



Recommendations of the European Roma Information Office (ERIO) to the Polish EU Presidency

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Poland is about to start the next EU trio presidency: Poland-Denmark-Cyprus. Since the last trio (i.e. Spain-Belgium-Hungary) has made Roma integration one of their priorities, ERIO hopes that the upcoming EU Presidency will keep up the good work. As such, it should seek to influence the themes and issues covered during the trio presidency. Poland should act to guarantee the rights of Roma and to adopt effective measures to fight discrimination against them. To achieve this, ERIO would like to contribute with some recommendations to the Polish Presidency.

1. Strategy for Roma inclusion

ERIO believes that a European focused approach to the integration of Roma represents a step forward towards fighting the socio-economic exclusion and discrimination against Roma and anti-Gypsyism in the context of the European Union. As such, ERIO welcomes the adoption of the EU Framework on National Roma Integration Strategies. As competencies in the field of Roma integration lie mostly with the EU member states, it is now up to the Polish EU Presidency to remind national governments of their responsibilities towards the minority group. In light of this, ERIO calls on the Polish Presidency to:

- Urge member states to successfully transpose the EU Framework for National Roma Integration Strategies. When establishing these strategies, national governments should take a territorial approach considering the local and regional situation of their Roma minority groups.
- Urge candidate and potential candidate countries as well as Western Balkan countries to effectively implement the EU Framework for National Roma Integration Strategies. Make sure that the improvement of the social and economic inclusion of Roma is maintained as a prerequisite for EU entry membership.
- Call on member states to prioritise the fight against anti-Gypsyism and anti-discrimination when developing or adapting their national strategies. The objectives of national strategies should be related to the following priority areas: education, employment, non-discrimination and social inclusion.

- Ensure that member states develop or adapt their national strategies by including measures targeting the specific situation and needs of Roma women and involving them in the development of policies (i.e. implementation, monitoring and evaluation) or in activities relating to Roma communities.
- Ensure that the needs of older Roma will be taken on board by member states in the context of the EU Framework of National Roma Integration Strategies.
- Call on member states to include the 10 Common Basic Principles on Roma Inclusion when developing or adapting their national strategies.
- Urge member states to collect relevant disaggregated data to allow effective evaluation and monitoring.
- Call on member states to involve the Roma and civil society working for Roma integration when developing or adapting their national strategies. This will enable the Roma communities to articulate their opinions and views.
- Call on member states to involve regional and local authorities when developing National Strategies for Roma inclusion. This will ensure that interventions are adapted to different types of Roma communities and contexts (geographical, economic, social, cultural and legal).
- Ensure that member states aim to reduce the number of people living in poverty in their national reform programs under the Europe 2020 Strategy and also in their Roma national strategies.
- Challenge and overtly condemn racist and negative political rhetoric. If those in charge of implementing national strategies for Roma integration do not use a positive terminology of Roma in their political discourse, such strategies are prone to fail.
- Ensure that member states adopt an ‘explicitly but not exclusively’ approach when developing or adapting their policies for Roma integration.

2. General recommendations

Economic crisis, social exclusion and poverty

ERIO welcomes the fact that the Polish Presidency has amongst its priorities the recovery from the economic crisis since Roma communities are one of the most affected groups. Many Roma do not have the opportunity to leave the vicious cycle of poverty they find themselves in, which is strongly linked to the discrimination they face. In order to break this cycle and to improve the integration of the Roma, ERIO calls on the Polish Presidency to:

- Urge member states to develop long-term programs and policies aiming at Roma integration. Investing in Roma inclusion is not a zero-sum-game. On the contrary, as the World Bank¹ has found, long-term investment in education and employment will benefit not only the Roma but national economies and societies in general. These advantages also need to be publicised.

¹ World Bank (2010) *Roma Inclusion: An Economic Opportunity for Bulgaria, Czech Republic, Romania and Serbia - Policy Note*

Available at: http://siteresources.worldbank.org/INTRROMA/Resources/Policy_Note.pdf

- Focus on and mainstream Roma issues in policies aiming to recover from the economic crisis as they represent a large percentage of those living in extreme poverty.

Anti-discrimination

Roma are extremely discriminated by mainstream society and this affects their access to rights such as access to housing, education, employment and healthcare. In order to fight discrimination towards Roma, ERIO calls on the Polish Presidency to:

- Advise member states to promote the Roma issue in the media in a more realistic and fair way. Changing people's attitudes and diminishing their prejudices about the Roma is a crucial step to a fairer treatment of this minority.
- Urge member states to bear in mind the situation of Roma women when developing policies or programs. These women often suffer multiple forms of discrimination within the Roma communities.
- Urge member states to respect EU legislation, i.e. the EU Charter of Fundamental Rights and the EU anti-discrimination directives as well as the European Convention of Human Rights, in particular Article 14 and Protocol 12.
- Urge the European Union to expand the scope of non-discrimination legislation by adopting a horizontal directive. Taking a stand against all forms of discrimination would be a significant step towards more equality.
- Call on member states to guarantee an effective access to justice for victims of discrimination by promoting an effective and efficient use of national equality bodies.
- Urge member states to fight against racial and hate crimes as well as hate and racial speeches by governmental officials and the media. Above all, national authorities have a special responsibility towards minority groups and hence must ban xenophobic patterns and abstain from using abusive language when referring to Roma.

