comments in blue.

“Working together for growth and jobs A new start for the Lisbon Strategy “³⁷ February 2005

“This is why the renewed Lisbon Strategy focuses on growth and jobs. In order to do this we must ensure that:

- **Europe is a more attractive place to invest and work**
- **Knowledge** and innovation are the beating heart of European growth
- We shape the policies allowing our businesses to **create more and better jobs**

Making growth and jobs the immediate target **goes hand in hand with promoting social** or environmental objectives.

³⁷ http://www.europa.eu.int/growthandjobs/pdf/COM2005_024_en.pdf

The Commission is **fully committed to** sustainable development and to modernising and **advancing Europe's social model.** “

Under priorities we can find

“Creating more and better jobs

Attract more people into employment and modernise social protection systems

Improve the adaptability of workers and enterprises and the flexibility of labour markets

Investing more in human capital through better education and skills”

Roma is the youngest ethnic group in Europe and one can find in the Commission's document the following:

“The future of Europe and the future of the Lisbon Strategy is closely linked to **young people**. The Union and the Member States must ensure that the reforms proposed help to give them a first chance in life and equip them with the skills needed throughout their lives. The Union also needs to develop its priorities **in responding to the demographic challenge** that we face”

“Europe needs **more and better investments into education and training**. By focusing at European and national level on skills and life-long learning it will be easier for people to move to new jobs. This should be backed up by the adoption this year of the **Life Long Learning Programme** at EU level and in 2006 the presentation of national Life Long Learning strategies by the Member States”

The overall evaluation of Romani NGOs in Europe is that practically the situation is simply getting a lot worse in this field and the establishment of the Roma Educational Fund is just proof of that.

“Regional and local authorities should be designing projects which take us closer to our Lisbon ambition. The **next generation of Structural Funds** (including those for rural development) are being reshaped with this in mind – focusing on how it can help to deliver growth and jobs at a local level”

It is significant here to mention that the involvement and input of Roma in this is either unknown to the author or done in a very unclear way.

“We need to avoid the type of jobless growth that has marred the performance of the US economy in the past years. At the same time, **we must bring the long term unemployed and people with relatively low skills back into work**. This might impact the speed at which our productivity can improve. **The strong emphasis on knowledge, education and innovation** in our renewed Lisbon strategy will give people the opportunity to climb the productivity ladder and guarantee that overall our productivity grows quickly.”

It is repetitive but it is worth to underline again that Roma are the European ethnic group with the worst situation when it comes to long term unemployment and job related qualifications.

“Mobilisation and collective effort are the key elements of the Partnership. The challenges are common challenges and affect our model of development. We have to

rise to them together – after all, everyone's individual input is essential to ensure collective success. The scale of the challenges is such, and our economies so interdependent, that no Member State is capable of facing up to the task alone.”

The partnership when it comes to Roma is clearly the worst part. The European Commission managed to employ no Roma in any of its DGs and no Commissioner has ever employed in his cabinet any Roma advisor. The quote above can be seen as very hypocritical considering the number and situation of Roma communities.

“...raising employment levels is the strongest means of generating growth and promoting socially inclusive economies”

“Action is also needed for **young people**, where Europe is still faced with high structural unemployment and high drop out rates from education and for older workers who still start exiting the labour market on a very large scale by the time they reach 55 years of age.”

For both the paragraphs above Roma are in the worst situation

The European Council Recommendations³⁸ from 2004 regarding the European Employment Strategy writes:

“The European Employment Strategy has the leading role in the implementation of the employment and labour market objectives of the Lisbon strategy. The successful implementation of the Lisbon agenda calls for the employment policies of Member States to foster, in a balanced manner, the three complementary and mutually supportive objectives **of full employment, quality and productivity at work, and social cohesion and inclusion.** The achievement of these objectives requires further structural reforms concentrating on 10 key specific priorities and improved governance.

Priority should be given to increasing adaptability of workers and enterprises; **attracting more people to enter and remain on the labour market, making work a real option** for all; **investing more and more effectively in human capital and lifelong learning**; and ensuring effective implementation of reforms through better governance.”

Despite the fact that the social cohesion and inclusion is “forgotten” or its importance diluted lately by important documents of the Commission, this is fundamental for Roma in Europe and should be taken well into consideration by national governments.

The Indicators to monitor the Employment Guidelines (2005-2008)³⁹ – endorsed by EMCO, October 2005 document writes at the beginning:

- that **every unemployed person is offered a new start before reaching 6 months** of unemployment in the case of young people and 12 months in the case of adults in the

³⁸ http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/l_326/l_32620041029en00470063.pdf

³⁹ http://www.europa.eu.int/comm/employment_social/employment_strategy/docindic_en.htm

form of training, retraining, work practice, a job or other employability measure, combined where appropriate with ongoing job search assistance

- that **25% of long-term unemployed should participate by 2010 in an active measure** in the form of training, retraining, work practice, or other employability measure, with the aim of achieving the average of the three most advanced Member States

- the **provision of childcare by 2010 to at least 90 % of children between 3 years old and the mandatory school age and at least 33 % of children under 3 years of age**

- an EU average rate of no more than 10% early school leavers

- at least **85% of 22-year olds in the EU should have completed upper secondary education by 2010**

- that **the EU average level of participation in lifelong learning should be at least 12.5% of the adult working-age population (25 to 64 age group)**

Considering the situation of Roma in Romania and Europe the propositions here are at minimum very far fetched.

Answers from governments

Klara Orgovanova

Office of the Plenipotentiary of the Slovak Government for Roma Communities

Housing Policy in the Slovak Republic

1. Description of the situation

Ladies and gentlemen,

The Government's strategy on Roma communities is based on documents that it has adopted, the key of them being the Basic Theses of the Government's Policy for the Integration of Roma Communities of 2003. One of the fundamental areas of the implementation of the governmental programmes that need to be urgently dealt with is housing.

The standard of housing of Roma living in integrated and **segregated** areas differ substantially. The standard of housing in segregated areas is usually far below that of the majority population. Most of the homes in Roma settlements can be described as simple dwellings built of wood, soil and metal sheets. They fail to meet the current technical standards, they were built by Roma on their own and the access to municipal infrastructure and public services is non-existent or very limited. The most serious problem is the inadequate access to electricity, water supply, sewerage and regular waste collection.

The majority of Roma in the segregated settlements own neither their dwellings nor the land on which they are built. Land ownership relations in some of the settlements still have not been resolved preventing the improvement of Roma's housing standard as neither individuals nor municipalities are willing to invest in the maintenance of buildings or local infrastructure unless ownership relations have been settled.

For a policy to be effective, it must be based on adequate data. That is one of the reasons why the Office of the Government's Plenipotentiary for Roma Communities commissioned a **socio-graphic survey of Roma settlements in 2003**.

The subject of the survey **were settlements whose population is subjectively perceived by the social neighbourhood as Roma communities, based on anthropological attributes, cultural affiliation and lifestyle, and is subjectively perceived as a group that differs from others. The socio-graphic survey of the Roma settlements** focused on the nature of the settlements and the life in them, not on particular individuals. Therefore, no personal data were collected in the survey. It is not possible to precisely

identify individual persons using the data collected. **In this sense, the survey fully complied with Personal Data Protection Act No. 428/2002 Coll.**

Let me briefly inform you about some of the survey's results. Based on the survey's results, it can be estimated that the **population of Roma in Slovakia is close to the lower level demographic estimates, i.e. around 320 thousand. Around 60 percent of them are integrated and live dispersed among the majority population. The remaining 40 percent live in:**

- municipal concentrations,
- settlements located in the outskirts of municipalities,
- settlements that are distant or separated from the municipality by a natural or artificial barrier (a watercourse, railroad, road...).

In general, it can be said that the farther away the settlement is from the parent municipality, the worse the quality of life in it.

The survey identified **1 575 settlements of various types** inhabited by communities perceived by the majority population as Roma. **149 of the settlements** can be considered segregated, which means that they are located on the outskirts or outside a municipality, have no water supply and the proportion of illegal homes exceeds 20%.

With regard to the **availability** of utility networks:

- **electricity** is available in **91 % of settlements**;
- **water supply** is available in **39 % of settlements**;
- **gas** is available in **15 % of settlements**;
- **sewerage systems** are available only in **13 % of settlements**;

With regard to **legality** of the settlements:

- **almost one third of the dwellings in Roma settlements are illegal** (these are above all shacks, mobile shelters, non-residential buildings, as well as houses).

- **the greatest proportion of illegal settlements (45.4 %) can be found in settlements outside municipalities**;

- **the most frequent type of illegal dwellings is shacks**, which account for almost 16% of all homes.

One of the uses of the socio-graphic survey's results was the creation of the **list of Roma settlements in Slovakia** as a priority objective of projects aimed at helping the marginalised Roma communities. This list was approved by the Government in April 2005 as part of the *report on progress in the implementation of the commitments assumed in Slovakia's position on the European Commission's negotiating mandate for the National Development Plan for CSF negotiations*

One of the programmes dealing with the issue of housing of the population in Roma settlements is the programme of the Ministry of Construction and Regional Development implemented on the basis of a governmental resolution of 2001 **concerning the Proposal to Support the Construction of Municipal Rental Flats of a Different Standard Designed to House Persons in Material Distress and the Construction of Technical Infrastructure in Roma Settlements**. State budget funds to finance housing for people in material distress are allocated every year in the form of subsidies for municipalities.

An overview of the subsidies provided for the construction of rental flats and technical infrastructure for the Roma settlements' population (in thousands SKK)

	until 1999	2000	2001	2002	2003	2004	total
TI	15 300.00	6 588.18	22 852.18	75 610.13	0.00	37 744.75	158 095.24
HC	43 200.00	9 503.00	9 503.00	60 006.24	0.00	143 292.18	265 504.42
total	58 500.00	16 091.18	32 355.18	135 616.37	0.00	181 036.93	423 599.66

	2005	total
TI	25 709.80	183 805.04
HC	190 907.40	456 417.82
TOTAL	216 617.20	640 216.86

TI – technical infrastructure; HC – housing construction;

The funding allocated for the construction of flats in **2006** amounts to **SKK 143 million** (EUR 3.8 million).

1 265 lower standard flats have been built as of today in 54 municipalities in the Prešov, Košice and Banská Bystrica regions. All of the newly built flats must meet the minimum sanitary standards set by a regulation of the Ministry of Health. This means that even lower-standard flats must be equipped with basic facilities – a washbasin, shower, flushing toilet, an installation for the preparation of hot water, and local heating - and allow for the installation of a cooking appliance.

At the same time, the state subsidies focus on site preparation for the construction of housing and technical infrastructure – the subsidies are provided for the **construction of public water mains, sewerage systems, including waste water treatment, and local roads, including public lighting**. The municipality can receive a subsidy amounting to as much as 80 % of the cost of the construction project. Technical infrastructure for Roma settlements has been built in 76 municipalities.

As regards the housing policy, the **Long-term Concept of Housing for Marginalised Population Groups and the Model of Financing for the Concept** were prepared in co-operation with the Ministry of Construction and Regional Development. The document was approved by the Government in January 2005. The objective of the concept was to propose the principles and supporting instruments for ensuring an appropriate standard of housing for the populations of socially excluded communities.

The following tasks have been approved for the Ministry:

- ensure the preparation of project documentation for affordable lower-standard apartment buildings that could be repeatedly used as plans for the construction of flats in the settlements of socially excluded communities;

- ensure the provision of funding for tackling the issue of housing of the population of socially excluded communities within the framework of the approved housing development programme for the relevant year;
- in the context of the preparation of the National Strategic Reference Framework, propose a method for using EU structural funds for co-financing of the activities related to the development of housing for marginalised population groups in 2007-2013, in co-operation with the Minister of Finance, Minister of Economy, Minister of Agriculture, Minister of Labour, Social Affairs and Family, Minister of the Environment and the Deputy Prime Minister for European Integration, Human Rights and Minorities.

With regard to the provision of housing to the population of Roma communities, it is planned to maintain the current model for the financing of the construction of municipal rental flats in Slovakia. Certain changes and modifications will be made in accordance with the needs of the society and the amount of state budget funding available.

2. Adequate standard of housing

Under the International Covenant on Economic, Social and Cultural Rights, the Slovak Republic is committed to ensure **adequate standard of housing** without discrimination of any kind as to race, colour of skin, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (Article 11 (1) of the Covenant).

However, for financial and other reasons, the situation in this area continues to be unsatisfactory and a significant proportion of Roma families do not enjoy an adequate standard of housing. It has to be borne in mind that adequate standard of housing cannot be narrowed down to merely having a roof over one's head – it should be seen as the right to live somewhere in security, peace and dignity.⁴⁰

In connection with the unsatisfactory standard of housing faced by a significant proportion of Roma families, it should be emphasised that one of the core obligations that *must be unconditionally guaranteed by the state* regardless of the economic conditions in the country, as stipulated by the right of everyone to the enjoyment of the highest attainable standard of physical and mental health enacted in Article 12 of the International Covenant on Economic, Social and Cultural Rights, which forms part of Slovakia's legal system⁴¹, is the obligation to ensure access to *sanitation and an adequate supply of safe and potable water*.⁴²

3. Recommendations

⁴⁰ General Comment No. 4 of the UN Committee for Economic, Social and Cultural Rights on the right to adequate housing. (CESCR General Comment No. 4, Article 11(1): The Right to Adequate Housing, E/1992/23 (1991), paragraph 7)

⁴¹ International Covenant on Economic, Social and Cultural Rights of 1966 (Ministry of Foreign Affairs Decree No. 120/1976 Coll.)

⁴² General Comment No. 14 of the UN Committee on Economic, Social and Cultural Rights on the right to the highest attainable standard of health. (The right to the highest attainable standard of health: 11/08/2000, CESCR General Comment 14, E/C.12/2000/4, CESCR, General Comment 14), paragraph 43.

1. Ensure access for the population of Roma settlements to basic shelter, housing, sanitation, utility networks and public services by means of electrification, construction of sewerage systems, access roads, adequate supply of drinking water, etc.
2. Prevent segregation when constructing new homes for the population of Roma settlements.
3. Ensure the settlement of land ownership (expropriation, legalisation of land tenure and existing constructions in Roma settlements).
4. Ensure refurbishment of the existing housing stock.
5. Increase the standard of housing within the framework of the ongoing “Programme to Support the Construction of Municipal Rental Flats of a Different Standard Designed to House Persons in Material Distress and the Construction of Technical Infrastructure in Roma Settlements”, *create conditions for the continued implementation of the programme, including the allocation of state budget funding for the implementation of the programme.*
6. Make the provision of state subsidies for the construction of municipal flats conditional on the elaboration of comprehensive development plans interconnected with the National Development Plan. In the context of the comprehensive development programmes, we have to focus on surveying housing needs with active participation by the future users prior to the construction of new flats, active participation of the future users in the construction and maintenance of the new flats, allocation of space for community and educational activities, and co-operation between Roma and non-Roma population in the municipality.
7. Enable representatives of the future users of the flats to take part in the administration of the housing stock and gradually transfer the ownership of the flats from municipalities to the users by 2010.
8. Deal with the issue of official permanent residence of the inhabitants of Roma settlements.
9. Interconnect the activities of the Ministry of Construction and Regional Development under the Comprehensive Roma Settlement Development Programme and the Programme to Support the Construction of Municipal Rental Flats of a Different Standard Designed to House Persons in Material Distress and the Construction of Technical Infrastructure in Roma Settlements with the comprehensive development programmes of municipalities.
10. Create conditions in the public procurement process for greater participation of Roma businesses in housing construction.

Thank you for your attention.

Laszlo Teleki

Political State Secretary

Ministry of Youth, Social, Family Affairs and Equal Opportunities, Hungary



Social Integration and Housing Programme of People Living in Segregated Settlements **2005-2006**

Laszlo Teleki
Political State Secretary
Ministry of Youth, Social, Family Affairs and Equal
Opportunities
Hungary

May 4, 2006



Wider Objectives of the Programme

The wider objective of the complex model programme is to increase quality and standards of life of people living in segregated settlements. This objective can be reached by implementing various measures above the implementation of a social housing programme. These measures are:

- regional development,
 - employment,
 - environmental rehabilitation,
 - promoting access to social services
 - community building
- 

Segregated Settlements' Types

- „Wilde-settlements” – segregated settlements built next to or near by regular settlements.
- Old manors, distant workers' colonies (near mines, brickyards, etc.)
- „Original” or old segregated settlements (that have not been demolished following a decree in 1965 of the Communist Party.)
- Cs- and Szocpol-settlements (colonies of social houses that had been built after the 1965 decree – originally not meant to be a segregated settlement).
- Urban or suburban slums (run down workers' colonies, segregated social housing estates)
- Homogenous villages (in declining micro-regions that are increasingly inhabited by socio-economically homogenous – poor Roma and non-Roma - population)

2005 Social Integration and Housing Model Programme I.

Tendering Procedure

- Goal: to develop a model program to answering problems of the most of the above segregated settlements' types
- Invited settlements: 40 settlements were pre-selected according to a study of Hungarian segregated settlements
- Selection criteria: small settlements (under 4000 inhabitants); with restricted capacities on their own to deal with the problem; at least one representative of each segregated settlements' type
- Further selection in two round tendering procedure: first round – concepts of development, second round – application package
- 22 settlements were on the short list, and 9 were finally granted

MODEL PROGRAMME

2005 Social Integration and Housing Model Programme II.

Problems to be solved

- Decreasing housing segregation
- Promoting local co-operability
- Sustainable employment, and reintegration to the labour market
- Decreasing segregation at schools

Goals to be achieved by the applicants

- Local need assessment before developing a programme
- Developing housing integration programme (mobilization into integrated living environment, rehabilitation of the run down living environment, other housing concepts)
- Developing social integration programme (social care; employment; promoting access to health care services; educational integration; community building)
- Increased involvement of local inhabitants
- Employing local social worker
- Involving others funds (national normative subventions, national and EU grants)

2005 Social Integration and Housing Model Programme III.

Timing

- Tendering: January – April 2005.
- Contracting: May 2005.
- Implementation: min. 12 months – max. 18 months

Budget

- Grant budget: 680 MHUF (2.72 MEUR at the time of contracting)

2005 Social Integration and Housing Model Programme III.

Mentor network

- The mentor network is a team of highly skilled and experienced social workers, contracted directly by the ministry
- Goal of the network is promotion of successful and efficient implementation of local the programmes
- The mentor closely follows the implementation the local programme
- Supervise and actively help the work of the local social worker
- Spends a minimum of four days per month on the settlement and participants in the site visits
- Regularly consult to local actors and beneficiaries of the programmes
- Facilitates the community building

2006 Social Integration and Housing Model Programme I.

Timing

- Preparation phase: March 2006 (publishing new mentor application) – June 2006 (mentors start the preparation work at the invited settlements)
- Tendering: July - August 2006
- Contracting: September 2006
- Implementation: min. 12 months – max. 18 months

Invited settlements

- 13 short listed settlements of the 2005 programme

2006 Social Integration and Housing Model Programme II.

Incorporating experiences and lessons learnt of the 2005 model programme:

- More emphasis on the preparation of the local development concepts and projects
- Carrying on with the positive experiences of the mentor network
- Expanding mentor network (more members, trainings and regular workshops, etc.)
- Increased involvement of NGOs and civil organizations
- Further promotion of local community building activities
- Increased priority of sustainable employment solutions

Thank You for Your Attention!



Hynek Becvar

Expert

Ministry of Housing of the Czech Republic

Housing in Roma Socially Excluded localities in the Czech Republic

The Government of the Czech Republic pursues the conceptual and complex strategy to solve the problem of social exclusion of Roma communities. In 2000, the government adopted the Concept of Roma Integration as a basic policy document on Roma integration issue, since then amended every year. In February 2005 the Czech Republic together with other eight countries entered the international initiative Decade of Roma Inclusion 2005 – 2015, which in the case of the Czech Republic results from the Concept of Roma Integration and puts it into the international context. Housing is one of the priorities of both the Government Concept of Roma Integration and the Decade of Roma Inclusion.

Short excursion to history of evictions and segregation: Transfer of state housing fund to municipalities and its wide-spread privatization. The housing issue became a critical problem for Roma community in the Czech Republic since the break-up of communist regime in November 1989. As the privatization of state and consequently municipal housing preceded, many socially excluded Roma people were evicted from their houses, mainly because of the rent arrears and/or problems with tenancy documentation and various semi-legal practices of both the lessor and the Roma tenant. This process was rather spontaneous and lacking any strategic plan to protect vulnerable groups.

This process unfortunately still continues. Evicted people are often transferred to substandard housing in the outskirts of cities, leading to further isolation of the already marginalized population and the creation of ghetto-like situation, which worsens the socio-economic conditions of many Roma, while encouraging other problems as drug abuse, usury and illegal strategies of income generating. The ghettoization consequently produces the culture of poverty, the patterns of which spreads to new-coming Roma generation.

This process involved:

- Sale to private landlords
- Restitution of property confiscated by communist regime
- Privatization to cooperatives newly created by tenants

The process was generally characterized by:

- Systematic eviction of rent defaulters
- Various landlords' practices aimed at getting rid of undesirable tenants, from legal up to pressure and threats; especially in attractive areas in down towns (often getting rid off Roma tenants increased the chance to lease apartments for higher rent)

- Exclusion of people without tenement contract, rent debtors and poor households from privatization to cooperatives of tenants for very advantageous prices
- Volunteer transfer of tenement contract for indefinite period to other tenant for financial compensation and removal to “cheaper areas”, which afterwards became ethnic enclaves
- “Market” lease of municipal apartments for new contractors

The consequences of the process were:

- Desegregation in housing and establishing of ethnic enclaves
- Limited capability of municipalities to provide social tenement housing to people in need

Current situation in segregation:

In 2001 there were 16 thousand Roma living in socially excluded, desegregated communities. Since then the number might have considerably increased. In this regard new figures will be available in July, based on conclusions of the new nation-wide quantitative research of socially excluded Roma communities. Ethnic enclaves have a variety of shapes, ranging from the ethnically homogenous ghettos on the outskirts of towns, including even thousand or more people, to few block of flats, or one house near center, inhabited by both poor Roma and poor non-Roma, in a neighborhood of regular residential houses.

Key responsibility for the housing situation of socially excluded Roma lies on the municipalities. They have the instruments to directly initiate the changes, stop the segregation, improve the situation in existing segregated localities, and create the system of social housing for vulnerable people, including Roma. The role of the state is to set up supportive mechanisms that would help the local authorities to implement strategy of desegregation. In addition, local authorities should play a key role in preventing further segregation, by launching the program of social work in the field.

Prevention of evictions and social exclusion: The Program of social work in the field

The programme of social work in the field is run by the Government Council for Roma Community Affairs since 1999 in form of the subsidies to municipalities. It places a stress on comprehensive social work with the client directly in the community. Social workers analyse the social situation of the family and apply suitable means and social-work methods to help to prevent or solve the cases of social exclusion. For example in Náchod in eastern part of Bohemia, the social workers in the field encouraged the municipal council to adopt the practice of porters who look after respecting generally set rules, keeping clean environment in house and the neighbourhood and selecting the vast. The practice had immediate effect on the neighbourhood. The porters get moderate financial compensation from the city.

In 2005, with the support of the Government Council for Roma Community Affairs 89 field social workers worked in 57 municipalities and these municipalities were provided with grants totalling 418 000 EUR to cover the wages of these field workers. (In 2004,

77 field social workers worked in 47 municipalities, which received grants totalling 359 000 EUR.) In 2006, the funding available for this programme from the national budget was raised to **CZK 458 000 EUR**.

In 2004 social workers in the field provide service to 15 962 clients. The average number of clients was 210 per one social worker, ranging case by case from 37 to 1000 clients. Prevailing part (55,2%) of social workers worked in the middle-size towns inhabited by 20 – 100 thousand people; only 2,6% worked in localities with up to 2 000 people and larger towns (300 – 600 thousand inhabitants).

Prevention of eviction and services related to housing are the most frequent type of services provided to clients (28,4% of interventions). This category includes:

- Solution of cases of rental arrears and debts (for instance by setting up an installment calendars)
- Assistance in ensuring reconstructions and renovation of flats
- Assistance in applying for the flat

Other services involve:

- Assistance in applying for social benefits and pension benefits, including fulfillment of the application forms (18%)
- After-school leisure time activities for children (14%)
- Training the families in housekeeping skills, incl. managing the family budget etc (12,6%)

In 2004 social workers in the field made 73 468 interventions (967 interventions per one social worker per one year), ranging from 29 to 7 471 contact.

Re-integration of socially excluded Roma and improvements in the access of poor Roma households to housing: Current Government policy

The current government programmes for the construction of state subsidized flats by municipalities are in the competence of the Ministry for Regional Development. The programs are not specifically focused on vulnerable Roma, but on a wide range of beneficiaries, prevailing on seniors and disabled people (however in some cases they may influence Roma beneficiaries as well). The programs are the following:

- (i) the programme *Support for the construction of subsidized flats*, and
- (ii) the programme *Support for the construction of rented flats and technical infrastructure*

The programme *Support for the construction of subsidized flats* involves three types of subsidized flats – halfway flats, starter flats and sheltered flats:

Halfway flats are intended for persons in a confrontational way of life or living in one of various types of high-risk environment who are subject to comprehensive social work, with the aim of enabling excluded persons to be re-integrated into society. The maximum amount of a grant per flat is CZK 600,000.

Starter flats are designed for persons who, as a result of unfavourable circumstances, do not have access to housing even with the use of existing social and housing policy instruments. The maximum amount of a grant is CZK 250,000 per flat.

(In 2005 only 16 starter flats or halfway flats were built, which is 2.8% of the program capacity). Majority of the subsidies were used for *sheltered flats* that are designed for disabled persons.

The programme *Support for the construction of rented* is for persons on a limited income. In essence, it is not monitored to which extent socially needy Roma benefit from the programmes and whether it improves their access to housing. The total amount dedicated for the two respective programs is more than 26 million EUR.

Regarding the monitoring of socially excluded enclaves, the Ministry for Regional Development currently carries out a research on the typology of segregated localities. At the same time **the Government enjoined** the ministry **to draw up a concept and system of social housing by 31 December 2008**, including legislative changes and investment support, which would provide a future prospective for vulnerable groups of population.

To conclude, again I would like to note that the primary competence in housing lies on municipalities. State has limited possibilities to influence their decisions and actions. Having in mind dramatic living conditions of Roma in socially excluded areas, government adopted a task to create a program of social housing. Besides of that we hope that part of the European structural funds may be used to improve the housing conditions, including social excluded areas. However I must stress that primary condition for investment to socially excluded areas is complex program of social work, pro-employment and pro-educational measures. This is a rule adopted by the Czech governmental policy concept.

