Implementation of the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area

Status Report 2008

OSCE
ODIHR

Contents

Abbreviations and Acronyms

CoE	Council of Europe
CPRSI	Contact Point for Roma and Sinti Issues
CRE	Commission for Racial Equality (United Kingdom)
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECRI	European Commission against Racism and Intolerance
ECtHR	European Court of Human Rights
ERRC	European Roma Rights Centre
ERTF	European Roma and Travellers Forum
EUMC	European Union Monitoring Centre on Racism and Xenophobia
FCNM	Framework Convention for the Protection of National Minorities
FRA	EU Fundamental Rights Agency
HCNM	OSCE High Commissioner on National Minorities
HDIM	Human Dimension Implementation Meeting
HDS	Human Dimension Seminar
IDP	Internally displaced person
IRU	International Romani Union
MG-S-ROM	Council of Europe Group of Experts on Roma, Gypsies and Travellers
ODIHR	OSCE's Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
OMIK	OSCE Mission in Kosovo
OSI	Open Society Institute
PER	Project on Ethnic Relations
RAE	Roma, Ashkali, and Egyptian
RNC	Roma National Congress
SHDM	Supplementary Human Dimension Meeting
SPMU	OSCE's Strategic Police Matters Unit
UNDP	United Nations Development Programme
UNHCR	United Nations Refugee Agency
UNMIK	United Nations Interim Administration Mission in Kosovo

Foreword

Recent years have seen the resurfacing of centuries-old prejudices and hostilities against Roma and Sinti, who have been negatively portrayed, especially in debates on European enlargement, reform of asylum and immigration laws, and social-welfare systems. Despite some progress in a number of participating States, obstacles and challenges persist. While relations between Roma communities and the police have traditionally been strained, there are an increasing number of reliable reports suggesting that police use disproportionate force and resort to violence that could be qualified as degrading treatment. For many Roma and Sinti, obtaining legal residence with secure living conditions is a prerequisite for the fulfillment of other rights. Without an address, it is often impossible to register for public services or engage in lawful income-generating activities. Problems include: forced evictions, lack of secure land tenure, inadequate alternative housing, lack of civil and voter registration, and the inability of Roma and Sinti children to attend school.

This situation prompted the 56 OSCE states to adopt, in 2003, a comprehensive Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area. This ODIHR report marks an initial effort to provide information and analysis on the state of implementation of the Action Plan. It highlights actions undertaken by participating States and the structures of the OSCE, especially ODIHR's Contact Point for Roma and Sinti Issues, to implement the tasks assigned by the Action Plan. While many governments have succeeded in developing and adopting national strategies for improving the situation of Roma and Sinti, there are substantive shortcomings with regard to their effective implementation, in particular at the local level. One area of particular concern is the absence of institutional mechanisms to provide sustainable support for Roma and Sinti integration programmes. This includes insufficient funding, lack of political will at the national level, and apathy or neglect to implement policies at the municipal or local levels through targeted and coherent programmes.

This status report draws upon participating States' replies to an ODIHR questionnaire reproduced at the end of this document. These replies have shown that governments frequently under-report initiatives and action related to implementation. As a result, the assessment may not fully reflect actual trends in implementation in a given state. Therefore, the report also underscores the importance of periodically reviewing progress made in supporting the objectives laid down in the Action Plan.

In addition, the report seeks to raise awareness of the Action Plan among OSCE states. There are instances where such awareness is lacking, and the Plan's very existence is overlooked by national authorities. In spite of the rather large number of international and national Roma-related initiatives, these have not alleviated, in proportion to the resources invested, the continuing social and economic inequalities, marginalization, racism, and discrimination experienced by Roma and Sinti. The Action Plan should be used fully by states and OSCE institutions and field missions, with which ODIHR enjoys excellent co-operation. The motto "For Roma, with Roma" stands not only for the Action Plan, but it must also guide its implementation at the local, national, and international levels.

The attention that the situation of Roma and Sinti is being given today within the OSCE and beyond would not have been possible without the efforts of many individuals. The particular work of my predecessors as ODIHR Director, Ambassadors Audrey Glover, Gérard Stoudmann, and Christian Strohal, as well as Ambassador Bota Liviu of Romania, former ODIHR Second Deputy Director and Co-ordinator of Roma Contact Point Activities Jacek Paliszewski, and former ODIHR Adviser on Roma and Sinti Issues Nicolae Gheorge should be acknowledged.

It is clear that the improvement of the situation of Roma and Sinti is unfinished business. We all need to do more. Action to combat racism and discrimination against Roma and Sinti must finally become a top priority. The Action Plan provides a clear road map for addressing the significant gaps that continue to divide Roma communities from mainstream society.

Ambassador Janez Lenarčič
ODIHR Director

Executive Summary

As early as 1990, the OSCE (then the Conference for Security and Co-operation in Europe) recognized the specific human-dimension challenges faced by Roma and Sinti communities throughout the region. Since then, Roma and Sinti issues have continued to figure prominently on the OSCE agenda, exemplified by the establishment of the Contact Point for Roma and Sinti Issues (CPRSI) within the Office for Democratic Institutions and Human Rights (ODIHR) in 1994, the creation of the position of adviser on Roma and Sinti issues in 1998, and the adoption of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area in 2003.

The Maastricht Ministerial Council decision to adopt the Action Plan was taken against the backdrop of an increased awareness among participating States of significant disparities between the majority and Roma and Sinti populations in all aspects of life. The Action Plan contains both a diagnosis of the situation and the problems Roma and Sinti encounter, along with recommended measures to address them. The main goal of the Action Plan is to reinforce participating States' efforts aimed at "ensuring that Roma and Sinti people are able to play a full and equal part in … societies, and at eradicating discrimination against them".[1] An anti-discrimination perspective, whether it be direct or indirect discrimination, dominates the document.

This is the first attempt by ODIHR to review participating States' implementation of the Action Plan. The aim is to explore and highlight what has been achieved, where challenges persist in realizing the objectives contained in the Action Plan, and why this is the case. The purpose of this report is not to make new recommendations but to remind participating States that there is much work still to be done. As the report makes clear, the measures and provisions of the Action Plan are more valid than ever, and states need to be more vigorous and proactive in translating it into sustainable policy and practice. Neglecting implementation now will cost more in the future, both in terms of social harmony and finances.

Recent controversies and highly politicized incidents concerning Roma and Sinti, particularly since the most recent EU enlargement, serve as a reminder that, unless participating States meet the commitments they made in the Action Plan and elsewhere, and make meaningful improvements to the situation of these communities, similar incidents will be repeated. Participating States should review their plans and action in light of the report's findings; there are areas of concern that require urgent action and that should be prioritized.

Section 2 of the report represents the main body and consists of analysis and an assessment of states' efforts. It is organized in accordance with the thematic chapters of the Action Plan. Section 3 examines the particular role of ODIHR, as well as other OSCE institutions and field operations, as catalysts and active agents for implementation of the Action Plan, in particular, by providing assistance to the participating States. The report also considers the Action Plan in the context of the existing international policy framework and the work of other international actors.

The assessment and analysis are based on data and input provided by the states themselves; international organizations, including ODIHR; civil society; and academia. This data is often incomplete and has not been systematically collected — a common problem that can hamper effective implementation and evaluation of Roma and Sinti policies — but shows nevertheless that Roma and Sinti communities continue to face disadvantages and discrimination in all areas of life, from access to housing, health, education, and employment, to relations with law-enforcement institutions, including the police.

The report assesses implementation of each area of the Action Plan using the categories of *positive change, visible progress, breakthrough, no change, and negative trend.*

While there are examples where *visible progress* has been achieved, none of the improvements amount to a *breakthrough*. The report also observes a deterioration in certain aspects or dangerous developments in some areas across the OSCE region.

