

OSCE Human Dimension Implementation Meeting, Warsaw, 24 September – 5 October 2007

***Regular Travelers and Migrant Workers and Victims of Trafficking of Human Beings:
Sharing Responsibilities in Tackling the Roma Migration and their Economic Inclusion in the
OSCE and the EU Space***

Document submitted by the Roma organizations to the
OSCE HDIM Working Session No. 12, “Humanitarian issues and other commitments II”,
including: Trafficking in Human Beings; Implementation of the OSCE Action Plan to Combat
Trafficking in
Human Beings”, Tuesday, 2 October

Your Excellencies, Distinguished Delegates to the OSCE HDIM, 2007, ladies and gentlemen,

Through this Statement, the Roma signatory associations would like to reaffirm our support to **the right to freedom of movement** as enshrined in the Article 13th of the Universal Declaration of Human Rights (UDHR). The article states that: “*everyone has the right to freedom of movement and residence within the borders of each State. Everyone has the right to leave any country, including his own, and return to his country*”. Freedom of movement is a fundamental part of the “liberty of man” and one of the most basic human rights, which needs to be respected by all signatories of the UDHR therefore by all OSCE participating States.

We, the political leaders and the civic associations **strongly support the freedom of movement** of European Roma citizens within the territory of the European Union including the right to travel without consular visa in the EU “Schengen space”, as set down in Article 18 of the Treaty establishing the European Community (EC Treaty), as well as in numerous other regulations and directives.

We **express our concern** about the recent anti-Roma statements of politicians and the ways in which a number of media outlets from “**old member states**” of the EU **advocated for the restriction of the freedom of movement of Roma citizens from** “new member states”.

We are indeed aware and concerned about new trends of migration within the OSCE space which emerged during the 1990s. There are situations where some individuals, families and groups, including those of **Roma and Sinti background become victims** of networks of traffickers in human beings. These networks often take advantage of the need of cheap labor of the EU member states and economical motivation of to-be immigrants thus exploiting individuals at risk - especially women, children and socially disadvantaged persons.

As of 2002, a number of Romanian Roma associations have expressed their concern over the process of migration of Roma in the European Union’s member states. The “Declarations” from Sibiu and Bucharest from August 2002, under the generic title of “*Alternatives regarding migration on internal and international level*”, have been repeatedly discussed and circulated by Romanian and French Roma NGOs in the framework of the OSCE Human Dimension Implementation Meeting of 2002 (see reference). In this way, the Roma NGOs contributed significantly to the improving of bilateral French-Romanian cooperation on these issues. A

concrete example is the elaboration by French local authorities of a program on social insertion of the Romanian citizen migrants, including of Roma origin. The above documents have also inspired some of the OSCE commitments and actions throughout the years 2002-2005 which led, among others, to the publication of ODIHR's *Position Paper on Awareness Raising for Roma Activists on the Issue of Trafficking in Human Beings in South-Eastern Europe*, Warsaw in April 2006.

The political context following the entry of Bulgaria and Romania in the European Union, as of January 2007, underlines once again the need to acknowledge and address the new realities related to migration. Among them the trends of economic migration of some Roma families and groups; and their corresponding effect need to be carefully analyzed. It is clear now that **some persons/families/collectivities of Romanian citizens, including Roma, will continue to live for long periods of time in countries of the European Union as migrant workers, residents and, eventually, as citizens of the respective states.**

Public services of the concerned participating OSCE States, including Romania, **need to be aware and trained to advice individuals and families who migrate for work** and help their social integration in the countries they reside. The available good practices from EU countries, such as France, Spain, Italy, targeting the social inclusion of the Romanian citizens, including Roma could provide a good basis for developing successful pan-European models.

Social stigma associated with Roma brings severe prejudices to the many Roma who are employed, have a decent home, are actively supporting the educational process of their children enrolled in local schools and succeed to integrate themselves in the local communities of the EU countries they live in. Those are often perceived as **“good Romanians”**, while, in opposition, the **“social” cases are being ascribed by dominant media to the “nomad gypsies”**.

Selective, stereotyped and prejudiced perceptions contribute to the increase of already dangerous levels of intolerance, xenophobic hostility.

Recent deadly violence incidents in Italy against Romanians in general and Roma in particular demonstrate that, if not addressed anti-Gypsyism can fuel dangerous inter-ethnic conflicts.