Vesna Peasinovic
Expert
Government of Croatia

DECADE OF ROMA INCLUSION 2005–2015 ACTION PLAN

Report on implemented activities in 2005

The *Decade of Roma Inclusion*, action plan, verified the measures for the increase of Roma employment, which are as follows:

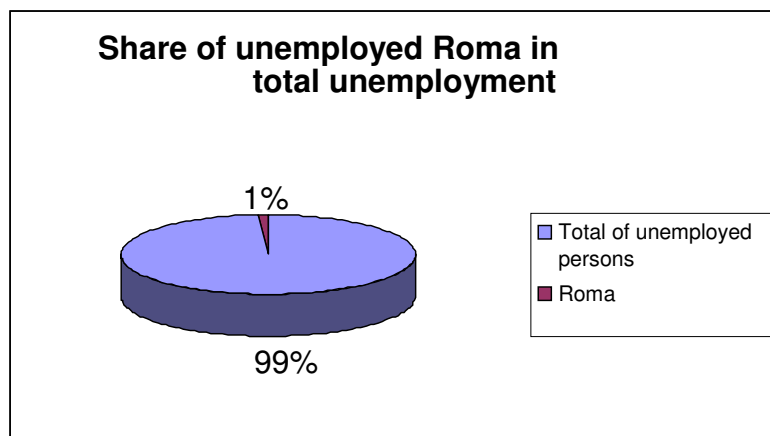
1. Creation of preconditions for the training and employment of the Roma in all branches of the economy (particularly of the young and women, preparatory workshops for training and self-employment)
2. Creation of preconditions for the inclusion of the Roma above the age of 45 into preparatory programmes for employment, assessment of remaining work capacity
3. Creation of preconditions for the establishment of positive environment with employers for Roma employment
4. Systematic work targeting the provision of assistance for self-employment (preparation of business plans, business management courses, funds for the beginning of operations).

The activities implemented by the Croatian Employment Service included information and presentation of the *Decade of Roma Inclusion 2005-2015*, preparation and design of a database of unemployed Roma, preparation and training for active job search, and inclusion of unemployed Roma in the process of employment or self-employment.

REGISTER OF UNEMPLOYED ROMA

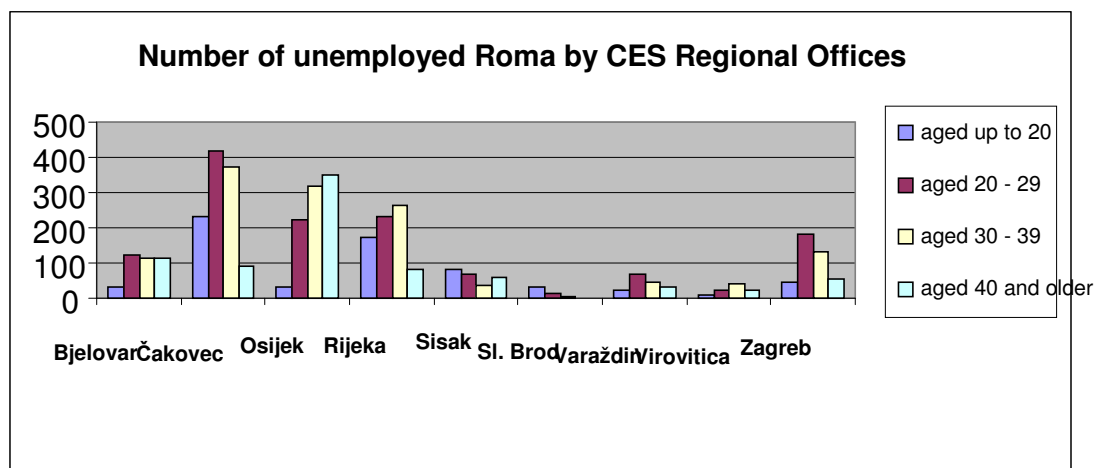
Since the Croatian Employment Service does not monitor unemployed persons by their nationality, the number of unemployed Roma is estimated according to their permanent residence which persons register and according to the decisions they request for obtaining benefits from the social welfare system.

An aggravating factor in designing a database of the unemployed lies in the fact that the members of the Roma community declare different nationalities (e.g. Croatian, Roma, Rumanian, Gipsy and other). Therefore the necessary data for determining the accurate number of unemployed Roma has been continuously collected and the database updated. At the moment, we estimate that there are approximately 4,300 registered unemployed Roma. The largest scope is in the County of Međimurje (1,118 persons), the Counties of Osiječko-baranjska, Grad Zagreb, Bjelovarsko-bilogorska, Virovitičko-podravskaa, Primorsko-goranska, Sisačko-moslavačka, Brodsko-posavska and Varaždinska. The share of unemployed Roma in total unemployment in the Republic of Croatia is about 1.4%.



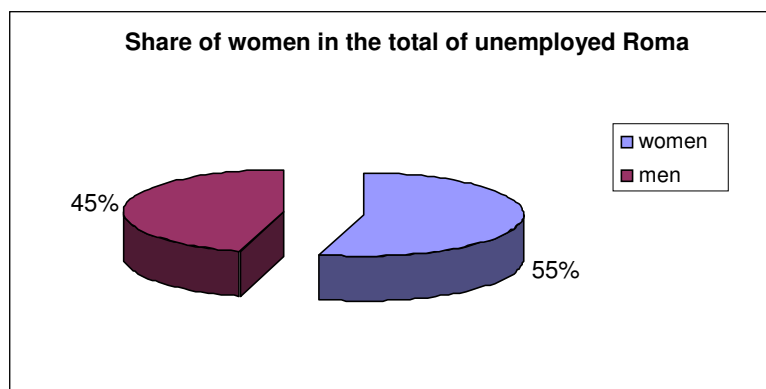
ROMA BY AGE

(CES Regional Offices with highest number of registered unemployed Roma)



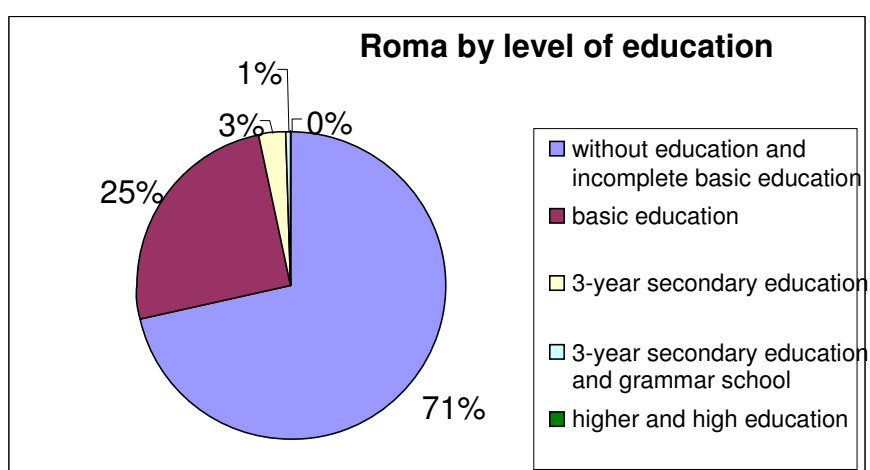
Unemployed Roma are characterised by high number of persons younger than 30 (about 50%), and persons aged between 30 and 40 (about 32%), and the number of middle-aged and elderly persons is significantly lower in relation to other unemployed persons. Another characteristic of the Roma is that those who are very young, often who have just turned 15, enter the unemployment register.

PRESENTATION OF UNEMPLOYED ROMA BY GENDER



PRESENTATION BY EDUCATION

Educational level is the main reason of aggravated employment of this target group. Out of the total of registered unemployed Roma, about 20% is illiterate, and there is only a small share of those with completed basic education (about 26%) and completed secondary education (3%), and only three persons have completed higher education. Such educational level of young unemployed Roma provides an opportunity for their inclusion in training programmes for various assistant occupations.



WORK EXPERIENCE

10% of the total number of registered unemployed Roma has a period of employment, out of which most of them have a period of employment shorter than a year. Considering their age and educational structure of unemployed Roma, their employment is aggravated, and about 2-3% of unemployed persons of the mentioned population is employed per year, primarily men who work in physical jobs in construction. In 2005,

one Roma woman was employed with the assistance of the mediation of the Regional Office in Zagreb.

However, education, positive attitude to work, and acquisition of skills affect the employment of the Roma and the positive attitude of employers towards their employment.

ACTIVITIES OF CROATIAN EMPLOYMENT SERVICE

In order to implement the *Decade of Roma Inclusion 2005-2015* action plan, the Croatian Employment Service carried out a number of activities which included unemployed Roma in 2005 and in these activities it tried to facilitate their prompter inclusion in the labour market.

The activities implemented by the Croatian Employment Service are as follows:

- Group information – mandatory for each unemployed person. The purpose of group information is to inform unemployed persons on the labour market situation, services of the Croatian Employment Service which can assist unemployed persons in their job search, entitlements and obligations of unemployed persons registered with the Croatian Employment Service, and the need for active job search. All members of the Roma community, as well as other unemployed persons were included in group information.
- Individual counselling – professional counsellors of the Croatian Employment Service determine work, vocational and personal potential of an unemployed person, assist in preparing a job search plan, and mediate in employment. As the majority of unemployed Roma have no profession or work experience, their professional plans are directed mostly towards educational activities and training for simple occupations.
The Regional Office in Čakovec, in the framework of adult Roma information on the importance of literacy and education for their first occupation, out of 200 informed unemployed persons with incomplete basic education, a 100 is currently included in the process of education, 20 persons with completed primary education were motivated to continue with their education for the first profession, and two persons were included in training programmes for employment.
- Involvement in the activities in the framework of vocational guidance (work with pupils from the final grade of basic education, assistance in the choice of secondary schools, assessment of the remaining work capacity of hard-to-place persons in cooperation with the Occupational Health Service and Social Welfare Centre);
The Regional Office in Čakovec participated in the inclusion of all Roma pupils of the final grade of basic education in the activity of vocational guidance, and 20 pupils were given recommendations in 2005 by the Vocational Guidance Department, which provided them with an advantage in enrolment in secondary education.

- Inclusion in the completion of basic education (in the framework of *Croatian Literacy – Path to Desirable Future* project, Ministry of Science, Education and Sports)

The Regional Office in Osijek referred 23 Roma to education in order to complete their basic education.

- Info seminars

1. *Presentation of Decade of Roma Inclusion 2005-2015 – Field of Employment*
2. *Literacy – Presentation of Croatian Literacy – Path to Desirable Future Project*

The Regional Office in Zagreb organised 15 info seminars *Presentation of Decade of Roma Inclusion 2005-2015 – Field of Employment* which were attended by 185 Roma, and 16 info seminars *Croatian Literacy – Path to Desirable Future Project* which were attended by 179 Roma. Out of the total of informed persons, 20 of them enrolled in basic schools.

- Workshops:

1. *Methods of self-assessment*
2. *How to apply for a job – write a CV and job application*
3. *How to prepare for interviews with employers*

8 workshops were held in the Regional Office in Čakovec with an aim to prepare for employment, and they included 28 unemployed Roma with completed secondary education, and 23 persons younger than 25 with completed basic education, that were positively assessed for involvement in employment preparation and/or inclusion in educational programmes.

In 2005, the Regional Office in Zagreb organised 14 workshops *How to search for a job* which were attended by 99 unemployed Roma. The *Methods of self-assessment* workshop was attended by 18 unemployed Roma, and *How to prepare for interviews with employers* were attended by 7 unemployed Roma.

Taking into consideration the specific traits of this target group, characterised primarily by existential problems, illiteracy, low educational structure and high level of unemployment, the implemented activities were based on raising awareness of the need to acquire education, to increase literacy and promote active job search. Furthermore, the establishment of a positive environment for the employment of the Roma was tried to achieve in the contacts with potential employers.

In order to implement efficiently the mentioned activities, relationships were developed with Roma NGOs, Open University, employers, as well as with the representatives of

town administrations, local government and self-government units, and social welfare centres.

4.1. WORKING GROUP I: Housing policies for Roma, Sinti and Travellers: implementation, assessment and harmonization.

Balan Paustin and Vasile Galbea

CREDO Rom Star, Romania

Facilitating the creation of institutional ensuring access to legal housing of Roma in crisis situations such as those created by floods.

The biggest problem for the Roma people in an area of 7 cities in Romania, affected by the floods in the summer of 2005, is the lack of legal ownership acts, problem ignored by the local authorities, the national authorities and more than 30 % also by the Roma, because they don't give the importance to the legal documents about their settlements where they are living from many years.

After the floods another problem developed for the affected Roma people, because they couldn't be compensate for their lost. There are many situations in which the Roma must be relocated from their oldest lands, they have no property acts and they couldn't benefit by some of new land pieces to rebuild their houses.

The situation after the floods, legally point of view fro the settlements affected by the water:

- 30 % affected persons haven't judicial acts for their houses;
- 10 % affected persons have acts for the land, but they didn't have acts for the house;
- 8 % affected persons have acts for the house, but they didn't have acts for the land;
- 52 % affected persons haven't no acts on the land and on the house;
- in many situations, the victims of the disaster are living in hard conditions:
 - 2-3 families in one single house;
 - just one of those families is registered to the authorities with legal acts and paying taxes;
 - other members of those families (married with children or relatives) haven't no acts.

The victims of the floods who haven't no acts couldn't have no benefits or help by the authorities. They couldn't have the advantage of using the oldest settlement because the area has many risks for any building.

CREDO Rom Star organization actions

After the floods CREDO **Rom Star** organization started many actions to follow, to observe and to realize all the files for the Bacau County Roma People victims of the disaster, starting for the first day. A team of our organization leaves for all those 7 places affected prepares social investigations about the Roma victims of the disaster, occurring through the local authorities supporting the Roma People.

They are organizing different meetings with local and county authorities for solving the problem of Roma victims of the floods. **CREDO Rom Star** started a negotiation campaign and lobby through the mayors to get in the local councils a decision to allocate land for the victims Roma People to build their houses. There are many actions about the county authorities to decide the locations and to name the proposals from the local mayoralities, such as the Mayor, The County Council (town planning and reconstructing the territory) and the Civil Protection etc.

CREDO Rom Star organization sends people for the intervention teams in case of disasters, following the local mayoralities, the government and other actors involved in the solve of all the Roma victims problems, reporting all the violations of the Roma People rights. It realized the documentation for the victims of the disaster: building the houses, helping with money or materials and analyzing the files for the Roma who didn't have these rights by the law.

The organization had an important role for the signing of *The Memorandum*, for the meetings before this thing and also for signing those documents managing the collaboration between all the actors involved in the solve of the Roma victims problem in the Bacau County.

The role of Roma organizations

Regional Center for Education and Human Rights **Rom Star** realized the necessity for legalizing all the settlements and for the residential security of Roma People from Bacau County.

To the same effect, it realized a *Collaboration Memorandum*, signed by: the OSCE, the Prefect's Office of Bacau, the County Council of Bacau, the National Roma People Agency, the CRISS Center (the Roma Center for Intervention and Roma Studies), the Regional Center for Education and Human Rights Rom Star, the "Together" Agency, the "Amare Romania" Roma Center and also the local mayoralities from Darmanesti and Comanesti.

The first step was the signing of a "Cooperation Memorandum about solving the crisis situation of Roma People after the floods in Bacau County", document based on the Romanian Government Strategy about realizing the improvement of Roma situation, also based on the Government Program during 2005-2008 about realizing the chance equality of all the citizens (HG 430/2001, chapter "Building", first part, number 250/16.05 2001, 8-th page, 24-29 articles)⁴³.

Government positions and of Local and Central Authorities regarding the situation created by the floods.

Government Position

The Government has emitted the Decision no.872/2005 regarding supplying Transport, Construction, and Tourism Minister budget from the intervention fund at the Government disposition to eliminate calamities effects, published in Official Monitor no. 710/05-08-2005 and Government Decision no.830/2005 to allocate a sum

from the intervention Found at the Government disposition, to eliminate calamities effects caused by the floods in 2005, published in Official Monitor, no. 684/29-07-2005.

The Roma people who suffered the floods disaster received construction materials from the Government the construction materials distribution started in 15.09.2005.

The houses construction as well as the location of the construction was decided by the local Authorities, it is no differences between the majority population and the Roma people.

Local Authorities position

First, the County Authorities took the necessary measures in case of disasters throw forming a rapid intervention group which has intervention missions and to solve the problems.

This group was formed by the representative of institutions which has clear attributions and availability which are regarding the community live.

These institutions are: Environment Protection, Fireman, Gendarmerie, Departments of District County, Children protection, and civil protection, Forester Direction, County Inspectorate of Police, Agrarian Direction, County Inspectorate School, Roads Direction, and Public House Direction.

At the county level was drawing up an action plan which intends to resolve the negative effects created by the floods. Collaborating with Roma organizations, the local authorities signed up a Co-operation Memorandum, they proposed to involve a Roma person in the intervention committee for the disasters; they bring materials and locations for the persons in needs.

We participate at the round table, were discussions about the obligations from the Memorandum, and were formed specialists in the domains which were regarding the project *“Facilitating the creation of institutional procedures ensuring access to legal housing of Roma in the crisis situation such as those created by floods”*.

The city hall position

One essential clause of the Memorandum is to offer ground from the private domain of the city hall for the Roma people who will build the houses on the concession land which will become propriety of Roma who suffered of a disaster.

The next step is to emit a Local Council Decision according the Law of Local Public Administration no.215/2001.

So, in 16.09.2005, **Darmanesti City hall** is emitting the Local Council Decision 42

and 43 which is providing the sparing of payment of the Construction Authorization and the Urbanism Certificate and to allocate grant ground without public auction which is from the public private domain of the Darmanesti town, as: Plopu section 15 lots - 150 mp., Uzinei street: 22 lots - 250 mp.

Comanesti City hall is emitting the Local Council Decision no. 71/30.07.2005 and is approved a opportunity study for the land 3 ha from Paraul Sec street and 2 ha situated in the Comanesti town, Sublaloaia point, Sublaloaia (Paraul Sec) Stret, 0.35 ha

situated on. Ciresoaia street, to build houses for the people in needs and was emitted Granting Local Council Decision no.119/20.11.2005.

Throw this project we tried to realize a part of documentation for legalization of the construction.

This is a special case, usually the city halls are not involved in the juridical legalization of the Roma people houses throw projects (PUZ, PTh or cadastre) because is necessity supplementary expenses and efforts for houses legalizations and the city halls are invoke the money lack and the staff lack which to resolve the existent problems.

Memorandum of Co-operation regarding the solving of the Roma housing crisis situation as result of the floods in Bacau County

Definition

The Memorandum is an international politic act; the signature parts are assuming obligations and responsibilities to resolve the housing problems of the Roma People from Bacau county created by the inundations on the short and medium term.

Objectives

The main purposes of the present co-operation Memorandum are:

- a) To adopt solutions for long-term housing for Roma in affected localities by the inundations, within the context of the Romanian Government Strategy for Roma, GD 430, chapter on Housing, applied by the Local Council within the action to solve the crisis situation generated by the floods in July 2005.
- b) To develop a model of best practice in view of implementing in Romania the recommendation on housing from the OSCE Action Plan, as well as of disseminating this model throughout the OSCE area.
- c) The Memorandum can be introduced as a Local Decision project and the signing and application responsibility it is of the Local Council and not only of the Local Public Administration.

Activities

The objectives are to be carried out through the following activities:

- a) Systematic assessment of policies and practices on improving the condition of Roma, enforced within the context of Romanian legislation.**

Carrying out a systematic assessment of Public Administration's policies and practices related to Roma in Romania, to identify existing strengths and weaknesses in relation to the recommendations of the OSCE Action Plan. It will be based on evidence provided by interviews, analysis of documents, and a series of regional consultative

round-table. The assessment will be carried out the Public Administration in Bacau County, with participation from the Roma non-governmental organization.

b) Training the actors at local level

Meetings and discussion in regard to: locations, authorization, resources, participation, partnership.

c) Setting up a Steering Committee to solve the problems of Roma community in locality with problems, including the problems generated by the post-flood crisis.

The Steering Committee will be formed of representatives of the Local Council, of the OSCE / ODIHR, of C.R.E.D.O. Rom Star organization, of Crisis Committee and local representatives. A expertise in evaluating and analyzing the practices regarding the improving the Roma situation can be added forming a coordination group from all the actors involved in activity which can be analyzed in mixed commission from Prefect's Offices continuing a concrete stage on discussions and tasks (Bacau County Council, Bacau County Prefect's Office).

The involved parts

Regional Centre for Education and Human Rights Rom Star found out about the real need of settlements assurance and residential security from Bacau County. From this reason was draw up the Memorandum of Co-operation which was signed by: **The Organization for Security and Co-operation in Europe, Bacau County Prefect's Office, Bacau County Council, National Agency for Roma, Roma Center for Intervention and Study Romani CRISS, Regional Centre for Education and Human Rights, "Together" Agency, Roma Centre Amare RRomentza** and the City Halls which were opened for collaboration: *Darmanesti Town hall and Comanesti Town hall.*

Responsibilities of the parties:

a) The Organization for Security and Co-operation in Europe – Office of Democratic Institution and Human Rights, through its Contract Point for Roma and Sinti Issues will:

- provide advise and expertise for the project activities' implementation;
- contribute through its own resources (within the possibilities) to the implementation of the activities foreseen in the Memorandum, especially by providing assistance to local authorities on legalizing the informal situation on housing of Roma;
- support the Roma non-governmental organization in mediating the relations of Roma with local authorities and the majority population.

b) Bacau County Prefect's Office will:

- act, along with the Romanian Government and the local authorities, in order to find solutions that would immediately respond to the needs of solving the crisis situation, as well as solving the housing issue on short, medium and long term;

- maintain the connection between the local authorities, group of organizations and community, by specific means in emergency situation;
- contribute to the elaboration and implementation of projects on Roma housing and environment;
- be involved directly in implementing governmental programs and external-funding programs on building houses and infrastructure in the areas inhabited by Roma.

c) Bacau County Council will:

- take action together with Bacau County Prefect's Office and Romanian Government and local authorities to find solutions for resolving the crisis situation and to solve on the short, medium and long term the houses problem;
- contribute in programs conceiving for rebuild the houses and the environment in the places where the Romany People are living;
- represent a mediator between local authorities, the organisations group and community with specifics methods in crisis situations.

d) Locals Councils will:

- provide construction land;
- participate in financing the project from local and governmental resources;
- participate in carrying out social inquiries;
- issue the necessary authorisation for building (urban plan, building licence, environment authorisation, etc.);
- manage the material resources received from the government and other donors;
- supervise the impartiality of the implementation of activities.

e) The Contact Group of Roma Association will:

- participate in identifying sources to implement the activities at point 3, letter b and c;
- ensure the implementation of the activities related to the training of the local actors, with purpose of solving the problems;
- ensure the co-operation relations with the representatives of Roma civil society at local level;
- delegate a representative to be responsible for these activities;
- manage the local resources, governmental resources, other resources;
- co-operate with the local initiative group and with other Roma organisations and the signatory parts from this Memorandum to accomplish the objectives;
- pull together for designating a local initiative group;
- will promote the accumulate experience working at this Memorandum;
- will promote the accumulate experience in other affected localities by the inundations, if this localities will accept to establish the work partnerships;
- transmit accumulate experience to the Roma association to help the future association to manage on the medium and long term the problems regarding the community;

- assist the local initiative group in order to become a neighbourhood association which will manage, in medium and long term, the issues of the community in the area;

f) Initiative Local Group :

- participating together with the Roma organization at the negotiations and to identify the problems from the area;
- contribute at the local fundraising for a real support in houses construction;
- is administrating together with the Crisis Comity and Roma organization the situation of the material aids;
- participating at the data bases organization;
- is supporting with volunteers the future construction as well the local infrastructure;
- partners at the all administration activities of the crisis situation on the short and long term.

Contact Group of Roma Associations ; definition/description

Contact Group of Roma Associations is constituted for the minority rights (including the Roma people rights) to have a rights group for elaboration of public policy for that minority. The main activity of this group is to systematically evaluate the public policy and practice regarding the Roma people from Romania improving conditions and to take in consideration the recommendations of European Union and European Council which are regarding the Roma minority and the legislation of this minority.

Contact Group of Roma Associations is formed by the civic organizations which have expertise in different domains as: human rights, education, and social protection, training problems and work (job) problems, cultural problems, problems of political representation.

Constitution of the Decision Board. definition/description

The Board of implementation and decision of the project: « **Facilitating the creation of institutional ensuring access to legal housing of Roma in the crisis situation such as those created by floods**» is formed by the representative persons of the organizations which signed the Memorandum and they have the fallow attributions:

- organizing the meetings to resolve the problems which appears in the project development;
- it is consulted in taken important decisions regarding the projects implementation;
- Monitoring the projects activity ;
- Supervising the rapports towards financiator ;
- Elaborating strategy of improving the Roma people situation from the communities;
- Organizing permanent work meeting ;
- Consulting technically and financials rapports regarding the project;
- Supporting multiplications of the experience in other projects;

- Accessing other financial sources to support this project, as well other similarly projects;
- Assuring the Board secretariat;

Project presentation

The project “**Facilitating the creation of institutional ensuring access to legal housing of Roma in the crisis situation such as those created by floods**” is a result of the Memorandum and their connection is interdependent because in the Memorandum were included collaboration methods to resolve the crisis situation created by the floods and also co-operation methods at the local and central level which can become positive practice, can generate public policy and this project can become a pilot project which can reply at the local, regional, national, national and international level.

The project “**Facilitating the creation of institutional ensuring access to legal housing of Roma in the crisis situation such as those created by floods**” was created after the Rom Star Organization staff realized some activities in the areas affected by the floods. They tried to resolve some problems about houses legalizations and they were incommoded by a series of procedures which blocked the road throw land and houses legalization.

Negotiations, interventions, lobby near local authority were made and the result was that the law has to be respected some steps must be made to resolve this problem. With this project we improve the Roma people situation from the localities affected by the floods: Comanesti and Darmanesti from Bacau County.

Project general object is to induce in legalization of the settlements and to make houses secure, trough realizing / obtaining: sketches, cadastres, town planning, notifications, allotments and creating a section association.

Samuel Delepine

Independent expert

Housing of Roma in Central and Eastern Europe: facts and proposals

The opinions and information contained in this paper do not necessarily reflect the policy and position of the Council of Europe.

Introduction

Housing for Roma in central and eastern Europe is a key issue in the debate on this European minority. Housing is one of the iconic themes in the whole town planning and urban policy area.

This text will take stock of the housing conditions of Roma in central and east European towns and cities, drawing on field investigations in several Romanian urban neighbourhoods. The conclusions reached on the areas investigated are applicable to most towns and cities in eastern Europe.

The general context is one of poverty. We shall be examining underprivileged population groups, describing the forms of poverty encountered and pinpointing possible solutions. Clearly, the Roma housing question is also closely bound up with the issues of culture, schooling, work, health and discrimination.

This document sets out a typology of urban areas inhabited by Roma, revealing entrenched segregation processes, explaining the causes and proposing possible solutions for improving the housing conditions of Roma populations and opening up their areas of habitation.

I. Roma: a history of coercion leading to the current segregation

Slavery and forced settlement

Despite the historical distance, the forced settlement of Roma in central and eastern Europe during the Middle Ages goes some way towards explaining their present-day distribution in various towns and cities and is, more generally, the root cause of the immense frustration experienced by Roma in their dealings with the majority societies.