3. Specific recommendations

Education

The education level of many Roma is very low. Illiteracy is a general occurrence among the older generation. School attendance of Roma students is low. Many girls get married at a young age and afterwards, they rarely go back to school. Since education is essential for the Roma to participate in society, it is imperative to improve their educational status which in turn will break the cycle of low social status and economical handicap. To achieve this, ERIO calls on the Polish Presidency to:

- Urge member states to invest in our greatest resource: children. Well-directed investments in inclusive and quality education for Roma children including early childhood education, as well as lifelong learning opportunities for Roma school drop-outs and adults are needed.

- Urge member states to end segregating Roma children by referring them to ‘special schools’. Continuing this practice means giving Roma children no chance to a fair education and eventually no chance in the free market economy. Hence, member states must be urged to re-integrate segregated schoolchildren. Teachers and social workers and educational psychologists ought to be trained to be sensitised in this regard.
- Ensure that all Roma children have access to school education even if their parents remain illegal in the country of residence. The right not to be denied an education should be protected under any circumstances and independent of the parent’s legal status.
- Encourage member states to promote Roma student mobility to initiate intercultural education and dialogue between students of Roma and non-Roma origin. ERIO believes that cross-cultural exchange could benefit minority as well as majority groups by diminishing stereotypes and prejudices on both sides.

Employment

The EU 2020 strategy foresees an increase of the population’s employment rate (aged 20-64) from the current 69% to at least 75%. Due to the lack of formal education and discriminatory practices that prevail, the majority of Roma live without stable employment and have unusual jobs, working illegally or begging also with the help of their children. To improve the Roma employment situation, ERIO calls on the Polish Presidency to:

- Urge member states to fight labour market discrimination and to adopt measures to improve the socio-economic situation of Roma. These could include e.g. well-directed job placement, job search assistance, skills training, career development programs, or microfinance programs. Especially young Roma, whose potential is not utilised at all, should be encouraged to participate in the market economy through specific programmes and training courses.
- Urge member states to foster programs that aim at providing long-term employment for Roma to become self-supporting or self-employed.
- Urge member states to foster the employment of Roma women, which is especially important as it indirectly addresses the issue of gender equality.
- Instruct member states to advocate fair job opportunities for Roma who graduated. This can be done by e.g. introducing quota systems in large enterprises or governments.

Migration, mobility and integration

Roma migrants, both EU and non-EU citizens, are amongst the most discriminated and socially excluded minorities in Europe, often subjected to neglect, harassment and violation of rights in the host country. Common obstacles many Roma migrants face when migrating to a new country is getting access to basic services such as education and healthcare. Even though one of the founding principles of the European Union is the freedom of movement, Roma are often hindered in using their right. As such, there is an urgent need to improve the situation of Roma migrants by guaranteeing their inclusion. In order to achieve this, ERIO calls on the Polish Presidency to:

- Urge member states to respect the principle of ‘free movement’ that is enshrined in EU law and therefore has to be granted to every EU citizen.
- Urge member states to treat Roma migrants fairly and with respect.
- Press member states to allow for an easier access to legal documents for Roma. If Roma cannot even claim citizenship in the nation they were born in, subsequently, they are falling through the social safety net.
- Prevent the deportation and expulsion of Roma by member states by ensuring the respect of the ECHR and of the Directive on Free Movement 2007/4/38, as interpreted in the resolution of the European Parliament in 2007.
- Urge member states to collect ethnic data on Roma minorities to make a more targeted approach on their situation possible. The current lack of data is one of the main barriers to assigning funds and supportive programs effectively to Roma communities.

Kosovo, Roma refugees and asylum seekers

Many non-EU Roma, mainly from the West Balkans, seek asylum in EU member states aiming for a better life. However, their living conditions are alarming and in many states, they are socially excluded and unable to exercise their basic rights. In light of this, there is a need to guarantee the human rights of Roma (and other) refugees and asylum seekers and to improve their lives. To achieve this goal, ERIO calls on the Polish Presidency to:

- Make sure that member states respect the international law principle of non-refoulement, preventing the repatriation of Roma to countries where they are subjected to persecution.
- Urge member and candidate states to stop the repatriation of Kosovo Roma. Kosovo has neither the resources nor the political will to provide for the basic human rights for Roma.
- Press Kosovo’s governmental authorities to ensure better living conditions for Roma in Kosovo. ERIO believes that currently the most pressuring areas are the most basic ones: education, employment, housing and health.
- Encourage member states to find a way to integrate Roma into society, especially if Roma have already lived in these countries on a long-term base or if their children were born there.
- In the extreme case of a forced return, urge member states to take appropriate action in line with the Council of Europe’s twenty guidelines on forced return², and the OSCE recommendations for the reintegration of repatriated persons to Kosovo³.
- Encourage member states to improve the framework for cross-border co-operation when addressed to issues of unlawful eviction and expulsion of Roma to their country of origin.

² Council of Europe (2005) *Twenty Guidelines on Forced Return*

Available at: <http://www.jrseurope.org/AGM/accompanydetainees/docs/CM%20Returns%20Doc.pdf>

³ OSCE (2009) *Implementation of the Strategy for Reintegration of Repatriated Persons in Kosovo’s Municipalities*

Available at: <http://www.osce.org/kosovo/40180>