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SOCIETATE
DESCHISĂ

INTERNATIONAL TOOLS AVAILABLE FOR ROMA ADVOCACY AND LOBBYING



ROMA RELEVANT INSTITUTIONS OF THE EUROPEAN UNION

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European Commission (EC)

The EC is the executive branch of the EU. The Commission may initiate draft legislation and present proposals to the Council and the Parliament. **It is responsible for implementing resolutions and decisions** (there are seven Resolutions of the European Parliament and European Council dealing with Roma). The Commission also monitors applications of treaties within the European Union and supervises decisions regarding EU institutions. The Commission makes sure that EU law is represented within all treaties. The Commission deploys the most professional monitoring mechanism of all existing Intergovernmental Institutions.

Relevant Roma tools of the European Commission

The European Commission's Decision on the Year of Equal Opportunities¹ underlines the fact that Roma are the "most disadvantaged ethnic minority group in Europe." It describes the **"significant barriers in employment and education"** they face. The Communication further states that "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.**"

As any European Year the Commission has a DG dealing with the activities and monitoring the progress achieved. In charge of the Year of Equal Opportunities is DG Employment and Social Affairs which has showed the most interest in Roma related initiatives. The head of this DG is Commissioner Vladimír Špidla who is also responsible for the Roma related issues within the European Commission. Within DG Employment and Social Affairs the Anti-Discrimination Unit is of utmost relevance as it monitors the "Race" Directive (2000/43/EC). Other very important DG's for Roma issues are: Enlargement (up to the end of 2007 for Bulgaria Romania and then for accession countries Croatia, Turkey and for countries in the preliminary phases of access Macedonia, Serbia, Albania, Moldova and Ukraine), RELEX (Western Balkans) , REGIO (deals with Structural Funds) , DG Education and Culture, DG Justice, Freedom and Security.

There are a series of reports and studies published by the European Commission which deal more or less exclusively with Roma. The most relevant are the: EU Support for Roma Communities (2002) DG Enlargement; Situation of Roma in an enlarged Europe (2004) DG Employment and Social Affairs; Review of the European Union PHARE assistance to Roma minorities (2004) DG Employment and Social Affairs ;Thematic Comment No 3: 'The Protection of Minorities in the EU' by the EU Network of Independent Experts in Fundamental Rights(2004) ;Equality and non-discrimination – Annual report 2005 (special section on 'Improving the situation of Roma in the EU') DG Employment and Social Affairs; **Key Voices 2005: Access to Justice**, DG Employment and Social Affairs

Lisbon Strategy

The Lisbon Strategy is the main strategy whose implementation the supervision supervises and monitors. The Lisbon Strategy has a mechanism of indicators² meant to precisely monitor and assess the progress within the European Union.

The report on Social Protection and Social Inclusion 2006 emphasized that "member states need to develop [...] responses to multiple disadvantages and the needs of groups at particular risk such as [...] ethnic minori-

1 See http://europa.eu.int/comm/employment_social/fundamental_rights/pdf/ey07/dec07_en.pdf.

2 See Annex 1

ties (including the Roma)... There needs to be both improved access to mainstream provision and, where necessary, targeted measures³. There are already some National Action Plans (NAP) on Social Inclusion of which identified Roma as a priority group.⁴ The European Employment Strategy -the driving force of the Lisbon Strategy is a very important document which lately mentions Roma.

The National Strategic Reference Framework

The Commission has encouraged the new Member States with substantial Romani communities to include Roma in their National Strategic Reference Framework (NSRF)⁵. Those strategies set the most important development policy objectives and priorities to be supported under the Structural Funds.

Bodies related to the European Commission relevant to Roma

In January 2006 the European Commission established a High Level Group on Social and Labour Market Integration of Ethnic Minorities to identify practical ways of using EU policies and programmes to promote the integration of disadvantaged ethnic minorities, including the Roma, into the labour market. The Commission singled out two focus groups of particular concern - the immigrant communities and the Roma⁶.

Also there is a Roma Interservice Group which was established in 2004 chaired by the Director General of the DG Employment and Social Affairs meant to ensure steerage within the Commission regarding Roma issues.

LOBBYING THE EUROPEAN COMMISSION

Introduction

In the second part of the 1990-ties the European Commission under serious pressure decided (reluctantly) to design a mechanism of supporting and improving communication with the civil society. At the end of 1990-ties we had in place a series of European NGO Networks most of them united under the Social Platform who became the main interface between the Commission and NGOs. Depending on their scope of activity the European NGO Networks have worked closely with specific DGs and units. For example European Network Against Racism works closely with DG Employment and Social Affairs (Anti-Discrimination Unit). The Commission developed even a portal for Civil Society which can be found at http://ec.europa.eu/civil_society/accueil_en.htm .

3 The Joint Report on Social Protection and Social Inclusion 2006 http://ec.europa.eu/employment_social/social_inclusion/docs/2006/cs2006_7294_en.pdf

4 The ten new Member States submitted their first National Action Plans against poverty and social exclusion (NAPs/inclusion) in July 2004 in response to the common objectives that have been agreed by Member States for the Union's social inclusion process. In these plans each new member state analyses the situation in relation to poverty and social exclusion, presents the strategy, objectives and targets it has established for the two year period from mid-2004 to mid-2006 and identifies the specific actions to be implemented in order to achieve them. Information available at http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm

5 From interviews with Colin Wolfe of the EC and Maria Ionescu of the ANR

6 European Commission, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/06/149&format=HTML&aged=1&language=EN&guiLanguage=en>

The process of lobbying the Commission is extremely complex and requires not just personal connections but also an in-depth knowledge of the EC structure and responsibilities.

Lobbying DG Employment and Social Affairs (DGESA)

DG Employment and Social Affairs is in charge of social inclusion in Europe and its Commissioner was named as to be responsible for Roma related issues. It also chairs the Inter-Service group focused on Roma and has in its diagram the Anti-Discrimination unit and the only two “horizontal units” in the Commission focused on gender and disabilities. The cabinet of the Commissioner includes the ex-Human Rights Commissioner of the Czech Republic who is very open and familiar with Roma related issues. These are reasons why the DGESA is or should be at this moment the main target of Roma related actions.

There are a few ways to input the activity of the DGESA

a. Participate in the communications/consultations of the European Commission DGESA

The Commission usually receives inputs through its questionnaires and green papers (as can be seen at http://ec.europa.eu/employment_social/consultation_en.html). A list of results of such communications can be found at http://ec.europa.eu/employment_social/social_dialogue/docs_en.htm . Due to the fact that the commission produces the document for discussion, that there is a relatively large number of organizations using this mechanism and due to the sometimes very technical documents put in discussion the impact one organization can have is limited.

b. Participate in the steering committees of the DGESA

The Commission usually includes in the steering committees only representatives of NGOs involved for a relatively long time in the issues addressed by the steering committees. The steering committees are far from being known or transparent therefore just a few people have access to their activity. Despite the above the Commission has an acknowledged need to include Roma therefore they are quite open to Roma input and participation. In order to take part in the steering committees the Roma NGOs need to contact different relevant units (anti-discrimination, civil society, gender, disabilities...) and ask about the existing steering committees. Letters requesting the participation to relevant steering committee should follow clearly explaining why the participation of the requesting NGO is needed.

c. Lobby the relevant structures of the DGESA

i. The anti-discrimination unit

This unit includes the Roma responsible officer of the European Commission. At this moment this the job of Virag Sandor a dedicated, helpful and well informed officer. As any other official in the European Commission, the Roma officer needs concrete things rather than lists of complains. Briefings on the specific issues (mainly related to anti-Gypsyism and social inclusion) are usually needed and therefore welcomed. Positive and negative practices related to the implementation of EU projects are also something the DGESA is in need of. There is also an acknowledged need on behalf of the EC for lobbying funding for Roma NGOs and related documents are sought.

ii. The Inter-service group on Roma

Normally closed to the outsiders the Inter-service group gathers together representatives of 13 other DGs. The Roma Inter-service Group is, on paper, chaired by the DGESA and was created to ensure steerage within the Commission regarding Roma issues. Its meetings are far from transparent and despite some obvious benefits including the exchange of information within the European Commission, there are practically no known significant initiatives of the Interservice Group during the last three years.

As in the case of the Informal Group of the Intergovernmental Organisations (see The European Council Initiatives part for reference), according to participants, meetings are attended mainly by low level bureaucrats with practically very limited or no decision-making power.

During its first meeting I personally attended, the Director General was not present and the attendance from the Commission was largely low level (13 units represented and only two heads of unit).

Despite the above the Inter-service group can be lobbied and has gain in relevance in the last year as there is an increased awareness on the importance Roma issues related to the social inclusion agenda of the EU. The only direct lobbying can be done through getting an invitation to present something related to the interest of the participants. Reports, analyses related to their main preoccupation have high chances to get NGOs invited.

There are a number of Inter-service groups that should also be a target for Roma activists interested in the mainstreaming of Roma issues. Those needs also to be carefully considered and targeted. All the relevant DGs should be asked about the inter-Service groups they chair.

iii. The cabinet of the Commissioner

The Head of DGESA, Commissioner Vladimir Spidla, has a great deal of interest in Roma related initiatives and he is unofficially in charge of Roma issues within the European Commission. The presence in its cabinet of one of the best Czech experts in Roma related issues, Jan Jarab, is seen by many as the most significant step taken by the European Commission in better dealing with issues related to Roma.

Despite clear interest and good will on the part of Commissioner Spidla and his cabinet to improve the impact of Commission programs and policies on the lives of Roma, the results are far from good

The following factors may explain why Commissioner Spidla's position has not impacted more strongly the overall social inclusion of European Roma.

Officially, Commissioner Spidla is in charge of 9 directorates, each with 4 units – in total, 36 units dealing, for the most part, with issues unrelated to Roma. Only one Unit has, among other assignments, a direct responsibility to deal with Roma issues (8 million Roma within the EU): the Anti-discrimination Unit.

Changes in 2005 and 2006 within the Anti-Discrimination Unit, including the coming to an end of the contract of the main and only one expert on Roma issues, the replacement of the Unit's director Barbara Nolan (following a long interim period), and finally, the replacement of the Director General of DG Employment and Social Affairs, Odile Quintin, led to a significant slow-down in Roma-related initiatives of the DG. The Roma Interservice Group, an informal group which is the only structure of the European Commission focused on Roma, is lead by this DG and was created and stimulated by Barbara Nolan and Odile Quintin. Needless to say, with their departures, it's activities were for a good period significantly reduced.