Policy Design and Implementation 'For Roma, with Roma'

Positive change or even *visible progress* has been noted in the area of developing and adopting national strategies for improving the situation of Roma and Sinti. The most important aspect of policy implementation is the

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1   Maastricht Ministerial Council, Decision No. 3/03, "Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area", 1-2 December 2003, <www.osce.org/item/1751.html>.

outcome produced. In this regard, there have been *positive changes* in some areas of government policy and interventions and in some states more than in others. However, the effective implementation of these strategies has only been successful in a few cases. Furthermore, an area of particular concern is the absence of mechanisms to provide and ensure sustainable support for Roma and Sinti integration policies. These include both the financial and institutional aspects of implementation alongside participatory monitoring and independent evaluations.

There is a significant difference between participating States. For instance, there are states with clear mechanisms for financing and well-established institutional structures for the transformation of policies into practice. In contrast, there are others that have created very few effective mechanisms. Implementation is left to civil society or the international donor community.

Combating Racism and Discrimination

Legislation and law enforcement
Positive change has been noted in many participating States in improvements to their anti-discrimination legislation, in many cases due to directives at the EU level. Anti-discrimination bodies have also been set up in some states. However, these provisions are rarely used in relation to Roma and Sinti. This is partly due to prejudice on the part of enforcement authorities, and partly because of a lack of awareness of such mechanisms on the part of Roma and Sinti individuals and a lack of capacity to use them effectively.

Police
Actions and initiatives in relation to the challenges Roma and Sinti encounter in specific areas of concern (like excessive use of force by police or abuse of power) are often piecemeal and limited in scope. Some examples of the persisting challenges that Roma and Sinti face include: extensive racial profiling and criminalization; denial of rights to Roma following arrest or while in custody; failure by police to respond effectively to Roma victims of crime and racist violence; and a lack of means and knowledge for Roma to challenge and obtain redress for police malpractice.

Mass media
In many countries, legislation on the role of public media includes provisions on the requirement to provide minorities with access to public media and/or to provide support for a minority's own media, whether print or electronic. In both areas, some positive change has been noted.

Both public and private media have, however, been slow to change the way they present Roma and Sinti, and there have been mixed trends. Some media are gradually beginning to use more positive and balanced language in stories relating to Roma and Sinti. However, alarmist and stereotyped reporting of Roma and Sinti and disproportionate reactions to some phenomena, like Roma and Sinti migration or single acts of violence by Roma and Sinti, continue in parts of the media spectrum. Such media exploit negative representations of Roma and Sinti and respond to the popular or populist demand among politicians, often from the far right, who campaign against Roma and immigrants in general.

Addressing Socio-economic Issues

Housing and living conditions
The dire housing and living conditions of large numbers of Roma and Sinti remains an urgent problem. Participating States' steps to improve this situation have often been insignificant. Although in some states there has been *positive change* in the form of small-scale upgrading and re-housing projects, this has been overshadowed by the fact that there has been *no change* or *negative trends* elsewhere. There has been an increase in the number of forced evictions and dismantling of informal settlements, often without alternative housing in place even of a temporary nature. Much Roma housing is in severe need of upgrading with a lack of basic amenities.

While many national action plans have been conceived, they have yet to lead to any actual projects in most states. The evident housing crisis of Roma and Sinti in Europe requires clear and coherent policies and measures by states, backed up with adequate financial resources, closely monitored and regularly evaluated.

Health care
According to available data, the widening gap between Roma levels of health and those of the majority population points towards an overall *negative trend*. Health issues are linked with other issues such as discrimination in accessing services and substandard housing conditions. Women and children are particularly affected.

Some *positive change* and *visible progress* has been observed in certain states in terms of health-care provision, where there have been targeted outreach campaigns, socio-medical centres established, and Roma health workers recruited.

Unemployment and economic problems

There has been a *negative trend* with respect to the employment of Roma and Sinti, particularly since the 1990s when many Roma living in formerly communist states lost their jobs in the transition to a market economy. Low education levels are contributing to welfare dependency or reliance on the black or grey economy. Roma have minimal access to state economic-development programmes. Moreover, Roma are underrepresented in decision-making bodies, and therefore their specific employment needs are inadequately addressed. The community is exposed to multiple discrimination, and Roma women and middle-aged Roma in particular suffer from low levels of employment.

States' efforts are scattered, piecemeal, and short-lived. The lack of success in this area increases the danger of further marginalization in society.

Improving Access to Education

Segregation of Roma children in schools, either into special schools for children with learning difficulties or *de facto* segregation that occurs when parents from the majority population move their children from schools with a high level of Roma enrolment, is still apparent in many states.

Positive change and *visible progress* has been seen particularly in efforts by states to enrol Roma children in schools. Efforts to dismantle segregated schooling have also been made. There have been numerous high-quality pilot projects in many countries, often carried out by both NGOs and governments, particularly in kindergartens and in the area of early education. However, these models of good practice and the lessons learned have only rarely been mainstreamed into the education system. Governmental programmes or policies that have been adopted in many states in recent years to address the education of Roma children often rely on small-scale, externally funded projects through NGOs instead of seeking systemic change, with transitional support from bodies like the European Union, to ensure that Roma children's right to education is guaranteed in practice.

Enhancing Participation in Public and Political life

Visible progress has been made in this area, with many states setting up administrative structures to represent Roma in local and national government.

Although some Roma politicians have been elected at the local level through to national parliaments and the European Parliament, Roma and Sinti remain under-represented in elected bodies.

Problems with a lack of identity documents, especially in relation to refugees and internally displaced persons (IDPs), continue to hamper the full participation of many Roma in the electoral process. It is often difficult for Roma and Sinti to attain better representation and substantially increase their presence in public or elected bodies because of widespread discrimination, as well as low levels of education.

Roma and Sinti in Crisis and Post-Crisis Situations

While some *positive change* can be noted in actions taken to improve the situation of the displaced Roma, Ashkali, and Egyptian (RAE) population of Kosovo, for example in improved security and in the return of refugees and IDPs, the pace of the return of their property and rebuilding their original neighbourhoods (*mahalas*) remains very slow. The relocation of several hundred RAE IDPs remains unresolved, after more than seven years of living in camp conditions. Difficult issues stemming from the return of RAE refugees or forced returnees from the EU or other Western countries have still to be resolved. Many RAE from Kosovo who have temporary protection status in other states live in anxiety with the uncertainty of what the future will bring.

Conclusion

Parts of the implementation process have been successful, and many countries have some models of good practice in certain fields. Too often, however, the implementation process suffers from a lack of political will at the national level, and from a failure to implement policies at the local level. Funding levels are often insufficient to support large-scale projects and programmes. This is compounded by a tendency for state actors to attract external funding rather than focus on state-funded, locally owned and integrated programmes that respond effectively to the priority issues facing many in the Roma and Sinti community. Consequently, the many strategies in place are often implemented in an *ad hoc*, symbolic manner, and they have little hope of long-term sustainability. A renewed commitment to the Action Plan in theory and in practice, with participatory involvement of Roma and independent transparent evaluations, must remain a priority.

1.
Introduction

Aims

This report provides an assessment of the implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area[2] by OSCE participating States, and of the input to that process by OSCE institutions and structures, in particular by ODIHR and its Contact Point for Roma and Sinti Issues. It also aims to stimulate further exchanges of information and ideas in the integration of Roma and Sinti, to identify emerging trends and dilemmas with regard to implementation processes, and to help reinforce existing co-operation and partnerships between a variety of actors: state and non-state, Roma and non-Roma.

This report links activities on Roma by many actors throughout Europe, with the hope of contributing to greater mutual understanding, providing a vehicle for discussion and debate, and acting as a catalyst and a source of inspiration for further activities. It reflects agreed OSCE policy, while posing challenging questions on the implementation of the Action Plan. It can act as a resource for all participating States, covering a wide range of Roma issues and programmes.