In the Romanian provinces of Valachia and Moldavia, the Roma were slaves confined to restricted areas where they exercised specific crafts and trades in the service of the local boyar or bishop. This situation continued until the mid-19th century. Some Roma groups are still living in these *mahalas*¹, the sites where Roma were first settled on the urban periphery. Now that they are shut in within a wider urban area or being pushed further and further out to the periphery, the Roma can hardly be said to be any better off than they were three or four centuries ago.

Roma in the Austro-Hungarian Empire were partially settled, kept under strict surveillance and forced to perform menial tasks for the community.

This means that the forced isolation of the Roma dates back to ancient times, and knowledge of their history reveals the causes of Roma marginalisation and the so-called “self-marginalising” lifestyle of certain families.

The various legacies of Communism: improved housing quality against a general background of Roma assimilation

The horrors of Nazism followed an inter-war period which had been fairly prosperous for the Roma people. In an overwhelmingly rural eastern Europe, their skills were in great demand against a political background of development which benefited the whole population, including the Roma.

After the second world war, the whole of eastern Europe fell under the communist yoke. Fresh constraints were placed on the Roma who had survived the Nazi era, and who now had additional reasons for suspecting and fearing non-Roma people.

Reforms were gradually and more or less furtively introduced in the individual countries, with one aim in mind, namely the assimilation of Roma and the destruction of their culture. This objective was never attained, despite the often strict implementation of the said measures.

Nevertheless, if we confine ourselves solely to housing quality, some of the collectivist measures clearly targeting a unified culture did benefit the Roma, among others.

Many Roma families were eligible for substantial allowances because their fertility rates were much higher than those of the majority populations. Many families at this time enjoyed unprecedented levels of comfort in terms of housing.

Thousands of Roma were employed in the new heavy industries and housed in impersonal blocks of flats alongside the rest of the working population. These blocks are now severely criticised for their general dilapidation, but at the time they represented a major step forward, providing Roma households with electricity and running water for the first time. However, collective apartment housing is far from the ideal for Roma, who prefer individual houses that are open to the outside world.

After the collapse of the Berlin Wall, many Roma families, who were the main victims of the crisis in heavy industry and the resultant unemployment, had to part with their properties or stand by while their neighbourhoods gradually fell into disrepair. Many of them moved to distant peripheries on the rural/ urban border, where they met up with other Roma groups from the countryside who, fired with unrealistic hopes by the demise of communism, had come in search of fabulous wealth in the cities.

This dual movement has led to overcrowding in deprived, indeed severely impoverished peripheral areas, where Roma are now often in the majority as the non-Roma populations have moved out.

II. Current housing conditions for Roma in central and eastern Europe: an indictment

We have grouped together the different types of housing occupied by Roma in central and east European towns and cities into three major categories:

- rundown peripheral housing areas
- collective ghetto-type housing
- miscellaneous types of dwellings in town and city centres.

These categories of underprivileged situations are counterbalanced by groups of Roma with adequate housing conditions identical to those enjoyed by the majority populations. The families in question are usually cut off from the traditional isolated nuclear groups. They are scattered across the towns and cities in “non-Roma” areas. The Roma groups living in such areas have undergone social promotion to secure a similar lifestyle to that of the surrounding populations. The main problem they face is treading the line between integration and assimilation.

1) Peripheral housing area: small houses, ruins and shacks

Most Roma live in one-storey rural-type houses which lack amenities, many of them built with makeshift materials. Roma neighbourhoods in towns and cities are generally located along the edges of enormous estates which are in fact also somewhat gypsified”. Such deprived outskirts are monofunctionally residential. These areas have no contribution to make to local economic life and have few or no links with the key dynamic urban areas. These “neighbourhoods” break down into old settlement sites and more recent shantytowns.

The old sites: mahalas

The term *mahala* is used to differentiate the old Roma settlement sites from other peripheral “Roma neighbourhoods” which have grown up more recently. At first sight the two seem very similar, but there are frequently overlooked differences which are of cardinal importance to the resident populations.

The original meaning of *mahala*, a neighbourhood housing a specific activity under the Ottoman occupation, does not apply or no longer applies to the areas in question. These areas are a heritage of the Ottoman period, and are important because they house Roma groups that have been settled there for a very long time.

Some *mahalas* have been urbanised, losing their trade activities and becoming enclaves within the towns or cities. The houses have never been rehabilitated and have fallen into ruin. Squalor is everywhere, the streets are not surfaced and the slum housing lacks

running water and electricity. Conversely, those Roma communities which have kept up trading links with the rest of the urban area have just about managed to preserve decent housing quality. Apart from such adequate types of housing occupied by Roma individuals who are gainfully employed, demographic growth *in situ*, which is compounded by some Roma migration from the surrounding countryside, has forced inhabitants to build makeshift houses squeezed behind the original street-level housing.

This is the traditional developmental schema for an old Roma settlement site. New dwellings are often built illegally, which raises problems vis-à-vis prospective rehabilitation for such neighbourhoods because illegal buildings are used by the local authorities as an excuse for refusing to work on the sites.

Lastly, many of the old *mahalas* no longer occupy their original sites in the town or city. Roma were constantly pushed back by advancing urbanisation, moving to the outer urban limits and reconstructing makeshift hovels far from the beating heart of the city. These areas are always on the borderline between the urban and rural environments. This applies, for instance, to the Roma inhabitants of the Gringăși district in Bucharest, who were moved to the Giulești neighbourhood at the beginning of the 20th century (the Giulești football club is still regarded as a Roma club to this day), before the latter itself became a pericentral area and had to be vacated by “undesirable” Roma populations, who ended up on the outskirts of the city around the tram terminus.

This is a typical example of the process whereby of the most deprived groups are gradually pushed out towards the margins of the urban area.

Recent urban outgrowths

The opening up of central and east European countries to the market economy after the fall of the Berlin Wall restored population mobility. Many Roma people were attracted by the new opportunities in the towns and cities. The shantytowns which had grown up between the two world wars and been more or less eliminated by the communist authorities began to revive.

All cities and towns of any size in Romania, Bulgaria, former Yugoslavia, Hungary, the Czech Republic and Slovakia now have at least one peripheral Roma shantytown. The Roma populations suffer from inadequate schooling and various types of discrimination, and are barred access to urban prosperity and employment. They are grouped together in isolated areas devoid of services and sanitation. Their houses are built of various flimsy, salvaged materials.

These inaccessible and little-known Roma shantytown “neighbourhoods” are gradually increasing in size. Few of them are ever involved in any rehabilitation or rehousing projects. Most of the relevant measures consist in “concealing” such areas, while basic inexpensive sanitation work never even reaches the drawing board.

2) Collective housing: increasing ghettoisation

Gradual deterioration since the fall of the Wall

After the collapse of communism, many Roma people took over whole blocks which had been deserted by workers after the decline of heavy industry.

The Roma takeover of vacated housing soon led to isolation and the withdrawal of services.

In many cases, the mere fact of a number of buildings being occupied by Roma is enough for the whole area to be called a “Roma neighbourhood”, whereas in fact these “100% Roma” areas are usually confined to a few blocks, as in the Smíchov district in Prague and the Ferentari neighbourhood in Bucharest. In these inappropriately named “Roma neighbourhoods”, there are only a small number of blocks forming Roma enclaves inside what is already an extremely poor area which comprises a wide range of different ethnic groups, in a haphazard process of lumping all the poorest population together in one place.

For example, there are two streets, Livezilor and Zabrauți, in Ferentari, a large neighbourhood in the southern part of the Romanian capital, which have a number of extremely rundown blocks of flats. Some of them were abandoned by soldiers from a nearby barracks and others by workers from a local company, and their upper stories have been taken over by Roma families. All these Roma are unemployed, and they live in appalling slum conditions.

The staircases are in ruins and the basements awash with filthy water from the burst sewage pipes. Only the undersized flats themselves are looked after in any way by the families. Household waste is no longer collected. Refuse litters the ground and is burnt from time to time, infesting the whole area with toxic fumes.

Such collective housing ghettos are the extreme examples of poverty and exclusion on the part of Roma groups in European towns and cities.

3) Town and city centres: disregarded slums and media-hyped “palaces”

Slums and hovels in downtown areas

The concept of “Roma neighbourhood” invariably refers to peripheral zones with only very tenuous links to the rest of the urban area. However, Roma groups are also scattered throughout the town centres and suburbs.

The restructuring of town centres in eastern Europe is gradually eliminating the slums taken over by Roma families. However, the restructuring process varies in speed and efficiency depending on the town and country. While Prague and Budapest hide their Roma populations far away from the gaze of tourists, Bucharest and Sofia still have

derelict buildings throughout across the urban area which are squatted in by Roma families.

Concealed behind the building facades, the interior courtyards reveal the presence of several families in the same building. Roma move into these old derelict buildings, many of which are in a dangerous state of dilapidation. They are overcrowded, with many different families living together in the same building. Unofficial connections to the municipal power lines create unsightly tangles of electric cables, but the families cannot tap into the water supplies in the same way.

When these buildings are renovated it is never for the benefit of the Roma families occupying them. They are evicted and left with no choice but to swell the population of the peripheral shantytowns.

It seems inevitable that in the medium to long term Roma families will disappear altogether from such premises as the towns and cities progress economically, although this process will obviously take longer in the less important medium-sized towns.

At all events, while it is obviously a reasonable endeavour to rehabilitate rundown housing, it is unacceptable to evict whole families without any rehousing programme.

Roma “palaces”: a cliché which raises fundamental questions

This is a very marginal phenomenon as compared with the situations we have described earlier, but wealthy Roma do have their own particular type of housing, which is interesting for our survey primarily because it shows that some Roma families refuse to give in to a collective unconscious which relegates Roma to the margins of cities and calmly accepts the conditions under which this minority is forced to live. It is worrying to note that after centuries of constraints, the majority populations still imagine that Roma families enjoy living in deprived marginal areas, which they see as their chosen lifestyle.

On the contrary, it is a lifestyle which many Roma only end up accepting under duress, with feelings of frustration and resignation, demonstrating just how difficult it will be to restore the identity and pride of most Roma.

This is why the installation in city centres of a type of housing peculiar to the cliché of slightly rich Roma families should be seen as a form of resistance rather than as a curio or even a spectacular, media-hyped feature of Roma life.

Although we might dwell on the demonstrative and sometimes provocative architectural style of these large urban and rural “pagodas”, but the main point about this phenomenon is that it challenges the representation of the place of Roma in the town and country environment.

What type of housing and what place should Roma occupy in the urban environment? This is the question raised by a small number of Roma families, who are in fact a minority within the minority.

III. Improving housing conditions for Roma in Europe: the challenge

Ignorance and indifference deleterious to the Roma population

Roma in Europe suffer from widespread ignorance of their living conditions on the part of the majority populations. The latter have relegated Roma to a situation of isolation, fear and frustration, and are fond of accusing them of preserving Gypsy “mysteries” and actually marginalising themselves. In fact, many Roma groups do now have a reclusive attitude, inherited from the past and intensified by fear of the *gadjo*. If Roma are ever to properly integrate, this fear must be dispelled by changing attitudes and combating the systematic rejection of this minority. Some Roma individuals must also change their outlook if their demands are to be seen as legitimate.

On top of this first type of ignorance, which affects all European Roma, there is a second kind which concerns urban life and housing, namely lack of knowledge of the areas in which Roma people live.

As stated above, for all the social levelling and widespread insecurity in the peripheral Roma neighbourhoods, there are essential differences between them which must be taken into account.

More often than not, the general public, but especially the municipal authorities, are ignorant of the internal divisions in what they call the “Roma part of town”. Any urban development initiative in such areas must take account, for instance, of the huge differences in housing quality between an old *mahala* and a new peripheral ghetto built ten or so years ago. Similarly, the ghetto inhabitants will have little real attachment to their area, whereas the population of a *mahala*, as an historically settled Roma group, will have very strong ties. Such attachment is sometimes surprising, reinforcing the prejudiced view that Roma are quite happy in their neighbourhoods.

The first solution is therefore to show real interest in the Roma population and the area in which they live, rather than a type of interest that is hamstrung by governmental or European requirements; otherwise it will be difficult to instigate appropriate action on a little-known environment.

Complying with recommendations: from paper to reality

Minimum housing quality must be guaranteed in accordance with the UN Habitat II Programme, which stipulates that “*Adequate shelter (must comprise) ... adequate space, (...) adequate lighting, heating and ventilation; (and) adequate basic infrastructure, such as water-supply, sanitation and waste-management facilities (...)*”. Such recommendations are still being completely ignored at the local level.

The fact that the problems are being disregarded in this way at the local level is forcing the main European authorities to press for improvements in the living conditions of Roma populations.

The problem is greatly intensified and complicated by the fact that there are so many different kinds of insecure Roma areas. We are not talking about just a few large districts in major capitals: it is a case of identifying the huge number of extremely poor slum-ridden “Roma areas” unknown to the international authorities, which are therefore in no position to exert sufficient pressure on the relevant local authorities. The principle of “housing for all” is clearly more honoured in the breach than the observance.

A change of attitude is needed because there is still a great deal of anti-Roma feeling in Europe. The first step in countering the spatial exclusion of the Roma is to secure social progress in this field.

Reinforcing local public policies, promoting access to house ownership and considering the public sector as an ally rather than an antagonist

Local public policies have a vital role to play in improving quality of life for the Roma populations. However, local authorities in central and eastern Europe are taking very little action to help these populations.

Local authorities must recruit specially trained staff to work in the social field and the various town planning sectors. This necessitates substantial resources for the departments employing them and a new approach to the distribution of powers and activities, given that the systems are often antiquated, although there are major variations from one State to another.

Access by Roma to house ownership in very deprived areas is a major issue in improving their housing conditions. Leaving dozens, hundreds or even thousands of individuals to their own devices in lawless areas is damaging to the local populations on two counts: not only does such a situation deter the authorities from implementing lawful action in the area, but also, and above all, the local population is exposed to the risk of blanket evictions at the first hint of a major private project likely to have enticing financial repercussions. With the current opening up of markets, the authorities will always prefer installing a major company or a large commercial venture in a Roma residential area to rehabilitating the site.

The international authorities and local associations are energetically lobbying for Roma access to house ownership in such areas. The growing role of Roma NGOs in central and eastern Europe is a sure sign that the Roma are now taking charge of their own problems. However, despite the pressure, many municipalities are turning a deaf ear because they can use the illegality of Roma occupancy of a given area as an excuse not to redevelop it.

This vicious circle must be broken by means of new public policies, and also by taking advantage of private investment funds with a view to judicious urbanisation.

In most central and east European countries, a spatial development policy is needed in addition to the relevant recommendations, concentrating on the housing conditions and locations of the most deprived populations.

Remedying the absence of town planning strategies for Roma neighbourhoods and promoting the implementation of genuine spatial planning policies

In most central and east European countries, a spatial development policy is needed in addition to the various recommendations, concentrating on the housing conditions and locations of the most deprived populations.

We might just summarise the reasons for the authorities' failure to improve housing for Roma populations:

First of all, there is the preconception solidly anchored in people's minds that the Roma are quite happy with their living environments and that "that is just the way they live". This idea is due to the historical marginalisation of the Roma population vis-à-vis the majority populations.

Secondly, we should remember that squatting deters the authorities from conducting rehabilitation work. Over time, such illegal situations have become a cast-iron excuse for abandoning whole urban areas to Roma populations.

Lastly, priority is currently being given to investment by private companies which are granted generous official subsidies, usurping municipal urban development plans which are deemed too expensive. These private companies can thus change the urban environment as they wish, with scant regard for local social concerns.

The stark fact is that nothing will change unless the authorities act to earmark special funds for improving housing in the Roma areas.

A debate is required on the redevelopment of Roma areas in cities in order to improve the living conditions of Roma at the local level. Town planning and development do not necessarily involve demolition and total transformation. The local people's living environment and lifestyle must be analysed before any action is decided on.

In the light of the disastrous situation in many towns and cities, priority should be given to such operations as road surfacing, installing water supplies, introducing road safety measures and constructing playgrounds and parks. But there is such opposition to change that these development operations must be incorporated into specific national development programmes. Technicians and developers should be trained and recruited to liaise between the authorities and the contractors. This intermediate professional level is desperately lacking in central European countries.

It is also certain that social insecurity will continue until Roma persons are given access to some form of social advancement. This is why such major issues as schooling, employment and housing are of the essence in this field.

Social housing: a possible rather than a compulsory solution

Social housing policy is still inchoate in some east Europe countries. After the collapse of communism, the local authorities inherited a huge social housing stock, the management of which they rapidly assigned to private promoters. In Romania, for instance, only under 2% of the housing stock is currently in public ownership. Such insecure groups as young people, the unemployed and the Roma communities have no access to housing. The older generations have preserved the rights which they acquired under communism, but only the minority that has managed to integrate into the capitalist system now has access to sales mechanisms to renew their property.

The question of housing for all is of the essence here, drawing primarily on the UN Resolution. While access to ownership is the main priority for the Roma community, social housing might well prove an alternative solution in eastern Europe.

The conditions for implementing such a social housing policy still need to be defined, because if underprivileged Roma populations express interest in such housing, special regulations should be introducing governing their access to it.

Similarly, regard must once again be had to these people's living environments and lifestyles. Social housing cannot be considered "the" solution. Local realities must be taken into account. Attempts to rehouse residents of an old *mahala* in a collective housing estate will be pointless, even if housing conditions are much better there.

Not all Roma households are necessarily against this kind of housing, and it would appear that if a social housing policy is introduced it should be applicable to the whole population, without discrimination or special arrangements for Roma.

The need for a specific policy for Roma living environments respecting their lifestyle would seem more urgent, and such a policy would probably be more effective, provided there is an express determination to implement it.

There is a huge amount of work still awaiting us in the area of improving Roma housing conditions. Progress is very slow in all fields, and the overall situation of Roma in Europe can scarcely be said to be improving. This makes the need for real action to ensure the implementation and harmonisation of national policies, including those for housing, even more imperative. Let's be able to look back in ten years' time at concrete achievements and be satisfied with the significant progress made in housing and all areas concerning Roma.

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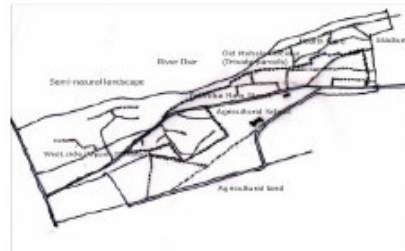
Vladimir Macura

SUGGESTIONS ON FORMALIZATION OF ROMA MAHALA IN MITROVICA

The presentation is based on the report
" SUGGESTIONS ON DESIGN SOLUTIONS
FOR ROMA INDIVIDUAL HOUSES AND APARTMENT BLOCKS "
that was prepared under SSA 129/2006
OSCE/ODIHR

1

MAHALA FIGURES AT THE END OF 1990S



- Population 7000 – 8000
- Families 1160 – 1400
- Average family 5,06
- Houses 620 – 750
- Mahala surface 21 ha
- Private land 4 ha (19%)

2

FORMALIZATION OF ROMA MAHALA

An urban plan is important tool for formalization of Roma Mahala. All-important issues could be solved during the preparation process. From urban planning point of view it means that Mahala ought to be an equal part of Mitrovica - not a poor ghetto.

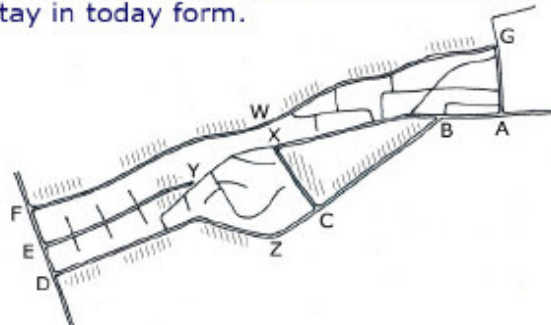
Mahala could be composed by the following spatial elements:

- Street network
- Mahala center
- Private housing reconstruction,
- New housing development,
- Schooling and children care
- Working zone,
- Park and recreation area,

3

STREET NETWORK

- Fabricka Main Street could be reconstructed in East and West part, with Pedestrian Street in the middle.
- Ring Street could be formed of existing and newly constructed sections.
- Parking lots could be placed on this street
- Secondary streets and alleys in private housing zone should stay in today form.



4

MAHALA CENTERS

- Main Mahala Center could be formed around School, at Agricultural triangle
- Reconstruction in private zone could be used for forming row shops along Fabricka Main Street.



5

NEEDS FOR NEW DECENT HOUSING

RAE families could be divided into four main categories

- I - Families who owned houses and parcels before the conflict.
- II - Families who owned houses, but not parcels
- III - Families who hadn't houses and lived in rented premises, and people from disadvantage categories of persons ("social cases")
- IV - Families who owned small houses on small parcels (that couldn't be use for new housing according to UNMIK Guidelines).

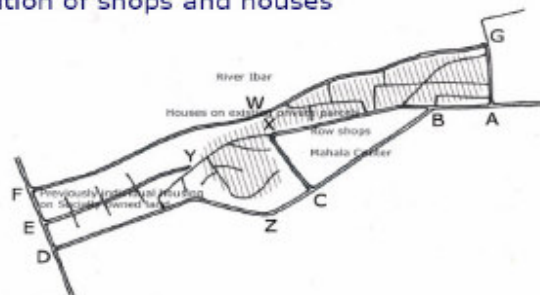
UNMIK Housing standard is combination of two elements:

- First, minimal surface for Secure Living Area (SLA) per person is 6m²,
- Second, two separate rooms in a flat/ house, should be designed, not smaller than 25 m².

6

PRIVATE HOUSING ZONE

- Private housing zone is composed of 7 blocks with private parcels.
- There are approximately 280 private parcels that should be reconstructed.
- Reconstruction along Fabricka Main Street could be composition of shops and houses



7

RESIDENTIAL PARTS OF SETTLEMENT



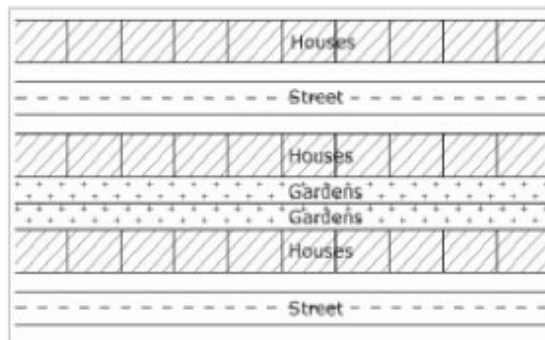
Existing parcels scheme



Design solution that accepts existing parcels scheme

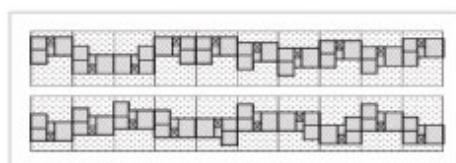
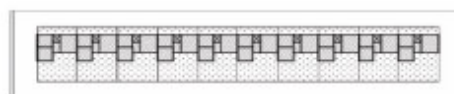
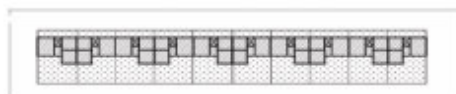
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RAE VISION – ROW HOUSE AS ADEQUATE HOUSE



9

ROW HOUSE AS ADEQUATE HOUSE



10

Claude Cahn
Programmes Director
European Roma Rights Center

Roma Rights, Racial Discrimination and ESC Rights

Roma constitute Europe's most excluded and marginalized ethnic group. Significant segments of the Romani community live mired in poverty or extreme poverty. Substandard living conditions lead to exposure to a range of contagious diseases. Adequate health care and schooling are frequently unavailable, and where these are available, they are frequently racially segregated. In addition, Roma have in recent years frequently endured physical attacks as racism has once again become acceptable in European societies, and as movements with explicitly racist agenda have grown, often with "Gypsies" as a named target group.

Beginning in the 1990s, advocates began challenging the practices to which Roma are habitually subjected, including by pressing for expanded legal norms banning racial discrimination, as well as by using these once they had been secured. As a result, the recent period has been characterized by a steady trickle of positive rulings by domestic and international tribunals in cases involving racially motivated treatment of Roma. Some of these have significantly reshaped domestic and international jurisprudence in matters related to the extreme harm of racial discrimination.

These positive developments re-ignite fundamental questions as to the relationship between the ban on discrimination – including the extreme harm of racial discrimination – on the one hand, and the establishment and advancement of economic and social rights on the other. This paper aims to explore briefly this dilemma and to sketch the current state of affairs, with the aim of pointing advocates toward possible future action.

The Justiciability of Roma Rights

A string of recent decisions brought by international tribunals in Roma rights cases involve matters first brought in the mid-1990s, which are now reaching a final decision. These include decisions in matters such as *Nachova and Others v. Bulgaria*, in which military police shot and killed two unarmed Romani men in circumstances giving rise to concerns that the killings were infected with racial animus. In a July 2005 ruling, the Grand Chamber of the European Court of Human Rights partially upheld an earlier decision at first instance that the killings and subsequent failure to investigate the matter implicated Article 14 – the European Convention ban on discrimination. Although the decision is the fourth in which the European Court has found Bulgaria in violation of the Convention in matters related to the abuse of Roma by police, it is the Court's first ever finding of an Article 14 violation in a racial discrimination case.

Similarly, in *Hajrizi Dzemajl et al. v. the Federal Republic of Yugoslavia*, the UN Committee Against Torture (CAT) found Montenegro in violation of the Torture Convention. The case involves the failure of the Montenegrin government to remedy harms arising from the destruction by pogrom of a Romani settlement in 1995 in the town of Podgorica. Following the UN CAT ruling, the government of Montenegro awarded seventy-four victims a total of 985,000 Euro damages.

It will be seen that these cases, and other, similar ones brought to domestic and then international tribunals, involve pogroms against Romani communities or other forms of very extreme violence against Roma. Reasons why such cases have reached international tribunals are numerous, but two in particular are worth noting. First, the circumstances of these cases were so extreme that they evidently required just settlement, and since the governments concerned had failed to provide this, international tribunals were willing to weigh in to correct matters. A second noteworthy issue involves the nature of international justice: it is at present particularly suited to address matters involving violence and other extremes of human interaction. It is not (yet) as adept at confronting matters less picturesque than pogroms and killings by law enforcement officials, despite the fact that such less graphic harms may have an equally pernicious impact on the lives of the marginalized poor.

In keeping with the spirit of narrowing the concerns of international justice to the most constricted possible range, in ruling on these cases, there has been a determined effort to exclude economic and social concerns from the matters at stake, as well as to keep considerations such as the influence of racial discrimination to a bare minimum. Thus, for example, in the European Court of Human Rights Grand Chamber ruling in *Nachova*, the Court describes an approach whereunder states may only have particular obligations to examine racial discrimination matters if a person dies in the custody of the state, or in similarly extreme circumstances:

The Grand Chamber reiterates that in certain circumstances, where the events lie wholly, or in large part, within the exclusive knowledge of the authorities, as in the case of death of a person within their control in custody, the burden of proof may be regarded as resting on the authorities to provide a satisfactory and convincing explanation of, in particular, the causes of the detained person's death (see *Salman v. Turkey* [GC], no. 21986/93, § 100, ECHR 2000-VII). The Grand Chamber cannot exclude the possibility that in certain cases of alleged discrimination it may require the respondent Government to disprove an arguable allegation of discrimination and – if they fail to do so – find a violation of Article 14 of the Convention on that basis.⁴⁴

In so ruling, the Grand Chamber recapitulated the approach of the European Court's first instance ruling, which seemed to suggest even more that states may only have particular obligations related to racial discrimination when someone dies violently at the hands of a representative of that state:

⁴⁴ Grand Chamber ruling, *Nachova and Others v. Bulgaria*, para. 157.