The cabinet is open to be lobbied and can have a significant impact. Open letters to the Commissioners including suggestions for different events and actions are usually welcomed if they have a relatively mainstream approach. Invitations to Roma related events in case are done well in advance have good chances to be approved and bring a good opportunity of direct lobbying the Commissioner.

The very influential Director General Nikolaus van der Pas is relatively aware of the issues as well as directors Jerome Vignion and Armindo Silva. Any advocacy and lobbying campaigns should always target them.

Lobbying other DGs

a. DG Enlargement

This is probably the most efficient and powerful DG as it is in charge of monitoring the compliance with the Copenhagen criteria of possible future members of the EU. It has been at the forefront of many innovative approaches of the European Commission and has had a significant impact in raising awareness on Roma and significant improvement in many aspects of the joining EU member states. Due to its significant leverage (in fact the Copenhagen criteria are a much stronger tool when it comes to inclusion and respect of minorities than the available tools within the EU area) DG enlargement should be a major target of lobbying and advocacy especially for the ex-Yugoslav countries (except Slovenia , already a EU member state), Moldova, Albania, Turkey and Ukraine.

Probably the most direct mechanism to be used is the regular monitoring reports as DG Enlargement often bases its reports on papers, position and discussions with NGOs. Detlev Boeing is the officer in charge of Roma related issues of the DG Enlargement and has the responsibility to deal with Roma related issues. Info sheets should be sent to him but also to the desk officer of the country. Request to participate in the hearings the DG enlargement organizes with the NGOs before publishing the country reports could lead to an invitation and direct input in the report.

Desk officers and Roma responsible officers can be invited and would usually respond positively to requests to participate in Roma related events, a good opportunity for exchange of information and direct lobbying. These officers have a significant impact in the activity of the national delegation and advocacy activities should take that in consideration. As with the Commission in general invitations need to be sent well in advance (a minimum of one month during the first part of the year and around 2 months for the autumn). The highest probability to have EC officers participating is in the month of June. For a chart of who is who in the DG Enlargement please check http://ec.europa.eu/enlargement/who_does_what/index_en.htm .

Open letters to the DG Enlargement should be addressed to the Commissioner Olie Rehn. Not only that Rehn is of Finish background (the country that made possible the coming into existence of a representative Roma organization in Europe) but he has often showed interest related to Roma issues. Letters in general should be addressed to the Commissioner and copied to the Director General as it obliges the responsible unit to react.

b. DG Justice Freedom and Security(DGJFS)

DGJFS is among others in charge of Fundamental Rights and the new Fundamental Rights Agency – the monitoring body of the European Commission that published practically the strongest EU reports on anti-Gypsyism. Its Commissioner, Fratini who is also the vice-president of the European Commission has responsibilities related to migration and is very interested in the children rights. Both issues if used in relationship to Roma can have an impact in getting the attention of DGJFS.

The diagram of DGJFS is available at http://ec.europa.eu/dgs/justice_home/organigramme_en.pdf and shows at least three other important things. The Director General Jonathan Faull is open and aware of the issues related to Roma. Directorate D, Mr Almeida can always be a target of lobbying related to trafficking and Directorate C, Mr Bianchi should be responsive in relation to Fundamental Rights. Directorate B has a focus on immigration therefore should be targeted whenever action related to this aspect are envisioned.

DGJFS also chairs an Inter-service group on Racism which up to this moment had no Roma focused input.

c. DG Regional Policy (DGREGIO)

This DG is probably the most important in view of the funds, efficiency and results. The overwhelming majority of the Structural Funds to address Roma specific or related issues were used through DGREGIO. The

polish Commissioner Danuta Hubner has met a number of times George Soros and stated publicly her support for Roma related initiatives focused on social inclusion.

The Austrian-Slovak unit of the Directorate E has been at the forefront of Roma related ground-breaking initiatives within the European Commission. It initiated a group on Roma and structural funds and has pushed within the Commission the need of horizontal approaches towards Roma (unexpectedly achieved in Slovakia). Its ex-director Colin Wolfe (at this moment the boss of territorial cooperation) is not only extremely efficient but also very open to Roma related issues. The new created units in charge of Romania, and Bulgaria as well as units dealing with Hungary and Spain should also be targeted. A full description of the DGREGIO can be found at http://ec.europa.eu/dgs/regional_policy/document/organigramme_en.pdf.

d. DG Education and Culture (DGEC)

DGEC used to have a relatively low profile in the European Commission. The change of the director general which brought Odile Quintan in the position has changed to the better the leverage DGEC has within the EC. The addition of the Romanian Commissioner on Multilingualism within the same structure which is lead by the Slovak Figel makes DGEC the most Roma “sensitive” structure of the European Commission.

Unfortunately despite the fact that DGEC deals with training and education, youth, culture and citizenship all of most relevance to Roma there was practically no significant Roma lobby and advocacy targeting DGEC. The sports unit has been the only one involved in actions promoting actions against anti-Gypsyism on the stadiums but unfortunately due to the failure of the Constitutional treaty the unit has very limited budget and leverage within the DGEC.

There are other units within other DGs which can be relevant to Roma but due to the editorial limitation those are not examined here.

Lobby the independent expert networks

The independent expert networks are informal EC sponsored bodies that research and draft reports in areas of concerns where the EC has limited experience and often limited interest. Such bodies are hardly known despite the fact that sometimes they are responsible for most of the input on certain issues to the EC. On Roma there are two cases.

The European Commission’s Network of Independent Experts on Fundamental Rights has issued in 2004 a report on Fundamental rights in the European Union which was also targeted by some lobby and advocacy actions of Roma organisations . The report highlighted the specific discrimination Roma are victim of in the EU and recommends the adoption of a “Roma directive” as a remedy to it⁷. The European Commission was quite unhappy with the recommendations.

In January 2006 the European Commission established the *High Level Group on Social and Labour Market Integration of Ethnic Minorities*, to identify practical ways of using EU policies and programmes to promote the integration of disadvantaged ethnic minorities, including the Roma, into the labour market. The Commission singled out two focus groups of particular concern: the immigrant communities and the Roma. Barbara Nolan played a significant role in the establishment of the Group but unfortunately she had left the Anti-Discrimination Unit before the Group started working.

The group includes two Roma experts, but so far, their related activities are completely unknown to Roma activists and Roma organisations. According to sources within the European Commission, the recruitment

⁷ http://europa.eu.int/comm/justice_home/cfr_cdf/doc/report_eu_2003_en.pdf

process of the Roma experts was based entirely on personal preferences and non-critical views towards the European Commission activities. Despite the fact that the group is supposed to publish its report in the autumn of 2007, until now (October 2007), there were no known consultations with Roma activists or Roma organisations.

Lobbying the Commission for inclusion of Roma in the informal structures preparing reports is of course something of utmost importance but as long as those bodies will remain informal there are limited chances for relevant changes. It is the opinion of the author that only Roma specific bodies of the EC could solve the issues and that the main priority should be focused on a Roma Unit of the European Commission.

Lobby the European Commission sponsored networks

The rights of other vulnerable groups in Europe are defended by both their countries of origin (in the case of religious and race discrimination, by a number of countries) and by European NGOs⁸ dealing with the issues. Despite the fact that Roma are the largest and most discriminated ethnic minority in Europe, according to the European Commission, which provides core funding for most of the European Network NGOs dealing with vulnerable groups, up to end of 2006 not a single Roma NGO in Europe is financed by and welcomed under the umbrella of the Commission. Under pressure from European Roma Information Office the European Commission has launched a call for proposals for supporting a European Roma Network⁹. Not only that there was no consultation with Roma organisations about the Terms of Reference which lead to no organisation being selected for the first call but also the funds available are five times less than for similar network organisations. Unfortunately, the Commission did not consult with any Roma organisations about the Terms of Reference, and as a result, no organisations were selected during the first two calls. In addition, the funds available are five times less than those dedicated to similar network organisations.

Finally, in 2007, funding was made available for the European Roma and Travellers Forum, an organisation already financed by the Council of Europe. Many Roma feel that this was not an appropriate choice because the positions of the European Roma and Travellers Forum and its representatives are often autocratic. Given the existing situation of Roma NGOs which are still far from covering properly the main issues affecting Roma communities or from ensuring a normal participation of Roma and the often extremely reduced available human resources from Roma communities, the European Commission needs to do a lot more in supporting the development of a healthy Roma civil society.

It is important to build coalitions with European Networks in order not just to advance issues related to social inclusion of Roma and mainstreaming but also related to funding and capacity building. The European Anti-Poverty Network, the EU network dealing with the homeless (FEANTSA), the Social Platform, The European Network working on issues related to age (AGE), the European Women Lobby, the Disability Forum and others similar organisation should be always considered in a Roma advocacy strategy.

Relevant is that the Recommendation 23 of the European Parliament Resolution on the Situation of Roma in the European Union of 28th of April 2005 writes: “Supports the continuing moves within the EU institutions **towards incorporating the Roma-to-Roma approach, as developed by the OSCE, in the future hiring of staff for Roma - as well as non-Roma-related vacancies.**” This has never been followed up by the European Commission or by anti-discrimination NGOs funded by the European Commission.

8 European Anti-Poverty Network, European Disability Forum, FEANTSA (homeless people), ILGA (gay and lesbian people), European Women Lobby, Social Platform, etc.

9 Available at http://ec.europa.eu/employment_social/emplweb/tenders/tenders_en.cfm?id=405

European Court of Justice

The European Court of Justice ensures that EC and EU treaties are respected and that the laws are being followed. The Court of Justice looks to decisions of the European Court of Human Rights for guidance in its decision-making on human rights issues. The Court can address cases of discrimination based on the anti-discrimination framework of the Commission and it already developed a very extensive case law regarding gender discrimination. In accord with the paragraphs 122 and 127 of the Action Plan the ODIHR-CPRSI could develop actions meant to increase the capacity of Roma NGOs to use the ECJ.

The ECJ can't be lobbied but it is an extremely important mechanism in the implementation of existing anti-discrimination legislation. The ECJ rulings in cases of gender and disabilities lead to very good results and an important raise in the awareness of national courts. It is important to build up a case-brief related to discrimination of ethnic background therefore to encourage NGOs such as European Roma Rights Center to bring Roma cases to the ECJ.

