Recommendations of the European Roma Information Office (ERIO)\(^1\) to the Slovenian EU Presidency on the Social Inclusion of Roma

During 2007 Roma have made again headlines in the press throughout Europe. Unfortunately, these have not been positive ones. In many countries as Bulgaria and Romania Roma have been victims of massive racist attacks. In others as in Italy, Roma have been object of criminalization as group through policing practices (ethnic profiling) and internal security policies (massive expulsions). In Italy, massive expulsions of Romanian citizens of Roma origin have been taking place denying EU and international standards concerning citizens’ rights of free movement. Apart from these developments the largest parts of Roma communities continue facing social exclusion and discrimination. Copious reports from human rights give account on this. Considerable efforts for combating discrimination and social exclusion faced by Roma are still missing in most of the Member States.

In the European Year of the Intercultural Dialogue 2008 the Slovenian Presidency faces major challenges concerning the social inclusion of Roma throughout the EU. A stronger involvement of the Council and of the EU Presidencies is needed to achieving fundamental changes in EU and national politics towards Roma which lead to substantial improvement of their living conditions and to equal treatment in all spheres of the society. The European Commission has designated 2008 as the European Year of the Intercultural Dialogue. ERIO hopes that the Slovenian EU Presidency concentrates its efforts on fostering intercultural dialogue by promoting social inclusion and equality among all people living in the European Union. A societal dialogue can only take place among equal partners. The achievement of the societal framework conditions in which Roma enjoy of equal treatment remains a major challenge. ERIO would like to contribute with recommendations for policy intervention in areas of urgency for EU institutions and national governments.

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\(^{1}\) The European Roma Information Office (ERIO) is a human rights advocacy organisation promoting the rights of Roma communities throughout Europe. ERIO lobbies with European institutions, national governments and international organisations in order to bring about improvements in policies concerning Roma communities. ERIO cooperates intensively with Roma organisations and supports them in establishing their concerns and demands to European and national decision makers. The ultimate goal of ERIO is to contribute to the eradication of racism, discrimination and social exclusion faced by the majority of Roma in Europe.
EU Politics towards Roma

ERIO welcomes the statement of the Council of the European Union which is “consciously aware of the very specific situation of Roma across the Union, and invites Member States and the Union to use all their means improve their inclusion”. One can not deny the efforts of EU institutions for promoting social inclusion of Roma since the nineties. Nevertheless, these efforts are not reflected in a noticeable improvement of the living conditions and societal position of Roma which largest parts still face discrimination and social exclusion. An improvement of EU policies aiming at the social inclusion of Roma should urgently take place. In order to achieve this goal, ERIO calls the Slovenian EU Presidency:

1. To encourage the European Commission for an improved coordination of EC policies towards Roma. A first feasible step towards this goal should be the improvement of the coordination between the various Directorate General (DGs) dealing with Roma issues. The Interservice Group on Roma represents a commendable effort for information exchange, but this instrument should urgently be strengthened becoming the place for a real coordination of policies targeting specifically Roma within the EC.

2. To encourage the European Commission to assess EC policies targeting Roma. This would serve to find out success and/or failure indicators for further policy development. Such assessment should be carried out by independent experts.

3. To push the European Commission for targeting specifically Roma communities through EC Strategies and Programmes. EC Strategies and Programmes as the EU Health Strategy, the EU Strategy for Sustainable Development and the EC Lifelong Learning Programme should also target specifically Roma communities according with their particular needs. An appropriate balance between “main streaming” and “targeting” would contribute to take Roma away from the isolation they face, also in terms of politics; and to address their particular needs.

Protecting the civil rights of Roma

The recent racist attacks against Roma originally from Romania in Italy, the mass expulsions of Romanian citizens, mainly of Roma origin, undermining EU standards of free movement of EU citizens, and the stigmatization of Roma in the Italian press and political discourse raises the question of the adequate protection of civil rights of Roma immigrants in Western Europe and of the support for their integration in the host societies. Nevertheless, not only the rights of Roma as immigrants are not sufficiently protected but also as citizens in their own countries. This insufficient protection is reflected in the criminalization of Roma through the policing practice of ethnic profiling – often citizens are controlled by police stops because “they look like Roma” – and in the high victimisation of Roma in the justice systems. An active intervention of European

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states for ensuring the full exercise of civil rights of Roma is needed. In order to achieve this goal, ERIO call on the Slovenian Presidency to:

1. Encourage the Member States which are hosting immigrants of Roma origin for ensuring the full respect of their human rights and their EU citizenship rights. Demand from Member States not to carry out collective expulsions on nationality and ethnic grounds which leads to stigmatise and criminalise entire groups of citizens. Demand from Member States effective action to encounter xenophobic attacks against Roma and media campaigns spreading negative stereotypes of Roma communities. Member States, especially of Western Europe, should implement effective measures for promoting the integration of immigrants of Roma origin.

2. Encourage Member States to stop with the policing practice of ethnic profiling through which basic civil rights, also of citizens of Roma origin, are systematically violated. Demand from Member States an assessment on the high victimisation of Roma in justice systems in order to find out to which extent this is linked to widespread prejudices on this community. Intercultural and anti-discrimination trainings for police, judges and administrative personal of the judiciary systems should be implemented or intensified as well.