Civic associations from Italy and Romania protested against recent actions of abusive evacuation and forced repatriation of Romanian individuals and families belonging to the Roma community and deplored the racist and xenophobic attitudes expressed by Romanian and Italian officials throughout this year (letters attached).

We strongly support the criticism of the Italian NGO *Osservazione* regarding the legal and administrative treatment of Roma and Sinti in Italy, as expressed during the Working Session 6 of the OSCE HDIM, on the situation of Roma and Sinti from September 27 of this year.

We underline the need of clear distinction between migrant Roma, overwhelmingly sedentary by tradition, (for example those from Romania in most former Yugoslavian countries and in other South-Eastern European countries), and *Viaggianti* in Italy, or *Gens du Voyage* in France, who are Italian or French citizens; only a part of them are Roma and Sinti, a very small percentage of

all Italian Roma, indeed. This is to remind that most Roma and Sinti have been sedentary in Italy and in France for several generations

The Roma and Sinti organizations repeatedly denounced the recrudescence of historic/traditional Romaphobic, anti-Gypsies stereotypes and prejudices, including those about the “nomad gypsies”. Such mentalities use selective, prejudiced facts and images about Roma migration as an instrument to incite feelings and promote ideologies which justify both the extremist/racist and the “moderates” attitudes such as advocating for restrictions in the access of immigrants in some European countries.

It is imperative in our opinion that the concerned countries in the OSCE space invest in efficient **monitoring mechanisms** of the internal situation related to Roma in the countries of origin. Coercion measures alone (such as visa restrictions and/or forced repatriations) have proven not to have any effect as long as there are no substantial changes in the migrants’ countries of origins. Measures of maintaining or reintroducing visa proved inefficient and resulted in the development of criminal networks focused on trafficking. The abject poverty of the Roma in the OSCE countries as well as the social stigmata and the underprivileged position of the Roma in these countries put indeed Roma at much higher risk than other groups.

We, the signatories of this Statement recognize the need for Roma national and international organizations to be **directly and responsibly involved** in an eventual OSCE -wide monitoring mechanism on human rights of the migrant workers, among others, by being regularly consulted and involved in bilateral and cross-government cooperation focused on social integration of Roma both within the countries they are citizens of and countries they reside in.

Overall, we believe that up to this moment, instead of a comprehensive European Roma Strategy and thereof much more effective and concerted approach towards Roma and social inclusion, the Intergovernmental Organizations and National Governments employ rather fragmented approaches which target merely one element of the very complex issues confronting Roma or reactive, *ad-hoc* measures to crisis situations.

This state of play needs urgently to be changed and replaced by effective implementation of a comprehensive pan-European Roma Strategy. In this sense, we submit the **following recommendations** for the purposes of the OSCE HDIM 2007:

Recommendations to the Romanian Government and to the concerned OSCE participating States

- respect and enforce the available legal tools and international recommendations regarding measures towards migrants from particular ethnic groups living on the territory of OSCE’s participating State.
- design and adopt appropriate actions to facilitate the access of Roma workers to opportunities created by bilateral work agreements which permit labor migration, regular migrant work, vocational and occupational training of migrant workers, exchange of students, etc;

- avoid criminalizing particular segments of migrants, in particular those of Roma origin;
- provide guidelines and tools for adequate communication of public servants, in particular those working in Embassies and Consulates - with the media and the general public when addressing issues related to migrants in order to prevent collective and hostile feelings against vulnerable ethnic groups such as Roma;

Recommendations concerning the bilateral relations between Romania and Italy, in the framework of the OSCE and the EU cooperation:

- take immediate measures to curb the emergence of xenophobic, anti-Roma hostility displayed by racist groups, especially in particular Italian communities;
- support/develop a governmental and civic initiative, in response to the Armed Group for the Ethnic Cleansing of Roma (*Gruppo Armato per la Pulizia Etnica/GAPE*). This initiative could be called the *Group for Peaceful Ethnic Affirmation/GPAE* and should advocate for a comprehensive long term pan-European Roma strategy targeting the peaceful social inclusion of Roma in Europe;
- consider carefully and use to best effect the results of the documentation visit in Italy, 17-27 September, of the Romanian official delegation related to migration of Romanian citizens including Roma;
- set up a mechanism able to monitor and analyze the numerous and complex aspects related to migration and social inclusion of Roma and the effects of anti-Gypsyism. Among other tasks, such a *mechanism* could:
 - ensure that the rights, needs and priorities of legal Roma immigrants and migrants are properly addressed particularly by creating opportunities for economic and social inclusion as well as for and active citizenship in the host countries;
 - assist the authorities and mass media from countries facing high level of anti-Gypsyism to improve the image of Roma migrants in the public opinion;
 - advise the Roma migrants about their existing options, and pragmatically help their possible integration and avoid possible criminal networks to profit of their ignorance;
 - function as a facilitator of effective partnership between NGOs and the local and national authorities of the involved countries;
 - facilitate interaction between Roma experts, social workers or “cultural mediators” and authorities in view of improving the awareness about the real situation of the migrant Roma families .This should lead to the identification of vulnerable persons (especially young women, children and disabled persons) victims of criminal networks and help not just their escape but also the much needed arrest and persecution of criminals responsible of abusing these vulnerable persons ;

- develop reports and in-depth analyses related to people's right to freedom of movement internally and internationally as part of the universal rights and civic freedom;
- analyze and develop mechanisms able to regulate and use the predictable migration tendencies of Roma to the purpose of improving their social and economic integration. Temporary exchange programs among different EU states, which already proved to be a successful way to transfer know how and avoid permanent or long term migration, could be applied for Roma youth.

Recommendations to the OSCE Institutions

- Considering the rich experience, achievements and commitment to the Roma issues, the OSCE current and forthcoming Chairs-in-Office, Spain and Finland, should organize a special OSCE event in 2008 on Roma and Sinti migration. Such a conference could address:
 - the major discrepancy between the salience of Roma and Sinti issues in the OSCE security and human rights –related affairs and the very limited specific actions addressing such Roma issues by the high political level of the OSCE;
 - the complex problems related to a large mass of Romanian economic migrants (Spain) or with asylum seeker and economic migrants influxes from Eastern European Roma (Finland);
 - the dire situation of the Roma, Ashkhali and Egyptian war refugees and IDPs from Kosovo; and the prospects of the readmission of the long term refugees from Serbia/Kosovo in the context of the forthcoming political developments of the region , 2007-2008;
 - the follow ups of the meetings on the “implementation of national and international policies for the Roma and Sinti” such as the ones in Warsaw, October 2005 and in Bucharest, May 2006, organized in the cooperation of the OSCE with the Council of Europe, the EU Agency for Fundamental Rights, the major relevant NGOs, etc.
- The OSCE ODIHR should commission an in-depth study of the OSCE-wide migration trends of the Roma and Sinti groups, with the aim to grasp the effects on the Roma and Sinti populations of the new political contexts. The enlargement of the European Union and the Stabilization of the Western Balkans are some of the things which deeply affect the countries where the majority of the world's Roma and Sinti live.
- The OSCE ODIHR Contact Point for Roma and Sinti Issues/CPRSI should facilitate debates on Roma and Sinti affairs, in particular on Roma migration –related issues including e-debates; in this regard we propose that the present Statement be posted on the ODIHR CPRSI web-site as an action towards launching the suggested CPRSI e- debates

Recommendations to other International Organizations and Roma-related initiatives,

- The *UNCHR*, the *Council of Europe* and the *International Organization of Migrations /IOM* should update their 1990s Reports on the international mobility of the Roma, Sinti, Travelers with a view to better tackle the challenges posed by the international economic migration of Roma in the forthcoming years and decades;
- The *UNICEF* should produce guidelines for preventing and combating trafficking and economic exploitation of children from vulnerable families (including Roma, Egyptians, Gypsies, etc) from particular countries, who are frequently involved in internal and in international migration;
- The *Council of Europe's European Roma and Travelers Forum* should organize a debate on Roma-migration related issues as part of its forthcoming Plenary Assembly, in 2007;
 - a preparatory meeting could be convened in Romania, in October-November 2007, as an action of the Bucharest-based *ERTF Commission on Roma & European Citizenship* (set up in the *ERFT* meeting in Prague, April 2007); the Romanian Roma members of the *ERTF* and the civic associations of Romanian Roma could jointly provide an input in expertise and logistic support for such an *ERTF* meeting;
- The *EU European Commission and the Economic and Social Committee* should include the issue of Roma economic migration on the agenda of their on-going Reports on the access of minorities to the employment opportunities and to the inclusion resources of the EU member countries.
- the EU has all the means (political, institutional, financial) necessary for such actions, but currently it lacks, in our opinion, the political vision needed to motivate leaders of the member states and EU officials to allot such resources according to a coherent and well-designed European strategy of social insertion of the Roma population in each particular country and Europe-wide;