European Parliament

The Parliament has both the power to legislate and to adopt the final budget. It also approves the nomination of Commissioners for the European Commission and has the power to censure the Commission. There are many Roma relevant documents of the European Parliament (resolutions, questions, communications, recommendations and reports). The most important are the following 7 resolutions: Resolution of the European Parliament on the Situation of Gypsies in the Community (1984) ; Resolution of the European Parliament on Education for Children whose Parents have no Fixed Abode (1984) ; Resolution of the European Parliament on Illiteracy and Education for Children whose Parents have no Fixed Abode (1989) ; Resolution of the European Parliament on Gypsies in Community (1994) ; Resolution of the European Parliament on Discrimination against Roma (1995) ; Resolution on the Situation of Roma in the European Union (2005) ; Resolution on the situation of Roma women in the European Union (2006).

In its resolution from 24th of May 1984 (C172/153) the European Parliament acknowledged the fact that “gypsies still suffer discrimination in law and practice” and called on the governments of the Member States to eliminate discrimination against Roma.

Since 1984 the Parliament's activities, together with those of the European Commission, have contributed to some positive steps in combating discrimination against Roma, particularly in the field of law. The European Parliament has played a vital role in the promotion and protection of Human Rights, monitoring and improving the situation of European Roma especially in the context of the accession process, which has made Roma the largest ethnic minority in Europe.

Lobbying the European Parliament (EP)

a. lobbying members of the European Parliament (MEPs)

The EP is the main target of lobbying groups. The large number of MEPs and their very diverse experiences, opinions and political orientations leads to a significant number of people within the Parliament who can and should be lobbied.

The most open to Roma related issues are the Socialists and Greens but one should not forget that there are numerous MEPs in the People Party who are very interested in minorities issues (especially Hungarian MEPs). Significant in this respect is the fact that the two Roma MEPs are part of the European Liberal Democrats (Victoria Mohacsi) and European People Party (Livia Jaroka) are both from Hungary. The way to identify the

possibly interested MEPs is to check their personal websites and the committees and delegations they are part of. For instance would be quite normal for a MEP who is part of the EP Delegation to Macedonia to have an interest in minorities issues including Roma.

The most obvious target for lobbying it is of course the Roma MEPs. The fact that the Socialist do not have a Roma MEP should also be seen as an opportunity. The Liberal Democrats and the People Party MEPs would most probably direct you to their Roma colleague while the Socialists and other groups can't do that. There is a long list of MEPs that can be lobbied and the members of the anti-discrimination group lead by Claude Moraes could be a good start to identify possible supporters. The MEPs from the countries most vocal against Roma migration for instance are always an easy target for lobbying as they are both very interested in gaining influence at the level of the EP but also in keeping a presence in the mass media in their home countries.

The MEPs receive hundreds of letters every day and have already a few established priorities. They rarely read their own emails therefore the letters, faxes or e-mails have to be highly relevant for the MEPs in order for their assistants to consider briefing them about what you sent. Visible (media covered) events are always attractive especially if on topics the MEPs are interested in.

It is always a good idea once you manage to have a direct contact with a MEP to ask for his/her advice regarding contacting other MEPs as usually that leads to some other contacts.

There are a few things which an MEP can practically do:

1. table a question to the European Commission - very easy and sometimes very efficient as the Commission is obliged to answer. In order to do so you have to convince the MEP about the importance of the issue you want to bring it up with the Commission and prepare a good, clear cut question which not to allow the usual ambiguous and around the question answers of the Commission
2. have an intervention in the relevant plenary meetings – again here you need to check the EP agenda and find out where such an intervention could have a maximum impact
3. raise the issue within the meetings of MEPs party and advocate for a position or action of the party related to the issue raised – this can be done no more than once a year and needs to be very well prepared
4. insert comments in the answers of the Parliament to the Commission documents – any Communication of the Commission regarding EU initiatives (such as European Years) requiring a budget need to go through the parliament. There is a significant number of such documents and any help given to the MEPs is usually much appreciated and can increase the chances of meaningful indirect contributions to the EC documents
5. initiate a report of the Parliament on an issues of relevance (Livia Jaroka initiated such a report on the Situation of Roma women) – such an initiative leads to numerous debates and is a very good instrument of raising awareness.
6. initiate a resolution of the European Parliament – there are two methods of initiating a resolution – a resolution is practically the most the European Parliament can do.

b. lobbying political groups

This is something that can be done either through political advisors of the groups or by direct lobby to the group leaders. There are already three parties who have or prepare Roma focused strategies (People Party, Socialists and Liberal Democrats) reason why all those groups should in theory be relatively easy targets of lobbying. Within the permanent staff of the political groups are citizens of all the countries of the EU. Those have usually a very limited knowledge on Roma and are therefore very keen on getting as much support as possible on the issues as it helps with their job.

c. lobbying EP committees and subcommittees

The 22 existing Committees of the European Parliament are designed to initiate legislation in collaboration with the European Commission. Committees are made up of Members of the European Parliament (MEPs),

and are lead by a Chairperson and three Vice-Chairpersons who usually reflect the political composition of the European Parliament. Each Committee also has substitute Members.

The main activity of the Committees are the Reports which are compiled by a rapporteur, appointed by the chairman of the Committee, selected from amongst the Members or permanent substitutes. The initiators of such reports are most usually also rapporteurs therefore any lobbying directed towards a report is usually well received by MEPs as published reports gather a significant media attention and strengthens the MEP leverage within the Committee.

The most important committees are: Civil Liberties, Justice and Home Affairs (http://www.europarl.europa.eu/committees/libe_home_en.htm) , Women's Rights and Gender Equality (http://www.europarl.europa.eu/committees/femm_home_en.htm) , Employment and Social Affairs (http://www.europarl.europa.eu/committees/empl_home_en.htm) , Culture and Education (http://www.europarl.europa.eu/committees/cult_home_en.htm) and the subcommittee on Human Rights part of the Committee on Foreign Affairs (http://www.europarl.europa.eu/committees/afet_home_en.htm) . The Committee on Petitions is examined by itself.

In all the above committees there are MEPs interested in the situation of Roma and that can be targeted for raising Roma related issues in the meetings of the committees.

d. lobbying the President of the EP

The President of the European Parliament is in itself an institution and can be lobbied outside the normal EP channels. It is important if possible to have a declaration of the president related to issues of concern as the declaration is made in the name of the European Parliament and is registered as an official document of the European Parliament. Based on such declarations there are many opportunities for lobbying.

e. petitioning the EP

Committee on Petition (PETI) is most probably the most direct link between the EU citizens and the European Parliament. For a full description of activities of the PETI please visit : http://www.europarl.europa.eu/committees/peti_home_en.htm .

COUNCIL OF THE EUROPEAN UNION

The Council of the European Union, or the main decision-making body of the EU. The Council is composed of representatives from member states (usually ministers) who differ for different issues, such as finance, education, telecommunications, and foreign affairs. Representatives on the Council: coordinate broad economic policies of member states; make international agreements with states and NGOs; adopt foreign and security policy established by the European Council; adopt measures for police and judicial cooperation within the EU.

Besides the Resolution Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation (2000) and the European Council Directive 2000/43/EC on Implementing the Principle of Equal Treatment Between Persons Irrespective of Racial or Ethnic Origin which are discussed at large in the previous section the Council of the EU has also adopted the following Roma relevant resolutions:

Resolution No. 89/C 153/02 of the European Union Council on School Provision for Gypsy and Traveller Children (1989) ; Resolution of the Council and the Ministers of Education Meeting within the Council on School Provisions for Children of Occupational Travellers (1989) ; Resolution of the Council and Representa-

tives of Member States; Governments Meeting within the Council on the Response of Educational Systems to the Problems of Racism and Xenophobia (1995).

Lobbying the Council

This can be done mainly through presidents, prime-ministers, ministers of foreign affairs and the ambassadors to the European Union of member states. Council resolutions are a very important tool as the European Commission is obliged to act according to the recommendations. Pressure on having a Roma specific inter ministerial group was intensified during the last period, such a body could prove vital in advancing the Roma related issues within the main decision body of the European Union.

Relevant Roma body of the Council of European Union – the COCEN group

In December 1999 at the Summit of Helsinki, under the impression of the pending eastwards Enlargement of the EU the Finish Presidency put a particular stress on the situation of the Roma. A special working party on Roma issues was established at the Council level, the so-called COCEN Group. The following paragraph was included in the official document:

“The European Council reaffirms the importance of equal enjoyment of human rights by all individuals. Special attention should be paid to the improvement of the situation of those groups which do not form a majority in any State, including the Roma. The European Union is committed to working to achieve this objective together with the Council of Europe and the OSCE.”

The Fundamental Rights Agency – ex-European Monitoring Centre on Racism and Xenophobia (EUMC)

The FRA functions as a monitoring body in the EU member states and has the capacity to provide needed data for monitoring the issues related to Roma as its core is the European Information Network on Racism and Xenophobia (RAXEN). This is designed to collect data and information at national as well as at the European level. This is accomplished via 27 National Focal Points, contracted by the FRA to collect, coordinate and disseminate national and EU information in close cooperation with the FRA.

FRA has published a series of reports very relevant to Roma issues¹⁰ and has been up to this moment the spear head of the European Union in advancing Roma related issues. The chair of FRA is Anastasia Crickley a well known human rights activist with significant knowledge of Roma related issues. Up to this moment the FRA has not appointed a director.

Council of Europe

Transformed into an almost irrelevant player by the European Commission, the Council of Europe is seen by many as a moribund and not a really needed institution by the majority of the stakeholders interviewed. For skeptics it has far too many problems of its own to be a significant player in Roma related problems which are sensitive but not as stringent and visible as other problems of human rights violation especially in member states which are not part of the European Union.

A general opinion was that in a holistic approach the involvement of the Council of Europe could bring unexpected results. The Council has the only dedicated Roma structure of all the intergovernmental structures. The bureaucrats in Strasburg are experienced and dedicated and can provide a very significant resource for improved communication and progress. The Council has developed during the many years it functions very good links with the governments which could be used in advancing Roma issues.