157. That obligation must be discharged without discrimination, as required by Article 14 of the Convention. The Court reiterates that where there is suspicion that racial attitudes induced a violent act it is particularly important that the official investigation is pursued with vigour and impartiality, having regard to the need to reassert continuously society's condemnation of racism and ethnic hatred and to maintain the confidence of minorities in the ability of the authorities to protect them from the threat of racist violence. Compliance with the State's positive obligations under Article 2 of the Convention requires that the domestic legal system must demonstrate its capacity to enforce criminal law against those who unlawfully took the life of another, irrespective of the victim's racial or ethnic origin (see *Menson and Others v. the United Kingdom* (dec.), no. 47916/99, ECHR 2003-V).

158. The Court considers that when investigating violent incidents and, in particular, deaths at the hands of State agents, State authorities have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the events. Failing to do so and treating racially induced violence and brutality on an equal footing with cases that have no racist overtones would be to turn a blind eye to the specific nature of acts that are particularly destructive of fundamental rights. A failure to make a distinction in the way in which situations that are essentially different are handled may constitute unjustified treatment irreconcilable with Article 14 of the Convention (see, *mutatis mutandis*, *Thlimmenos v. Greece* [GC], no. 34369/97, § 44, ECHR 2000-IV). In order to maintain public confidence in their law enforcement machinery, contracting States must ensure that in the investigation of incidents involving the use of force a distinction is made both in their legal systems and in practice between cases of excessive use of force and of racist killing.

159. Admittedly, proving racial motivation will often be extremely difficult in practice. The respondent State's obligation to investigate possible racist overtones to a violent act is an obligation to use best endeavours and not absolute (see, *mutatis mutandis*, *Shanaghan v. the United Kingdom*, no. 37715/97, § 90, ECHR 2001-III, setting out the same standard with regard to the general obligation to investigate). The authorities must do what is reasonable in the circumstances to collect and secure the evidence, explore all practical means of discovering the truth and deliver fully reasoned, impartial and objective decisions, without omitting suspicious facts that may be indicative of a racially induced violence.⁴⁵

Left begging are what criteria are required of a state with respect to investigating, for example, an employment discrimination case, despite the fact that discrimination in the field of employment might be a type of harm with much farther-reaching implications for long-term exclusion of certain categories of person. It is hard to see how the resulting codification of an approach whereunder an international tribunal affirms that

⁴⁵ European Court of Human Rights, Case of Nachova and Others v. Bulgaria, Judgment of 26 February 2004.

racial discrimination matters are only particularly compelling in circumstances in which someone dies violently would be anything other than a significant degradation of the system of international human rights justice. On the contrary, it would seem to reaffirm the most problematic elements of international justice: until the European Court of Human Rights first instance ruling in *Nachova and Others v. Bulgaria* in February 2004, the Court had never once managed to find a violation of Article 14 in a racial discrimination case.

The effort to limit racial discrimination matters and to exclude social and economic matters from international human rights justice notwithstanding, these issues cannot be excluded from international justice, and so persistently invade rulings by tribunals which seem determined to keep them out, or which are by mandate designed to exclude them. Thus, for example, among primary compelling details heard by the UN Committee Against Torture in *Hajrizi Dzemajl et al. v. the Federal Republic of Yugoslavia* noted above was the fact that as a result of being hounded from the town, all of the Romani men in the settlement had failed to come to work, and had then been dismissed from their place of employment -- a local factory -- and in the eight years following the pogrom had not been provided with due remedy, despite civil complaints for unfair dismissal. Thus, although the UN CAT has no mandate in matters related to employment, the ludicrous circumstances of the dismissals of the Romani men concerned from their place of employment, as well as the failure to provide justice in these cases, weighed significantly in the finding of degrading treatment related to the pogrom.

No recent decisions better exemplify the phenomenon in which social and economic rights issues haunt the margins of civil and political rights decisions, acting as repressed agents forcing forward positive decisions, than the two recent excellent decisions in the matter of *Moldovan and Others v. Romania*, the official name of the case generally referred to as “*Hadareni*”. *Hadareni* is a village on the road between the towns of Cluj and Tirgu Mures, in the Transylvania region of Romania. There, on September 20, 1993, following the stabbing of a non-Romani man by local Roma, villagers killed three Romani men and then set upon the Romani settlement itself, burning fourteen houses to the ground. The event was one of a series of major anti-Romani mob violence incidents which took place in Romania in the period 1990-1993, in which locals killed Roma, burnt their settlements to the ground, and expelled them from localities. Following the near-complete failure of justice in the case before local courts, in January 2001, the case was brought to the European Court of Human Rights.

In a first ruling on the merits of the case, issued on July 5, 2005, the Court confirmed a friendly settlement between the Romanian government and eighteen victims, in which a total of 262,000 euros would be paid in damages. Amounts awarded range between 11,000 and 28,000 euros per individual or couple. The July 5 decision also commits the Romanian government to a range of measures aimed at ameliorating the situation of the Roma locally, as well as dampening the continuing high degrees of anti-Romani hatred in the area. In an unusual move, the decision of July 5 includes a detailed recital of the

case. The Court evidently decided that the facts of the case should be part of the public record.

The Court issued decision on the merits of the case on July 12, 2005, delivering judgment on matters concerning seven applicants who refused friendly settlement with the government. In the ruling, the Court found violations of Article 3 (prohibition of inhuman or degrading treatment), Article 6(1) (right to a fair hearing) on account of the length of the proceedings, Article 8 (right to respect for private and family life), and Article 14 (prohibition of discrimination) taken in conjunction with Articles 6(1) and 8. In a very rare move, the Court held that the discrimination in the proceedings of the case had been so intense that it amounted to degrading treatment as banned under Article 3. Damages totaling 238,000 euros were awarded to the victims, including one award of 95,000 euros to one of the victims, a very high award by European Court standards.

There are many striking features of the two Hadareni decisions, and it is not the purpose of this article to examine them in detail. One aspect of the decisions is, however, relevant for the purposes of this article: for formal reasons, the Court could not hear complaints relating to the pogrom itself because the episode had taken place before Romania entered the Council of Europe, and therefore before it was bound by the European Convention on Human Rights, the law the European Court is charged with enforcing. Nevertheless, in a landmark admissibility ruling in June 2003, the Court agreed to hear the case, on the basis of the fact that a vacuum of justice in the case, and the continuing degrading conditions in which the victims lived once Romania was bound by the Convention might constitute continuing violations of the Convention.

Thus, one of two sluice gates through which the Court approached ruling on the matter of the pogrom was in fact the living conditions of the persons concerned following the episode. Indeed, the reasoning in relation to these aspects of the ruling is among the most detailed parts of the Court's ruling on the merits of the case. After deliberating on matters such as "three houses have not to date been rebuilt and, as can be seen from the photographs submitted by the applicants, the houses rebuilt by the authorities are uninhabitable, with large gaps between the windows and the walls and incomplete roofs; [...]", the Court held:

108. In the Court's view, the above elements taken together disclose a general attitude of the authorities – prosecutors, criminal and civil courts, Government and local authorities – which perpetuated the applicants' feelings of insecurity after June 1994 and constituted in itself a hindrance of the applicants' rights to respect for their private and family life and their homes (see, *mutatis mutandis*, *Akdivar v. Turkey*, judgment of 16 September 1996, *Reports* 1996-IV, p. 1215, § 88).

109. The Court concludes that the above hindrance and the repeated failure of the authorities to put a stop to breaches of the applicants' rights, amount to a serious violation of Article 8 of the Convention of a continuing nature.

110. It furthermore considers that the applicants' living conditions in the last ten years, in particular the severely overcrowded and unsanitary environment and its detrimental effect on the applicants' health and well-being, combined with the length of the period during which the applicants have had to live in such conditions and the general attitude of the authorities, must have caused them considerable mental suffering, thus diminishing their human dignity and arousing in them such feelings as to cause humiliation and debasement.⁴⁶

After further recital of facts, the Court proceeded to find a violation of Article 3 of the Convention for reasons including racial discrimination, thus ruling that Romania had breached the ban on cruel and degrading treatment.

The foregoing however begs the question of how these facts might differ from those of persons compelled to live in extremely substandard conditions, but who had not previously been subjected to community violence (or at least not in the very immediate past), and why exactly the State's obligations toward such persons might be different from its obligations toward persons subjected to pogrom. How would the feelings of "humiliation and debasement" differ in the two cases? Having proceeded to develop an approach whereby the Court recognizes that "severely overcrowded and unsanitary environment and its detrimental effect on the applicants' health and well-being, combined with the length of the period during which the applicants have had to live in such conditions and the general attitude of the authorities," might give rise to "considerable mental suffering", it is very unclear why a person would additionally have to demonstrate that she had been subjected to community violence in order to secure some sort of remedy from the condition by the State.

These subversive elements of the Court's jurisprudence remain, however, at present, just that: subversive elements. Economic and social matters tend to weigh in as supporting material, but the focus of the Court and similar international tribunals are civil and political matters: death, torture, exclusion from political and justice processes. Thus, the European Court's most significant ruling on environmental harms to date -- *Oneryildiz v. Turkey* -- makes very important law surrounding issues related to the treatment of slum dwellers and a state's obligations toward them. The Court heard a range of evidence in the case in question indicating that local officials were aware of environmental threats posed to slum dwellers by a local dump, and not only failed to take steps to remove the dangers, but actually facilitated the continued presence of the slum dwellers on the site, including by providing rudimentary services and taxing the dwellings. However, the Court's ruling in the matter came only after thirty-nine persons died as a result of the explosion of the facility.

The Ban on Discrimination

⁴⁶ European Court of Human Rights, Case of Moldovan and Others v. Romania, Judgment No. 2, 12 July 2005.

The tendency of international human rights justice to concentrate on civil and political rights issues has been at least in part behind moves to bring social and economic issues into international justice through a focus on discrimination matters. Discrimination is banned under both Covenants. Famously, in the cases *Broeks v. the Netherlands*⁴⁷ and *Zwaan de Vries v. the Netherlands*⁴⁸, both cases relating to discrimination in connection with the right to draw social security benefits, the UN Human Rights Committee ruled that the Article 26 ban on discrimination of the International Covenant on Civil and Political Rights (ICCPR) covered issues outside the rights contained in ICCPR and therefore constituted a freestanding right for the purposes of the ICCPR. Even persons and entities opposed to the idea that social and economic rights exist as fundamental rights on the same footing as civil and political rights have been willing to recognise – and indeed have encouraged the idea – that economic and social exclusion matters be addressed within the framework of a ban on discrimination. Thus a degree of consensus has emerged on the ban on discrimination, which has not yet been secured on the existence – let alone the justiciability – of social and economic rights.

In recent years, in particular in response to the very disturbing return of visceral and explicit racism to the European public space, European authorities have responded by considerably elaborating the ban on racial discrimination law in Europe, both in the framework of European Union law and therefore in the Member States of the European Union,⁴⁹ as well as in the Council of Europe system.⁵⁰ This article is not the place to discuss the scope and nature of the very rich and manifold concepts at issue in the ban on discrimination. A brief overview suggests that at minimum a number of matters are implicated in the ban on discrimination for the purposes of the legal systems of Europe, as well as under the international law systems binding European states. These include but are not necessarily limited to bans on:

- Direct discrimination, or treating similarly situated persons differently in similar situations, for arbitrary reasons including race, ethnicity, nationality, gender, political conviction, sexual orientation, social status, birth or other reasons;
- Following the European Court of Human Rights ruling in *Thlimmenos v. Greece*, “The right not to be discriminated against in the enjoyment of the rights guaranteed under the Convention is also violated when States without an objective and reasonable justification fail to treat differently persons whose situations are significantly different.”⁵¹

⁴⁷ *Broeks v. the Netherlands*, communication No. 172/1984, Views adopted on 9 April 1987.

⁴⁸ *Zwaan de Vries v. the Netherlands*, communication No. 182/1984, Views adopted on 9 April 1987.

⁴⁹ The most significant development under EU law in this area to date has been the adoption in 2000 of Directive 43/2000 “implementing the principle of equal treatment between persons irrespective of racial or ethnic origin”, generally referred to as the “Race Directive”.

⁵⁰ Significant developments, in addition to jurisprudence discussed above, include the adoption in 2000 of Protocol 12 to the European Convention on Human Rights, creating a ban on any rights secured by law under the European Convention; the adoption of the Framework Convention on the Protection of National Minorities, including 3 separate provisions banning discrimination; and the adoption of a Revised European Social Charter, including for the first time a ban on discrimination in the Charter’s substantive provisions.

⁵¹ European Court of Human Rights, Judgment, *Thlimmenos v. Greece*, (*Application no. 34369/97*), 6 April 2000.

- Indirect discrimination, meaning where persons are placed at a particular disadvantage as a result of an apparently neutral rule, criterion or practice, provided there is no objective justification for the disadvantage;
- Failure to progressively realize the rights included in the International Covenant on Economic, Social and Cultural Rights, for reasons of any of the criteria set out under Article 2(2) of the Covenant;
- “Harassment”, meaning “unwanted conduct related to racial or ethnic origin takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment”;
- An instruction to discriminate against persons on grounds of racial or ethnic origin;
- Any adverse treatment or adverse consequences as a reaction to a complaint or to proceedings aimed at enforcing compliance with the principle of equal treatment.

Even though these are still early days, the implications for Roma of these expanded norms have already been significant. For example, in the period since December 2003, when Bulgaria adopted its first comprehensive anti-discrimination law as a result of the requirements of the EU Race Directive, Bulgarian courts have on at least eight occasions ordered compensatory damages for Romani victims of racial discrimination, in cases including bans on services in shops and restaurants, discriminatory refusals to hire, and the arbitrary refusal of equal treatment in the provision of state-provided electricity services.

At international level, quasi-judicial bodies have been persuaded that Roma suffer systematic discrimination. For example, in December 2004, the European Committee of Social Rights, ruling in the matter of European Roma Rights Center v. Greece, held that Greece had violated Article 16 of the European Social Charter in three different aspects by systematically denying Roma the right to adequate housing, due to:

- The insufficient number of dwellings of an acceptable quality to meet the needs of settled Roma;
 - The insufficient number of stopping places for Roma who choose to follow an itinerant lifestyle or who are forced to do so;
 - The systemic eviction of Roma from sites or dwellings unlawfully occupied by them.⁵²
- Similar complaints are currently pending before the Committee against Italy and Bulgaria. However, because of the nature of the European Social Charter mechanism, no compensation flows directly to victims of such practices.

Implications for the Development of ESC Rights

The above mentioned developments in anti-discrimination law are to be welcomed

⁵² European Committee of Social Rights, European Roma Rights Center v. Greece, Decision on the Merits, Collective Complaint No. 15/2003, 8 December 2004.

without qualification; for the first time, Romani and other victims of the severe harms of discrimination have access to justice, and perpetrators of injustice are being punished. In many cases, these perpetrators were acting out practices so casually and habitually indulged in that it is only now, for the first time, that discriminators are becoming aware of the harms they have undertaken. Governments are now acutely aware that they must undertake and implement policies to improve the situation of Roma and roll back the effects of widespread if not systematic discrimination, or risk being held accountable by intergovernmental bodies, or by international or domestic tribunals. These facts notwithstanding, it is unclear whether, in the absence of further measures, they significantly advance economic and social rights. Indeed, it is unclear whether or not these advances in the scope, depth and range of the ban on discrimination may not have paradoxically come at the price of an erosion of social and economic rights, or at least masked some ongoing erosions.

This dilemma is perhaps best illustrated with respect to the current state of affairs in the field of housing in Hungary. Hungary is a party to the International Covenant on Economic, Social and Cultural Rights, and therefore in principle the country is bound by the Article 11 guarantee of a right to adequate housing. However, the Hungarian Constitution does not establish a right to adequate housing and, to date, all efforts to establish a right to adequate housing under domestic law have failed. Moreover, Hungary has to date avoided joining the Revised European Social Charter, which provides explicitly for a right to housing under the Council of Europe system, in addition to providing a collective complaint mechanism for petition where such rights have been violated.

Indeed, since the collapse of Communism, both in fact and in law, Hungarian authorities have significantly eroded rights associated with the right to adequate housing, and policies aimed at securing adequate housing for all. For example, Hungary already has among the lowest public housing stocks in Europe, and as a result of diminishing resources, local authorities have, since the early 1990s, been progressively selling off what public housing stocks do exist, a fact which national lawmakers have done nothing to check. At the same time, Hungarian lawmakers have knocked out previously existing protections against forced evictions: since 2000, the notary – an assistant to the mayor – may order eviction, against which no appeals are suspensive, and action which previously could only be taken by a court. Police must implement notary-ordered evictions within eight days. Although there is a requirement to re-house evicted furniture, there is no requirement to re-house evicted persons.

These developments, combined with rising prices in Hungary, have given rise to new armies of homeless in Hungary. The Hungarian Ministry of Social Affairs estimates a homeless population of approximately 30,000 in the country. Due to pressure on public housing stocks, increasingly bizarre responses to this crisis are reported, such as the adoption in some municipalities of the practice of auctioning off social housing to the highest bidder (!), to name only one example. In early 2005, the Hungarian Constitutional Court declared a number of local practices in this area unconstitutional, and review of all local practices in this area has been ordered, as yet without significant impact.

There are clear indications that the practice of forced eviction and concomitant homelessness are disproportionately falling against Hungary's Romani community. Indeed, it was Hungary's Parliamentary Commissioner on National and Ethnic Minority Rights who recommended a review of local rules on the provision of social housing in the wake of the Constitutional Court rulings, primarily because their impact is disproportionately experienced by Roma. It should be noted that this is by no means unique to Hungary; to a greater or lesser degree, similar dynamics are afoot in the Czech Republic, Slovakia, Bulgaria and Romania. Indeed, in all of these countries, there are concerns that housing is increasingly racially segregated.

Since December 2003, as a result of its European Union obligations, Hungary has had a comprehensive law banning discrimination, including in the area of housing. As such, one can now bring a challenge before a court of law or before Hungary's recently established anti-discrimination authority to an act of discrimination – including racial discrimination -- in the field of housing. Thus, if one is able to demonstrate that a refusal to provide housing, or some other decision in relation to housing, was influenced by arbitrary matters of race, it should be struck down by a court or other authority. This is clearly an advance, particularly for persons excluded from housing for arbitrary reasons such as race. This importantly remedies a massive lacuna in Hungarian law – the failure until recently to provide a useable and effective ban on discrimination, among other things to shelter pariah groups such as Roma. However, it goes nowhere toward resolving major components of the underlying problem, namely the near complete evisceration in recent years of a previously existing housing rights framework.

Conclusion

Important advances in recent years in anti-discrimination law have crucially provided excluded, pariah and marginalized groups with chances for redress when fundamental rights are violated, including fundamental social and economic rights. However, in the absence of a strengthening of the social and economic rights regime per se, these advances will be only partial, and may additionally have pernicious side effects, such as for example aggravated social tensions and resentment against “Gypsies who receive special treatment”. International tribunals are already dragged in the direction of ruling on social and economic rights matters, but at present, due to limited mandates, these matters are often held in the margins of jurisprudence. The absence of a clear and unequivocal justice framework on social and economic rights matters threatens further to distort international justice in the coming years, as tribunals bend and warp their own mandates in order to rule on matters in need of just remedy. At domestic and international level, a clear and established framework for hearing and redressing social and economic rights violations, is the need of the day. Indeed all indications are that in order to ensure effective protection for all persons, including pariah minorities such as Roma, both a strong social and economic rights protection mechanism and a strong anti-discrimination framework are required.

Mrs. Catherine Beard

UK Association of Gypsy Women

2006 We live in a world full of technology; Technology so advanced it is sometimes unbelievable. Living in such an advanced world, you would never expect to find people living in squalor, Unable to find work or feed their families, families unable to access healthcare or education, No running water or sanitation.

Although the world has advanced, for many thousands of Roma their living conditions have deteriorated. Under the communist regimes they were treated more fairly, access to housing, education and healthcare were equal. They made the most of opportunities regarding education.

Many academics in education, medicine, law and other professions were the result thus proving they could rise to the challenge. The new democratic society they now find themselves living in has in effect changed all that.

The living conditions of the Roma and Travellers in Europe as a whole have worsened, Evictions and constantly being moved on, without decent housing conditions, access to healthcare, education and employment becomes impossibility and takes its toll on everyone concerned.

Under the international covenant on economic, social and cultural rights all residents regardless of race, gender or ethnicity have the rights to adequate housing and the right to be free from fear of eviction, In fact the committee on economic, social and cultural rights, the human rights body that oversees the implementation of the covenant has determined that any forced evictions may be considered a prima facie violation of the obligation under the covenant.

These rights enumerated in various regional human rights instruments; including a revised European social charter 1996. Article 31 explicitly protects the rights to housing,

Article 16 protects the rights to family life through the provision of housing, additionally,

The European convention on human rights and fundamental freedoms, under article 8 prohibits interference with the right to respect for a person's private and family life including their home. These rights are to be guaranteed and protected by state parties, again without distinction as to race, ethnicity, gender or any other classification.

Although the UK Government are trying to address the shortage of sites the Romany gypsies and Travellers evictions are still taking place of families from their own land Their homes being bulldozed and destroyed without the offer of an alternative, causing untold trauma and stress to the families concerned, therefore we strongly urge the EU member states to fulfil their obligations under the human rights covenants.

The International Roma Women's Network will continue to highlight the human rights

violations of our people in Europe and work towards justice and equality and also by utilising our position in the European Roma Travellers Forum.

Analysis of Roma housing issues and emerging trends

In this section an analysis is made covering the most debated Roma housing issues and related emerging trends as they emerged from the debates during the Bucharest conference. The analysis is based on the notes that the rapporteurs took, on the presentations made and on the observations of CPRSI officers summarized in the conference briefing written by a consultant immediately after the end of the conference. During the Bucharest conference, the debates on housing ranged from advertising small housing projects aiming at poverty alleviation, to denouncing a broad policy failure at national level and advancing competing proposals with regard to national and local policies and viable national strategies.

Foundations for a Regional Roma Housing Center

The discussion in the Working Group on Housing was opened with Mr. Vasile Galbea and Mr. Balan Paustin's presentation on how to facilitate the creation of institutional procedures and mechanisms ensuring access to legal housing for Roma. The presentation drew upon the latest developments of a project implemented following the memorandum signed with the support of the OSCE-ODIHR Contact Point for Roma and Sinti Issues.

Mr. Vasile Galbea listed a series of complex negative factors, which contribute to the difficulty of Roma housing issues, including: intensive migration to urban areas, lack of support of parents for their children and the lack of official documents for land ownership. Thus he recommended that the economic and social situation of the Roma be taken into account in order to speed up the process of getting property rights.

Mr. Balan Paustin focused then the attention of the audience on the details of the project implemented in Bacau, which involved legalising Roma settlements via a memorandum of understanding signed with local authorities.

The purpose of the project is to integrate Roma into mainstream society. The objective was to create a cadastral plan for settlements with a view to legalizing them. In this project, the prefect's office provided the building material. OSCE gave money for urban planning. National authorities monitored the project side by side with the Roma NGOs, which monitored and evaluated the project. Thus, many actors were involved in implementing the project and they had quite an impact. An economic impact since the issue of legalization is vital for gaining property rights. And an impact in creating a new community by working with local authorities and having the town hall as a main coordinator.

The presentation of this project was complemented by work done in different Serbian cities by Serbian architect Vladimir Macura. His main presentation in the First Plenary Session and in the Working Group focused on the formalization of the Roma mahala in Mitrovica. The architect designed an urban plan for the Roma mahala that takes into

account the needs and specificity of the Roma communities. His work resulted in valuable recommendations for viable strategies in different housing situations and brought forward the need to set up a Regional Roma Housing Support Center. The role of the center would be to provide assistance and expert advice for authorities and organizations undertaking initiatives to address the situation of access to legal housing of Roma. While such a center (Regional Roma Housing Center) will address the related issues regionally, different branches of this center in different countries, based on existing housing support centers and initiatives, would be coordinated, mainly building on existing initiatives in the field of housing of Roma. Following the exchange of experiences with Mr. Balan Paustin and Mr. Vasile Galbea who developed the project in Bacau, it was suggested that a branch of the Center be established in Bacau, Romania.

Preserving versus eradicating social housing for Roma

The social aspects of housing were particularly emphasized in the debate between immediate actions versus longer term planning, between eradicating, or improving/preserving social housing.

Mr. Samuel Delepine made several proposals in relation to urban planning and Roma mahalas. He presented three types of Roma housing: peripheral housing area - small houses, ruins and shacks -, collective housing- urban ghettoisation -, “palaces”. In relation to the typology, he argued for reinforcing local public policies, promoting access to house ownership, in short for considering the public sector as an ally rather than an antagonist. Mr. Delepine was among the supporters of social housing – as a possible rather than a compulsory solution.

Mr. Claude Cahn was also in favor of social housing, but rather as a need, as a compulsory solution, bearing in mind the situation of Roma in Central and Eastern Europe. The differing economic situations and prospects between Western Europe and Eastern Europe must be noted here. For certain Western European states social housing is viewed as prolonging the assistance-oriented mentality and as discriminating against poor people, whose access to the real estate market should be facilitated instead. On the other hand, the situation in Central and Eastern Europe is dramatic, marked by the complete erosion of tenants rights combined with mass disappearance of social housing and with an extreme level of discrimination which lead to near-right exclusion of Roma from society. In this context, social housing continues to represent a need and a solution to the unprecedented conditions in which the Roma are forced to live.

What can be agreed upon is that social housing alone cannot constitute the key in solving the problem of Roma housing, the solution lying in social development. Partnerships must continue to be set up between local authorities and Roma, Sinti and Travellers for an integrated approach to addressing housing and living conditions of these communities.

Forced evictions and their particular impact on Roma women and children

Inevitably the working group on housing addressed also the problem of brutal evictions, this year's conference emphasizing the gender aspect, underlining the inhumane conditions faced by Romani women and their children subjected to forced evictions with no or limited resources to match the gravity of their situation. The lack of halting sites for Travellers in Western EU countries and again the process of brutal evictions of these communities was also highlighted. The Council of Europe proposes governments *inter alia* to consider the adoption of legislation preventing forced evictions during the winter period as it already exists in some of its member states.

As a follow-up of the Conferences in Warsaw and Bucharest, the Council of Europe envisages to organise a small-scale workshop by the end of 2006 where certain housing-related issues such as evictions, loans programs for social housing, and legalisation of settlements will be discussed together with state and local authorities. It is intended to open the debate to local population in order to address the concerns of the majority population and eventually fight against stereotypes affecting Roma, Sinti and Travellers.