Background to the Action Plan

Roma and Sinti communities are found throughout the OSCE region, but predominantly in Central and South-Eastern Europe. Largely settled, with small strata of the population that are still travellers, Roma and Sinti are now the largest minority in Europe. Lacking a territory of their own, these communities nevertheless share some common cultural, linguistic, and ethnic ties. Subject to overwhelming discrimination in all spheres of public life, Roma and Sinti have been largely excluded from wider society. Such discrimination is widespread, and it affects the ability of Roma and Sinti populations to gain access to social services on equal terms and to enjoy the same

economic opportunities as others, thereby creating large disparities[3] in comparison with the majority population.

As early as 1990, the "particular problems of Roma" were recognized at the CSCE Copenhagen meeting.[4] Later, a Human Dimension Seminar on Roma and Sinti took place in Warsaw in 1994,[5] followed by the Budapest Summit decision[6] to establish the Contact Point for Roma and Sinti Issues within ODIHR in the same year. The Contact Point became the first-ever office of its kind within an intergovernmental organization.

The 1999 OSCE Istanbul Summit[7] mentioned for the first time the idea of an action plan as a tool to strengthen the Contact Point, later redefined as strengthening its ability to assist OSCE participating States in fulfilling their commitments to improve the situation of Roma and Sinti.[8] There was a long and intense process of elaborating the Action Plan, which engaged many intergovernmental and non-governmental organizations and experts, Roma and Sinti organizations, and participating States. Consequently, the Action Plan has broad ownership, which helps effective co-operation between the various actors. After four years of consultation, the Action Plan was adopted by the Maastricht Ministerial Council of 2003.

The Action Plan is a comprehensive document in which the 56 participating States pledge to take steps to ensure that Roma and Sinti are able to participate in all aspects of public and political life, effectively eradicating discrimination against them. It provides participating States with recommendations and a range of possible measures to be undertaken as a remedy to those challenges. It also underlines the fact that Roma and Sinti themselves

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2   *Ibid.* Under the Action Plan, ODIHR is tasked with reinforcing "the efforts of the participating States and relevant OSCE institutions and structures aimed at ensuring that Roma and Sinti people are able to play a full and equal part in our societies, and at eradicating discrimination against them" (Art. 1).

3   See the statistics in Appendix VIII of this report.

4   Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990, para. 40.

5   See "Consolidated Summary of CSCE Human Dimension Seminar on Roma in the CSCE Region", ODIHR, 1994, <http://www.osce.org/documents/odihr/1994/09/1774_en.pdf>.

6   Budapest Document: Towards a Genuine Partnership in a New Era (Summit of Heads of State or Government), 1994.

7   Istanbul Document, 1999.

8   Bucharest Ministerial Council, Decision No. 7, 2001.

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should be actively involved in any action targeting their communities.

The Action Plan recommends action by participating States and also elaborates on action by OSCE institutions and other structures, in particular ODIHR, the OSCE's high commissioner on national minorities (HCNM), and OSCE field operations.

The Action Plan, like other OSCE commitments, is politically binding on participating States. Therefore, it both benefits and suffers from the strengths and weaknesses of the OSCE framework in its implementation. Existing mechanisms can provide a favourable basis for implementation: OSCE institutions and field operations can be engaged in direct action or assistance to realize the Action Plan's objectives; OSCE human-dimension meetings offer opportunities for non-governmental actors to pressure or challenge participating States' action or inaction. ODIHR can be directly involved and is tasked with facilitating the implementation of the Action Plan. One challenge is that the fulfilment of political commitments depends largely upon the political will of participating States. As this report demonstrates, this is a key factor, and it is sometimes missing in the implementation of the Action Plan at the national and local levels.

Other Policy Frameworks

It is important to note that there are other policy frameworks on Roma and Sinti applicable to the OSCE region, and some aspects of implementation of the Action Plan can be in part attributed to these other frameworks. ODIHR works in co-operation with these mechanisms,[9] and has been an important voice lobbying in support of them, as well as for the Action Plan at the government level.

Within the UN, General Recommendation No. 27 of the Committee on the Elimination of Racial Discrimination on "Discrimination against Roma"[10] sets out a number of measures to be followed by states. The HCNM included a number of recommendations in his reports on the situation of Roma and Sinti, published in 1993[11] and 2000.[12] Within the Council of Europe, the Group of Experts on Roma, Gypsies and Travellers (MG-S-ROM),[13] established in 1995, has issued a series of recommendations addressing particular areas, and it recently produced comprehensive recommendations on Roma policies and strategies.

EU treaties and directives, along with the community's social-inclusion or poverty-reduction strategies, have been conducive to promoting Roma and Sinti integration, even if they do not specifically target Roma.[14] The EU pre-accession (PHARE) and structural funding instruments offered powerful mechanisms for encouraging accession states to put Roma programmes or strategies in place.[15] With the recent rounds of enlargement, the European Union started to focus greater attention on Roma and Sinti. The Copenhagen EU membership criteria of 1993 provided a framework for raising Roma issues in the Commission's reporting on progress made towards meeting the EU accession criteria. Subsequently, the Commission set up an inter-service group[16] and, very recently, the Roma Action Group.

The Decade of Roma Inclusion (2005-2015)[17] is a regional initiative undertaken by the Open Society Institute, the World Bank, and a number of states. It aims to address the socio-economic challenges that impede Roma communities' inclusion in wider society. The priority areas for the Decade are education, health, employment, and housing.

9   Chapter VIII of the Action Plan tasks ODIHR with "closely [co-operating] with international organizations and non-governmental organizations" to "enhance co-operation and co-ordination" and to "avoid duplication of effort". Throughout its work, ODIHR co-operates with intergovernmental and other international organizations working on issues related to Roma and Sinti in order to ensure that their work is mutually reinforcing.

10   General Recommendation No. 27, "Discrimination against Roma", UN, Office of the High Commissioner for Human Rights, 16 August 2000, <http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/11f3d6d 130ab8e09c125694a0054932b?Opendocument>.

11   "Roma (Gypsies) in the CSCE Region: Report of the High Commissioner on National Minorities", HCNM, Meeting of the Committee of Senior Officials, 21-23 September 1993, <http://www.osce. org/documents/hcnm/1993/09/3473_en.pdf>.

12   "Report on the situation of Roma and Sinti in the OSCE Area", HCNM, 2000, <http://www.osce.org/documents/hcnm/ 2000/03/241_en.pdf>.

13   See the website of the Group of Experts on Roma, Gypsies and Travellers at <http://www.coe.int/t/dg3/romatravellers/mgsrom/default_en.asp>.

14   Structural funds are used to support the four pillars of the EU's social-policy strategies, which include: the European Regional Development Fund, the European Social Fund, the European Agricultural Guidance and Guarantee Fund, and the Financial Instrument for Fisheries Guidance. For more information, see <http://ec.europa. eu/regional_policy/funds/prord/sf_en.htm>.

15   "EU support for Roma communities in Central and Eastern Europe", 2002, <http://www.legislationline.org/upload/old/2e18726a03 45b707f8df92c8d0642e94.pdf>.

16   EU Inter-Service Group on Roma, <http://ec.europa.eu/employment_social/fundamental_rights/roma/rabout_en.htm>.

17   See the website of the Decade of Roma Inclusion 2005-2015, <http://www.romadecade.org>.

Since 2003, the OSCE Action Plan has become a point of reference for other organizations and their programmes, and, more specifically, for governmental programmes and policy-making. The Action Plan is referred to in European Parliament resolutions, as well as in European Commission documents. Many scholars have analysed and referred to the Action Plan in their publications.[18]

ODIHR's role has been recognized widely by intergovernmental organizations. As a rule, ODIHR's Contact Point is invited to participate in all major events organized by other organizations and has been granted full or observer status in specific bodies that deal with Roma and Sinti issues, such as the MG-S-ROM, the European Roma and Travellers Forum (ERTF), and the Roma Decade. It has been consulted on many occasions by the European Parliament, the European Council, the EU Fundamental Rights Agency (FRA), and other bodies.