10 http://www.eumc.europa.eu/eumc/index.php?fuseaction=content.dsp_cat_content&catid=1

Relevant to Roma issues are the European Convention on Human Rights (ECHR) and European Social Charter (ESC). A special interest of the Council of Europe in most of the member states with significant Roma population could be related to the ratification of the additional protocol to the ESC which introduces a **System of Collective Complaints. The involvement of Roma NGOs in bringing up complaints could be a good stimulus in advancing the role of the Council. An important tool is also the institution of the Commissioner for Human Rights which has an arguably significant role to play in naming and shaming member states .**

Tools relevant for Roma of the Council of Europe European Social Charter

The mainstream approach of the European Social Charter (ESC) needs to be complemented by targeted initiatives in order to improve its effectiveness and the OSCE Action Plan could do this much more effectively than it did up to this point.

The ESC covers the following points which are to be found in fact in all the main documents focused on Roma Housing, Health, Education, Employment, Legal and Social Protection, Movement of persons, non-discrimination.

The monitoring procedure of the ESC has four parts:

Step 1: The European Commission against Racism and Intolerance (ECRI) compiles member State Reports on the implementation of the Charter.

Lobbying: ECRI is always receptive to input from Roma NGOs . he input can be done directly or through the Roma Division of the Council

Step 2: Comments from social partners and NGOs are received and the European Committee of Social Rights (ECSR) determines whether national law and practice are in conformity with the Charter and adopts conclusions for each State report.

Lobbying: ECSR has some “traditional” NGOs it works with. If the information is dry accurate and relevant there is a good chance input will be first accepted and then seek.

Step 3: The Governmental Committee Representatives of the Member States and Observers representing social partners try to ensure that States adopt measures which to bring existing situation into conformity with the Charter. In case this fails it may invite the Committee of Ministers to adopt a Recommendation for the State in question.

Lobbying: The representatives need to be identified and lobbied. That is usually quite hard both in finding who those representatives are but also in lobbying them as they most often represent governments or are friendly towards the governments. Obtaining an observer status is a long procedure which in my opinion is rarely worth the effort.

Step 4: Committee of Ministers Addresses Recommendations asking States to bring national law and practice into conformity with the Charter.

The Collective Complaints Procedure

Step 1: Complaints of violations of the Charter may be lodged with the European Committee of Social Rights.

Those entitled to lodge complaints:

In the case of all states that have accepted the procedure:

- 1. the ETUC, UNICE, and the IOE;
- 2. non-governmental organisations (NGOs) with participative status with the Council of Europe which are on a list drawn up for this purpose by the Governmental Committee;
- 3. employers’ organisations and trade unions in the country in question.
- In the case of states which have also agreed to this:
- 4. national NGOs.

Step 2: Complaints lodged by trade unions, employers' organisations and NGOs alleging violations of the Charter go to European Committee of Social Rights (ECSR) which decides whether the complaints are admissible and well-founded

Step 3: Committee of Ministers Ensures that States bring situations into conformity with the Charter. If not, it addresses a Recommendation to the State in question.

The involvement of Roma NGOs in the Collective Complaints Procedure, better input in the reports of ECRI (the ECRI members are named by the member states and up to this moment there has been no Roma appointed) as well as obtaining the participative status for Roma NGOs (at this moment there are over 400 NGOs with participative status but only 2 Roma NGOs) in the Council of Europe and in the social observers involved in the discussion around the implementation of the Charter should be adopted as priorities linked to lobbying the Council of Europe. Also lobbying should focus towards governments to encourage the participation of Roma in the European Committee of Social Rights (which is made out of independent experts chosen for a period of 6 years) and the Governmental Committee Representatives.

The Convention for the Protection of Human Rights and Fundamental Freedoms gives the opportunity to individual complaints and the European Court of Human Rights (ECHR) is in charge of addressing the complaints. The decision of the ECHR rules over the decisions of the national courts.

The period is long and the process complicated and besides the European Roma Rights Center there was no Roma NGO capable of taking a case in front on the ECHR.

Framework Convention for the Protection of National Minorities (FCPNM) and the European Charter for Regional or Minority Languages (ECRML)

The Framework Convention is based on the 1192 ECRML and is monitored by the Committee of Ministers, which is assisted by an Advisory Committee of independent experts. The ministers of Foreign Affairs which are in the Committee of Ministers are traditionally reluctant to talk about negative issues related to minorities in their own countries. To have the Committee of Ministers addressing concretely the problems related to the discrimination of Roma is difficult if not impossible as Roma are practically the most discriminated ethnic group in the overwhelming majority of the member states of the Council of Europe. The possibility of having Roma represented in the Committee of Ministers is a very far fetched dream even for the most optimistic Europeans.

It is therefore important to lobby for having Roma represented in the Advisory Committee of Independent Experts which means convincing its member states' diplomacies in supporting such an initiative.

Commissioner for Human Rights

The tasks of the Commissioner are to:

- foster the effective observance of human rights, and assist member states in the implementation of Council of Europe human rights standards;
- promote education and awareness of human rights in Council of Europe member states
- identify possible shortcomings in the law and practice concerning human rights;
- facilitate the activities of national ombudsperson institutions and other human rights structures;
- provide advice and information regarding the protection of human rights across the region.

Especially the task regarding fostering effective observance of human rights in the case of Roma is prone to lobbying as long as it is done in cooperation with other stakeholders and targeting the increase in efficiency and visibility of the Commissioner institution.

Activities of the Commissioner for Human Rights Dialogue with governments and country visits

The Commissioner seeks to engage in permanent dialogue with Council of Europe member states and conducts official country missions for a comprehensive evaluation of the human rights situation. The missions typically include meetings with the highest representatives of government, parliament, the judiciary, as well as leading members of human rights protection institutions and the civil society. The Commissioner's reports contain both an analysis of human rights practices and detailed recommendations about possible ways of improvement. The reports are presented to the Council of Europe's Committee of Ministers and the Parliamentary Assembly. Subsequently they are published and widely circulated in the policy-making and NGO community as well as the media.

A few years after the official visit to a country, the Commissioner or his Office carries out a follow-up visit to assess the progress made in implementing the recommendations. The Commissioner subsequently issues a follow-up report, which is also widely publicised. Last but not least, the Commissioner conducts contact visits to countries or regions in order to strengthen relations with the authorities and to examine one or a number of problem areas, albeit without issuing general reports.

Obviously these visits and dialogues are good opportunities for lobbying.

Thematic recommendations and awareness-raising

The Commissioner for Human Rights is also mandated to provide advice and information on the protection of human rights and the prevention of human rights violations. When the Commissioner considers it appropriate, his Office issues recommendations regarding a specific human rights issue in a single member state (or several). Either on the request of national bodies or on his own initiative, the Commissioner may also give opinions on draft laws and specific practices.

The Commissioner is further mandated to promote awareness of human rights in Council of Europe member states. To this end, the Commissioner's Office organises and co-organises seminars and events on various human rights themes, and seeks to engage in permanent dialogue with governments, civil society organisations and educational institutions in order to improve the public's awareness of Council of Europe human rights standards.

Participation of the Commissioner to events usually brings significant media attention in non- EU member states. Those events have a relatively good potential for advocacy and lobbying mainly related to the presence of mass media.

Promoting the development of national human rights structures

The Commissioner closely cooperates with national Ombudsmen, National Human Rights Institutions and other structures entrusted to protect human rights. The Commissioner also maintains close working relations with the European Union's Ombudsman and organises biennial roundtables with the Ombudsmen and National Human Rights Institutions of Council of Europe member states. In countries where these do not exist or are not fully developed, the Commissioner strongly supports their establishment and effective operation.

The most important partners for the Commissioners are according to the Council of Europe the United Nations and its specialised offices, the European Union, and the OSCE. There has been a series of reports focused on Roma of the ex-Commissioner on Human Rights but most of the recommendations of the reports remain ignored by the member states. The office of the Human Rights Commissioner as is the case with all the other monitoring mechanisms of the Council of Europe fails to employ any Roma.

The Congress of Local and Regional Authorities of Europe

The European Charter of Local Self-Government, one of the Organisation's key achievements, was drawn up in 1985 and is the reference instrument that the Council of Europe uses as its basis in this field. Of the 42 member states that have signed it to date, 41 have ratified it.

The Congress has the task of preparing different types of reports to assess the extent to which the Charter is being implemented: monitoring reports on local democracy, which are drawn up country by country.

The monitoring exercise provides an important basis on which to enter into a constructive political dialogue with the authorities of member states in connection with local and regional democracy issues. This enables the Congress to familiarise governments, parliaments, associations, elected representatives and the media with its main conventions and legal instruments concerning local and regional institutional issues. Numerous legislative reforms have been set in motion by member states in the light of the conclusions in these reports. General reports providing an across-the-board analysis of the application of the European Charter of Local Self-Government in member states and countries applying to join the Council of Europe.

None of these reports had up to this moment a component focused on Roma. There were indeed three recommendations (Recommendation 243/1993, 11/1995, Recommendation 44/1997 "Towards a tolerant Europe") which had mentioned Roma. The monitoring mechanism of the Congress is of utmost relevance for the developments at the local level and should include a Roma component.

One of the priorities of the Congress is the observation of election at the local and regional level which fits well with the activities and experiences developed by the Contact Point on Roma and Sinti from the OSCE.

The Parliamentary Assembly of the Council of Europe (PACE)

The Assembly has been one of the most productive international bodies in producing documents referring to the situation of Roma. A total of 523 documents mentioning Roma have been produced including Reports, Questions, Motions, Communications and Recommendations. Arguably the most significant are the Recommendation on the situation of Roma/Gypsies: 1203/1993, 1557/2002 and the Report "Legal situation of the Roma in Europe" presented by the Committee on Legal Affairs and Human Rights.

A serious problem for PACE is as with the other decision bodies of the Council of Europe the complete absence of Roma involved in its activities thing which could and should be used in future .

Secretary General

The institution of the Secretary General is important due to the fact it designs and implements the working plan of the Council of Europe. For 2006 – 2008 period the Council has five priorities including:

Promoting common fundamental values: human Rights, Rule of law and Democracy

Strengthening the security of European Citizens

Building a more human and inclusive Europe

Fostering cooperation with other international and European Institutions and organisations

All the priorities above are highly relevant for Roma. Roma NGOs could function as partners in providing the Secretary General advice on best ways to develop Roma specific actions meant to reflect the priorities above.