**Anti-discrimination and Roma communities**

After 6 years implementation of the Race Equality Directive 2000/43/EC no major noticeable results can be observed concerning discrimination faced by Roma. Various countries have not implemented the Directive appropriately or the National Equality Bodies do not meet the expectations put in them. Additionally, the current anti-discrimination legislation, at European and national level, presents gaps which must be filled, e.g. segregation is not recognised as a form of discrimination. Not only the full implementation of the Race Equality Directive but the improvement of EU anti-discrimination legislation is urgent needed to fight more effectively against discrimination faced by Roma and other vulnerable groups. In order to achieve this goal, ERIO calls on the Slovenian Presidency to:

1. Encourage the Member States for the full implementation of the Race Equality Directive and the more effective functioning of the National Equality Bodies

2. Encourage EU institutions for an improvement of the EU anti-discrimination legislation which should contain provisions ensuring more effectively equal treatment of minorities, specifically of Roma. This should include the recognition of segregation as form of discrimination and multiple discrimination, and should foresee the obligation to Member States to implement positive action to counteract existing effects of discrimination. Furthermore, Member States should be obliged to monitor, by statistical means, the impact of anti-discrimination measures they implement. Legal provisions should also foresee data collection on ethnic grounds in order prove direct and indirect discrimination and to facilitate an improve design of anti-discrimination policies.
Protecting the rights of Roma children

ERIO welcomes that the promotion of children rights is under the priorities of the Slovenian EU Presidency. Children are one of the most vulnerable groups at risk of living in poverty. Beneath, Roma children are especially at risk. Several reports as those released by UNICEF³ and NGOs defending children’s rights, provide a picture of the dramatic situation of Roma children throughout Europe: many Roma children live in slums and ghettos in substandard conditions; a higher number of them are categorized as unhealthy in comparison to children from the majority societies; most of Roma children in various countries as Slovakia and Bulgaria over 80 per cent, face school segregation which prevents them from further education and, later, to access to adequate the labour⁴. Children’s rights, also of Roma children, should be adequately protected with all legal instruments and institutional means. In order to achieve this goal, ERIO calls the EU Presidency:

1. To encourage national governments to implement desegregation policies aiming at the integration of Roma children into the main stream education; and, promoting a school free of discrimination. To push the European Commission to implement programmes supporting measures of school desegregation and combating discrimination at school. The EC Programme “Education and Training 2010” should aim at filling the gap concerning the education of minorities, specifically Roma in the EU.

2. To encourage the European Parliament to pass a Resolution on children’s rights “Towards an EU strategy on the rights of the child” which addresses the complexity of problems faced by Roma children and foresees the framework mechanisms and instruments ensuring the full protection of rights of Roma children. To encourage Member States to realise the aims stated in the United Nations Convention on the Rights of the Children (UNCRC) which has been ratified but which contents have not been transposed into concrete policy practice.

Intercultural Dialogue

ERIO believes that intercultural dialogue should take place between equal partners. Since largest parts of Roma do not enjoy equal opportunities due to social exclusion and discrimination they face, they are not equal partners in intercultural dialogue. Additionally, Roma culture is seen almost everywhere as an inferior culture. Roma should participate as equal partners in a societal dialogue and their culture should be respected and promoted as those the majority societies are. In order to achieve this goal, ERIO calls on the Slovenian EU-Presidency:

1. To take the lead in the 2008 – European Year of Intercultural Dialogue promoting cultures, as the Roma, that are excluded from current societal dialogue. The EYID 2008 should promote a dialogue fostering the inclusion of people who have been excluded from a societal dialogue and its activities should be directed to empower Roma who do not have the opportunities to participate as equal partners in the intercultural dialogue.

2. To encourage the National Coordination Bodies of EYID to involve NGOs in the implementation activities. These should be involved at all stages of the decision-making process, and not just after relevant decisions have been taken.

3. To encourage Member States to promote Roma culture through the establishment and consolidation of Roma culture centres. To encourage European Commission to support and fund projects on promoting Roma culture.

**Situation of Roma in Kosovo**

ERIO welcomes that the Slovenian EU Presidency puts on the top of the agenda the solution of the so called “Kosovo-Problem”. Especially after the last developments concerning a possible unilateral self-declaration of independence and the departure of the United Nations Mission in Kosovo (UNMIK) the situation of Roma can become even more critical. According to reports of human rights organisations, many Roma do not have access to adequate health and social services; are constantly victims of discrimination and racist harassment; and do not have personal documentation seeing limited their civil rights. Experts warn before massive racist attacks against Kosovo Roma and a refugees flow into the neighbouring countries. The full respected of the human rights of Kosovo Roma should be guaranteed. In order to achieve this goal ERIO calls the Slovenian EU Presidency:

1. To encourage the UNMIK, the future International Civilian Office (ICO) and Kosovo authorities to guarantee the full respect of the human rights of Roma in Kosovo. The effective persecution of perpetrators of violation of human rights against Roma should be ensured. The framework conditions for the return of Roma refugees from Kosovo and Internal Displaced Persons should be guaranteed. The problem of civil registration and documentation should be solved as soon as possible; many Roma are prevented to exercise their civil rights or to access to social services because they lack of personal documentation. The participation of Roma in decision making processes also in those concerning the Kosovo status is of main importance for ensuring that the interests of Roma communities in Kosovo are appropriately represented.