4.2. WORKING GROUP II: Employment Policies for Roma, Sinti and Travellers: implementation, assessment and harmonization.

Isabela Mihalache
Open Society Institute

Romani women's experience in accessing employment

Background

Romani women throughout Europe, both in the Western countries and Central and Eastern Europe as well as elsewhere – face multiple discrimination which makes them the most vulnerable and socially excluded category in our societies.

Romani women face discrimination in all domains of life and employment – the prerequisite for a quality life and personal development.

Romani women remain excluded from the formal economy, limited by the lack of appropriate level of education, compounded by discrimination and anti-Gypsyism. They work mainly in informal, non-registered, temporary and seasonal jobs.

Reasons for high unemployment

- The lack of qualifications and marketable skills renders most Romani women unable to compete in a labor market already permeated by anti-Gypsyism.
- The lack of available disaggregated data by gender and ethnicity limits the elaboration of policies and programs targeted at Romani women's employment and employability. The lack of data is also a huge obstacle for gender mainstreaming within policies and practice. Nevertheless we have cases where governments do collect disaggregated data according to ethnicity (Romania); OSI has published a report on Romani women in different areas of life – we just hope that policy-makers are going to use it.
- The high presence of Romani women on the grey economy attracts the lack of social security and access to health care

- Lack of Romani women participation in public and political life triggers also unemployment among women
- The lack of policies and programs targeting Romani women's unemployment makes it very difficult for Romani women to find a job in the so-called open and free market

Looking at their situation across Europe, similarities are striking and lead to an obvious **conclusion**: Romani women constitute the most deprived category of the population due to the discrimination and social exclusion they experience as a result of the intersection of race, gender, and class.

Country statistics on employment

Romania: According to the 2005 UNDP report, 35% of the Romani women were unemployed. The report shows that Roma are 5 times more likely to live at or under the poverty line in comparison to the majority population. Our 2006 OSI report shows that only 26% of the Romani women interviewed were part of the workforce, i.e. employees, day-labourers and free-lancers. Employed Romani women in this survey had an average income of 68 Euro, more than 2 times the average income of 31 Euro of the entire sample of Romani women surveyed.

Bulgaria: 66% from the 1/3 of the Roma population that has never worked are women (Agency for Social Analysis).

Macedonia: In a 2002 poll (as we have no recent data), 51% of Romani women aged 18-54 were unemployed.

Croatia: there are no policy measures to address the lack of access to employment of Romani women. There is a significant gap between the education level of the majority population of the Roma at large, particularly of the Romani women. In a research conducted by the European Roma Rights Center, out of 122 Roma, of whom 63 were women, only 1 % of women were employed full time.

Serbia and Montenegro: According to the UNDP vulnerability report, approximately 60% of the Roma population is living at or below the absolute poverty level. Nevertheless, there is no data segregated by gender and ethnicity.

Quotations from Romani women

In their own words, and I would like to refer to the words of Romani women in Romania: a Romani woman has stated that: "If they see that you live on Digului Street. They refuse everything. I have finished 10 grades and I handed in employment applications everywhere. All were refused."

A woman from Cluj said, "When I worked in a market, other [Romani] women also wished to be hired, but they didn't hire them because they were darker or because they were afraid they would disappear with the money."

“I have never worked. I only finished 10 grades. Everywhere I’ve applied, I’ve been refused, so my husband works. He has a degree from a vocational school.”

Recommendations

1. Collect data segregated by gender and ethnicity or use the existing data for enable policy-makers to elaborate policies and programs targeting Romani women’s employment; to enable equality bodies to make policies and develop programs which look at closing the inequality gaps in employment opportunities and social exclusion. Unfortunately, most of the times, the lack of data is used as an excuse for the lack of policies and programs. First of all, the situation is very well known, Roma men and women live at or under the poverty line; second of all, there are methodologies used by some governments and international NGOs to collect disaggregated data (Romania); third, even if data is available, governments still do not act in accordance.
2. Include minority women (Romani women) and their concerns in equality bodies to reach gender and social equality.
3. Elaborate programs under the Employment Decade Action Plans
4. Offer incentives to employers (tax exemptions) to hire Romani women
5. Facilitate credits for Romani women who want to start small business (community development projects)
6. Better access about job opportunities/vacancies through job fairs, local employment offices and other services
7. Gender segregation in job training should be combated through unemployment offices and other providers of professional training for unemployed Roma.
8. Combine vocational training with mediation into jobs and continued professional support;
9. Implementation and where appropriate adoption of relevant international and national legislation and administrative measures, on discrimination in employment; Specialized governmental bodies and NGOs to monitor gender, racial and ethnic discrimination in the labor market as well as cases involving multiple forms of discrimination
10. The new objective of the EU council for reconciling work and private life is highly relevant for Romani women, therefore When designing such programs, Romani women and their realities should be incorporated within
11. Harmonize financial instruments with policies and recommendations on Roma adopted by the OSCE, Council of Europe, and other international organizations, including national and local governments

Rita Iszak

European Roma Rights Centre

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“CONFERENCE MATERIALS”

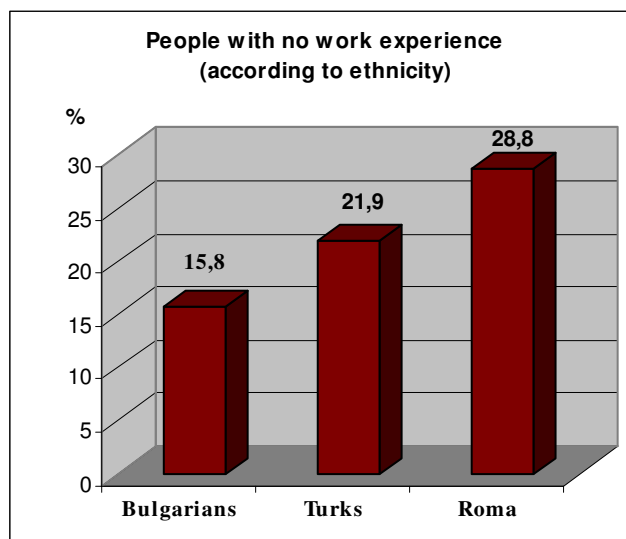
Teodora Krumova

*Center Amalipe – Bulgaria &
Roma Diplomacy Group*

Phare Employment and Roma in Bulgaria: the Strategy of Exclusion

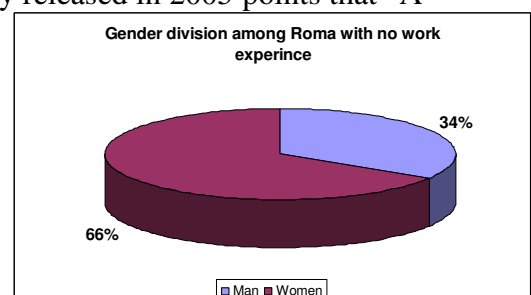
The 2005 Comprehensive monitoring report of the European Commission for Bulgaria underlines: “The efforts made by Bulgaria to implement the “Framework Programme for Equal Integration of Roma into Bulgarian Society” lack sufficient strategic approach, coordination and finance.”

One of the tools provided by the EU to improve socially inclusive policy is PHARE projects. Phare projects can lead to significant change. On the other hand, if not designed and implemented comprehensively with regard to the needs of the target groups, PHARE projects could lead to further stagnation and deepening the existing gaps. This refers to **Ethnic minorities labor market integration project** that will be discussed below. The Project fiche does not create sustainable environment and conditions for permanent Roma employment and contradicts major points in the EU policy towards employment and minorities.



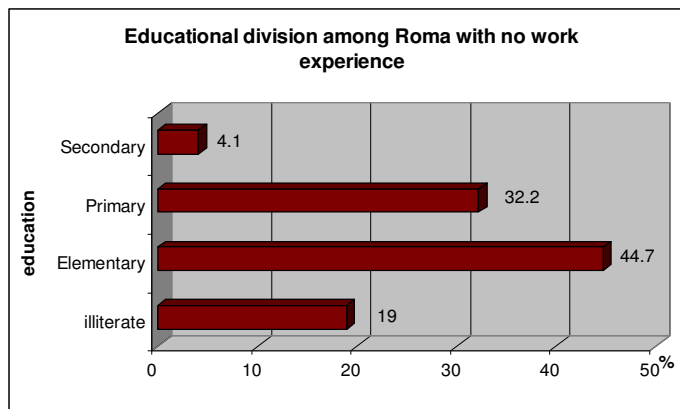
PROFILE OF ROMA UNEMPLOYMENT IN BULGARIA

A number of studies show that Roma suffer the highest extent of exclusion in the employment sphere. A UNDP survey released in 2005 points that “A



great part of the community faces permanent unemployment (varying between 60 and 80 percent). The percentage of Roma alienated by society and rejected by their peers has increased three times.”⁵³ A research carried out by the Agency for Social Analysis shows that one third of Roma in Bulgaria have no work experience, i.e. they have never worked on permanent contract.⁵⁴ 66.1 % of them are women. Except for the serious gender discrepancy, there is also a serious age gap in the employment structure of the Roma community. More than 98 % of Roma without work experience are under the age of 39! This is the generation that has entered working age after the changes of 1989. The “socialist” Roma with no work experience are only 1.6 %. The striking fact is that the democratic Bulgarian society of the 21st century is even more excluding than the totalitarian society of the 20th century! Whatever the reasons for this might be...

In addition, education seems to be a major factor for unemployment. Only 4.1 of those Roma who have never worked are with secondary education while the other 96 % are illiterate or with lower than secondary education.



One of the tools to support governmental policies to overcome social exclusion and the backward situation of vulnerable groups is the pre-accession funds, and particularly the PHARE program which second priority is to support Economic and Social Cohesion (ESC) in the candidate countries. Bulgaria is no exception.

At the same time Phare projects in Bulgaria show lack of comprehensive governmental policy towards Roma inclusion and a durable tendency to rather keep the status quo than break the social and economic stigma. The example below supports this statement.

PHARE BG2004/006-070.05.01: ETHNIC MINORITIES LABOUR MARKET INTEGRATION (Sector: Economic and Social Cohesion)

The Phare Ethnic Minorities Labor Market Integration is a project that should be completed by November 2007 and should be a major tool for contributing to “the social and economic integration of disadvantaged minority communities – with a particular focus on Roma”.⁵⁵ The Project Fiche however presents a number of contradictions in itself and serious discrepancies with several major documents:

- The Millenium Development Goals
- The Lisbon Strategy

⁵³ *Faces of poverty, faces of hope: Vulnerability profiles of Roma population in Decade of Roma Inclusion Countries* (Bratislava: UNDP, 2005) 11.

⁵⁴ *Partners Bulgaria: Roma, the other face of changes* (2002), p.32, table 11

⁵⁵ *PHARE BG2004/006-070.05.01: Ethnic minorities labour market integration*. Project Fiche, 1.

- The Copenhagen criteria
- The Action Plan on Improving the Situation of Roma and Sinti within the OSCE area and so on

Four major points need further discussion regarding the Project Fiche:

THE FINANCIAL INSTRUMENT CONTRADICTS MAJOR POINTS IN EU POLICY

Instead of achieving social inclusion as set by the Lisbon Strategy through achieving equiting of the situation of majority and minority in all fields, the project fiche presents a governmental policy which stiffens the stigma and preserves the status quo of the Roma minority. Moreover it imposes a stereotyped image of Roma at the labor market – crafts and services oriented. As pointed above one of the most important factors for Roma unemployment is the low level of education. Nevertheless, the project applies an approach which is not directed to overcoming the education gap but rather to finding measures that apply within the present situation without any attempts for changing the status quo.

It states:

“The prevailing part of the Roma population assigns greater value to obtaining vocational skills than education. For 30% of the respondents, obtaining a profession is the first and the most important condition for finding job. [...]As for professional skills, these include construction workers [...] for the men and sewing, cooking and hair dressing for the women.

Therefore the main solutions related to professional orientation and qualification would come through the provision of training courses in PROFESSIONS THAT REQUIRE MOSTLY SPECIFIC PRODUCTION SKILLS AND A LOW LEVEL OF LITERACY.” (p.6)

And further the following results are expected to be achieved

“10 sets of training materials adapted to people with limited education”(p.10)

These measures are one-sided and their effect is doubtful. First, they are in contradiction with the general trends in European policy where human resource development is one of the corner stones. At the same time it reapplies the model invented by the regime during the communist period when special schools which enrolled only Roma children appropriated an extra-curriculum with an accent on vocational training and were officially called "schools for children with low life-style and culture." Later this resulted in the establishment of the segregated ghetto schools. The present Project fiche to a greater extent repeats this model: ***“For the conduction of the vocational training courses special training curriculum will be developed in such a way to best respond the educational level of the target group.”*** (p.13)

THE FINANCIAL INSTRUMENT LACKS COMPREHENSIVE KNOWLEDGE ABOUT THE SPECIFICS OF THE ROMA COMMUNITY

The Project fiche points out the discrepancy between official data and real number of Roma community

At the same time the whole approach is a unified one: “The project activities will target regions that have the highest share of Roma population [...] The data will be taken from the National Statistical Institute.” This automatically leaves aside huge groups of the Roma community like the *millet* in Plovdiv (around 40 000 people), the *millet* in Burgas, Razgrad and so on. At the same time this repeats one of the significant mistakes committed within PHARE 2001 *Roma Population Integration* where the specifics of the Roma community have not been taken into account and a unified approach has been applied.

LACK OF SUSTAINABILITY OF THE PROJECT

The Project fiche fails to include and actively engage the local authorities: most of the activities are supposed to take place at the local level; representatives of the local authorities are not included in the Steering Committee, either.

At the same time, the local authorities have one of the biggest associations in the country (the National Association of the Municipalities in the Republic of Bulgaria) which has proved to be a successful and reliable partner in previous projects. Representatives of the local authorities are not included in the Project Steering Committee either.

The second indicator which predefines the unsustainability of the project is the lack of consistency in the vision for the project follow-up activities. On page 14 the Project Fiche points: “The sustainability of the Agricultural Support Center and the crafts Support Centers will be guaranteed BY THE NGO SECTOR in close co-operation with the local authorities.” At the same time in the Sustainability section (p.18) the PF says: “The sustainability of the established under the project Agricultural Support Centers and Crafts Support Centers will be guaranteed BY THE LOCAL AUTHORITIES in close co-operation with the NGO sector.”

ROMA PARTICIPATION?

Within the project the Roma community is still perceived as an object and not as a real partner in design and implementation. At the same time, the other big PHARE project directed to Roma under the same Financing memorandum (Improvement of the situation and inclusion of the disadvantaged ethnic minorities with a special focus on Roma) meets this criterion by including Roma representatives at all level: from the project design, the design of the ToR to the implementation and the monitoring of the implemented activities.

...ensure that Roma are involved in the formulation, implementation and evaluation of policies and that Roma issues are taken into account in relevant EU and national policies

EQUALITY AND NON-DISCRIMINATION

Annual report 2005

European Commission

DG for Employment, Social Affairs
and Equal Opportunities

RECOMMENDATIONS

- Harmonize financial instruments (in design and implementation) with policies and recommendations on Roma adopted by the OSCE, Council of Europe and other international organizations, including national and local governments;
- Projects should be implemented with sensitivity to the specifics of the Roma community with special focus on gender when it refers to employment and education
- Include Roma as equal stakeholders within the whole structure of the projects: from design to evaluation
- Ensure local authorities involvement as a guarantee for the sustainability of the projects

Georgi Krastev
Head of Department
Department "Integration of Roma"
Council of Ministers of Republic of Bulgaria

Employment of Roma as Priority in the Context of Equality Integration Policy in Republic of Bulgaria

Analysis shows that Roma population in every country in transition is a those part of society who is in most disadvantage situation. For about 15 years of transition the percentage of illiteracy and long-term unemployed Roma population reach a very high range. It would be no exaggeration to mention that in some respects the situation concerns the security of society as whole. The problems raised during the years nevertheless the efforts of the state and of society. So some questions have appeared about the effectiveness and efficiency of the policy.

Integration policy for Roma in Bulgaria has started as documentary supported and regulated process in 1999 with the Framework Program for Equality Integration of Roma in Bulgarian Society. In this document it is stated that “The high unemployment rate among Roma in Bulgaria is one of the most serious factors contributing to the social isolation of the group. *Urgent actions are necessary for providing employment to the Roma.*”

Further in this document it is written that “One of the steps to be taken here is the development and implementation of training and employment programs in correspondence with the needs of the labor market and the particularities of some traditional working and vocational attitudes in the respective groups of Roma. It should be noted that the “rescue operations” of the type of alternative and temporary programs for employment, although appropriate at the given moment, are not enough as a perspective for the future development.”

As a system measures to achieve sustainable results it is pointed out that “it is necessary to create a special state fund. This fund must grant preferential loans and require their use for employment of Roma. Professionally competent people should do the management of the fund, and a large number of Roma with the respective qualification must be represented in it. Its activity should be public and there should be an effective public control mechanism.” Such kind of fund was been established but as a general approach for solving employment problems for all citizens. Obviously, main beneficiary group could be Roma because of economic disadvantage situation. It is important to stress hear the role of non-governmental organization in the process of acknowledgement of potentially users of the small state guaranteed loans and for the elaboration of business plan and also for supporting the contractors to bridge over bureaucratic difficulties. At the same time the Ministry of Labor and Social Policy organized information company aimed at the respective social groups.

The Framework Program is implemented by Action Plan. Such plans have been adopted for 2003-2004 and for 2006. The fact that action plan was not been adopted for 2005 and for the some previous years does not mean that the governmental or municipality institution did not work for overcoming disadvantage situation of Roma population. But their efforts was been mainly directed to the social problems – social support and education etc.

In 2004 after a deep analyze a very important change have undertaken from systems of social help, which is different from social support, to the employment. This mean that financial resources will be given only as payment for really fulfilled job. One of the purposes of the program From Social Help to Employment is to restore labor habits of long-term unemployed people and to create such habits in young people, who never work in their live. Some of the measures in this respect were:

1. Encouragement of socio-economic integration of Roma during education, employment and self-employment. The target group was and in fact still is members of Roma population above at 16 years of age. This will be fulfilled by creating of Roma cultural and information centers, establishment of sustainable employment through work by projects and business-courses.

2. Improvement of educational and qualification level of unemployed people in disadvantage situation by realization of regional programs for literacy, professional training and employment.

3. Encouragement of employment trough increasing of the possibilities of tourism by realization of the Beautiful Bulgaria Project – by temporary employment, education and training in tourist services.

4. Providing of employment in the regions with highest level of unemployment – during employment and self-employment of people with specific skills in traditional arts and crafts and during training of other people into this field of production and services.

The official beginning of Decade of Roma Inclusion and adopting of a governmental program from 2005 till 2009 gave an impetus for the process of elaboration of programs and action plans in the field of employment, which is estimated as most important (of course in close connection with education) for achieving of sustainable results for Roma community and for society as whole. Now it is very important to underline, and it is doing by institutions, at all stages and levels and before all ethnic communities and social strata that different programs are important for all of them nevertheless as a target group is differentiated Roma minority.

A new moment is that in the action plan for Roma Inclusion Decade it is dealing with the improvement of competitiveness of Roma in the market labor including in modern fields of labor activities. It has to be achieved by training courses for motivation, professional orientation, literacy and professional qualification as general. Another way to make better the situation in the employment is to use possibilities which give the special Employment Encouragement Law and National Plan for Action for Employment.

Nowadays it is most important for us to clarify for all beneficiaries and stakeholders the possibilities and perspectives which are accessible by PHERE projects and in near future by using of structural EU funds. In this respect efforts are aimed at supporting of business activities of Roma people as employed or self-employed persons. Again in this respect it is hardly to over estimate the role of non-

governmental and non-profit organization. However it is also important to be mentioned the process of increasing and of improvement of administrative capacity of governmental and municipality institutions. One of the examples in this respect is creation by Ministry of Labor and Social Policy of 10 regional labor exchanges especially for Roma population in different parts of the country.

In the end of June after discussions with municipality authorities and non-governmental organizations in 5 regions and after thoroughly consultation between governmental institutions have been approved by the Council of ministers the Action Plan for Implementation of FPEIRBS. In this document it is stated that a new perspectives for citizens, who belong to the ethnic minorities have to be open according to the Antidiscrimination Protection Law. It means that the persons who apply for a job in the state and municipality institution for a work with ethnic minorities have an advantage if they know well the language, traditions and customs of this/these minority/ies and if these persons are up to the requirements of the position they apply for.

In Bulgaria we are well aware that we have to finish all of planned work for a pre-accession period so to be prepared to face responsibilities as a member of European Union, a organization established on the principles of human wrights, cooperation, economic effectiveness and efficiency and social inclusion for all of citizens, ethnic and social groups.

Szilvia Rézműves and Jennifer Tanaka,
Pakiv European Roma Fund

Facilitating access to employment: regional challenges, lessons and perspectives

The Pakiv European Roma Fund is promoting a **process** of greater shared learning and critical reflection on the impact of policies to improve the situation among Roma. Based on this experience, we have published a report on approaches and methods for increasing access to income and employment among Roma. The report represents a follow-up to cooperation among the OSCE and PAKIV to further dialogue on enterprise development and employment among Roma. Here we present some of the report's main findings.

Approaches and methods to increase access to income and employment amongst Roma, can be grouped into **3 main categories**:

- access to labor markets, including public works, vocational training and job placement
- enterprise development for individuals and groups,
- and informal income-generating activities.

Programs to increase access to labor markets receive the most support, especially in the context of Structural Fund programs. Many active labor market policies, including public works, provide welcome income to beneficiaries, though it is still a challenge to offer permanent jobs. In many cases, graduates have difficulties finding employment after training, or jobs are created within the context of projects, and therefore end when the project ends.

In order to access employment programs, such as qualification courses, we are still confronted with the challenge of finishing primary and secondary education. Some states have made returning to school easier, through improved regulations and administrative procedures, but others provide difficult conditions, such as in Bulgaria, where students should pay over one euro per hour to attend such courses. For disadvantaged groups, this is practically impossible.

Many Roma live in rural areas and settlements, and also need to carry out informal and seasonal work for family income. Therefore, other challenges concerning access to second chance and vocational courses include **travel costs and the time needed to attend schools** which are located in the major towns and cities.

Among local community groups, **motivating people to return to school and obtain qualifications** is also a major challenge. In many cases, finishing a qualification course

does not translate into formal employment. This is due to limited job possibilities and discrimination. This has a negative effect on motivation to continue education, since **those who have completed vocational training do not find jobs**. Instead of investing time in education, they prefer to carry out informal and seasonal work which brings immediate income.

In terms of enterprise development, there have been a number of programs to support new social enterprises by Romani NGOs and businesses. Overall results in terms of sustainability are limited. Many initiatives were unable to overcome **challenges related to obtaining secure clients and contracts, management problems, market conditions and weak social capital within communities and in social and commercial networks**.

Since many programs take place in disadvantaged regions, **local and markets have little to offer or do not exist**. However, even when the ‘business’ and job creation aspect failed the investment into building capacities and experience was sustainable. Groups could continue to develop new ideas and actions in the communities’ interest, therefore contributing to an overall process of social change and development.

Income-generating activities for individuals and groups can have a positive impact in terms of creating new sources of income. However, such initiatives usually do not provide stable jobs or sufficient income to meet family needs. Such processes may be looked upon as a first step among less experienced groups, which are mostly about combating hunger, improving self-help strategies and ensuring some additional income. It is difficult for many groups to make **the step up to formal business development without additional investments**. All groups are confronted with the **challenge of finding secure markets for selling products**.

Still, it is important to underline the **social and psychological impact** such programs can have on excluded communities. Support of local initiatives may serve to break apathy, build social responsibility and trust within communities, along with a greater sense of self-respect among locals.

While there is no single ‘recipe for success’, some methods in working with local groups are common among different programs. In the experience of PAKIV, and others, **pre-project facilitation with local groups to build trust, confidence and management skills** prepares the community for the start-up of more complex economic initiatives. This has involved formal training elements and mentoring in the identification, management and evaluation of community actions.

Vocational training is a key method used throughout the region, but a number of programs found that **simple training is often not enough**. The long-term unemployed and young job seekers have a better chance of integrating into the formal labor market if programs include **other capacity building elements such as CV writing and interviewing skills, introduction to various work places, confidence-building, and business planning and development**. It is also important that the courses respond to

real needs of local labor markets, are flexible enough to accommodate seasonal work habits of participants, and that barriers related to travel costs are addressed.

Other key methods include **pre-project needs assessment, bringing job-seekers and employers together using mediators and organized dialogue** such as roundtable or job fairs, **facilitating greater access for home jobs**, especially amongst women, **increasing awareness within Romani communities** about existing services and programs, and **developing skills among local groups for enterprise development**.

To decrease **the information and communication gap** amongst marginalized communities and public institutions, a number of programs have **employed Romani facilitators, mediators, social workers and mentors**. These persons often come from the local community and serve as a link, organizing dialogue amongst different stakeholders.

So far, there are positive results from **micro-credit groups where members guarantee for each other**. It is also an alternative for individuals without access to credit and loans from banks, which require a job contract or assets. Programs in Hungary and Romania have high repayment rates and individuals could develop small business activities. In working together successfully, the method also contributes to developing trust and mutual support among its members.

The **low self-esteem and disbelief within local Romani communities** remain a serious challenge. To counter this, there is a need to ensure more **concrete, visible results of employment-related programs**, especially in relation to labor market access and obtaining secure income and jobs.

In closing, we draw out some concrete recommendations, including:

1. Improve efforts to **increase participation in second chance education** courses, by making courses more accessible, including flexibility in terms of timing, location and support.
2. Provide for qualification courses that meet the **real needs of local and regional labor markets**.
3. Considering that Roma often live in disadvantaged regions, provide for **greater mobility to areas with more job opportunities**, with policies in the areas of transportation support and housing.
4. Continue to **support and build on the role of local Romani civic organizations and individuals as mediators and mentors**. They can bridge the gap amongst the community and public institutions, and promote dialogue amongst different stakeholders.
5. In the context of European Union assistance, **improve the role of Romani civic organizations and networks in delivering capacity building Technical Assistance**. This should be 'closer' to locals, able to address 'individual needs', and reach underrepresented areas.
6. **Improve implementation and enforcement of equal opportunity and diversity policies** within businesses and especially public institutions. Here there

are some positive examples of local governments employing Roma, but enforcement is still weak at national, ministerial levels and within the private sector.

7. Alongside enforcement of anti-discrimination legislation and measures, public policies should **increase opportunities for more social interactions between Roma and non-Roma**. This should bring people together in areas such as the media, politics, housing, education, the work place and public services.
8. Support more **exchange, shared learning and mobility amongst Romani community groups**, to see how others in the same situation are dealing with similar problems. This can improve motivation and give new perspectives for taking responsibility and action for social change.
9. Finally, there is a need for **a development policy to address the particular situation of the disadvantaged regions and communities** resulting from the change from a centralized to market economy. These should go beyond the current, active labor market policies, and consider how to improve the labor markets themselves, or how to provide greater mobility for those living in these depressed regions.