Directorate of Social Cohesion – Roma and travelers Division

The only Roma specialized body of all Intergovernmental Institution has two main priorities:

- a. to ensure Human Rights Protection for Roma
- b. to promote Roma Participation at all levels

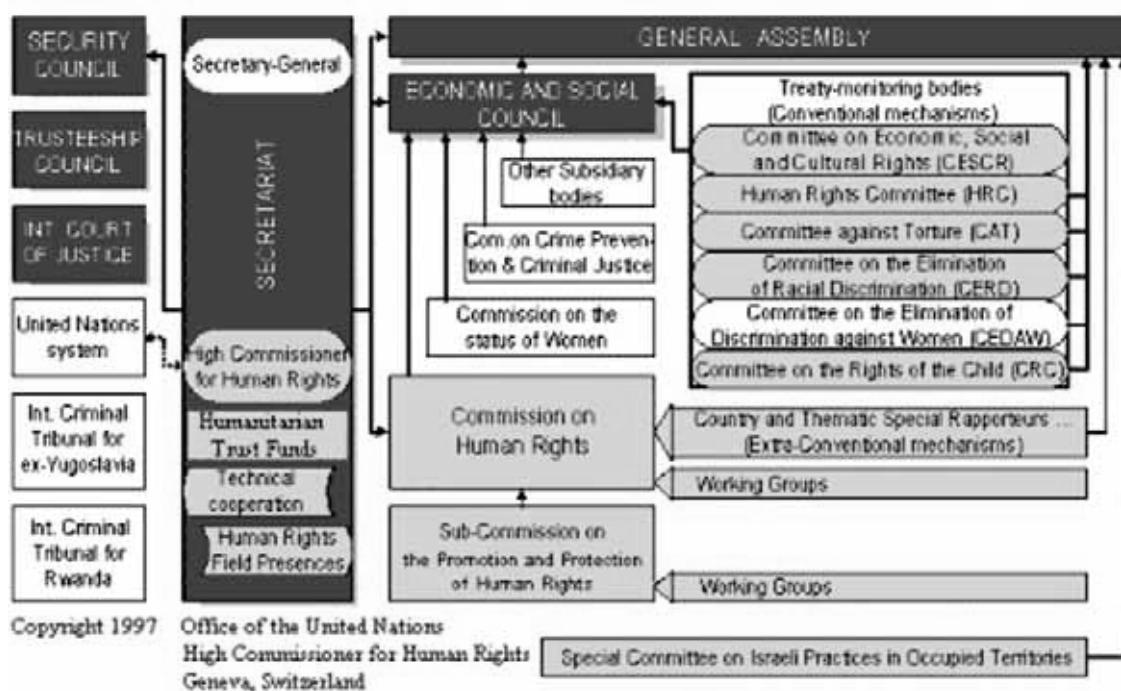
The Roma and Travelers Division (RTD) has a monitoring role of the instruments of the Council of Europe (ESC, FCPNM and the ECRML) and needs to be one of the main partners of the Roma NGOs especially from non-EU countries..

The policy development branch of the RTD is in charge of coordinating the MG-S-ROM which should be better related with the Informal Contact Group on Roma of the Intergovernmental Organisations and together could form a nucleus able to independently monitor the progress in the implementation of different policies and action plans in the member states of both the Council of Europe and the OSCE. Advocacy and lobby towards these bodies can produce significant results in long term.

The United Nations

The United Nations (UN) has created a global structure for protecting human rights, based largely on its Charter, non-binding declarations, legally binding treaties and on various activities aimed at advancing democracy and human rights throughout the world.

The relevant bodies for Roma are the Human Rights focused one and here is a chart of them:



Relevant Roma documents

In 2000 the Committee for the Elimination of Racial Discrimination under the ICERD issued a special recommendation on discrimination against Roma, General Recommendation 27 which has six parts on focused on generalities while the other five can be found exactly in the OSCE Action Plan. Paragraph 48 writes: " *The High Commissioner for Human Rights consider establishing a focal point for Roma issues within the Office of the High Commissioner.*"

This very important document seems to be largely forgotten by both the UN and Roma civil society. The recent reforms within the UN of the last year should be used especially by the non EU countries to restart serious advocacy and lobbying targeting the UN.

The UN legislation has some important references to affirmative action which could be used to fill in the ambiguity of the EU legislation in this matter.

The Human Rights Committee acknowledged that the principle of equality imposes legal obligations on states “to take affirmative action measures in order to diminish or eliminate conditions which cause or help perpetuate discrimination prohibited by the Covenant (International Covenant on Civil and Political Rights).”¹¹

The International Convention for the Elimination of Racial Discrimination (ICERD) sets out that the “States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development [...] of certain racial groups or individuals belonging to them, for the purpose of guaranteeing the full and equal enjoyment of human rights.”(Art. 2 (2), ICERD).

Monitoring Human Rights

The Commission on Human Rights monitors the implementation of the standards it has set. Its two permanent procedures are the 1503 Procedure and the 1235 Procedure; its special procedures include fact-finding missions, thematic mechanisms or mandates and advisory services.

The 1503 Procedure is a confidential procedure named after ECOSCO Resolution 1503 by which it was established. It is activated when the Commission receives a communication about a consistent pattern of gross human rights violations. Violations considered under this procedure include genocide, apartheid, racial or ethnic discrimination, torture, forced mass migrations and mass imprisonment without a trial.

The report of consistent gross human rights violations to the Commission may not be an anonymous one, yet does not require the consent of the state concerned for an investigation to take place. This regulation gives the Commission great leeway in deciding how to best approach a situation. Following its investigation, the Commission then decides what action to take. When a 1503 Procedure has failed to stop a human rights violation it has investigated, the Commission on Human Rights may invoke the 1235 Procedure under which it can hold an annual public debate about the gross violations of human rights in question. If this also fails to adequately affect the situation, the Commission may move to have ECOSOC pass a resolution condemning the violators. This public condemnation tarnishes the reputation of the leaders in the state in question and discredits their legitimacy as political elites.

Among the special procedures available to the Commission on Human Rights, fact-finding missions are a useful tool. In a fact-finding mission, an expert or group of experts studies the human rights situation and looks for violations in a given state with the purpose of gathering information for a 1503 or a 1235 procedure. However, a fact-finding mission may only occur with the consent of the state whose human rights record is being questioned. As of April 2003, 47 countries had extended standing invitations to the Thematic Special Procedures of the United Nations Commission on Human Rights to investigate human rights issues, meaning that the Commission may initiate a fact-finding mission to any one of those countries at any time. For all other nations, the Commission must first seek and gain approval before dispatching its experts to the country.

Another special procedure available to the Commission on Human Rights is a thematic mechanism or mandate. Working groups and/or Special Rapporteurs investigate human rights violations and the problems they have caused on a multi-state level. Recently, there has been an increase in the number of Special Rapporteurs investigating human rights issues. None of those are Roma or Roma experts.

Lastly, the Commission on Human Rights offers advisory services to nations that request it. The Commission provides educational and informational assistance to states in order to help them observe a high level of human rights protection. Additionally, the Commission on Human Rights may request assistance from the

11 Human Rights Committee, General Comment 18, Non-Discrimination , para. 10.

Office of the High Commissioner for Human Rights in the form of seminars, training courses, and clinics as well as advice from experts.

The failure to use such mechanism especially in Kosovo signals in the opinion of the author a grave lack of communication between the Intergovernmental Institutions. Promotion of anti-Gypsyism as a particular form of racism could bring many important institutional links and should be a main lobbying target.

Sub-Commission on the Promotion and Protection of Human Rights

It serves as the main subsidiary body to the Commission on Human Rights.

The Sub-Commission is comprised of 26 member experts acting independently, without affiliation to their state of origin, though they are elected by the Commission proportionally according to geographical population distribution. Presently, there are nine member experts from Europe none of them known by any Roma stakeholder the author talked with. None of the member experts is of Roma origins.

Each member has one alternate; half the members and their alternates are elected every two years and each serves for a term of four years. The Sub-Commission meets for three weeks each year in Geneva; government officials, staff of UN specialized agencies and NGO observers may also attend their meetings. There has never been any Roma involved in the activities of the sub-Commission.

The Sub-Commission's mission is to undertake studies under the guidance of the UDHR and to make recommendations to the Commission on Human Rights concerning the prevention of discrimination of any kind relating to human rights and fundamental freedoms and the protection of racial, national, religious and linguistic minorities. The Sub-Commission also undertakes work assigned to it by the Commission or ECOSOC, and distributes these assignments between its six working groups: the Working Group on Communications (which considers complaints regarding a consistent pattern of gross and verifiable violations of human rights within the scope of communications, together with any existing replies from governments), the Working Group on Contemporary Forms of Slavery, the Working Group on Indigenous Populations, the Working Group on Minorities, the Working Group on Administration of Justice and the Working Group on Transnational Corporations.

Neither the Working Group on Indigenous Populations or the Working Group on Minorities include any Roma. Ensuring the participation of Roma should be a main target of lobbying and advocacy of Roma NGOs.

High Commissioner for Human Rights

The High Commissioner carries out the Secretary-General's "good offices" duties relating to human rights, and is accountable to the Economic and Social Council as well as the Secretary-General. The Commissioner holds the principal position of promoting human rights and dealing with human rights activities in the UN, and must also maintain dialogue with all member states on the subject of human rights. Responsibilities of the High Commissioner include: crisis management; prevention and early warning of abuses; assistance to states in periods of political transition; promotion of substantive rights to governments; and coordination and rationalization of human rights programs.

Despite paragraph 48 of the General Recommendation 27 there yet to see any significant initiative of the High Commissioner focused on Roma.

The Commissioner is assisted by a Deputy to the United Nations High Commissioner for Human Rights, a staff for dealing with substantive issues, and an administrative staff. There is no Roma or Roma expert involved in the office of the High Commissioner. The policies of the High Commissioner are implemented by the Office of the High Commissioner for Human Rights (OHCHR), are "**to protect and promote human rights for all.**" OHCHR fulfills its goals through a variety of activities, including: emphasizing the significance of

human rights globally and locally; providing education and resources regarding human rights; supporting human rights organs and treaty monitoring bodies; and responding to serious human rights violations.

It would seem that the OHCHR could very well complement the many Roma related initiatives of Inter-governmental organisations but there is still no pressure from Roma organization to trigger action from either institutions in this regard.