Since the beginning of the 1990s, there has been growing interest in monitoring the Roma and Sinti situation by international treaty bodies mandated with such tasks.[19] The situation of Roma and Sinti has been scrutinized, for example, by the UN Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Committee on Economic, Social and Cultural Rights. Within the European Union, the Advisory Committee on the Framework Convention for the Protection of National Minorities and the FRA regularly assess the situation of Roma and Sinti.

The European Court of Human Rights (ECtHR) in Strasbourg and its rulings represent another important mechanism for ensuring that states comply with the legal provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). The same is true for non-legal monitoring mechanisms within international organizations, including the UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

ECRI,[20] HCNM reports on Roma and Sinti, and reports by the CoE's human rights commissioner.

Methodology

Assessing the implementation of the Action Plan by participating States is more an exercise in analysis than monitoring. The aim is to explore and highlight what has been achieved and where challenges persist in terms of realizing the objectives contained in the Action Plan. In this process, ODIHR and other OSCE institutions and field operations have had a particular role to play, as catalysts and active agents for implementation of the Action Plan, in particular by providing assistance to participating States.

In recent years, there have been many initiatives, conferences, and action plans at the international and national level to promote the integration of Roma and Sinti. This report seeks to distinguish between good intentions and genuine progress. For example, at one end of the scale may be piecemeal, externally funded projects that, while positive, do not reflect a long-term commitment on the part of the state involved. At the other end, sustainable state-funded policies or initiatives are indicative of a state's willingness to produce lasting improvement in the lives of its Roma and Sinti communities. Similarly, legislative changes designed to protect Roma and Sinti or promote their integration, while welcome, may not be sufficient on their own if their provisions are not enforced in practice.

In order to assess the implementation of the Action Plan, this report will make reference to legal, programming, or institutional frameworks, as well as to measures introduced or undertaken by state authorities and realized in policies or projects related to Roma and Sinti. The assessment will also take into account whether Roma and Sinti have been engaged at various levels of policy-making and implementation, whether funds have been secured for the implementation of activities, and whether monitoring and evaluative mechanisms have been established.

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18   See, for example, Peter Vermeersch, *The Romani Movement: Minority Politics and Ethnic Mobilization in Contemporary Central Europe* (Oxford: Berghahn Books, 2006), pp. 184-212; *Roma in Europe: From Social Exclusion to Active Participation* (Berlin: Friedrich Ebert Stiftung, 2005), <http://www.fes.org.mk/pdf/romaineurope_eng.pdf>; Lanna Hollo, "Equality for Roma in Europe: A Roadmap for Action", OSI, 2006, <http://www.soros.org/initiatives/roma/articles_publications/publications/roadmap_20060101/equality_2006.pdf>; Aaron Rhodes and Ann-Sofie Nyman "Protection of the Rights of Roma in the Participating States of the Organization for Security and Co-operation in Europe (OSCE Region)", *Roma Rights Quarterly*, <http://www.errc.org/cikk.php?cikk=2660>.

19   Marcia Rooker, *The International Supervision of Protection of Romani People in Europe* (Nijmegen: Nijmegen University Press, 2002).

20   For more information on the European Commission against Racism and Intolerance, see <http://www.coe.int/T/E/human_rights/Ecri/1-ECRI>.

The following categories were selected to describe and assess[21] actions taken by participating States in implementing the Action Plan:

- *Negative trend*: where some indicators show adverse developments;
- *No change*: this may often be the description used where information is not available or social and economic circumstances require a long period of time for change to occur;
- *Positive change*: where some indicators suggest that change is occurring in some cases, communities, or areas without, however, ensuring systemic change;
- *Visible progress*: refers to a situation in which positive change is leading to a tangible outcome across a given area and, as a result, the action goes beyond a pilot or a micro-scale project;
- *Breakthrough*: occurs when actions or measures being implemented have a systemic or structural character and lead to a new paradigm regarding the situation of Roma and Sinti.

The sources used for the assessment are many and diverse. Since the adoption of the Action Plan, the main forum for reviewing and assessing its implementation has been provided by regular OSCE human-dimension meetings, especially the annual Human Dimension Implementation Meeting (HDIM). ODIHR also sent a questionnaire to participating States to provide comparative information between states on measures taken to implement the Action Plan. An overview of the responses is presented in Appendix VII. An informal briefing session was held for delegations from participating States in April 2007 where feedback on a draft of this report was elicited. This feedback has been incorporated into the current report.[22]

Data Collection

Where possible, the report uses quantitative and qualitative data to measure and compare the level of disparities or gaps between Roma and the majority in some areas. The Contact Point, in its capacity as a clearing-house, actively collects data, reports, and studies on Roma. ODIHR's own reports are used together with information from other international organizations such as the Council of Europe; various UN bodies, especially its treaty bodies; and the European Union. A significant part of the data is provided by civil-society reports, studies, or projects, and, last but not least, research and academic studies. The analysis was done against the background provided by existing — sometimes limited — official statistics, surveys, and studies.[23]

Many states do not compile statistics disaggregated by ethnicity that would provide a benchmark by which to measure progress. Nevertheless, in some areas, some data does exist that can provide a picture of the situation (e.g., in some states on education or housing), and, in these cases, specific targets linked to careful programming is required.

There are both internal and external constraints to overcome in collecting and analysing data. While international organizations are moving closer in agreeing that obstacles to data collection should be removed, there is still controversy as regards anonymous data collection and people's perception of data collection.[24] Anonymity of data can overcome legal constraints on maintaining ethnic data on individuals, while preserving the right of individuals to declare themselves, or not to declare themselves, as Roma or Sinti.[25]

Within Roma and Sinti communities, there is also a hesitancy to support the collection of ethnic data, as such information was used by Nazi Germany to track and send Roma to concentration camps. One report notes that, more recently, ethnic data was allegedly used during the inter-communal fighting in Bosnia.[26]

Despite these constraints, there is a growing stock of data on Roma and Sinti. This is a positive development, reflecting increased interest in Roma and Sinti, as well as a growing demand for reliable data and information on Roma and Sinti. All the available data supports one main finding: that, in general, the social and economic disparities between Roma and the majority population remain

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21 The Decade of Roma Inclusion has developed its own methodology for assessing implementation of Roma-related policies. See "DecadeWatch: Roma Activists Assess the Progress of the Decade of Roma Inclusion, 2005-2006", DecadeWatch, 2007.

22 In total, 29 completed questionnaires were submitted. In addition, five states sent comments on the draft report.

23 "Monitoring the EU Accession Process: Minority Protection", Open Society Institute, 2002; "Roma and Statistics", Project on Ethnic Relations, 2001; also see a variety of publications issued by the FRA, available at <http://eumc.europa.eu/fra/index.php>.

24 "'Ethnic' statistics and data protection in the Council of Europe countries: Study Report", ECRI, October 2007.

25 "Comments of the Government of Germany on the Second Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Germany", CoE, GVT/COM/II(2006)003, 7 February 2007; also see ECRI, *ibid.*

26 Michael J. Jordan, "Statistical Significance", Transitions Online, 5 March 2008, <http://www.tol.cz>.

significant. In some states and in some areas, the disparities are even increasing and measurable improvements are all too rare. This should be of considerable concern to participating States.

The Structure of the Report

The report follows the thematic structure of the Action Plan, quoting key (but not all) of the Action Plan's recommendations in each policy area. After a brief introduction to the problems, current trends and challenges are presented, followed by analysis of the participating States' action in the relevant area. Where relevant, priority areas are highlighted.