Sofia Daskalová

Office of the Plenipotentiary of the Slovak Government for Roma Communities

Enhancing the employability of the disadvantaged job applicants at the labour market in the Slovak Republic

Ladies and gentlemen,

The **groups that are at the highest risk of social exclusion and poverty** due to the cumulative effect of several key disadvantaging factors include **marginalised Roma communities** living in rural or urban settlement units, whose number in Slovakia is estimated at several hundred. The most disadvantaged group of them are Roma communities, who are facing double marginalization. On one side they live in **marginalised regions**, where they have a minimum chance to find a job and thus end their dependence on social safety net; on the other hand, because of a number of reasons, they are virtually unemployable on the labour market, or their entry on the labour market is more difficult (e.g. because they are disadvantaged due to their lower skill level or social exclusion). Problem of the labour market in Slovakia is that there is a large number of disadvantaged long term-unemployed job applicants. Significant portions of this group are Roma.

With effect from 1st February 2004 in Slovakia become effective **Act No. 5/2004 Coll. on Employment Services, amending and supplementing certain laws as amended**, which defines disadvantaged groups of job applicants – citizens, who are with regard to their age, family reasons, length of their evidence in labour offices, educational background, absence of work experience and health status, have difficulties to find a job in the labour market, and therefore they need special attention (school graduates, adolescents, handicapped, long-term unemployed, citizens in the age of 50). The act regulates the rights and responsibilities of citizens in the area of access to employment by the **civil principle** rather than the ethnic, religious or other principles, the stress being laid on the groups of people that are disadvantaged on the labour market; consequently, Roma communities are considered as part of one of the relevant groups of disadvantaged job seekers of which they meet the characteristics.

Law about employment services created a system, in which through active labour market policy instruments contributes to enhancing the employability of the disadvantaged job applicants at the labour market. Adopting of the law created new possibilities:

- financing of the active labour market policy instruments have been ensured by the resources of the state budget;

- conditions have been created to cofinance the active labour market policy instruments through resources from European Social Fund and through national projects and demand orientated projects. (Whereas the financing is nowadays moving in the direction of the ESF);

Active labour market policy instruments support employment rate, enhancing the employability of job seekers and job applicants through education and preparation on the labour market, professional advisory services, graduate practice, activation work and relocation in search of work.

Among the active labour market policy instruments are used:

- ⇒ **partial reimbursement of job seekers' travel expenses connected with job interview or selection proceedings;**
- ⇒ **training and preparing job seekers and job applicants for the labour market**
- ⇒ **contribution for self-employment**
- ⇒ **contribution for employing a disadvantaged job seeker**
- ⇒ **contribution for graduate practise**
- ⇒ **contribution for activation work and others.**

Allow me to briefly describe three national projects, which have the largest potential to have an effect on the marginalized Roma Communities.

In order to support the creation of new jobs by means of a contribution for increased costs incurred by employing disadvantaged job seekers, a **national project I. *Supporting the Employment of the Unemployed with Emphasis on Disadvantaged Groups on the Labour Market*** has been prepared. Within this project the employers who create new jobs will receive support from the ESF. **A contribution for self-employment of unemployed job seekers** will also be provided in the framework of this project, applicable to provable expenses and only in case of uninterrupted performance of self-employment for a period of no less than two years. One condition for providing this contribution is also the requirement to prepare and submit a business plan. The amount of the contribution will be graduated subject to the specific conditions of the region in which the contribution is to be provided. In regions and districts having a higher rate of registered unemployment this contribution will be higher.

To support the maintenance and creation of working habits, a national project V. *Activation of the Unemployed and the Unemployed with a Low Motivation Dependent on Material Need Assistance* has been prepared. The main aim of the project is to support the maintenance of working habits, in particular of those long-term unemployed job seekers who are dependent on material need assistance. Municipalities, legal entities or natural persons are provided a **contribution for activation activities**, which can be used to cover a part of expenses of job seekers carrying out activation activities (e.g. personal protective equipment, accident insurance, part of the total labour costs of an employee who organises the activation activities). On the other hand the job seekers can increase basic material need assistance by the amount of activation

contribution granted for their participation in minor services for a municipality or in voluntary works organised by legal or natural persons. By means of mentioned minor services a significant portion of Roma Communities are participating in building of lower standard rental housing for citizens in material or social distress, upkeep and cleaning of public urban and municipalities sites, building, reparation, reconstruction of public utilities, cleaning of watercourses, forest and others.

A contribution is provided in the framework of active labour market measures for the practice of school graduates in the framework of national project IX *Graduate Practice* designed to increase the employability of young people through training and preparation for the labour market.

The contribution for graduate practice enables school graduates to acquire the skills and practical experience corresponding to their level of education. The graduates performing graduate practice receive monthly flat-rate contribution from the relevant office of labour and social affairs month to cover their essential personal expenses connected with participation in graduate practice. The relevant office may also provide school graduates a compensation for insurance premiums for accident insurance during the performance of graduate practice. Similarly, also the employer where the practice is being performed receives monthly flat-rate contribution to cover essential expenses per graduate. One of the target groups of the project are adolescent Roma in the age of 16.

Further improvement of employability of the disadvantaged job applicants at the labour market and prevention of new long-term unemployment shall be ensured by the following measures:

- adaptation of special preparation and education according to requirements of the society based on knowledges;
- ensuring equal access to education for all groups of inhabitants;
- enlarging and improving the quality of education and preparation on the labour market according to the specific needs of disadvantaged job applicants;
- continuation in implementation of the active labour market policy instruments through national projects cofinanced by ESF;
- regular monitoring and evaluation of effects of the active labour market policy instruments;

Thank you for your attention.

Anne-Marie Cukovic

Ministry of Human and Minority Rights of Serbia

PPT TO BE ADDED BY PROFESSIONAL EDITOR FROM FILE

Cristian Tomescu

Romanian National Employment Agency

-Mr. Tomescu sent me a Power Point presentation in Romanian. I have translated it in English and edited it and it can be added by the professional editor from the file "Conference materials".

Emil Nechifor

Head of Unit

Valen Est Industries

Valen Est Industries is an Italian investment in Romania in the locality of Surduc, close to Jibou, Romania, which in 1999 started producing drawers and other furniture components.

The factory numbers 160 employees, 30 of them of Roma ethnicity, while 70 families of Roma ethnicity live in the locality of Surduc.

The personnel is young, with an average age of 30 years, and lowskilled, a consequence of the existing offer on the labour market.

Although the offer is numerous and we have dozens of job requests, in the area there is no skilled personnel, especially in this sector, of furniture and wood.

Hiring young personnel with previous experience predominantly in agriculture, made it easier to create from the very beginning an atmosphere of work based on learning and cooperation.

A problem faced at the beginning was adaptation to the rhythm of a factory and to work in the factory .

All workers, regardless of ethnicity go through a period of learning in which they are assigned to work in the company of experienced workers and are subjected to a trial period.

The factory intends to invest via a PHARE programme Euro 2,000 in courses of professional training for the personnel. This is an initiative of the Romanian managers

of the factory in cooperation with an NGO in Zalau, the training hours being considered production hours. The course will last 3 months and is designed for all the workers of both Romanian and Roma ethnicity, selected among the most diligent workers.

A programme implemented by the factory is the distribution of the discarded wood to the employees, wood which is used for heating the houses and preparing food.

For the factory, the presence of Roma employees is a challenge and an opportunity at the same time. For the local community in Surduc, the creation of this factory means stability, a source of income to many of the families in the community. The experience of the factory in Surduc shows the importance of sustainable investments.

Analysis of Roma employment issues and emerging trends

Ms. Eva Sobotka, the EUMC representative, chaired the Working Group on Employment during the Bucharest conference. The analysis below is based mainly on the analysis made by Ms. Sobotka, on the rapporteur's notes and the briefing made by a consultant in May.

Throughout the conference the discussion on employment emphasized the need for:

- Addressing the unemployment of Roma, to: harmonize the financial instruments with policies, implement projects which do not reproduce stereotypes about Roma, Sinti and Travellers, as well as harmonize the sectorial policies on education with the ones on unemployment;
- Promoting second chance to education and the inclusion of the Roma – non Roma relations into these actions;
- Data collection to inform policies: the government should take the necessary steps for use of, and where the case the improvement of the availability, scope and quality of the disaggregated data by age and gender on Roma;
- Participation of Romani men and women in local administration as means to create jobs as well as promoting Roma participation.
- Diversifying the social actors involved, such as trade unions, employers and going beyond project-oriented action toward a discussion on Roma and macro-economic trends and needs.

Romani women in employment

A primary focus of the meeting was on the situation of Romani women with regards to employment. Isabela Mihalache stressed the connection between race, gender and class, emphasizing the position of Romani women as the most vulnerable group. Another aspect which emerged was the lack of employment opportunities in the absence of education: illiteracy is the highest barrier to obtaining a job. In this sense, the results of the PAKIV report commissioned by the ODIHR-CPRSI were presented by a young Romanian activist, Mrs. Szilvia Reszmüves. At the same time, the Working Group on Employment constituted an exercise of empowerment of Romani women following the side event organized by the European Union Monitoring Centre against Racism and Xenophobia (EUMC) on the 3rd of May as a round table with Romani Women Initiatives (see Annex).

An important stress has been on the situation of Romani women unemployment which reaches in some states four times higher unemployment than of majority women; the experiences stressed the importance of innovative measures such as micro credits, entrepreneurship education. In this context, states and local institutions and authorities are urged to make the administrative requirements in asking help for unemployment or making small business more accessible.

The role of key labour market stakeholders in addressing Roma employment issues

The working group on Employment gained from the active participation of the vice-president of one of the three biggest trade unions in Romania, as well as from the presence of two representatives of a private foreign investment where 20% of the employees are of Roma ethnicity. The Roma representative, head of one of the production units, delivered a presentation focusing on aspects of personnel training and provisions of the collective agreement in the factory. A question raised by Emil Nechifor, the representative of Valen Est Industries, was how can the problem of Roma employment (or unemployment) be tackled in the absence of the most important stakeholders on any labor market: employers and trade unions.

The experiences presented showed that on the one hand we need to diversify the social actors involved and move with actions and policies more toward local level, yet with a broader perspective on the main problems to be tackled. We need to include new stakeholders, trade unions and employers; and on the other hand, there is a need to go beyond project oriented actions and analyses, involving NGOs towards a discussion on Roma and macro-economic trends, needs and economic development of economically deprived regions. This needs emerged from the PAKIV report commissioned by the Contact Point for Roma and Sinti Issues (CPRSI) as well, as the next future challenge in this area.

Thus, as the social partners of governments, trade unions are encouraged to take an active role in enhancing the equal access of Roma, Sinti and Travellers to jobs and their equal treatment at the work place. On the other hand, the point of view presented by the vice-president of the Romanian trade union was that the Romanian union institution does not have a role in tackling the issue of Roma in employment since the union ensures vocational training only for those people who have secondary school education. And most of the Roma do not. Literacy course are needed before the unions can do anything. The underlying assumption was that there is an insignificant number of Roma working in factories, whereas the employers' reality differs significantly. From the experience that the CPRSI has acquired during the process of monitoring the implementation of the Action Plan in different countries in Western Europe and Eastern Europe, in countries with consolidated union institutions, usually in Western Europe, as for example Italy, trade unions play an important part in evaluating the situation of Roma employees and helping them improve their situation and defend their rights.

In this context, as a follow-up to the Bucharest conference the CPRSI is designing a programme to facilitate a series of encounters between trade union representatives from Western European countries, with an experience already in dealing with Roma issues and Eastern European trade unions leaders, on the one hand and between employers who have a significant percentage of Roma among their employees, local authorities, trade union representatives and NGOs in different local settings and from different countries. The outcomes of the programme will be articulated at a side event at the Human Dimension Implementation Meeting in October 2006. While allowing the CPRSI to fulfil its mandate as a facilitator of exchange of information between stakeholders in the process of implementation of policies, the programme would also move the problem of Roma in employment beyond the traditional dialogue between NGOs and government authorities.

4.3. WORKING GROUP III: Relations between the Police and Roma, Sinti and Travellers

Margareta Flesner

Romanian Police General Inspectorate

Institute for Crime Research and Prevention

Assessment report on Policing and Roma Communities

An essential component of this modernization process is also the **assessment of Romanian Police capacity to respect and guarantee the human rights within decision and intervention policies.**

The institutional assessment that we propose presents the process undertaken by the Police in the attempt to make its relation with the multicultural communities more efficient (with special focus on Roma communities) in terms of respecting and

guaranteeing human rights. The analysis of this process underlines the changes in approaching the above mentioned relation, from the perspective of building institutional confidence.

In addition, the assessment has been carried out in view of achieving the activities foreseen in Chapter F, “Justice and Public Order” of Strategy of the Romanian Government for Improving the Situation of the Roma.

From this perspective, based on the experience accumulated by the Police and with the support of British experts, Chris Taylor and John Slater, OSCE independent consultants, the evaluation has focused on four areas identified as relevant to the Police - Roma community relation, which are to lead to best practises in regard to this relation:

1. Compliance of domestic legislation on human rights with the international legislation, especially the European Convention of Human Rights
2. Operational procedures of the Romanian Police
3. Partnerships with governmental and non-governmental agencies
4. Human resources policies to attract and include members of ethnic minorities within the Police service.

1. Legislative framework

At present, the Romanian legislation creates a favourable framework for maintaining and developing national identity and provides national minorities with the opportunity to enjoy all human rights and fundamental freedoms without any discrimination.

The Ministry of Administration and the Interior is preoccupied with approaching the issue in a democratic, European manner, and elaborates its own work documents bearing in mind the existence and social display of national minorities, as well as the absolute necessity for equilibrium between the participants to the social life.

It is notable that **there is no provision that would include any form of discrimination on ethnic grounds** in the domestic legislation which regulates the activity of the Ministry of Administration and the Interior. Moreover, the Romanian Police is clearly trained and compelled to act impartially and on non-discriminatory basis, regardless of the criterion. For instance:

- ✓ ***Law no. 360/2002 on Police Officer Statute***, with subsequent modifications and completions;

- ✓ ***G.D. no.991/2005 for approving the Police Officers' Ethics and Deontology Code***, which had been elaborated in accordance with the European Police Code of Ethics that includes, among principles and provisions on respecting the human dignity, the promotion of good police/public relations and, where appropriate, effective co-operation with other agencies, local communities, non-governmental organisations and other representatives of the public, including ethnic minority groups”.
- ✓ ***Romanian Police General Inspectorate's Decision no.130/2004 regarding the use of force and of other endowment equipment by the Police officers;***
- ✓ ***Romanian Police Modernising Strategy*** includes a set of principles which are based on respecting human rights and freedoms, non-discrimination and transparency.

2. Police operational procedures are also regulated based on principles that ensure respecting and guarantee of human rights and fundamental freedoms.

Thus, the rightfulness of using force in every case is provided by clear cut principles, defined in the internal legislation of the Police institution*:
presumption of innocence, legality of intervention, non-expectancy, gradual use of methods and means of action, limitation and proportionality in using force, minimal risk, impartiality and legal protection for all people, respect for human dignity, defending the human being against which force had been used, confidentiality.

3. Partnerships – strategic component of improving the Police – Roma community relation

The problem oriented approach of the Romanian Police in resolving community issues is not at all times a matter of Police competency, as their solving needs the joint intervention of several factors. The process of improving the Roma situation is a long-term process and imposes a strategic approach whose main feature is partnerships. Given all this, it proves essential to devise a flexible system, based on programs adaptable to the issues resulted from the local priorities.

Therefore, the Police have taken measures to attract governmental and non-governmental agencies in partnership endeavours in order to implement coherent programs on crime and conflict prevention in various communities.

Under the coordination of the **Institute for Crime Research and Prevention**, and in partnership with the civil society, **a number of national projects** have been developed, **with the main goal to prevent and manage conflicts at the level of multicultural**

* Romanian Police General Inspectorate's Decision no.130/2004 regarding the use of force and of other endowment equipment by the Police officers

communities, to improve the relations between authorities and Roma communities, to develop the Romanian Police capacity of conflict resolution, to train the police workers in issues such as human rights and anti-discrimination so they would be able to initiate and implement activities in multicultural communities.

Through these projects, we tried to develop the skills of police officers who work in multicultural communities in terms of non-violent intervention in conflicts, of developing the capacity to include the Roma representatives in the decision-making process in regard to solving the problems of the communities they live in.

These cooperation programs with the civil society have been extended to all territorial Police units. The main goal was to prevent crime amongst Roma and, implicitly to manage any pre-conflict situation that might have generated group violence. Thus, in the period 2002-2005, in all counties, **123** partnerships, cooperation protocols with various governmental and non-governmental institutions were signed and **79** projects and action plans have taken shape.

The Police partnerships with the Roma communities prove that the Police understand and know Roma specific traits and needs and undertake efforts to adapt their activity to those. The continuous adapting effort contributes to the sensitization of police officers to the different needs of the citizens and to increasing their credibility in the public opinion.

4. Human resources policies to attract and include members of ethnic minorities within the Police service

The Romanian Police has adopted concrete measures to attract the representatives of national minorities in their structures, in order to create a stronger connection with the ethnic communities for obtaining more accurate information related to the community particularities and problems and to the delinquency issue, as well as to facilitate dissemination of preventive – educational type of information among the community members.

Thus, in all counties where the number of national minorities is large, the human resources departments have had vacancies for special positions for national minority representatives, proportional with their representation at local and national level (Hungarians, Roma, Turco–tartars, etc)

At present, the human resources are continuing the policy to attract and maintain Roma ethnics within the Police central and territorial structures, to extend the selection basis by recruiting young Roma with good school results. In some counties, not all vacancies have been filled out due to the fact that the applicants did not meet the requirements, but these positions are still reserved for Roma ethnics and tendered on regular basis. Moreover, the Measures Plan up to 2010 for the employment of Roma representatives in the Police service has been drawn up.

The impartiality of this human resources activities is permanently monitored by the Romanian Police at central level, as the proportional representation of ethnicities among the local Police structures ensures a plus of justice credibility and impartiality, thus also population support in Police activity.

The successes accomplished in optimising the Police relation with multicultural communities have taken concrete shape in:

- **Legislative framework** that regulates the Romanian Police activity is favourable to respecting and guaranteeing human rights, including of ethnic minorities' members.
- **Internal regulation** of the institution meets the general legal framework and is compatible with the European regulations. For instance, besides the Code of Ethics and Deontology of the police officer, a Manual of Good Practices has been devised for the intervention of public order police officers which regulates the principles of gradual and proportional use of force and the endowed equipment.
- **Relation with Roma communities** is developed on different fields:
 - *partnership programs* – that formed non-violent intervention skills to police officers working in multicultural communities.
 - *training programs* of police officers in regard to the Roma communities' characteristics
 - *human resource strategy* to attract and maintain the Roma people with the Police structures.

Gyorgy Makula

Ministry of the Interior

International Training Centre

European Roma Law Enforcement Initiative

The Roma ethnic group represents the biggest minority in Europe. Their number is estimated 600 000 - 800 000 in Hungary, and several millions of Roma people live in Europe. There are serious problems regarding the Roma's position in the society, such as unemployment, bad living conditions, health problems or discrimination.

The different national and international projects incorporate their aim among the mentioned subjects and in most cases the police takes part in these programs, according to the "acts against discrimination". Unfortunately there is not satisfactory number of initiatives – or at least international and widespread ones are missing – which would focus on cooperation of police and Roma communities and would also call the attention

to the necessity of supporting law enforcement experts and training them more widely. However, there are a few exceptions in Hungary: the Civil Relation and Equality of Chances General Department, the General Directorate of Education in the Ministry of the Interior, and the Crime Prevention and Equality of Chances Division of the Prevention Department in the Hungarian National Police HQ in Hungary. These organizations make big efforts to reach the above mentioned aims. On European level - neither at the Council of Europe, nor at the forums of the European Union – this question never comes up. Nothing proves it better than the fact that there is no European organization, which could coordinate these questions. Neither could the European Police Office (EUROPOL), specialised on criminal co-operation, has such a function.

This weakness might seem to be quite serious, bearing in mind that very similar initiatives – as regards their substance and aims – have been existing in Europe for a while. A very good example for this is the European Police Women Organization or the National Black Police Association (NBPA). The latter one which also has branch organizations in the UK, USA, Canada and has a very important role in the coloured police officers' life, increasing their number and reducing the prejudice.

The Hungarian roma and non-roma law enforcement officials – working in this field – think that as Hungary joined the European Union, it is time to step forward. It is very positive that the management at the Ministry of the Interior and the police are committed to co-operate with the romas. Therefore, Hungary can be the first country, which can start a unique initiative that can be followed by other countries.

The aims of the project (mentioned bellow) can be integrated into the Roma Decade Program, directly under the priority 'fight against discrimination', indirectly they are connected to the themes as education, employment, living conditions, poverty. There are foreign and Hungarian examples that the law enforcement profession gives a good opportunity for outbreacking, living, and carrier-building for those youth who because of their families bad financial background are not able to continue their studies.

I. Aims:

1. **The foundation of the Fraternal Association of the European Roma Law Enforcement Officers** integrated into the Roma Decade Programme to reach the aims – mentioned bellow - on national and european level:
 - a) **supporting the realization of the chance equality within the law enforcement organizations of Hungary and the member states of the European Association (in the following: law enforcement organizations);**
 - b) **reducing the prejudice** among the law enforcement organizations and the roma community;

- c) **increasing the number of the colleagues with roma origin in the law enforcement organizations' staff;**
- d) **increasing the living and working conditions of the roma colleagues;**
- e) **assisting to solve identity problems;**
- f) **acting as a mediator in roma – police conflicts;**
- g) **participating and cooperating in national and international law enforcement trainings regarding diversity, chance equality and reducing prejudice;**
- h) **cooperating with national and international organizations;**
- i) **reducing prejudice within the society;**
- j) **supporting the integration of the national and European roma minority.**

2. To inform the relevant organizations of the European Union, the Council of Europe, the EBESZ (OSCE) and the UN about the foundation, aims and role of the organization.

3. Initiating cooperation, developing joint programs with similar more experienced organizations (National Black Police Association, European Policewomen Association).

4. In the founding states of the European Association – based on the good Hungarian example – initiating and supporting the establishment of branch organizations;

II. Cooperating partners⁵⁶:

- Open Society Institute (OSI)
- Civil Relations and Equality of Chances General Department, Ministry of the Interior
- Directorate of Education Ministry of the Interior
- **Crime Prevention and Equality of Chances Division, Prevention General Department,**
Hungarian National Police
- Crime Prevention Academy, Ministry of the Interior
- International Training Centre, Ministry of the Interior
- Partners Hungary Foundation
- **National Roma Local Government**
- National Confederation of Fraternal Associations

III. Timing of the programmes:

⁵⁶ The number of the cooperating members will increase during the project. Because the initiative started in Hungary, only the Hungarian partners are listed.

1. Consultation with the cooperating partners, about the following subjects:

- introducing the substance and aims of the initiative;
- sharing the tasks, designating the deadlines, responsible persons;
- asking for support from the OSI to manage the project within the framework of the Roma Decade Programme;
- translation of the materials into English.

2. Information seminar for the cooperating partners, representatives of the law enforcement training institutes, personal department of the national law enforcement organization (police, border guards, customs guards, penitentiary, disaster management - fire brigade), roma colleagues, and police attachés of the neighbouring countries (Bulgaria, Czech Republic, Slovakia, Romania). Subjects of the seminar:

- roma equality of chances activities of the Ministry of the Interior and the Hungarian National Police,
- detailed introduction of the project,
- discussion and incorporation of opinions and proposals.

Scene: MOI International Training Centre

Date: 3rd May 2006 from 13.30 hours

3. Organizing an International Roma Law Enforcement Conference for those, who participated on the Information Seminar and for the roma law enforcement officers, high ranked law enforcement officers from Hungary and the neighbouring countries, members of the Roma Working Group, liaison officers of the County Police HQ-s, president of the Hungarian and European Police Women Associations, Representative of the European Parliament, the representative of the OSCE Democratic Institutions and Human Rights Office. Subjects of the Conference:

- **Information about the National Black Police Association (NBPA)** (function of the association, ideas, programs, efficiency).
- **Presentations of the National representatives** about the programs in the relevant country (5 persons).
- Short introduction of the **project, results of the Information Seminar;**
- **Proposals, opinions.**
- Organizing the **Nominating Committee** from the representative of the law enforcement organizations, for preparing the foundation of the European Roma Law Enforcement Fraternal Association.

- **Preparing the draft budget of the Conference.**

Scene: MOI International Training Centre

Date: 7th June 2006 from 10.00 hours – to 15.00 hours

4. Tasks regarding the foundation of the European Roma Law Enforcement Fraternal Association:

- Preparing of the **Constating Document**.
- **Inviting roma and non-roma colleagues** to take part in the foundation.
- **Informing the relevant organizations of several European countries** about the project and ask them to delegate a roma or a non-roma colleague (acting or acted actively in solving the roma – police conflict, and has adequate experience) to represent the country within the Association.
- Asking for opinion about the **draft Constating Document** from the relevant people.
- **Founding Conference** with the participation of roma and non-roma colleagues. Acceptation of the Constating Document, the program, and the leadership, founding of the Association.

Scene: MOI International Training Centre

Date: 15th September, 2006

- Developing the detailed programme of the Association, **Annual Working Plan**.
- **Cooperation agreements** with the law enforcement and other organizations.

5. To inform the EU, EC, OSCE, UN and the media:

- **Informing** – after the foundation - the national, international, roma, non-roma, and law enforcement **press** about the aims, role of the Association., based on a pre-planned communication strategy.
- **Establishing the Hungarian and English homepage of the Association.**
- After reconciliation with the Hungarian representative in the **EU Parliament**, initiating a **hearing**. To inform the EUROPOL, the CEPOL (European Police Academy), the Council of Europe Human Rights Commissionair, the OSCE Democratic Institutions and Human Rights Office, and the UN Human Rights Council, and asking for their support.

6. Cooperation with similar organizations and establishing the national organs of the Association:

- To initiate cooperation agreement with the **NBPA American and British branch associations**, and the **European Policewomen Association**. Possible implementation of their successful programs and use of their experience.
- Assisting in the development of the membership associations - based on the model of the Association - in the represented countries.

Robin Oakley
Independent Expert

The Recommendations on Policing of the OSCE High Commissioner on National Minorities and their Relevance to the Situation of the Roma

Good afternoon! And thank you for this opportunity to contribute to the conference working group. My name is Robin Oakley, and I am making this presentation on behalf of the OSCE High Commissioner on National Minorities, Mr Rolf Ekeus. I have been acting as External Consultant to the High Commissioner for the production of a set of Recommendations designed to support his work on improving relations between police and minorities in multi-ethnic states.

These “Recommendations on Policing in Multi-Ethnic Societies”, which I will summarise shortly, were developed during the course of 2005, and published in February of this year. Their aim is to help police to increase their effectiveness in working with persons belonging to ethnic and national minorities and in dealing with

problems of inter-ethnic relations, including tackling ethnically-motivated crime and violence. Although in preparing the Recommendations the High Commissioner had particularly in mind the needs of states which have experienced the most severe ethnic tensions (e.g. those in the Balkans region, and the Central Asian Republics of the former Soviet Union), he also intended that they should provide guidance that would be useful for participating states throughout the OSCE Region.