The UNDP

The UN Millennium Development Goals¹² (UNMDG) are even for the most enthusiastic UN employees too ambitious. As for some of the other players it seems hard for the UNDP to make Roma a priority as long as it can not deal with its own targets.

UNDP communication with Roma communities is something to be desired. As with the World Bank reports the UNDP manages to bring the (same) issues to the attention of governments but does little or nothing concrete to address the problems which were many times before and after rose by the Roma and non Roma NGOs. The UNDP competes on budget or government loans money focused on development and therefore should have a strong interest in being involved in Roma related issues.

The participation of Roma in the UNDP programs have been a long time issues. The UN documents¹³ which talk about active participation of Roma are seen by Roma interviewed as empty rhetoric. Accordingly they were ignored by the UN itself. A positive development was the employment of a Roma for a short term period in Bratislava which led to a slight improvement in communication. Lately UNDP was also advertising internships for Roma in an initiative targeting Slovakia and Hungary.

There is no known strategy of UNDP related to communication with Roma communities or related to the Decade of Roma Inclusion to which meetings they regularly participate. The UN headquarters in Geneva and New York are practically oblivious to the existing Roma related initiative including the Decade of Roma Inclusion and therefore the arguably best and most important chance to build a multilateral diplomatic coalition which could act as pressure tool for is not used.

UN and UNDP should be involved in initiatives to promote Roma issues at the level of national governments as that could lead to developing projects most probably to be financed by the World Bank and managed by the UNDP. The UNDP ambassadors in Decade's countries could be at the forefront of promoting diplomatic and eventually public debate on issues related to the Roma related initiatives.

The UNDP has experience in gathering ethnic segregated data and had some good results in developing monitoring. UNDP expertise and results in collecting ethnic segregated data in the field could be used as reasons for lobbying and advocacy targeting the very complex data collection issue.

OSI – the Decade of Roma Inclusion

Perhaps the most ambitious effort to address the plight of Europe's Roma has been the international initiative called the Decade of Roma Inclusion, which was officially launched in the beginning of 2005. This initiative offers great promise, but thus far, the efforts taken on the national, and Europe-wide level to achieve the Decade's goals have been disappointing.

12 <http://www.un.org/millenniumgoals>

13 <http://www.ergonetwork.org/exclusion.htm>

The Decade as well as the Action Plan of the OSCE are non-binding political documents and have very similar priorities. It is the opinion of the author that the two initiatives need to be linked in order to obtain better (any) results. The OSI could provide the missing bottom up pressure from the grassroots and civil society which up to this moment is largely missing and arguably impossible from the OSCE side.

For many the OSI is the main stakeholder in the Decade, its pressure and financial tool. If indeed a significant part of OSI would be involved in a linked Roma Decade – Action Plan for Roma and Sinti initiative we might see this initiative reaching its objectives at the end of 2015. At this moment there is just a very small fraction of OSI seriously working on the Decade. This is in my view the most serious impediment and best chance in reaching the Decade's potential.

OSI is a large structure in business terms and an enormous one for a non-governmental, human rights focused organisation. The de facto independence of the many OSI initiatives as well as of the National Foundations, the significant number of public personalities, leading intellectuals and successful professionals who are part of OSI structures are all significantly ignored by the awareness raising and lobbying strategy of the Action Plan. In the opinion of those interviewed in Romania the Action Plan would have largely benefit the support of OSI linked public personalities.

The entire responsibility of the Roma Decade stays with the Roma Initiative Office (RIO) which is composed of two people. This office runs an initiative which involved at one moment or the other all the prime ministers of the nine countries participating and hundreds of high level officials from governments and the intergovernmental institutions involved in the Decade. As with the case of the CPRSI this office is understaffed and lacking the back up of a policy team.

The other Roma related initiative of the OSI is the Roma Participation Program that has three people working there including a secretary. The board which assists RIO is composed of four peoples all of them employed full time in very demanding jobs hardly related to the Decade. Three of the four lead other organisations and the fourth is based in New York and supervises many other OSI initiatives.

Research, policy design, inside communication, steering for other OSI initiatives, mainstreaming Roma issues within the OSI, lobbying the governments, building media connections, providing media products, taking part in meetings and negotiations with other actors, building strong connections and motivating usually passive and skeptical Roma communities are only a part of the tasks RIO needs to deal with. Those alone are simply impossible for an office of two people. Despite overall impressive intellectual power the OSI has no think tank which is able to back up the OSI's Decade Interface

There are some very important OSI initiatives and spin offs which should be working very closely not just on the Decade but on the implementation of the Action Plan as for instance the Roma Participation Program, the Roma Education Fund, the Justice Initiative, Media Initiative and International Debate Education Association.

OSI funds or funded almost all relevant Roma and Human Rights NGOs in the Decade's Countries. That alone should hypothetically give a sufficient leverage over those organisations and ensure their active participation in a common initiative.

OSCE

Probably the easiest way to understand the OSCE is the table prepared by Nicolae Gheorghe :

On Organization	Objectives	Approach	Mechanisms	Monitoring Tools
OSCE	Ensures security in OSCE region by reducing ethnic conflict and protecting minority rights.	<p>Monitors rights and protection, fosters development of Roma and Sinti related civil society.</p> <p>Sponsors programs to stop discrimination, racism, and xenophobia.</p>	<p>ODIHR Contact Point for Roma and Sinti Issues (Since 1994)</p> <ul style="list-style-type: none"> • <i>Adviser on Roma and Sinti Issues since 1998</i> • ODIHR projects on Roma and Sinti <p>OSCE Action Plan on Improving the Situation of Roma and Sinti in the OSCE Area (OSCE PC Decision 566/2003, and Maastricht MC Decision 3/03)</p> <p>Supplementary Human Dimension Meetings on Roma and Sinti (since 1999)</p> <p>Debates on Roma during regular HDIM and ODIHR Seminars 1994 – Present</p> <p>High Commissioner for National Minorities</p> <p>OSCE Field Missions</p> <p>OSCE Parliamentary Assembly</p> <p>ODIHR/ Council of Europe /European Comm. Joint Projects on “Roma and Stability Pact in SEE”, 2001 –2003 and 2003-2005</p>	<p>Contact Point for Roma and Sinti Issues prepares reports, creates action plans. Provides technical assistance in elections, human rights monitoring and training, supports Roma involvement in policy making and civil society. Organizes roundtables and conferences on thematic provisions contained in the OSCE Action Plan on Improving the Situation of Roma and Sinti in the OSCE Area</p> <p>High Commissioner for National Minorities Reports on the situation of Roma and Sinti in the OSCE 1993 and 2000</p> <p>OSCE Field Missions</p> <ul style="list-style-type: none"> • Roma consultants in Kosovo, FYROM and in Bosnia and Herzegovina; • Projects on Roma <p>OSCE Parliamentary Assembly Resolution on “Education of Roma Children”, 2002.</p>

The OSCE considers ethnic minority issues as primarily related to security rather than human rights. The establishment of the Contact Point for Roma and Sinti in 1999, and the appointment of Nicolae Gheorghe in the position of Senior Adviser, were very good steps forward, but were far from enough to have the effect needed on the international diplomatic and political scene. His replacement of Nicolae Gheorghe with Andrzej Mirga didn't yet change much as Roma issues remain marginal even within the OSCE. With the establishment of the OSCE High Commissioner on National Minorities, it has even developed a diplomatic instrument for providing early warning for potential conflicts.

Unfortunately, the OSCE does not yet see yet anti-Gypsyism as a possible warning indicator for conflicts, despite the fact that in 2005 it published a report on anti-Gypsyism in the mass media. The OSCE have

failed, so far, to develop a strategy to include the biggest ethnic minority in the OSCE's area in their negotiating corps. These could be adopted as lobbying and advocacy targets towards the OSCE.

For example, in 1993, when negotiating the frictions between Hungary and Slovakia due to discrimination against the Hungarian minority in Slovakia, the High Commissioner decided to send a group of three experts on minority issues to draft recommendations.¹⁴ Despite the fact that the Roma minority is the largest ethnic minority in both Slovakia and Hungary and that a significant number of Hungarian Roma in Slovakia face multiple discrimination, no Roma were involved in the efforts of the OSCE. The Hungarian minority well represented in the negotiations also failed to include any Roma.

Slovakia provides a number of good case studies in terms of the potential destabilising power of ethnic conflict related to Roma. Hate speech in Slovakia regarding ethnic minorities is similar in the case of Hungarians and Roma. However, while the Hungarian minority is well represented in the national parliament and defended by the Hungarian state, the Roma are simply ignored. Surely it could be argued by the Slovak government that Roma are not ignored, as there is a Roma Plenipotentiary in the person of Klara Orgovanova, that much effort is devoted by the relevant ministries to address problems relevant to Roma, that Structural Funds are directed towards these ends, that Slovakia has signed up to the Decade of Roma Inclusion, that the Slovak government represents all its citizens, and that the category of ethnic minority is distinct from national minority. All above arguments can be easily deconstructed.

In an interview, as well as during a speech at a conference organised by Erbert Stiftung Foundation in 2005, Klara Orgovanova complained that her position is a “window dressing position” as she is ignored by the Slovak ministries and has no decision power on budgets. She also argued during the meeting of the Decade’s Steering Committee that “Slovak involvement in the Decade of Roma Inclusion is opportunistic and had meant nothing to the Slovak Roma”. According to Collin Wolfe, the chief of Slovakian and Austrian Division of the Directorate General REGIO during a Seminar of the Roma Diplomacy¹⁵, the Slovak government has very limited interest in using European Structural Funds in Roma communities and often the ministries act as obstacles rather than facilitators

In November 2002, the *Slovak Spectator* published the following quotation by Ján Slota, chairman of the Real Slovak National Party: “Minorities terrorize the majority. Everybody [in the world] is fighting terrorism, but here we don’t know who or what we are fighting”. Slota was reacting to news that his party was to be prosecuted for its pre-election broadcasts that allegedly incited hatred against ethnic minorities. At this moment (July 2006), Ján Slota is part of the Slovak government. He was also quoted by the same newspaper in 1998 saying that the best policy for Roma is “a long whip and a small yard”¹⁶.