The report does not attempt to describe in detail the situation of Roma and Sinti in a particular state or region. Examples are given to illustrate some of the conditions mentioned. These illustrations are unavoidably skewed by the availability of good data and cannot be balanced by examples in each and every OSCE participating State or even in each region.

This report should be regarded as a work-in-progress. It reflects the continuing work being undertaken by many actors to implement the Action Plan, highlights some of the persisting challenges, and draws attention to areas where states are failing to implement the Action Plan.

2.
Implementation of the OSCE Action Plan

I. Policy Design and Implementation 'For Roma, with Roma'

With respect to Roma and Sinti issues, the early to mid-1990s was primarily a time of raising awareness among governments, civil society, and international organizations. In the decade that followed, recommendations, initiatives, programmes, and governmental policies targeting Roma and Sinti communities were developed. In this period, criticism was voiced by many actors of something that could be described as the "inflation" of Roma and Sinti initiatives and recommendations on the part of both international organizations and governments.[27] The lack of a long-term approach by states hindered the implementation of existing policies towards Roma. There was growing frustration that available funds were being misused or redirected away from the most needy Roma beneficiaries. Calls were made for implementation and action, especially at the local level.[28]

Emerging Trends and Challenges

The current period has a focus on implementation. This coincides with the availability of EU policies and financial instruments, which bring new hopes for *breakthroughs* in improving the situation of Roma and Sinti, at least in EU member states and potential applicant states.[29] For the first time, large sums of money are being devoted to the implementation of specific projects.[30] A request formulated recently by civil society[31] and several EU member states to adopt a European strategy on Roma[32] may become a new and promising factor in this process.

> "4. Each national policy or implementation strategy should: (1) respond to the real problems, needs and priorities of Roma and Sinti communities; (2) be comprehensive; (3) introduce a balanced and sustainable approach to combining human rights goals with social policies; and (4) maximize Roma ownership of the policies that affect them. At the same time, national policies or implementation strategies should be adapted and implemented according to the specific needs of Roma and Sinti populations in particular situations in participating States. Implementation strategies should also include mechanisms to ensure that national policies are implemented at the local level."
> — OSCE Action Plan, Chapter II

The extent to which this opportunity will lead to a breakthrough is, however, hard to predict. There are some indications that, even if significant funds are assigned to specific policies, the results may be disappointing due to a lack of interest or political will on the part of local authorities, a wish to get rid of the Roma, mismanagement or misuse of funds, and a lack of capacity — including human and institutional resources — to develop and implement effective projects.[33]

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27 "Romani Politics Present and Future", Project on Ethnic Relations, 2005; also see "Guidelines for a Common Vision", website of the International Conference on the Implementation and Harmonization of National Policies on Roma, Sinti and Travellers, Bucharest, 4-5 May 2006, <http://www.coe.int/t/dg3/romatravellers/documentation/strategies/bucharestconference06_en.asp>.

28 European Parliament resolution on a European strategy on the Roma, 31 January 2008, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0035+0+DOC+XML+V0//EN&language=EN>; European Parliament resolution on the situation of Roma women in the European Union, June 2006, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2006-0244+0+DOC+XML+V0//EN>.

29 "'The only hope for the European Roma is the European Union'", *Equal Voices*, No. 16, 2005, available at <http://fra.europa.eu/fra/index.php?fuseaction=content.dsp_cat_content&catid=42de2076e07d2&contentid=42de226753dd4>.

30 See the 2006 annual report of the Fundación Secretariado Gitano for information about a 50-million-euro project, <http://www.gitanos.org/publicaciones/memoria06English>.

31 "Towards a European Policy on Roma Inclusion", EU Roma Policy Coalition, <http://www.romadecade.org/portal/downloads/News/Towards an EU Roma Policy ERPC - Final.pdf>.

32 European Parliament resolution on a European strategy on the Roma", *op. cit.*, note 28.

33 See the example of Greece and its programme of housing loans for Roma in Section 2, Part III, "Housing and Living Conditions".

Action by Participating States

In comparison with other chapters of the Action Plan, the implementation of this chapter is rather advanced. Most of the participating States[34] have adopted such programmes, some of them much earlier than 2003 (Hungary, the Czech Republic, Slovakia, Romania, and Bulgaria). These programmes or strategies are comprehensive, address multiple areas, and are usually adopted as governmental decrees. In most cases, Roma representatives have been actively engaged in the elaboration process. ODIHR has contributed to the elaboration of national programmes or strategies, e.g., in the former Yugoslav Republic of Macedonia and in Montenegro, and is currently engaged in discussions with some governments on assistance to develop Roma programmes, as is the case with Belarus. Most recently, the Council of Ministers of Bosnia and Herzegovina adopted Roma action plans in the fields of health, housing, and employment, with enforcement mechanisms and budget lines, dated 3 July 2008.[35] A medium-term concept for the development of the Roma national minority in Slovakia was approved by the government in its Resolution No. 183 of 26 March 2008.[36]

Visible progress and *positive change* can therefore be noted in the area of developing and adopting national strategies for improving the situation of Roma and Sinti. However, the effective implementation of these strategies has been successful in far fewer cases. An area of particular concern is the absence of mechanisms to provide and ensure sustainable support for Roma and Sinti integration policies. These include both the financial and institutional aspects of implementation.

Among the states that have made *visible progress* in this regard are Poland, Montenegro, Slovenia, Hungary, and Finland, which have adopted clear mechanisms. For example, Poland decreed that it would spend 100 million zlotys (approximately 30 million euros) on implementation over a 10-year period. With the exception of the first year of financing (2004), all the required funds have been transferred to the Ministry of Internal Affairs and

Administration.[37] In its adopted Roma strategy, the government of Montenegro declared that 0.2 per cent of the annual budget would go towards implementation. The government has kept this promise, and in the budgetary year of 2008, 400,000 euros was earmarked for this purpose.[38] Slovenia adopted a parliamentary act[39] on Roma, making its governmental commitments even stronger. The government is currently elaborating an action plan for putting this legislation into practice.

Hungary[40] has ensured that there have been significant funds for implementing Roma-related programmes. However, most of these programmes are mainstreamed and the targets or beneficiaries are not exclusively Roma, but disadvantaged or needy people. It is therefore difficult to determine from government reports what funds have reached Roma or how many Roma have benefited and how their circumstances have improved. A problem in assessing implementation common to many countries is that official data or collected statistics on socio-economic conditions is not disaggregated by ethnicity. In such cases, it is necessary to rely on surveys or estimates. Finland, on the other hand, through its Advisory Board on Roma Issues, one of the first such consultative bodies in Europe, continues to implement numerous projects targeting the Roma community that are funded by the state budget.[41]

Many states apply this mainstreaming approach to the implementation of programming for Roma, e.g., Bulgaria, Slovakia, and the Czech Republic. Although this approach has some advantages in using existing mechanisms and budgets, it fails to target the specificity of Roma exclusion and the clear evidence that they are often particularly

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34   See Appendix VII, "Replies to the ODIHR Questionnaire from OSCE Participating States (2006)".

35   Information received from Bosnia and Herzegovina in response to an ODIHR request for input on a draft version of this report.

36   Information received from Slovakia in response to an ODIHR request for input on a draft version of this report.

37   See "Programme for the Roma community in Poland", Polish Ministry of Internal Affairs and Administration, Warsaw, 2003, available at <http://www.mswia.gov.pl/wai/en/10/55/Programme_for_the_Roma_community_in_Poland.html>.

38   See "STRATEGIJA za poboljšanje položaja RAE populacije u Crnoj Gori 2008-2012 (politika Vlade prema romskoj manjini)", Montenegrin Ministry of Human and Civil Rights, available at <http://www.gom.cg.yu/files/1195653671.doc>.