The High Commissioner also feels that the Recommendations, and the practical guidance linked to them, can be a valuable resource for improving relations between police and the various Roma, Sinti and Traveller communities across Europe - in particular for implementing the policing recommendations contained in the OSCE Action Plan for the Improvement of the Situation of Roma and Sinti, 2003. He is very much aware that his predecessor, High Commissioner Max van der Stoep, made the original recommendation for the establishment of a Contact Point on Roma and Sinti Issues within the OSCE's Office of Democratic Institutions and Human Rights, and that he also produced in 2000 the 'Report on the Situation of the Roma and Sinti in the OSCE Area' to which the Action Plan was a response. He was therefore extremely pleased to be invited to contribute to this conference, and - being aware that I have already been working on issues relating to police and Roma for a number of years - he asked me to make a presentation on his behalf.

The Role of the OSCE High Commissioner on National Minorities

The post of OSCE High Commissioner on National Minorities was established in 1992, and is based in The Hague, The Netherlands. The High Commissioner's role is to assess issues involving national minorities across the OSCE area and to defuse ethnic tensions at the earliest possible stage, operating through diplomatic channels.

In addressing the substance of tensions involving national minorities, the High Commissioner approaches issues as an independent, impartial and cooperative actor. While his post is not a supervisory mechanism, he employs the international standards which each State has agreed as his principal framework of analysis and as the foundation for his specific recommendations. These include the 1990 Copenhagen Document of the Conference on the Human Dimension, the UN obligations relating to human and minority rights, and also for most OSCE states, the standards of the Council of Europe.

Over the years, the High Commissioner has identified a number of recurrent issues and themes that have become the focus of his attention. These include minority education and use of minority languages, including in broadcasting media, and the need for effective participation of national minorities in public life. With the help of internationally recognised independent experts, four sets of recommendations covering each of these themes have been issued under his aegis. The Recommendations are intended to serve as guidelines for policy- and law-makers in OSCE participating states, and provide a practical basis for the OSCE High Commissioner's proactive work on the prevention of inter-ethnic tension and conflict.

The High Commissioner's Initiative on Policing

The High Commissioner recently reached the conclusion, based especially on his experience in the Balkans region and the Central Asian Republics of the former Soviet Union, that the issue of policing in multi-ethnic countries is a particularly important one. In his view, the development of the policies and practices of multi-ethnic policing can play a key role in fostering the security and the democratisation of society, as well as helping to promote equality, harmony and the effective integration of ethnic and national minorities generally.

Following his previous practice, he therefore established an Expert Group to assist him develop practical recommendations on the subject of policing in multi-ethnic environments. The Experts were drawn not only from the police, but also from international organisations and human rights NGOs. The European Union, the Council of Europe, and the Strategic Police Matters Unit of OSCE were all represented on the Expert Group.

The Recommendations are based directly on the principles underlying the High Commissioner's work, and on his experience in carrying out this role. They also draw on existing research and analysis of problems in relations between police and minorities, especially in multi-ethnic states, and on previously produced practical guidance on these subjects. Such existing guidance includes reports on police training and tackling racially-motivated violence produced by the Council of Europe, and the Rotterdam Charter "Policing for a Multi-Ethnic Society".

The Recommendations

The Recommendations, which number 23 in all, are grouped under the following six headings: General Principles; Recruitment and Representation; Training and Professional Support; Engaging with Ethnic Communities; Operational Practices; Prevention and Management of Conflict. They are accompanied by detailed Explanatory Notes which elaborate on the principles underlying each recommendation, and on the specific actions that are appropriate for implementing it.

The central message that the High Commissioner wishes to convey in his Recommendations is that good policing in multi-ethnic societies is dependent on the establishment of a relationship of mutual trust and confidence between the police and minorities, which must be built on regular communication and practical cooperation.

Other key issues addressed by the Recommendations include the following:

- a) The need for states to recognise the importance of policing for inter-ethnic relations and the integration of minorities generally;
- b) The need for states to have specific policies to promote good police-minority relations, with strategies and action plans for their implementation;
- c) The need for police to reflect the ethnic diversity of the population, both in its public image and also in the actual composition of its staff;
- d) The need for clear professional standards, that accord with principles of human rights, to be followed by police in all their dealings with minorities.

- e) The need for minority issues to be addressed in both initial and in-service training of police, and in a practical rather than merely theoretical manner.
- f) The need for minorities to feel that police treat them in a professional and non-discriminatory manner, and with respect, and to feel they are properly protected by police – especially against ethnically-motivated crime and violence;
- g) The need for police to consult with and be accountable to minorities, and for minorities to be involved in the development of policing policy and practice on multi-ethnic issues (for example, in training).

As a whole, the set of recommendations provides the basis for states to develop an integrated policy on multi-ethnic aspects of policing. Alternatively, in states which have already begun to address these issues, the Recommendations can serve as a basic template against which their current policy and practice can be assessed.

Relevance to Relations between Roma and Police

The issues of concern in relations between the police and Roma, Sinti and Travellers are in many respects the same as arise between police and minorities generally. Such issues include the need to ensure non-discriminatory enforcement of the law, and to combat racial profiling of Roma; the need for police to provide effective protection of Roma, especially against racially-motivated violence; the need to build up mutual trust, understanding, communication and cooperation between Roma and the police; and the need for representation of Roma internally within the police. To this extent, the great majority of the High Commissioner's recommendations are directly relevant to the situation of Roma vis-à-vis the police.

Of course, there are also some very specific features of the experience of Roma as a minority vis-à-vis the police. These include the deep-rooted nature of anti-Gypsyism and its pervasiveness across the European region; the criminalising stereotypes of Roma that frequently accompany this; police inaction or even support in instances of racist violence against Roma; the almost total ignorance and lack of contact of police with Roma communities; the severe abuses of human rights standards in police treatment of Roma that have taken place in a number of countries; the inappropriate methods of law enforcement adopted by police in relation to Roma (e.g. military-style raids on Roma settlements, or harassment of Travelling groups); and – largely in consequence of all of this – the extensive lack of trust and confidence in police among Roma communities, coupled with low levels of awareness of citizens' rights.

Most of these Roma-specific features, however, represent extreme manifestations of tendencies that arise in police-minority relations generally, or specific modalities that are linked to the ideology of anti-Gypsyism, to the life-styles of Roma, Gypsy and Traveller peoples, and to particular national histories and circumstances. Although the problems in relations with police in the case of many other minorities may be less severe, there will always be differences according to the particular minority involved. Moreover, the state of relations between Roma and the police is by no means the same in all countries in Europe, but varies considerably, as do the relations with police among particular sub-groups of Roma and between settled and travelling communities. It is

therefore important to address the specific situation of Roma-police relations in individual states (and also localities within such states) – though always with reference to a general framework of internationally-recognised professional standards for policing multi-ethnic societies supported by examples of good practice.

It is my belief, therefore, that the High Commissioner's Recommendations can play an important role in improving Roma-police relations by providing a general framework of this kind, within which the specific problems in such relations in any particular state can be addressed. Indeed, the High Commissioner's recommendations may be seen as an elaboration, albeit in more general terms, of the police-specific recommendations that are included in the OSCE Action Plan on Roma and Sinti Issues, and thus as an essential complement to and source of general practical guidance for the implementation of the Action Plan's recommendations in this field. No guidance document, however, can provide a blueprint for every particular case. At the end of the day, the resolution of problems will only happen by means of the police (who have the ultimate responsibility in this matter) winning the trust of Roma communities and then working together with them in partnership.

Note

To obtain a copy the text of the High Commissioner's 'Recommendations on Policing in Multi-Ethnic Societies', please visit the website www.osce.org/hcnm .

Cédric DARTOIS

Ministry of Internal Affairs

Commissioner General for Refugees and stateless persons

Refugee protection officer – Balkan unit

BELGIUM

Roma, asylum seekers, migration and protection

Excellencies, Ladies and Gentlemen,

I would like to thank the Romanian authorities for hosting and organizing this event and I am grateful to Nicola GHEORGE for leaving me the floor.

I joined the workshop on protection issues because to me, as a refugee law practitioner, this issue is a crucial one.

Let me explain you in a few words the mandate of my institution before getting into details. The Commissioner General for Refugees and Stateless persons is the main asylum institution in Belgium which assesses each year thousands of asylum applications, in other words women, men and children leaving their home countries to ask protection in Belgium. People leave their home countries for numerous and uncountable reasons: civil war, dictatorship, economical pressure, individual persecution for political reasons etc.

People arrive to Belgium from many parts of the world, Congo, Afghanistan, Iran, Serbia and Montenegro to name a few big countries. Around ten to twelve percent of the asylum applications will lead to refugee recognition, the rest of the applicants being turned down for different reasons (unfounded fear of persecution, fraud, etc).

One of our main tools to assess whether a person is a refugee or not under international law is the 1951 Convention (and 1967 Protocol) relating to the Status of Refugee. Very briefly the definition has five persecution grounds that combined with other elements of the definition (for instance the obligation of being outside the home country) can lead to refugee status. One of the five persecution grounds is the fear of being persecuted for reasons of race (the 1994 Rwanda genocide for instance illustrates the relevance of this criteria).

A crucial aspect of the 1951 refugee definition is the protection aspect. Can the asylum seeker (the person demanding refugee status) prevail from the protection from his authorities in case of acts of persecution? This is a fundamental question in international refugee law. But you can turn the question the other way round and reformulate it as so: Are the authorities (in the home country) able or willing to protect its citizens? If you look up the dictionary you will see that “able” and “willing” have to different meanings and therefore have a very different consequence when assessing an asylum application. “Able” refers to the capacity of the state apparatus (police, courts etc) to protect its citizens against acts of violence committed by private citizens or groups (for instance rebel forces). This concept includes sufficient budget, armed men, proper machinery and capacity, human rights awareness etc. On the other hand “willing” refers to the will of the state to protect its citizens. This element includes the ambition and desire to do so, whether or not (ill) equipped properly to do so (the “able” part).

As you can hear protection is a crucial element in international refugee law (and more generally in international human rights law). Before availing the protection of a host state the asylum seeker must try to avail protection from his authorities.

There is also another aspect of this protection issue when the state itself becomes an agent of persecution (ex: in some parts of the Former Yugoslavia during the nineties), situation where the two sides of the same coin (willing – able) are not relevant anymore given the fact that the state itself persecutes its citizens.

Now in regard to the Roma in Belgium, I must admit that these last years, my institution has been confronted to quite a few thousands of Roma applications coming from very

different countries and under different very circumstances. We have been faced to thousands of Roma's fleeing the 1999 Kosova war and the ethnic cleansing that occurred right after, but also to Roma's who came from our neighbor countries such as Slovakia, Czech Republic, Bulgaria etc.

Except for the Roma's coming from the Former Yugoslavia, most asylum applications from Roma's coming from the "new" EU countries are being turned down. Either there is an evident lack of credibility, or the people don't show up for the interviews, or the problems they may face does not tantamount to a persecution threshold, or their asylum application is based on economical reasons that are not, per se, foreseen by the 1951 Refugee Convention.

However I must confess that the high number of asylum applications (I would be happy to send you some more details after the lecture) from Roma's testify a certain unease in regard to their social and economical situation in their countries of origin and maybe even in regard to the relationship towards their local or national authorities. Do the Roma's have access to basic fundamental rights? Are the authorities able to protect the members of this minority? Are these authorities willing to protect these people in case of brutal attacks? Is the local police well trained enough to assess the situation in a non discriminative manner? Have the courts all the necessary tools to assist these people in pursuing their rights?

Therefore I believe that, and to a large extent, the responsibility of the protection issue lies within the governments in the home countries, but also within the social workers, police officers, teachers and ordinary citizens.

Belgium believes that real progress in the human rights situation of Roma, Sinti and Travelers can only be achieved through the involvement of all these actors of society, starting at the micro level. In this respect the conference adopts the right approach; the focus is on national and local efforts in the fields of housing, employment and relations with the police.

I wish us all a successful conference in which we work towards these goals.

Thank you for your attention and I will be happy to answer your questions.

Eva Suryova

Mrs. Eva Suryova sent a Power Point presentation in English in early May, it should be available with Mr. Gheorghe or Mrs. Vera Egenberger.

Analysis of relations with the Police and emerging trends

The analysis of relations between the police and Roma draws mainly on the complete notes taken by Mrs. Chris Taylor, the rapporteur of the third working group. In addition, a consultant made references to the presentations on police related-issues made during the plenary session

In relation to discrimination and anti-gypsyism the relations between police and Roma got a high profile during the Bucharest conference. Recommendations such as that the protection of refugees has to stem mainly from the countries of origin and that re-training of older police officers, in accordance to new international standards and practices must be thoroughly pursued, were presented.

Cooperation with the police: information user or provider of services

While problems in the legal system in Romania have been identified by the police, there is a certain lack of critical institutional evaluation made by the Police, as the presentation of Mr. Nita Vasile Gabriel, State Under-Secretary, in the first plenary session showed. Police officers report as “good practice” the development of partnership relations with Roma NGOs and with Roma communities in general (in Romania, but also in Slovakia and in other participating States which went through comprehensive, even painful transition processes). In this context, the Roma activists involved in the project, raised the issue that some of these activities, while useful, are not productive enough in generating those **structural reforms** of Police practices required by the transition, in the respective countries, from a “Miliția” -as a force of control and repression serving totalitarian states against their citizens, towards a Police as institution providing citizens’ protection in a non-discriminatory way, including of those citizens belonging to ethnic and national minorities, as the Roma, Sinti and Travellers.

Ethnic police: pro and cons

An interesting debate was prompted by the proposal to create an Association of Roma Policemen in Hungary, the argument of the young Hungarian Roma Policeman at the origin of the proposal being that this association is trying to built solidarity among Roma policemen (hopefully in an increasing number) and help create a multi-ethnic Police force that the Roma can trust. This proposal is based on the American model of associations of black policemen. This intervention raised a more delicate issue which proved controversial among some Roma communities and among Romani activists themselves. Indeed, some Roma NGOs criticized the co-operation of the Roma NGOs with the Police, arguing that Roma are in the position of informers, the Police using such projects “to observe the Roma”, to gain information about the Roma and the situation in the Roma communities. The idea met resistance on the part of the representatives of the ERTF, who argued that in the 1930s the Jewish Police units in Poland ended by facilitating the extermination of their own people and that an Association of Roma Policemen might become the right hand of the police force in obtaining information about Roma communities and pursuing the Roma population.

A summary of the discussion that took place in the Working Group can be found below:

Mrs. Margareta Flesner (Director, Institute of Research and Criminality Prevention, Romanian General Inspectorate of Police) outlined the initial findings of the self-assessment exercise conducted in cooperation with Romani CRISS, examining policing policy and practice relating to Roma in Romania. As well as developing a model of good practice for the OSCE region, the assessment forms part of a modernization process for the Romanian police. Specifically, the Institute is focusing on impacts relating to: a) Legal compliance with international minimum standards, b) Operational procedures - for example, police use of force, c) Partnerships with other state bodies and civil society NGOs, and d) Human resources (Police recruitment, retention and advancement of National Minorities). The assessment approach incorporates integrity in its broadest sense, encompassing subjects such as fairness, behaviour, probity, equal treatment and a range of operational and management issues. The assessment process is

not fully completed or developed, nevertheless, by accepting and welcoming the assessment opportunity the General Inspectorate of Police has shown that it is not defensive but rather that it is open to justified criticism and willing to change.

Mr. Costel Bercus (OSI Fellow - Romania) reported on points of continuing real tension in the relationship between police and Roma communities: police raids and searches, evictions and violence directed towards Roma in Romania – issues that continue to undermine Roma trust and confidence in the professionalism of the police. The stereotypes and prejudices held by police of Roma are, in particular, not helpful and need addressing. From a ‘critical friend’ perspective, he wondered how long before the police learn the lessons from important Roma specific case judgements and apply them to their practice, stating that many Roma, like himself, were subject to police harassment almost on a daily basis. Calling for faster institutional change in the police to be made a priority, he also called for the authorities to back up police with clear sanctions for poor police performance.

Given the specific issues affecting them, some police officials from minority backgrounds do feel there are benefits in coming together to form their own professional associations. **Mr. György Makula** (Hungary) is such an example and he explained his struggle to become a police official, the help he received from the authorities and his efforts to establish a national Roma police association in Hungary. Formation of such associations is a human right, and he spoke about the provision of mutual personal support for minority police especially when they are small in numbers. Assisting with communication between the State police authorities and police officials from minority backgrounds, the association will help to provide a more secure basis on which the recruitment and integration of police officials from minority backgrounds into the organization can be built and maintained.

Mrs. Miranda Vuolasranta (International Romani Women’s Network) reported on Romani women’s experience of systemic multiple discriminations in respect of their (a) national origin and (b) their gender. Despite 50 years of cooperation between Roma communities and wider society, Roma women and young people are more often than not likely to be denied legal entitlements because of their Romani status and lack of awareness of their civil liberties. Those in authority are reluctant to help to put this right. In respect of the police she described a pervasive aggression towards Roma women, and a lassie-fair attitude towards cases of community intimidation by political extremists of the far right. Moreover, Roma women experience delaying tactics from prosecuting authorities and professional incompetence from the police in respect of domestic violence and child protection issues. She called for greater consideration by the police to issues affecting their core duty to protect Romani women and children’s rights.

Representing the Slovakian Ministry of Interior, **Ms Eva Suryova**, Senior Officer of the Patrol Police Department of the Presidium of the Police Force, described a pilot project to increase the relevance and effectiveness of police specialists working within a number of Roma settlements in Slovakia. For the pilot phase, 18 unique specialists posts were created and personnel recruited and trained. These staff focused on growing the

trust and confidence of community members in accessing police services, generating significant increases in workload from the community and positive feedback. Once their support and services have been fully evaluated, it is hoped to make the roles permanent, increase the numbers of specialists to 118 and give them equal status with basic grade police officials.

Dr. Robin Oakley (Consultant to the OSCE High Commissioner on National Minorities) briefly reviewed the direct relevance of the HCNM's recent publication of '*Recommendations on Policing in Multi-ethnic Societies*' (www.osce.org/hcnm), to the situation of Roma vis-à-vis the police. These include tackling the deep-rooted nature of anti-Gypsyism and its pervasiveness across the European region; the criminalizing stereotypes of Roma that frequently accompany this; police inaction or even support in instances of racist violence against Roma; the almost total ignorance and lack of contact of police with Roma communities and other severe abuses of human rights standards in police treatment of Roma. Largely in consequence of all of this flows the extensive lack of trust and confidence in police among Roma communities, coupled with low levels of awareness of citizens' rights. In his experience, it is important to address the specific situation of Roma-police relations in individual states (and also localities within such states) – though always with reference to a general framework of internationally recognised professional standards for policing multi-ethnic societies supported by examples of good practice.

In respect of Roma migration from “new Europe” to “old Europe”, **Mr Cedric Dartois** (Belgium) drew attention to attempts made under the Geneva Conventions to claim refugee status, particularly by Roma from Kosovo, in Belgium. He remarked that the Belgium authorities considered applications for refugee status from these regions however they viewed such cases from Roma as lacking in credibility and merit. Few applications are granted.

Mr. Ondrej Gina (European Roma and Travellers Forum) underlined many of the points made by previous speakers. He regretted the institutional police failings not only in Romania but also elsewhere in Europe, some minor and others quite serious, all of which need addressing so that public confidence can be established, good reputation restored and the safety and security needs of Roma communities better met. There was no room for complacency and a very high level of integrity within the Police is essential. It is vital to have regular confirmation from all sections of the community that trust in the police is sustained and this depends on the strength of mutual understanding and respect between the police and the communities they serve.

Having significantly overrun the workshop's allotted time, the Moderator in concluding the session apologised to **Mr. Gabor Adam** (Ethnocultural Diversity Resource Centre, Cluj, Romania), for not calling him to speak. Mr Adam had circulated his paper on *Good Governance issues in the police and multi-ethnic community relationships*. In it, he highlighted the persistent struggle at the State level to accommodate the diverse needs and voices of Romania's twenty main minorities (over 10 percent of the population) and integrate them into effective policing policy development and scrutiny mechanisms that serve their interests. Echoing the discriminatory police practice

allegations made by other speakers, he sensed little genuine desire to engage on these issues with Roma at a local police level. However, in respect of local recruitment of Roma and other minorities into the police, he felt some positive progress was being made although there remains a pressing need to raise the minimum standards that candidates presented. He recommended the creation of a body, specifically focused on Romania's ethnic minorities, to oversee the effective implementation of anti-discrimination measures and services in the field of policing and justice

Pressure on time also precluded any discussion on 'Action Points'. However, the rapporteur's analysis of all the working group presentations and the key messages they contained, served to reinforce the importance of the next steps suggested by Dr Robin Oakley in his plenary address at the conference's morning session.

Summarising, the "lessons learned" from this debate is that we have to continue and indeed to **upgrade** the political support within the OSCE geographical area for the activities aiming to reform the Police as part of the democracy building process. On the other hand, for what concerns the CPRSI, the network with the Roma, Sinti and Travellers NGOs will be used in view of promoting debates and exchange of some cultural practices among the members of particular Roma, Sinti and Travellers communities which could be at variance with the requirements of confidence building in their relations with the members of other communities

5. Second Plenary Session

Topic: Roma in crisis and post-crisis situations: up-dates on relevant activities of different organisations regarding the situation in Kosovo

Kosovo – the need for urgent action

On the second day of the Bucharest Conference, a one-hour debate, chaired by the PER Director of Roma Programs, focused on the grave situation of the Roma in Kosovo. The purpose of the debate was to highlight the main developments that occurred in the 6 months passed since the 2005 Warsaw Conference. While in October 2005, one of the Working Groups was dedicated to the situation of Kosovo Roma with regards to health, education and housing together with conditions in the refugee camps, in Bucharest the discussion focused on the prospect of forced return of Roma refugees to Kosovo. Mr. Mirga recalled that since the Warsaw OSCE meeting in October 2005 Romani organizations had come forward with a number of initiatives related to Kosovo Roma. He mentioned the ERTF's efforts to come up with a position paper, the emergence of the so-called Skopje Group, the mobilization of Kosovo diaspora activists and organizations (meeting in Vienna), and the elaboration of a political platform on 25 March 2006 in Skopje. However, he also pointed out that with the Kosovo status talks now in progress (negotiations in Vienna), the Roma organizations need to speed up their efforts if they intend to catch up with the process and have an input in it.

In relation to this, a number of suggestions for urgent action were put forward by the participants:

1. using the Soros network to convince the negotiating parties that Roma issues should be discussed and addressed during the negotiation process;
2. finalizing position papers and/or political platform documents on Kosovo Roma and forwarding them to respective bodies involved in the status talks;
3. taking into account the existence and role of the Surroi initiative in Kosovo;
4. lobbying for and seeking an opportunity for a direct meeting between Kosovo Roma and the Ahtisaari team;
5. giving a chance to various Roma groups representing various interests to voice their concerns, demands and requests, including Roma women, refugees, IDPs, and Roma diaspora;
6. taking into account some acute issues while addressing the problems of Kosovo Roma, such as land and property rights issues (including restitution of property), the issue of forced return and deportation, women's and children's suffering.

The issue of representation was touched upon repeatedly. Ljuan Koka expressed an opinion that there should be only one representative of Kosovo Roma, covering those living in Kosovo, those requesting asylum in Balkan countries, the Diaspora and the Internally Displaced (IDPs). Srdjan Sain suggested that ERTF should set up their (own) committee, in order to have an independent position and avoid being influenced and manipulated by the local political decisions, and that the ERTF should act as an

international team to be part of the negotiation talks. Mr. Mirga, however, pointed out that creating new structures and approaches to the issue might be a waste of precious time and opportunity to be a partner in the negotiation process. Guner Abdula too stressed repeatedly that the focus now should be on action, not on new structures and strategies, and that giving credit to the Skopje Group to build a clear action plan and start working on its implementation might prove beneficial. He argued that the Skopje group was made up of Roma in Diaspora, IDPs, the ERTF and Roma living in Kosovo, and that they should be allowed to continue their work, according to the Platform issued there, as the need now is for developing an action plan. He also mentioned that during the Vienna meeting a decision was taken that in the negotiation talks regarding Kosovo ERTF should act as a representative of Kosovo Roma living in and outside Kosovo.

By way of conclusion, Mr. Mirga summarised the most acute issues raised during the discussion:

- The contradictory messages coming from various Kosovo authorities regarding Kosovo Roma;
- The clashing policies regarding the situation;
- The IDPs and the refugees 's right to choose whether to return or not;
- Roma's possible campaign "Stop Deportation" and their demand for the right to choose, in case of forced deportations

As follow-up of the meeting regarding the Kosovo Roma situation a proposal was made that the Committee of Experts on Roma and Travellers (MG-S-ROM) may have an ad-hoc working meeting on Roma in Kosovo (among others to draft a Roma strategy there). It was suggested that Skopje in Macedonia would be the right place for such a meeting at the end of June organized in cooperation with other organizations and in which the OSCE, ERTF, and PER will be active participants and possibly contributors. The conclusion that emerged was that there is an urgent need for action based on the Platform on Kosovo Roma elaborated in Skopje on 25 March.

7. Third Plenary Session

Report of Working Group I submitted by rapporteur Jennifer Mitchell

The objective of this workshop was to look at the implementation, harmonization and assessment of housing policies for Roma, Sinti and Travellers.

1. National governments should act without delay to give effect to the **international law guarantee** of a right to adequate housing, by transposing the international housing rights acquis into the domestic legal order.
2. Immediate measures must be taken by governments in Central and South Eastern Europe on **forced evictions** of Roma and Travellers. This includes providing shelter for families left on the streets without any prospect of shelter. Particularly attention should be given to women and children throughout the region. Governments and municipalities must guarantee adequate accommodation to evicted persons.
3. With regard to forced evictions, **due process** in all cases, including where tenancy is irregular. In addition, assurances should be made that no forms of discrimination influences procedures and/or is evident in outcomes.
4. There is a need for an **integrated approach** for all socio-economic sectors when designing housing initiatives for Roma communities- employment effects housing, as does education. In addition many actors should be involved in the process of legalizing Roma informal settlements- public and private sector, civil society and government.
5. A **distinction must be made between mahalas and recently developed urban housing areas**, especially when considering urban planning. Urban specialists, especially at the municipal level should receive training regarding Roma needs in terms of housing planning and its environment.
6. Municipalities should avoid, or at best reduce, the **selling of social housing**. In this regard, urban planning must include the public sector not only representing private interest.
7. The **political will**, particularly of national governments, is crucial for local authorities to implement policies related to housing issues for Roma, Sinti and Travellers.