The explosive potential of ignored ethnic problems was witnessed in February 2004, when Slovakia deployed the largest army and police force since the Second World War in order to re-establish order after Roma took to the streets to protest cuts in their insignificant social benefits. Ironically, during the crisis Slovak politicians gave themselves a bonus and raised their already generous wages.

These protests were one of the worst social explosions in years in Europe. However, press coverage was limited and the events were largely ignored by EU politicians and international organizations dealing with human rights because this took place just two months before Slovakia was due to enter the EU. Slovakia’s seeming disregard for the Copenhagen criteria that require “stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” (European Commission, 1992) seemed of no

14 Documents/Statements on or of the CSCE High Commissioner on National Minorities (1993), Reference No.251/93/L [I cannot find the in-text footnote for this.]

15 See www.diplomacy.edu/roma

16 According to Radio Rota available at: http://www.dzeno.cz/?r_id=33

concern. No significant position from international institutions against what happened in Slovakia was made public and no diplomatic effort was put into easing the crisis.

Another clear example of the mishandling of minority issues is the case of Macedonia, which has seen a significant increase in inter-ethnic tensions with the inauguration of the Albanian University in December 1994 in Tetovo--a preview of future events that put later Macedonia on the brink of civil war. Some significant factors promote the involvement of Roma in the diplomatic efforts in Macedonia. First, Roma are the third largest ethnic group in Macedonia. Roma are well integrated both in the Albanian and Macedonian ethnic groups and a significant number of Muslim and Christian Roma live in Macedonia. The municipality of Suto Orizari is, in effect, a Romani town. Therefore the administrative autonomy of regions, often the issue of discussions, was of utmost relevance to the Roma. Macedonia was also the most logical target--and the Roma proved to be one of the first groups fleeing conflict from different zones of conflict in ex-Yugoslavia and especially from Kosovo. And, finally, a large number of well educated Roma live in Tetovo, which is also the site of one of the most successful Roma NGOs in Macedonia, Kham. The Polish leader of the OSCE diplomacy at that time in Macedonia, Marek Jeziorsky, completely ignored the possibility of involving Roma in negotiations meant to ease the tensions.

ERRC

The European Roma Rights Centre (ERRC) is an international public interest law organisation engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma. The approach of the ERRC involves, in particular, strategic litigation, international advocacy, research and policy development, and training of Romani activists. The ERRC is a cooperating member of the International Helsinki Federation for Human Rights and has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations.

The ERRC could be lobbied in developing step by step guides on how other Roma NGOs could obtain the same status and lobbying and advocacy techniques for the above mentioned mechanisms.

The ERRC publishes regular reports which could be use as a basis for further common actions on behalf of the Intergovernmental Organisations.

In Romania at the moment of the writing the ERRC has practically no connection with any major Romani organisation due to a questionable management of relationships among the organisations. This in the opinion of the author represents a significant opportunity for targeting the ERRC in Roma NGOs efforts focused on lobbying and advocacy.

There is no argument that the ERRC plays a very important role on the international scene and managed to push Roma issues up on the international and European agenda. There is also no doubt that most of its publications set up the standard for quality reporting and credibility.

World Bank

World Bank is the main partner together with OSI involved in the Decade of Roma Inclusion. The World Bank should have a strong interest in being part of both the Decade of Roma Inclusion and the Implementation of the Action Plan for Roma and Sinti as it is the main bank involved in lending money for issues related to development and poverty. As any bank, the World Bank makes a profit out of this therefore it would seem logical to have a significant and active role to play.

There is practically no mentioning anywhere on the website of the World Bank of the Action Plan and there is no knowledge about it on behalf of the Roma initiative in Washington or at the national bureau in Bucharest. The World Bank is the main specialist in development projects in the World and has an

impressive list of excellent successes and failures of projects very relevant to Roma. There are four publications available on the Roma related website all relevant for the Action Plan. The last report available “Chronic Roma Poverty in Serbia and Montenegro” is very similar with the also very recent UNDP report “At Risk: Roma and the Displaced in Southeast Europe” and presents almost the same numbers. The publication in 2005 “Roma in an Expanding Europe - Breaking the Poverty Cycle” is again almost the same as the UNDP and European Commission reports. Surely this could be seen as shortcomings but also should trigger up to this point missing advocacy and lobby actions on behalf of the Roma NGOs.

There is no Roma involved in any of the structures of the World Bank which is in a strident discrepancy with the participatory discourse of the World Bank and a significant reason for skepticism from the national government and the Roma communities alike.

The Roma Education Fund (REF) was initially seen as an important tool in promoting the Decade of Roma Inclusion but could have also a very important role to play in the implementation of educational related measures for Roma. World Bank is practically in charge of this initiative..

The teams in Washington and Warsaw needs to (re)think and overhaul the way they work on both the Action Plan and the Roma Decade and make sure that their national and regional offices in the do know that this plans and priorities exists.

National Governments

Most of the national governments had already adopted strategies to improve the situation of Roma based on already existing documents. These strategies appear doomed to go nowhere, due to lack of real political will. According to all those interviewed, Roma continue to be seen as a suicidal political issue, and social inclusion policies targeting Roma were and are highly unpopular.

Up to now, the involvement of the governments in implementing Roma focused policies has been limited to protocol and rhetoric. The meetings around the different Roma initiative at the international level proved to be not much more than an excellent excuse for governments to boast about their image and do pretty much nothing concrete, as they boast “new” Roma strategies and “forgot” their almost complete failure in implementing the earlier plans.

There are no national officials specifically assigned to work for instance either on the Decade of Roma Inclusion or on the Action Plan and those who take part in the meetings are medium- and low-level public servants, who do the work practically more or less on a voluntary basis. Their job description does not include any reference to the above mentioned initiatives, and there is no mechanism to monitor and evaluate their activities related to it. There are no governmental structures dedicated to those, nor are their officials who are explicitly in charge of the commitments made by the governments.

This situation leads to a cycle of short abrupt (artificial) hikes in the activity of the governments, followed by long periods of no activity. The Decade’s and HDIM meetings are marked by relatively large gatherings of medium and low level national diplomats, and medium or junior representatives from other stakeholders. In between the conferences there is almost nothing happening at the governmental level.

Any new initiatives are usually dumped on the existing “Roma or Roma responsible structures” within the national governments. These offices receive the new initiatives with caution, as new projects increase their already high workload and decrease the available budgets.

Roma issues and concerns need to be part of a public debate in order to make such initiatives successful. It is significant that there is still no record of any president or prime-minister who has visited a Roma ghetto, and there are no public debates to involve Roma and high level politicians in discussing the prob-

lems raised by existing Roma initiatives. Such actions, which are fundamental for creating media trends that could lead to a change of mainstream attitudes about the Roma, are completely ignored by both the governments(despite a clear focus on mass media of those initiatives) and Roma NGOs.

Successful case-study of lobbying

Roma Diplomacy Conference – hosted by the European Parliament

The highest level conference on Roma – “Roma Diplomacy a challenge for European Institutions”- was based on a project the author designed and lead (see www.diplomacy.edu/roma) which brought together 36 MEPs including the **President of the European Parliament** and the leader of the ELDR, the **Commissioner on Employment and Social Affairs** , 6 heads of Units from the European Commission, 8 ambassadors, the Director of the EUMC (now FRA), the **President of the Conferences of the European Churches**, and UEFA in Brussels along other important stakeholders.

The entire conference sent a very strong signal to the EU institutions and had a serious impact in the future activities of the EU.

Planning in advance was the key of the success. We decided on the date based on the calendar of the European Parliament and the European Commission and fixed it 5 months in advance. We started lobbying the participation of main stakeholders since June 2005 (the conference took place in December).

Lobbying the European Parliament

Based on the principles explained above we managed to ensure the cooperation of a number of MEPs who were and are eager to help and be helped on issues related to Roma. Good relationships were created with the Roma MEPs Livia Jaroka and Victoria Mohacsi and especially with their assistants (David Mark was involved in the Roma Diplomacy project and was the assistant of Victoria Mohacsi). At the beginning of their mandate in 2004 (September and respectively December) we offered both the MEPs our expertise and help in dealing with the Brussels environment. We assisted both MEPs whenever requested and especially we focused on helping their assistants. Important to consider is the fact that Livia Jaroka is of People Party while Victoria is of Liberal Democrats.

Similar contacts were created with other MEPs and probably the most significant was with the office of Jan Marinus Wiersma a Socialist MEP and a vice-president of the Socialists who was for long time at the forefront of EU initiatives focused on Roma. The relationship with his cabinet was strengthened during 2 years before the conference.

Based on their specific interest we contacted a series of other MEPs and will present here three cases. Similar contacts were made with other MEPs.

Maria Carlshamre - ELDR

Based on her intervention during the hearing of the first proposed Italian Commissioner for Justice and Liberties, considering her past as a teacher of philosophy and journalist very much interested in women related issues we approached her with a letter regarding the situation of Romani women. We used a Swedish volunteer to approach her in Swedish and facilitate the first meeting.

The first meeting was focused on things that we know she is interested in and on facts which to stir her obvious journalistic interest. We also prepared an action plan for her which was obviously in her advantage and required minimal work of her staff. Her very influential position in the Women Committee and her good connections with the leader of ELDR were additional strengths we consider worth investing in.

A series of meetings scheduled at regular periods of times helped keeping and improving the relationship with her. We made sure to update her whenever we knew of issues fitting her activities and interests.

Michael Cashman – European Socialists

Michael is one of the most visible and charismatic MEPs in Brussels. An ex-actor from the UK, the most important MEP from the Romanian Delegation, a gay rights activist and a very well connected politician, Michael was an obvious choice for us.

The first meeting followed a speech of Michael during the reception which followed. During the initial brief discussion we establish a next meeting. The meeting was prepared and focused on issues of importance for Michael Cashman.

Our regular briefs and comments on Romania were very much appreciated and helped us in building a solid partnership.

Richard Corbett – European Socialists

The main author of the guide “The European Parliament”, Richard is obvious one of the best experts on the European Parliament. One of the ex-assistants in the Parliament and a very good journalist Richard was one of the main “targets” for us. Through one of the political advisors of the EP we managed to obtain a first meeting with him. Known as a very pragmatic MEP we went prepared with a proposal for a question to the European Commission.

Richard proved in long term to be a very important knowledge resource for the way the Parliament works. Our help with comments on different comments to the European Commission documents relevant to the European Parliament proved to be an important help in developing the relationship.