39   "Legal Protection of the Roma Ethnic Community in Slovenia", Government of the Republic of Slovenia, Office for National Minorities, <http://www.uvn.gov.si/en/legal_acts/legal_protection_of_the_roma_ethnic_community_in_slovenia>; "Govt Adopts Bill on the Roma", Slovenian Government communication office, Ljubljana, 2006, <http://www.ukom.gov.si/eng/slovenia/publications/slovenia-news/3981/4004>.

40   DecadeWatch, *op. cit.*, note 21.

41   Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

marginalized and discriminated against, and are often among the poorest of the poor in European society.[42]

The institutionalization of policy implementation is another indicator of a state's commitment to dealing with Roma problems. States either adopt the practice of tasking offices that deal with minorities to implement policy or they establish separate offices or structures for this purpose.[43] The critical aspect for either approach is whether there are sufficient human resources, funding, and authority to influence policy-making and programme delivery. This is not always the case.

Priority Areas

States too often develop policy initiatives at the national level, without ensuring commensurate impact at the local level within the targeted communities. Furthermore, policy commitments are not always followed up with the necessary budgetary allocations to ensure their realization. The implementation process often suffers from a lack of political will at the national level, and from apathy or neglect in implementing policies at the municipal or local levels. This scenario is compounded by a tendency for state actors to attract funds from donors for a limited number of projects, while failing to provide their own resources to ensure long-term sustainability.

Some states have created very few effective mechanisms, and implementation is being left to civil society or the donor community.

It would be helpful to have consistent data provided by the participating States on their level of spending to implement Roma-related policies. Potentially much more useful, however, would be to have some substantial economic analysis on the long-term costs and benefits[44] across Europe of the different measures to tackle Roma exclusion, illiteracy, unemployment and under-employment.

42   Information received from the Human Rights Directorate of the Foreign Ministry of Bulgaria in response to an ODIHR request for input on a draft version of this report. Regarding this paragraph, the following comment was made: "In the case of Bulgaria the main-streaming approach to the implementation of programming for Roma, which targets beneficiaries who are not exclusively Roma, but all disadvantaged or needy people, has definitely yielded positive results, while at the same time contributing substantially to reducing possible tensions within society."

43   In Hungary, for example, Roma individuals are placed in various governmental offices as regular employees, apart from the elected body of the Roma minority self-government. See the National Agency for Roma in Romania or the Plenipotentiary for Roma in Slovakia as examples of particular offices dealing with Roma issues.

44   Mihai Surdu, "Desegregating Roma schools: a cost-benefit-analysys [sic]", <http://www.policy.hu/surdu/final policy paper.pdf>.

II. Combating Racism and Discrimination

For many Roma and Sinti communities across the OSCE region, the issue of racism and discrimination continues to be the underlying cause behind their precarious social and economic situation. It hampers their access to employment, education, housing, and health care, as well as their capacity to mobilize and become effective political stakeholders.

Recently, deep-seated expressions of racism have become visible across the OSCE region. This is seen through new forms of hostility, rejection, and hate expressed free-

> "[Recommended action by participating States:] Adopt and implement effective anti-discrimination legislation to combat racial and ethnic discrimination in all fields, including, inter alia, access to housing, citizenship and residence, education, employment, health and social services."
> — **OSCE Action Plan, Chapter III**

ly in many OSCE participating States, including within national parliaments, the European Parliament, and by leaders belonging to extremist political parties. These racist forms of expression have been fuelled by some isolated but disturbing incidents linked to the recent movement of Roma from newly acceded European Union member states, such as Romania and Bulgaria, to older EU members, including Italy and Spain.[45]

Chapter III of the Action Plan, "Combating racism and discrimination", is the longest and addresses the following fields: legislation and law enforcement, police, and mass media. Many recommendations included in this chapter are congruent with general standards of democracy and the rule of law, especially with respect to realizing constitutional principles of equality and non-discrimination. Safeguarding these principles in practice, and in relation to disadvantaged and often excluded minorities, remains a challenge even for democratic states.

Legislation and Law Enforcement

Emerging Trends and Challenges

While *positive change* is evident in improvements in anti-discrimination legislation by many participating States, these changes have not necessarily led to better protection of Roma and Sinti against discrimination in practice.

Even when anti-discrimination provisions are in place, the lack of proper enforcement can render these provisions ineffective for Roma and Sinti communities.[46] This is evidenced by the limited number of cases brought to court or to the attention of anti-discrimination bodies. Sometimes this is due to biased perceptions of Roma and Sinti communities on the part of the justice system, or, on the other hand, due to a low level of awareness among Roma and Sinti of existing anti-discrimination legislation and a lack of readiness and the ability to use it effectively. Therefore, the number of cases or complaints does not reflect the extent of human-rights violations against Roma and Sinti. This is also due to the fact that there are only a few well-prepared Roma and Sinti organizations that can help victims of racism and discrimination to start litigation procedures.

The rulings against states in cases involving Roma and Sinti complainants by the ECtHR are indicative of many problems hitherto hidden in wider Europe. Since the first Roma case was brought in 1996 (*Buckley v. the United Kingdom*, unsuccessful), and especially since 2004, there has been a significant increase in the number of cases brought, and the majority of them have been successful (nearly a dozen up to 2008, the most recent being *Stoica v. Romania*).

Action by Participating States

In the area of legislation and law enforcement, *visible progress* has been made in many participating States. Many EU member states, in accordance with EU directives and the timetable for their incorporation into domestic law, have amended or adopted comprehensive

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45   Recently, the violent murder of an Italian woman in Rome, allegedly by a Romanian Roma, created widespread alarm and prompted the government to introduce an emergency decree that allowed for the removal of EU citizens from Italy who pose a threat to public and national security. The decree has now expired, but widespread intolerance and discrimination, both through the mass media and from the general public, continue towards Roma and Sinti. See "2008 Annual Report for Italy", Amnesty International USA website, <http://www.amnestyusa.org/annualreport.php?id=ar&yr=2008&c=ITA>.

46   See, for example, the case of Roma refused entry to a swimming pool in the former Yugoslav Republic of Macedonia, and attacks against Roma by private security firms in Madrid and Barcelona, Spain. See <http://www.coe.int/t/e/human_rights/minorities>, and click "Advisory Committee country-specific opinions".

anti-discrimination legislation.[47] This trend extends beyond the EU states. At the same time, many states have set up anti-discrimination bodies or councils. The creation of these specialized bodies, or the enlargement of the mandates of existing ones, is still a work in progress but offers an important step in collecting data and in systematically enforcing anti-discrimination laws. Some of these bodies include Roma and Sinti professionals, as in Romania or Bulgaria. In most of these bodies, Roma and Sinti are prioritized as the subject of particular focus and monitoring.[48] In a similar way, other institutions for safeguarding individual rights pay attention to Roma and Sinti, like ombudsman offices, including ombudsmen for national- and ethnic-minority rights.[49]

There have been a few examples of Roma-targeted anti-discrimination campaigns launched in recent years, such as in Spain and Romania.[50] The effectiveness of such action depends largely on whether the campaign is associated with other programmes and policies that lead to a real and observable change in the situation of Roma and Sinti. Otherwise, the unchanged circumstances of Roma and Sinti can cancel out positive efforts to change the image of this group in society, as the prejudice or stereotypes may be confirmed by some aspects of reality. To some extent, the campaign in Spain has been effective, as it has been accompanied by numerous employment

projects that have resulted in job opportunities for many Spanish Roma.[51]

Priority Areas

One lesson from the experience of the UK anti-discrimination body, the Commission for Racial Equality (CRE), is that most victims of racial discrimination do not complain, even if there exist mechanisms for handling such complaints. Therefore, such bodies need to be proactive, both in developing outreach programmes for targeted communities and in conducting investigations themselves. Since 1977, for example, the CRE has conducted over 100 investigations.[52]

ECtHR decisions are central to understanding the failure of national courts to provide justice to Roma and

> The Action Plan recommends the development of "policies:
> (1) to improve relations between Roma and Sinti communities and the police, so as to prevent police abuse and violence against Roma and Sinti people; and (2) to improve trust and confidence in the police among Roma and Sinti people" (Art. 28).
> **— OSCE Action Plan, Chapter III**

Sinti. Clearly, the justice system and jurisprudence need to take on board the lessons originating from ECtHR rulings. The rulings require that policy makers enforce remedies and take measures that would prevent similar violations from happening again. Despite these rulings, there has been no clear or determined action on the part of states to address the problems that formed the basis for the court's rulings against them.