8. Governments should- whenever possible- provide **legal tenancy** in cases of informal occupancy, such that pressing material issues can be resolved. Clear and recognizable targets need to be set, and named targets met, concerning the regularization of informal settlements.
9. **Financial commitment by national governments** for Roma, Sinti and Travellers housing initiatives is necessary. Funds should be earmarked from State budgets, as well as pursued actively from supra-national sources.
10. It is essential to have a **good partnership with local authorities**. Possibly in the form of a memorandum of understanding. A positive example of this has been a successful housing initiative in Bacau, Romania which involved local authorities and the Roma community working together to reach sustainable solutions to legalizing Roma settlements. Other good examples of legalization initiatives that are taking place in Croatia and former Yugoslav Republic of Macedonia.
11. **Public awareness campaigns** at the local level must take place if solutions to Roma, Sinti and Travellers housing and living conditions are to be reached. These information outreach campaigns would sensitize both local authorities and majority populations to anti-discrimination laws..
12. **Roma should be deeply and substantially involved in all phases of the decision-making process** with regard to their housing and living situation. The European Roma and Travellers Forum provides a unique opportunity for realizing this.
13. **National anti-discrimination laws** must be enforced. Local authorities must be held accountable, ensuring that no discrimination occurs during the implementation of these policies.
14. Emphasis should be placed on **social development** and community strengthening for developing sustainable housing solutions for Roma, Sinti and Travellers.
15. A special **EU fund** for constructing houses for Roma and Sinti, as well as adequate temporary accommodation for Travellers should be created.
16. Consideration to establishing **Regional Roma Housing Center** to tackle the housing and living condition obstacles faced by Roma should be established in Central and South Eastern Europe. This Center would provide assistance and expert advice for authorities and organizations who are undertaking initiatives to address the situation of access to legal housing of Roma. The OSCE ODIHR recommends building upon the practical housing initiatives realized in Bacau Country, Romania by Rom Star Credo- this Roma NGO may become a national branch of the Regional Roma Housing Center.

Report of Working Group II submitted by rapporteur Nicoleta Bitu

The objective of the workshop was to draw attention to lessons learned from a variety of approaches used for addressing unemployment of Roma and Travellers in order to highlight ways how to increase and improve implementation of policies on Roma.

The workshop discussed:

- **Ways how to increase implementation of anti-discrimination policies**
- **Lessons learned from income generating projects and activities**
- **Financial instruments in relation to policies on Roma**
- **Particular situation of Romani women**
- **Role of employers, and trade unions and local administrations**

The workshop draws attention to the following:

- Governments should consider introduction of positive administrative measures in order to increase implementation of anti-discrimination policies. Example of the Fair Employment and Treatment Order (FETO) in Northern Ireland could be repeated in pro-actively increasing access to employment of Roma;
- There is an increased need to: (1) harmonize the financial instruments with policies, (2) implement projects which do not reproduce the stereotypes about Roma as well as (3) harmonize the sectorial policies on education with the ones on unemployment;
- The experiences presented showed that on the one hand we need to move with actions and policies more toward local level and to diversify the social actors involved. We need to include new stakeholders, such as trade unions, employers; and on the other hand, there is a need to go beyond project oriented actions and analyses towards a discussion on Roma and macro-economy trends, needs and economic development of economically deprived regions;
- In the implementation of positive policies for Roma men and women unemployment, for example income generating, revitalization, requalification projects there are two main focuses to address: (1) the second chance to education and the (2) inclusion of the Roma – non Roma relations (inter-ethnic community relations) into these actions;
- An important stress has been on the situation of Romani women unemployment, which is in some states four times higher than unemployment rate of majority women; the experiences stressed the importance of innovative measures such as micro credits, entrepreneurship education and positive action;
- The government should take the necessary steps for use of, and improvement of the availability, scope and quality of the disaggregated data by age and gender on Roma;

- Participation of Romani men and women in local administration has been stressed as a mean to create jobs as well as assuring long term involvement of local administrations in addressing employment situation of Roma;
- States and local institutions and authorities are urged to make administrative procedures for addressing unemployment or setting small business more accessible;

Recommendations of Working Group III submitted by rapporteur Chris Taylor

The key next steps are only summarised below:

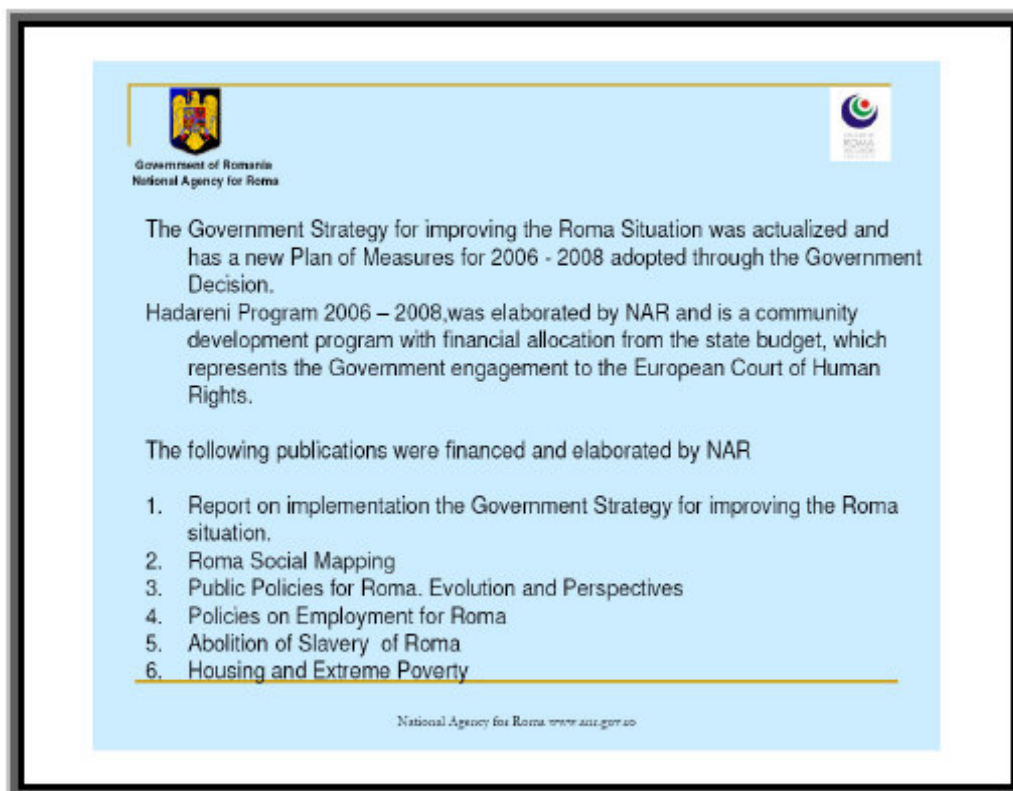
- For the OSCE to continue to commit itself to support the implementation of the policing recommendations of the Roma/Sinti Action Plan
- For individual states to ensure that policing and justice issues are appropriately addressed in their Roma strategies and action plans
- That a programme of capacity-building workshops should be developed at European level to help to equip Roma NGOs to engage constructively with police organisations in order to solve problems jointly and to assist them to achieve the necessary institutional change (the way the police work)
- That actions should be taken not only at national, but also at the local level in individual states, drawing on models of partnerships between NGOs and public authorities such as those set out in the Guidance Manual produced by European Dialogue (see www.europeandialogue.org)
- That a European-level network should be established of police and NGOs working actively on Roma/policing issues, in order to exchange experience and to document and disseminate examples of good practice. A systematic survey of current practice could also be undertaken.

Presentations on how to ensure synergies and harmonization of policies for Roma, Sinti and Travellers

Mariea Ionescu

President

National Agency for Roma, Romania




Government of Romania
National Agency for Roma


EUROPEAN
ROMA
RIGHTS
CENTRE

The Government Strategy for improving the Roma Situation was actualized and has a new Plan of Measures for 2006 - 2008 adopted through the Government Decision.

Hadareni Program 2006 – 2008, was elaborated by NAR and is a community development program with financial allocation from the state budget, which represents the Government engagement to the European Court of Human Rights.

The following publications were financed and elaborated by NAR

1. Report on implementation the Government Strategy for improving the Roma situation.
2. Roma Social Mapping
3. Public Policies for Roma. Evolution and Perspectives
4. Policies on Employment for Roma
5. Abolition of Slavery of Roma
6. Housing and Extreme Poverty

National Agency for Roma www.nar.gov.ro



Government of Romania
National Agency for Roma



Diversity of public policies for Roma, of the social actors and for their complementarities

National Agency for Roma www.anr.gov.ro



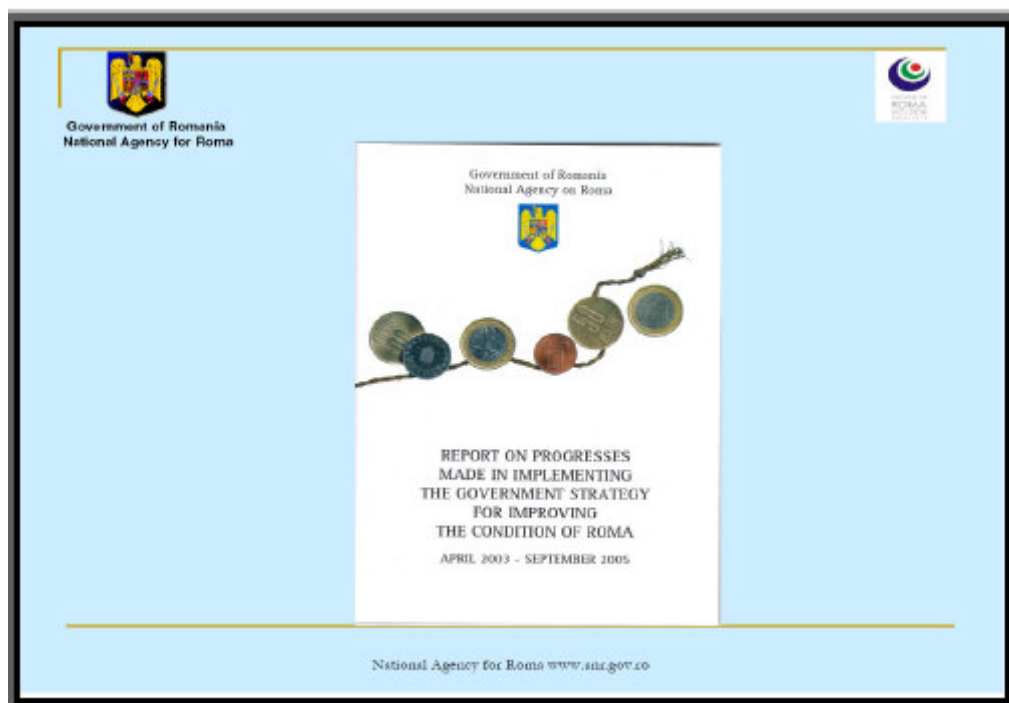
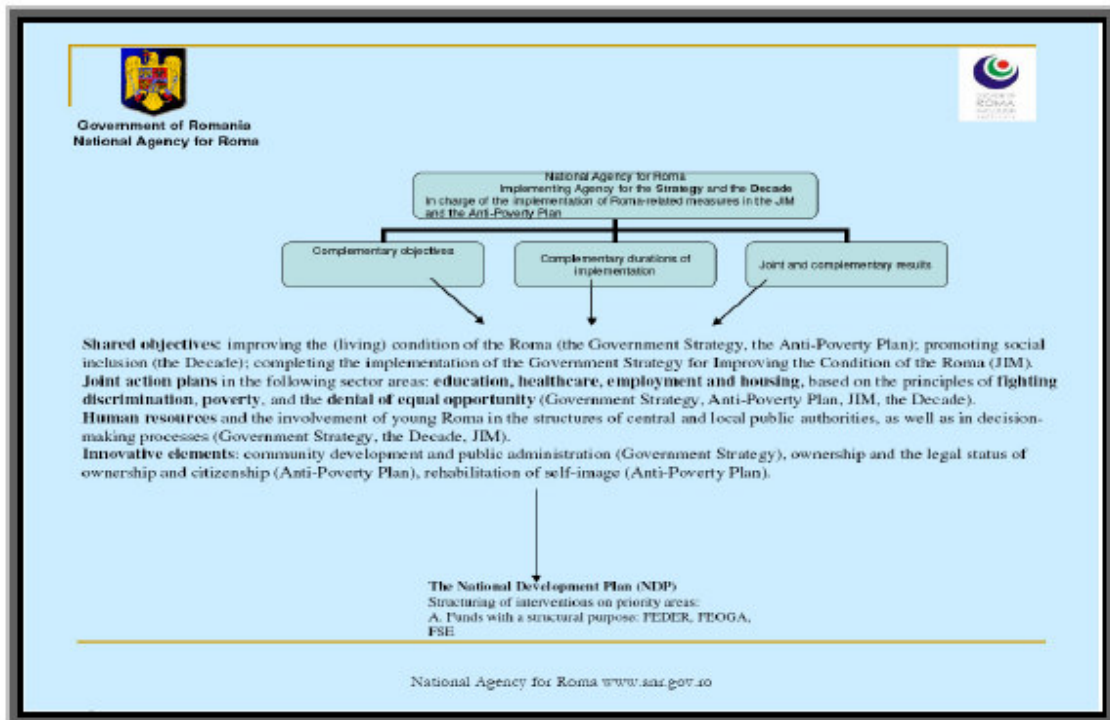
Government of Romania
National Agency for Roma



The comparative presentation of the Roma policies

- ***Government Strategy for Improving the Roma Situation 2001- 2010***
- ***National Plan for Fighting Poverty and Promoting Social Inclusion (the Anti-Poverty Plan) 2002-2012***
- ***Joint Inclusion Memorandum 2005- 2010***
- ***The Decade of Roma Inclusion (international initiative)2005- 2015***
- ***National Development Plan2007- 2013***

National Agency for Roma www.anr.gov.ro



TO BE COMPLETED

Nicolae Gheorghe
Senior Adviser on Roma and Sinti Issues
Contact Point for Roma and Sinti Issues

TO BE ADDED

Andrzej Mirga
Director of Roma Programmes
Project on Ethnic Relations

I would like to challenge the audience claiming that:

- 1) during the conference not much has been discussed on the main slogan of it - harmonization - what the concept means and what it implies?;
- 2) policy harmonization is difficult to reach or there is not much harmonization among a number of Roma initiatives because each one is bounded by its own mandate and sometimes these mandates lead to competition and stepping on each other 'territory' rather than to cooperation, especially when competition for funds are at stake;
- 3) harmonization of policies is different from harmonizing activities among certain actors involved in common projects; while there are examples for the second, there is less for the first;
- 4) there is constant reinvention as in the case of multiplying recommendations for Roma related policies; in this area lack of harmonization of efforts is most visible; there is a need to build on already accumulated expertise and to take it into account since the lack of harmonization leads to multiplication of recommendations;
- 5) the phase of making and multiplying policy recommendation comes to the closure and a new phase is required - that of policy implementation;
- 6) I would like to mention the forthcoming new PER Report on 'Roma Politics: Present and Future' in which many points under discussion are elaborated; recall some of the conclusions from this Report, among others:
- 7) policy implementation rests with national and local authorities and here, at the national/local context there is the check point of what can be achieved and what can be implemented;
- 8) policy implementation depends on political actors and political forces and rarely on good will or external recommendations;
- 9) Roma minorities are dependent and a weak political force, that's why not much is achieved as regards Roma-related policy implementation;
- 10) Roma need to become a political stakeholder in national/local politics.

Thank you.

7. Closing Remarks

Jonathan Scheele

Permanent Delegation of the European Commission in Romania

Thank you for inviting the European Commission Delegation to participate in this event organized in collaboration between such important organizations for the promotion of the rights of the Roma, Sinti and Travelers.

As Commissioner Benita Ferrero-Waldner was saying “central to the EU’s foreign policy is the desire to improve the effectiveness of multilateral organisations, and to support and promote fundamental values like defense of democracy, respect for human rights and the rule of law. We pay tribute to the ideas and principles of the United Nations enshrined in the UN Charter and the Universal Declaration on Human Rights. But we strongly believe that regional organisations have a vital role to play to implement those principles and that acting at a regional level is also the right way to respond to our citizens’ needs.”

Especially regarding the Roma issue, given the fact that Roma represent the largest European (and stateless) minority, our organisations have a higher responsibility in promoting the international standards related to minority protection and non-discrimination and supporting implementation of coherent policies for an effective social inclusion for the Roma.

The European Commission is having permanent discussions with the CoE, OSCE for agreeing on common priorities and ways of collaboration. Also the EC is participating in the discussion organized under the framework of the Roma Decade, to ensure that our efforts complement each other.

EC works closely with the CoE in the context of EU enlargement and our Neighbourhood Policy. Rather than develop a parallel system we make use of the Council of Europe’s expertise to monitor the compliance of the candidate countries with what we call the “political” criteria. This was a very important instrument during the negotiations for accession of new Member States to the EU, for supporting development of national strategies for the improvement of Roma situation and taking first steps in the implementation of these strategies.

The long discussions held during this conference touched very important issues related to protection of Roma rights and ensuring their full participation in the social and economic life of their communities. As we could see the discussions on housing and employment policies as well as those referring to the relation between the Police and the Roma raised important aspects that need to be fully taken into consideration for ensuring successful inclusion of Roma. As it was mentioned, integrated policies need to be designed and implemented to foster social inclusion and eliminate the segregation faced by many Roma communities throughout the region. This segregation creates very strong barriers for the inclusion of the Roma in the labor market and reinforces the stereotypes and prejudices, which mark so often the relation between the majority and

the Roma. Also, public institutions often fall in this trap and you discussed such aspects but also good practices for improving the relation between authorities and Roma communities, especially regarding Police. As showed by the many speakers present in this conference steps have been already made in the countries of the region. The already existing strategies, action plans, multi-annual programmes focusing on the improvement of the Roma situation are very important starting points for coherent actions. The bigger difficulties come though in the implementation and all states need to take decisive actions in this direction. It is time to go beyond identification of needs/ problems and declarations of good intentions or presentation of isolated “projects of good practices”. The real measurement of the commitment one government has towards Roma social inclusion is the level of funding it allocates for the implementation of the strategies and action plans. Only substantial and continuous funding will make possible sustainable and general changes. Only the active participation of the Roma can ensure that the changes will be irreversible. The efficiency of these strategies and action plans can only be proved if clear indicators of success are designed and data is collected systematically for measuring the impact of these programmes.

We should not expect that the problems you referred to during these days will be solved instantly, but to ensure that substantial improvements will take place, there should be intermediary assessments to ensure that the strategies implementation is on the good track and if the case corrective measures to be taken in time. There is no perfect model for solving the problems of Roma communities but the framework need to be in place so that local communities have the resources to implement projects for their specific problems and the capacity to access these resources. At the level of the European Union Member States can use the structural funds for solving problems related to social inclusion. Under this general framework, it is the responsibility of each member state to design the measures that best respond to the needs in the respective country.

We hope that the discussions in this conference will help the Member States to develop the most appropriate approaches to this issue to foster social inclusion and to eliminate previous cases of segregation. We hope also that in the Western Balkans, the stabilisation and association process (SAP) will lead to European integration all the way through to their eventual accession. The same criteria for accession will be applied and we hope that the experience accumulated in the previous accession wave will contribute to creating a climate of good interethnic co-operation and protection of minorities, including the Roma.

In the end, I would like to express our interest in continuing our support for full inclusion of the Roma and we look forward to your suggestions for new ways of collaboration.

Nicolae Gheorghe

Senior Adviser on Roma and Sinti Issues

Contact Point for Roma and Sinti Issues

TO BE ADDED

Alexander Vladychenko

Council of Europe

Ladies And Gentlemen,

Around One Decade Has Passed Since:

1. Council Of Europe Started Dedicating Major Attention To The Issue Of Roma And Travellers;
2. Mg-S-Rom Was Created And Started Its Normative Work In This Field;
3. Osce-Odihr Contact Point For Roma And Sinti Was Created;
4. Non-Governmental Organisations Such As Project On Ethnic Relations (Per) And European Roma Rights Centre (Errc), And The European Roma And Travellers Forum (Ertf) Were Established;
5. And More Generally-Speaking Since Roma Have Been Put High On The European Agenda.

As It Was Said During This Conference And In The Precedent Conference In Warsaw On Harmonisation Of Policies, Actors Dealing With Roma Issues – Governmental Or Nongovernmental – Are Today Indeed Numerous. The Long List Of Partners Of This Conference Is A Clear Example. Some May Say Too Many Cooks – To Quote Mr Scicluna. I Say That There Are Never Too Many Cooks As Long As The Kitchen Is Good.

A Great Number Of Key Players And Partners Requires Therefore Much More Coordination And Harmonisation Of Approaches And Actions Than Before In Order To Avoid Duplications And Overlaps.

I Would Not Be As Pessimistic As Mr Mirga By Saying There Is No Coordination. There Are Good Examples: These Conferences As Well As The Meetings Of The Informal Contact Group Of International Organisations On Roma Issues Provide The

Space For Ensuring Better Coordination. I Believe There Are Positive Outcomes, There Are Numerous Joint Efforts, Programmes And Activities Going On. This Is A Way Not Only To Avoid Duplications, But Also To Save Money And Time.

Still There Are Many Efforts To Be Done In The Field Of Coordination And Harmonisation. This Is Linked To The Mandate Of Each Specific Actor, The Way There Are Functioning, And Also Linked To The Donor's Requirements.

At The National Level Progress Was Also Achieved Over The Last Decade In A Sense That Many Governments Have Adopted Specific Policies For Roma And The Need For Affirmative Action. Many Roma And Non Roma Activists And Ngos Working For Roma Were Included In The Work Carried Out So Far (Though We Need More Partnership And Participation). However, It Seems That We Have Missed Three Main Target Groups When Doing Our Work:

- Parliaments;
- Local Authorities;
- Majority Population.

Those Are The Ones On Whom Much Depends To See Any Further Improvement, Those Who Have Still Many Stereotypes And Prejudices Against Roma.

We Need To Focus Much More On These Three Target Groups In Order To Develop Further The Progress Made So Far. Accordingly We Must Change The Format Of Our Meetings And The Way We Are Working Together. We Need To Discuss Directly With The General Population, With Local Authorities And Within Parliaments To Convince Them That Specific Policies For Roma Will Serve Not Only To Improve The Situation Of Roma But Of The Whole Population. As One Ertf Delegate Said Yesterday In A Working Group: We Will Be Able To Congratulate Ourselves Only When People In The Street And Politicians Will Stop Saying "We " Referring To Themselves And "They" Referring To Roma But "We Together".

To Conclude, I Reiterate My Wish Expressed In My Opening Presentation To Be Invited – Along With Other Representatives Of International Organisations – To A Conference Organised By The European Roma And Travellers Forum To Discuss Issues They Would Have Put At The Top Priority Of Their Agenda.

Thank You All For Your Participation And Thanks To The Romanian Authorities For Hosting This Conference, And To Mrs. Mariea Ionescu, The President Of The National Agency For Roma , In Particular.

Eva Sobotka

European Monitoring Centre on Racism and Xenophobia (EUMC)

Good afternoon,

This has been a useful conference filled with exchange of views, expertise on a topic so central to our mandates. On behalf of the EUMC I would like to thank you for your contributions. It has been the effort of the EUMC to: (1) promote reflection among various key players on what could be done in order to improve implementation and harmonization of policies on Roma and Travellers in a spirit of a close follow up on the conclusions of the International conference on Roma held in Warsaw last year (2) facilitate empowerment of Romani women participants at this conference and (3) underline that the situation of Roma and Travellers is a pan-European issues, which requires attention across all EU Member States.

Let me thank the Romanian authorities for hosting this event and make at this stage some concluding remarks:

- We have observed over last couple of days that the issue of Roma and Travellers is high on the agenda at international, European, and national level. However more effort has to be put into: **(1) Empowerment of Roma and Travellers and (2) Inclusion of the local governments as interlocutors in policy implementation.** Long-term sustainability of policies and lasting improvement of the situation of Roma requires active role of Roma and Travellers and commitment of regional and local authorities.
- **Political will** is needed to steer attention to addressing the situation of Roma and Travellers. Adequate political will would positively contribute to increased implementation of policies at the European, national levels and local levels.
- **Process of awareness** raising is also lacking behind. Let me remind you that the Warsaw conference formulated **anti-Gypsyism** as a particular form of racism, historically rooted and affecting all spheres of life.
- **Involvement of new audiences and actors influential in the policy making process and implementations** would be useful for improving implementation of policies on Roma and Travellers. Discussions in Working Groups confirmed a need for reach out to new actors. In the context of the WG on employment, agreement to go beyond project oriented actions and analyses towards a discussion on Roma and macro-economy trends, needs and economic development of economically deprived regions, was reached. It follows that such a systematic approach needs involvement of new actors.
- **Implementation of policies** is an area where more can be done. Local level authorities are therefore essential in a process of increasing implementation of policies. At a centre of our concern is mainstreaming of anti-racism agenda in the implementation of policies on Roma.
- **Improving coordination** is another message of this conference. The EUMC if of the view that the Informal Group of intergovernmental organizations and institutions could play a useful role in this process. We have already started this process and we can improve it in order to facilitate increased policy implementation.

- **On a note of empowerment of Romani women.** The EUMC held a Roundtable with Romani women initiatives on 3rd May, which allowed formulation of positions to the themes of this conference: employment housing and relations with the police and **Joint Statement of European Roma women activists.** So, let me conclude here and give floor to Enisa Eminova from FYROM, who will say few words about the Joint Statement, which very well fits into the conference objective to strengthen common vision.

ANNEX

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ANNEX

The annex may contain also: the analysis of the categories of participants and the events from 2-6 May.

List of publications available at the Bucharest conference

Action Plan on Improving the Situation of Roma and sinti within the OSCE Area (2003) can be accessed at www.osce.org/odihr/documents. Available in English and Romani.

- “What is the Action Plan?” – ODIHR sponsored leaflet available in both Romani and English

(Documents from “Roma, use your ballot usely!”- RUBW project)

- Expert paper (May 2006) –Mapping the electoral participation of Roma
- Briefing paper (May 2006) – Country profiles: Roma Participation in Elections in South-Eastern Europe 2003-2005
- International Conference Report (April 2004) - “Good Practices in Promoting Roma and Minority Women in the Political and Democratic Processes: Experience of Romania in the OSCE context”
- Working draft of RUBW final narrative report

(Housing and Living Conditions)

- “Roma Housing and Settlements in South Eastern Europe: profile and Achievements in Serbia in a Comparative Framework” – a summary and recommendations version is currently available in English. The full report in both Serbian and English will be available shortly.

(Employment)

- “Access to Employment and Income Opportunities: Approaches and Methods Among Roma and Other Disadvantaged Groups” (March 2006) –ODIHR sponsored report prepared by Pakiv European Roma Fund

(Media)

- Project briefing paper – “Assessing Media practices in Relation to Roma Communities in the OSCE Area” (June 2004)

(Police and Roma)

- Resource Manual on Relations between the Police and Roma – ODIHR sponsored manual prepared by European Dialogue

(Trafficking in Human Beings)

- Proposition Paper (April 2006) - “Awareness Raising for Roma Activists on the Issue of Trafficking in Human beings in South-Eastern Europe” can be accessed at www.osce.org/odihr/documents.
- Working Project Description – “Addressing Issues of Identification of Romanian Unaccompanied Minors, Especially Child Victims of Trafficking, Repatriated from European Union Member States and Their Re-integration to Romania”. A short summary is also available in French.