Through these and other contacts within the European Parliament we managed to ensure the presence of the president of the European Parliament whose speech is an official position of the European Parliament on Roma. The presence of Graham Watson the president of the ELDR was also ensured through these contacts.

Lobbying the European Commission

Commissioner Vladimir Spidla.

To bring the Commissioner to such an event it was something possible only because of a mix of transparency, pressure and lobby.

The cabinet of Vladimir Spidla was from the beginning briefed about everything which we considered of relevance for the Commissioner. Numerous actions meant to increase the pressure on the Commission to react on Roma related issues were always directed towards constructive criticism and we acknowledged always the good things the Commissioner did or said.

We used pressure from the European Parliament following the resolution of the situation of Roma of 28th of April 2005 as a way to encourage the participation of high level people from the European Commission.

Once ensured the participation of the Commissioner it was clear that a number of heads of units from his own Director General would be present and we insisted on speeches from their behalf.

Lobbying other actors

The confirmations of the European Parliament president and of Commissioner Spidla were used to advocate the presence of high level stake holders at the conference.

ANNEX 1

This paper looks at the Lisbon Strategy as presented in the documents published by the European Commission and its 14 indicators and how those relate to the European Roma.

Introduction

The Working Paper published by the European Commission (2nd of February 2005) makes clear that employment is a priority for the new Commission as it writes: "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."

According to the reports of the monitoring bodies of the European Institutions (EUMC and ECRI) as well as the numerous reports of the international organizations (Save the Children, World Bank, Amnesty International, UNDP, OSCE, OSI) from all ethnic groups in Europe, Roma, with a population estimated between 8 to 12 million (including Bulgaria and Romania) is in the worst situation from the "disadvantaged groups".

The very positive steps taken by the European Commission in the past have greatly improved the legal protection against discrimination faced by Roma and helped raising the awareness about Roma issues in Europe.

Unfortunately the focus on employment and employability has been hardly found in the actions taken in the past and the evaluation of the Phare projects of the European Commission discovers the same flaw: "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."

In a letter to Odile Quintin from 03 February 2005 the Coordinator of EQUAL 1 in Germany, Antje Hofert 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".

Germany spent over 628.000 Euros (partially funded from European Social Funds) in one single project on Training for Former Drug Addicts- Café de Ville and over 2.000.000 Euros (over 1.5 million from ESF) in a project focused on employment in the tourism industry.

What follows looks at the Lisbon Strategy indicators and compare them with the situation of Roma.

General economic background

GDP per capita in PPS

There is no data on the Eurostat website based on ethnic groups. However on 2nd of February 2005 the UNDP released a report estimating that between 3 to 5 times more Roma live under the poverty line than the majority population of the countries they live in. Considering the fact that in their majority Roma live in the EU Countries with the lowest GDP it is safe to assume that Roma is the ethnic group with the lowest GDP in Europe.

Labour productivity per person employed

There is also no data looking at productivity based on ethnicity. Considering the very low levels of education and the employment focused in general in the lowest paid manual jobs it is most probably that the employed Roma to have one of the lowest productivities in Europe.

Employment structural indicators

Total employment rate

According to Eurostat the overall employment rate has increased between 1999 and 2003 from 62.5% to 64.4% for the EU15 and from 61.9% to 63% for the EU25. The unemployment in January 2005 was 8.9% in the EU.

According to the Evaluation of Phare programs :“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.”

Situation in Roma ghettos is extreme as described by European Commission against Racism and Intolerance “The unemployment rate among the Roma population is very high, and well above average. In certain disadvantaged Roma districts, it may be up to 90 % or more. The Bulgarian authorities have informed ECRI that Roma have difficulty in finding work because they are poorly educated and do not have sufficient vocational skills. ECRI would, however, draw attention to allegations that certain Roma are refused jobs, even though they have the education required, solely because of their ethnic origin.”

Unemployment in Roma communities is according to most reports at a minimum 70%. The 61 % difference means an estimated population of more than 3.6 million people. With an estimated active population under 320 million (including Romania and Bulgaria) just bringing Roma communities to the level of the other population employment would be an over 1% increase overall in the EU. That alone would be better than what Europe managed between 1999 and 2004.

Employment rate of older workers

One of the worst situations within the Roma communities is that of aged people. With a life span sometimes 12 to 15 years less than the majority population (UNDP report) there is a very small percentage of Roma over 60. As no clear data on the unemployment of Roma based on age groups is available, one can just assume that the proportion of unemployment based on age groups in Europe is the same as in the case of Roma. Even in this very optimistic scenario the percentage will be close to 90%. Most probably the numbers are over 95% in the case of Roma between 55 and 64.

Employment rate for males and females

Multiple discrimination make the situation of Roma women when it comes to employment to be without doubt the most contrasting of all compared to the European statistics. Much slower to adapt to the new economies due to strong exclusion, Roma communities have in general a abysmal rate of unemployment for women. Even the few employed are usually in the lowest paid jobs and do not work full time. According to the Commission Staff Working Paper from 27 of January 2005 (an annex to the Draft Joint Employment Report) the unemployment in the countries with a significant Roma population for Roma is estimated between 70 to 90%. It is realistic to consider the unemployment of women at over 80%. Despite many programs targeting specifically women there is no programme on the ESF website specifically targeting employment for the Roma women.

Inovation and research

Gross domestic expenditure on R&D (GERD)

The percentage of European Union households with Internet access rose from 18% in 2000 to 45.1% in 2003 according to the Eurostat. There are lots of reason for optimism looking at the numbers regarding expendi-

tures in R&D. More computers are bought, more fast internet access and 93% of the schools in EU are connected to the Internet.

The Digital Divide is dramatic if one looks at Roma.

“Roma inhabit approximately 95 percent of the chabolas (makeshift housing and slums) around larger cities in Spain (Congress of Deputies 1999b). Around 80 percent of these houses are smaller than 50 square meters and house more than 4 people.” (World Bank Report 2003)

ECRI reports often underline as it did in 2003 in Slovakia the lack of electricity from Roma ghettos “ECRI is very concerned that the situation as regards housing for many Roma communities remains grave, with large numbers of Roma living in settlements lacking even the basic amenities such as water, sanitation and electricity.”

Most of the schools from Roma ghettos lack also those basic amenities and segregated classes with substandard often make impossible even in schools with access to the IT the access of Roma to those technologies.

Youth education attainment level

The UNDP fact sheet from 2nd of February 2005 shows levels between 4 times to 11 times less for the primary education of Roma in comparison with the majority population.

According to the World Bank Report from 2003 in Bulgaria the ratio is 20 times less when it comes to upper secondary education. Whereas 76.7 % of the EU youngster (under 22) completed upper secondary education the number when it comes to Roma is well under 1%.

Considering the Lisbon target and the existing gap only by halving this gap Europe would well reach its target of 85% of youth completing their upper secondary studies.

Situation of Roma girls is also a reason of worry in many of the European Reports but that hasn't been reflected in the funding or actions taken.

Progress has been achieved towards reaching the objective of 12.5% rate of adult participation in life-long learning in Europe according to Eurostat. Participation rates have seen a steady increase between 2001 and 2003 from 7.9% to 9.3%.

Ethnic data is also missing but the reality is bleak in the case of the Roma adults. With the highest illiteracy from all ethnic groups and the lowest spending per person in education targeting them, the adult life-long learning for Roma is just a utopia at this moment.

Economic reform

Comparative Price Level

Business investment

Europe spent over 4 times more in one project for a business start-up course for a period of 4 months for 15 men and 13 women than it spent according to the Evaluation of Phare Programs in a year in Slovakia or Romania (countries with the largest percentage of Roma population). Around 10.000 Euros per year went into Business Development initiatives focused on Roma.

Social cohesion

At-risk-of-poverty rate after social transfers

In Romania, Bulgaria and Hungary a World bank report writes: “Poverty rates for Roma in all three countries are strikingly high—in all cases several times higher than among non-Roma.”

In the same year 2003, a UNDP report found out that “...one out of every two Roma in the countries surveyed, goes hungry at least a few days every year. One out of six is constantly starving. Health in Roma communities sharply deteriorated in the last decade...the infant mortality is frighteningly high”

The social transfers despite reducing the poverty from 44% to 15 % according to the Eurostat are simply not doing much in the case of Roma. Lack of proper documents is most of the times the main cause in preventing Roma access to social benefits.

Dispersion of regional employment rates

One of the targets in the Social Cohesion strategy is:

Halving by 2010 the number of early school leavers who do not continue with further education.

According to ECRI report in Spain “...school drop-out rates and absenteeism are still very high among Roma/Gypsy children and concern approximately 70% of children over 14 and 90% of girls over 14.”

There is practically no hope that the 10% target by 2010 is going to be reflected in Roma communities but halving the gap should well be one. The actual 18% overall rate in Europe could be reduced with close to 2%, in case Roma would have a “just” 40% of early school leavers.

The objectives include clear targets for the disabled, aged people and women as seen below but yet there are no clear priorities focused on Roma.

Total long-term unemployment rate

The fall of communism in Eastern and Central Europe has dramatically increased the long-term unemployment rate within Roma communities. One of the worst groups affected by the transition to a market economy, Roma, are still struggling in finding employment. As the World Bank discovered a very worrisome phenomenon is the continuous increase of the level of poverty within Roma communities.

There are 3 more indicators related to the environment, which have no relevance to the situation of Roma.

Conclusions

Out of 14 major indicators 10 are of much importance to Roma in Europe. The lack of data and focused reporting is endemic and repeatedly documented (EUMC, ECRI and European Commission Report “Roma in an Enlarged Europe”).

The main priority of the European Commission according to President Barroso’s Communication Paper 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 that is exactly what was missing from the actions of the European Commission in regard to Roma. A clear focus and clear policies able to impact Roma are hard to be found and the results on the ground unfortunately show it.

The acknowledgement of the discrimination and harsh living condition of European Roma is one of the achievements of the programs of the European Commission, Council of Europe, International Organisation and of the work of the European Parliament.

The switch from acknowledgement to concrete actions is still missing. Often Roma are held responsible for their situation and the Draft Joint Employment Report 2004/2005 also recognize 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.”

Lisbon Strategy could very well be the best opportunity Roma had for being included in the European Society. Is the best chance for tackling the social exclusion and having targeted actions meant to reduce the gap between the majorities and the Roma minority.