Police

Protection against racial discrimination is a fundamental human right. The police have a duty to protect all members of the public, including Roma and Sinti, against discrimination.

Historically, there have often been tensions between Roma and the police. This is caused, in part, by a lack of mutual understanding and trust, coupled with low levels

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47 "Report on Racism and Xenophobia in the Member States of the EU", FRA, August 2007, <http://fra.europa.eu/fra/material/pub/racism/report_racism_0807_en.pdf>.

48 See the website of Italy's Ufficio Nazionale Antidiscriminazioni Razziali, <http://www.virtualcommunityunar.it>.

49 "Final Statement of the Public Defender of Rights in the Matter of Sterilisations Performed in Contravention of the Law and Proposed Remedial Measures", ombudsman of the Czech Republic, 23 December 2005, <http://www.ochrance.cz/dokumenty/document.php?back=/cinnost/index.php&doc=400>; see the website of Hungary's parliamentary commissioner for the rights of national and ethnic minorities, <http://www.kisebbsegiombudsman.hu/index.php?lang=en>. It is worth noting that the current parliamentary commissioner is the first member of the Roma community ever elected to this position.

50 See the brochure produced by the Fundación Secretariado Gitano on its Roma employment access programme, Acceder, available at <http://www.gitanos.org/publicaciones/folletoacceder/FolletoAccederenglish.pdf>; see "Stop Prejudice against Ethnic Roma", the joint anti-discrimination campaign of the European Commission, the Romanian Government, and the National Agency for Roma, <http://www.sper.org.ro>.

51 The Acceder programme aims to increase job opportunities for Roma in Spain while combating the discrimination they face in society. An awareness-raising campaign was implemented to fight the stereotypes and prejudices affecting the Roma population.

52 Barbara Cohen, "Positive Obligations: Shifting the Burden in Order to Achieve Equality", *Roma Rights Quarterly,* <http://www.errc.org/cikk.php?cikk=2161>.

of participation of Roma and Sinti in the police force. Compounding this is the hostility that often exists towards Roma communities generally in society, including within the police.

Challenges range from problems of police abuse and violence towards Roma, to impunity for perpetrators and a lack of judicial remedies for Roma victims. Some examples of the challenges Roma face include: extensive racial profiling and criminalization; disproportionate exercise of police powers and excessive use of force by police against Roma (including raids on Roma settlements); denial of rights to Roma following arrest or while in custody; failure by police to respond effectively to Roma victims of crime and racist violence; and lack of means and knowledge for Roma to challenge and obtain redress for police malpractice.

Emerging Trends and Challenges

Rough treatment by the police continues to occur in Roma communities throughout Europe, as has also been observed by the CoE's commissioner for human rights.[53] Complaints and situations of unprofessional conduct by police officers are often reported.[54] As a consequence, Roma and Sinti in many countries continue to have little trust in the police and are unwilling to co-operate with them.

Legitimate concerns exist regarding disproportionate exercise of police powers and excessive use of force and

of firearms, including against women and minors. Often, instances of police violence against Roma, including destruction of homes and personal belongings, occurs during raids in Roma settlements, or while executing court orders for forced evictions or issuing arrest warrants.

There have been allegations in some states that, in order to push Roma out of the places where they are located, which are sometimes illegally occupied, their shelters have been burned down by police or other law-enforcement officials.[55]

Roma and Sinti are often subject to racial profiling by police, and are targeted by extensive and inappropriate use of stop-and-search procedures.[56] A number of police officers have cited Roma ethnicity as a reason for stops, primarily because the police perceive Roma as being heavily involved in crime.[57] Crime-victim surveys in Bulgaria show that 75 per cent of the crimes committed against Roma are not reported to the police, whereas unreported crimes against the majority population average 57 per cent.[58] For many of the officers involved in the survey, Roma identity alone was a strong basis for stopping individuals. The unjustified collection of ethnic data by police is also a problem.

Reports produced by various civil-society organizations, both national and international, highlight that there is often a police failure to investigate human-rights violations in a prompt and effective manner. These incidents are often instigated by members of the majority population or by radical groups. Another concern is related to instances of threats by the majority population to expel entire Roma families or communities from their residential location. In such cases, the police are reportedly doing little or nothing to prevent such attitudes or to protect Roma.

Some of the inaction by police and other relevant authorities includes not opening criminal investigations

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53   "'There must be no impunity for police violence'", website of the Council of Europe's commissioner for human rights, <http://www.coe.int/t/commissioner/Viewpoints/071203_en.asp>: "Police brutality is still a grave problem in several European countries. During my missions I have received numerous allegations against the police of unprovoked violence before, during and after arrest. When I have asked the victims why they have not filed complaints, the answer has often been that they feared to be beaten up again. Others, however, have taken their case to the European Court of Human Rights in Strasbourg which this year has passed a great number of judgements against States for excessive or abusive use of force by the police."

54   See the chapter on the Czech Republic in *Amnesty International Report 2007: The State of the World's Human Rights* (London: Amnesty International, 2007), <http://report2007.amnesty.org/document/15>. See the following example: "two municipal policemen were alleged to have detained a young Romani man in Brno, driven him to the outskirts, beaten him, put an unloaded gun in his mouth and pulled the trigger". Also see the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinion on Spain, reporting that existing internal supervision of police is not always effective and would be improved by an independent police complaints department. Also see the Advisory Committee's opinion on Ukraine, noting that the parliamentary ombudsman has received complaints of violence against Roma by law-enforcement officials. The Advisory Committee's opinions can be found at <http://www.coe.int/t/e/human_rights/minorities>.

55   "Local Workers Set Fire to Romani Encampment: Mayor Urged to Undertake Investigation", ERRC, <http://www.errc.org/cikk.php?cikk=2716>; see "Europe: Discrimination against Roma", a media briefing by Amnesty International, 1 February 2005, <http://asia-pacific.amnesty.org/aidoc/ai.nsf/2409a336a83fd4e480256ef400540aa8/80256dd400782b8480256f9b004b1c34!OpenDocument>.

56   *I Can Stop and Search Whoever I Want: Police Stops of Ethnic Minorities in Bulgaria, Hungary and Spain* (New York: Open Society Institute, 2007), <http://www.justiceinitiative.org/db/resource2?res_id=103735>.

57   See *ibid.*, where a Bulgarian police officer is quoted as saying, "You can't really tell who [among the Roma] steals and who doesn't. They almost all do."

58   *Ibid.*, p. 77.

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into reports that Roma are being denied access to shops, restaurants, clubs, and other public spaces.[59]

Police failure to act or refusal to properly investigate crimes against Roma is of particular concern. This failure to adequately address and enforce legal measures from a law-enforcement perspective gives the mistaken impression to society that perpetrators can act against Roma with impunity and can escape justice.

ECtHR judgements[60] indicate that police violence against Roma and Sinti continues, as does the failure of police to investigate criminal acts against these groups. Responsible state authorities and national judicial systems are failing to perform proper investigations in these cases and to punish the perpetrators. Despite a number of judgements against states, there is limited evidence to suggest that such incidents against Roma and Sinti are diminishing.