We strongly support the suggestion of Mr. *Romano Prodi*, the Prime-Ministry of Italy, to consider the inclusion of Roma as a comprehensive issue to be tackled by the EU member countries at all the levels of actions: local, national, bilateral, by the EU institutions;

Therefore, we suggest that the Italian and Romanian top political authorities launch jointly an initiative for including a discussion of the Roma –related affairs during the EU Summit, in December 2007.

- The future Secretariat of the *Decade of Roma Inclusion, 2005-2015*, should propose the introducing of migration as a new cross cutting theme within the four priorities of Decade during the following International Steering Committee Meeting. As it is an open process, Italy, France and other countries should consider joining the process for supporting the social inclusion of Roma in Europe.

- The Budapest-based *Roma Education Fund/REF* may launch a program for the appropriate schooling and vocational training of the Roma children and youth belonging to families and communities involved in long-term international mobility and economic migration.

III. Signatory associations, political representatives and speakers of Roma of Romania

III.1. Registered participants at the OSCE HDIM, Warsaw, 2007 (indicated by registration numbers in the Provisional List of Participants, as on 26 September 2007)

Mr. *Nicolae Paun*, **Member of the Parliament of Romania**, President of the Romanian Parliament's Commission for Human Rights, National Minorities and Religious Denominations, **President of the Roma Party** (registered at position no. 250), General Secretary of the Representative Chamber of the Roma of Romania; registered at position 250

Mr. *Gruia Bumbu*, State Secretary, President of the **National Roma Agency**, Government of Romania; registered as member of the Romanian Delegation to the OSC HDIM, 2007;

Mr. *Florin Cioaba*, President of **Christian Roma Centre** (registered at position 274), Vice-President of the International Romani Union (association registered at position 180) member of the Executive Committee of the European Roma and Travelers Forum (association registered at no. 103), speaker of the *Sibiu Group of Roma associations for Peaceful Ethnic Affirmation of Roma/ GPAE*

The European Roma Grassroots Organization - ERGO, Mr. *Valeriu Nicolae*, Secretary General ERGO allies associations from , among other countries, Albania, Bulgaria, Czech Republic, Netherlands, Republic of Moldova, Romania, Slovakia

The Open Society Institute Roma Participation Program, Ms. *Isabela Mihalache* (association registered at the position no.245)

Roma Civic Alliance from Romania –Mr. *Costel Bercus*, president; Mr. *George Radulescu*; ACRR (association registered at position no. 275) is an "umbrella" of 30 local and sectoral civic associations;

Romani CRISS-Roma Center for Social Intervention and Studies (registered at 281), Ms. *Margareta Matache*, Coordinator/Executive director; Mr. *Nicolae Gheorghe*, volunteer

Roma National Centre, FYR of Macedonia, Mr. *Asmet Elezovski*, coordinator

III.2. Individual associations, members of the “alliances” and “umbrellas” mentioned above, signatories of letters addressed in August-September to the Romanian and Italian authorities, in connection to the situation of Roma migrants in Italy

Asociatia Culturala “Artisrroma”, - presedinte Marian Petre
Asociatia Romilor Fratia din Campina, Gavris Lingurar, presedinte
Agentia pentru Dezvoltarea Economica a Romilor – ADER, Adrian Moldovan, director executiv
Fundatia Ramses, Caton Musceleanu – Vicepresedinte
Asociatia Femeilor Rome, Violeta Dumitru, presedinte
Roma Concern - London Office, Vasile IONESCU
Asociatia Studentilor Rromi, Tanase Sorin, reprezentant
Centrul Cultural al Romilor O Del Amenca, Florin Nasture
Centrul Tinerilor Romi ”Amari Suno” - Marian Ghita
Centrul Romilor “Amare Rromentza”, Bucuresti – Delia Grigore, Mihai Neacsu
Roma ACCES- Nicu Ion Stoica
Asociatia SANSE EGALE, Salaj, – Vaszi Robert Janos ;
A.D.O.S.E.R. /S - Marcoksan Andrei
Asociatia Sanse Egale pentru Femei si Copii – Mirela Faitas
Asociatia Thumende Valea Jiului -Cristinela Ionescu ,Presedinte
Asociatia Democratica a Romilor Liberi ,Sasa-Petrosani- Hunedoara, Toader Burtea, Presedinte
Parudimos, Timisoara, Bebi Leonard
Comunitatea Romilor Refugiati, Azilanti si Migranti din United Kingdom, Florina Zoltan,
Emanuel Dragau, Costel Maiat, Marlena Dragovicki, Ella Muntian
Rhoma Heart - Ilo Rrom, Dan Raea

The Sibiu Group/ GRUPUL DE LA SIBIU of the Roma associations

Uniunea Democrata a Romilor, presedinte Bumbu Viorel
Uniunea Liberala a Romilor din Romania, prin Vasile Mutu
Uniunea Liber Democrata a Romilor din Romania, presedinte Nicolae Bogin
Asociatia Pentru Dezvoltare a Romilor Cugir, Pienar Cosmin
Centrul Crestin al Romilor Sibiu- presedinte Florin Cioaba
Asociatia Romilor Amentza- Dima Mihai
Asociatia Neemia – Ples Constantin
Asociatia Liber Democrata a Romilor Ardeleni- Lakatus Matei
Asociatia Pro Egalitatea 2003 Bazna –Zoltan Viorel
Partidul Relansarii Sociale – Ilarie Mihai
Asociatia Roma Bahctale -Rezves Valentin
O.Del. Amenta Deva -Bologa Nicolae
Asociatia Ioan Cioaba- Luminita Cioaba
Partidul Tiganilor- Mihai George
Asociatia Nepatrimoniala Emaus-Stancu Rudolf

IV. Quoted and other relevant documents in connection to the current situation of Romanian Roma migrants to Italy, as attached to the present Statement; also available to the ODIHR Contact Point for Roma and Sinti/CPRSI

-Letter addressed, on 14 August, to their Excellencies Romano Prodi, Prime-Minister of Italy and Calin-Popescu Tariceanu, Prime Minister of Romania by the civic associations *Osservazione-Italy*, the Geneva –based Center for Housing Rights and Evictions , *and ERGO–European Roma Grass-roots Organization*

-The *Open Letter* of the Romani CRISS- The Roma Center for Social Intervention and Studies addressed, on 27 august, to the top political leaders of Romania as well as to the leaders of the main inter-governmental organizations: the OSCE, the council of Europe, the EU,

- The Letters of the *Roma Christian Center* addressed, on 5th August, and 3 September to the top political leaders of Romania: Excellencies Traian Basescu, President of Romania, Calin – Popescu Tariceanu, Prime Minister, Adrian Cioroianu, Minister for Foreign Affairs.

-the document *In Memoriam of the four Romanian Roma children died by arson in Livorno, Italy*; this letter has been addressed to his Excellency Daniele Mancini, Ambassador of Italy to Bucharest, as signed by about 50 Roma civic associations and individual persons in Romania.

-*THE “WARSAW STATEMENT” REGARDING THE MIGRATION OF ROMA AND THE FIGHT AGAINST THE TRAFFICKING IN HUMAN BEINGS*; JOINT STATEMENT OF THE ROMA NGOs FROM FRANCE AND ROMANIA, in co-operation with the OSCE/ODIHR Contact Point for Roma, Sinti and Khali, within OSCE “Implementation of Human Dimension” conference - Warsaw, 09th-19th of September 2002; available also in French language as *DECLARATION DE VARSOVIE CONCERNANT LA MIGRATION INTERNATIONALE DES RROMS ET LA LUTTE CONTRE LE TRAFIC DES ETRES HUMAINS*; DECLARATION CONJOINTE D’ONGs RROMS DE FRANCE ET DE ROUMANIE, rédigée en coopération avec le Point de Contact pour les Rroms, Sintés et Kalés de l’OSCE/ODIHR lors de la conférence «Mise en Pratique de la Dimension Humaine de l’OSCE» -- Varsovie, 09-19 septembre 2002