Action by Participating States

Participating States' actions and initiatives with regard to police relations with Roma and Sinti show that examples of *positive change* exist but that there is no *visible progress* with regard to improvements in this respect. Actions and initiatives in relation to the challenges Roma and Sinti encounter in their dealings with police are often piecemeal and limited in scope.

A number of initiatives have been realized in some states at the national or local level. These projects or programmes have often been carried out in partnership with civil society, particularly in the fields of training, facilitating communication between police and Roma communities, and providing platforms for dialogue and confidence-building.[61]

Most of these national or local initiatives have been carried out in the countries of Central and Eastern Europe, including: in Romania,[62] with the co-operation of the Danish Institute of Human Rights and the Danish Centre for Conflict Resolution; in Slovakia, where there are frequent reports of police violence against Roma, there have been efforts to build bridges between police and Roma groups at the local level; in Bulgaria, where community policing initiatives have been introduced in several Roma areas; in Poland, where there have been initiatives in Lower Silesia and the Malapolska region; and in the Czech Republic, where, for example, initiatives were developed in Brno within the framework of the transnational Roma Rights and Access to Justice in Europe initiative.[63]

In other parts of Europe, there has been much less activity, though there are several examples: an initiative in the United Kingdom, the "Moving Forward" project, which was designed to build co-operation between the police and Gypsy/Traveller communities in the Derbyshire area; in Ireland, where the NGO Pavee Point[64] has co-operated with Ireland's national police service on training and other activities; and in an effort to improve co-operation between police and Roma, the Finnish authorities in 2007 supported the publication of a guide on Roma and encounters with the police.[65]

With ODIHR support, a self-assessment exercise was conducted by the Romanian police on its policies and practices towards the Roma community.[66]

In the former Yugoslav Republic of Macedonia, several actions have been taken by national and local authori-

59   See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinion on Spain at <http://www.coe.int/T/E/human_rights/minorities>.

60   See the following cases at the European Court of Human Rights: *Dzeladinov and Others v. the Former Yugoslav Republic of Macedonia, Stoica v. Romania, Karagiannopoulos v. Greece, Cobzaru v. Romania, Jasar v. the Former Yugoslav Republic of Macedonia, Petropoulou-Tsakiris v. Greece, Secic v. Croatia, Bekos and Koutropoulos v. Greece, Nachova and Others v. Bulgaria, Moldovan and Others v. Romania, Anguelova v. Bulgaria, Velikova v. Bulgaria, Balogh v. Hungary.*

61   Robin Oakley, "Overall Framework Concerning Relations between the Police and Roma, Sinti & Travellers", written for the International Conference on the Implementation and Harmonization of National Policies on Roma, Sinti and Travellers, Bucharest, 4-5 May 2006, <http://www.coe.int/t/dg3/romatravellers/documentation/strategies/BucharestOakley0506_en.asp>.

62   "Report on Regional Workshop on Policing Minorities, Human Rights and Conflict Management for Roma Liaison Police Officers", Danish Centre for Conflict Resolution, 2004.

63   "Promoting Roma Integration at the Local Level: Practical guidance for NGOs and public authorities", European Dialogue, <http://www.europeandialogue.org/pdfs/RrAJE_Manual.pdf>.

64   See the website of the Pavee Point Travellers Centre, <http://www.paveepoint.ie>.

65   Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

66   The initiative was part of the ODIHR project "Police and Roma: toward safety in multi-ethnic communities", within the framework of a memorandum of co-operation signed between ODIHR and Romania's Interior Ministry, and based on recommendations outlined in the Action Plan and "Recommendations on Policing in Multi-Ethnic Societies", HCNM, February 2006, <http://www.osce.org/documents/hcnm/2006/02/17982_en.pdf>.

ties to implement the Action Plan's recommendations.[67] The Interior Ministry has included in the National Community Policing Programme specific practices, such as citizens advisory groups, aimed at enhancing Roma communities' trust and confidence in the police. This, in turn, encourages an effective police response to Roma groups' concerns and helps prevent human-rights abuses by police against Roma. In the Roma municipality of Shuto Orizari, a new police office was opened in February 2007. Staffed with an ethnically mixed police force, this has proved valuable in bringing the police closer to this community.

Efforts to encourage young Roma and Sinti individuals to join the police force have been undertaken in several states. To facilitate this, special places have been provided for Roma to attend police academies and schools (e.g., in the former Yugoslav Republic of Macedonia, Romania, Hungary, and Bulgaria). An international organization, called the Fraternal Association of European Roma Law Enforcement Officers, was launched in November 2006, as a Hungarian-led initiative.[68]

In Germany, the proscription of the inclusion in police reports of the terms "Roma" or "Sinti" is designed to protect against the unjustified collection of ethnic data by law-enforcement officials, although care must be taken to ensure that these banned terms are not simply substituted with euphemisms.[69]

Of particular relevance for all initiatives related to improving relations between police and Roma and Sinti communities are the "Recommendations on Policing in Multi-ethnic Societies" of the OSCE's high commissioner on national minorities.[70] These recommendations offer a detailed roadmap for building trust and confidence between the police service and people belonging to national minorities, including Roma and Sinti.

The OSCE's Strategic Police Matters Unit (SPMU) has produced a *Guidebook on Democratic Policing*, along with other materials relevant to Roma and Sinti, which have proved to be useful tools in addressing relations between police and Roma.[71] The SPMU assisted the OSCE Spillover Monitor Mission to Skopje[72] in organizing a two-day regional workshop on policing in Roma and Sinti communities, gathering officials from the host country, Romania, as well as from Albania, Bosnia and Herzegovina, Croatia, Montenegro, and Serbia; experts from OSCE field missions, including the OSCE Mission in Kosovo; and representatives of ODIHR. The event provided an opportunity to assess progress made in implementing the police-and-Roma-related provisions of the Action Plan, as well as to share best practices of policing in Roma and Sinti communities. In 2007, in Skopje, the SPMU organized a regional police experts meeting on community policing, during which Roma-related issues were discussed.

Activities were also undertaken through projects in Serbia. For instance, the OSCE Mission to Serbia has assigned a focal point who is responsible for Roma and Sinti affairs within its Prevention and Community Policing Department.[73]

Priority Areas

It is essential that issues related to policing in Roma communities not be addressed in a vacuum, but rather be viewed as integral elements of strategies for Roma and Sinti integration and, where necessary, linked to strategies for more general police reform. This rights-based approach should also draw on the good practical experience gained through national and local initiatives that have been piloted by professionals in the police services.

The police should ensure that their own institutional operations are a model of good practice, and include the effective participation of Roma.

67 For instance, the OSCE Spillover Monitor Mission to Skopje, through its Police Development Department and in co-operation with country's authorities, has undertaken projects to improve relations between police and Roma, including training for police officers on Roma culture and traditions aimed at countering prejudices and negative stereotypes against Roma.

68 "Putting Equality into Practice: What role for positive action?", European Commission, 2007, <http://ec.europa.eu/employment_social/fundamental_rights/pdf/pubst/broch/thembroch07_en.pdf>.

69 See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinion on Germany, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_Germany_en.pdf>.

70 "Recommendations on Policing in Multi-Ethnic Societies", HCNM, *op. cit.*, note 66.

71 *Guidebook on Democratic Policing* (Vienna: OSCE, 2008), <http://www.osce.org/spmu/item_11_23086.html>.

72 See the page on "Police development" on the website of the OSCE Spillover Monitor Mission to Skopje, <http://www.osce.org/skopje/13162.html>.

73 See the page on "Law enforcement" on the website of the OSCE Mission to Serbia, <http://www.osce.org/serbia/13164.html>.

Recommendations from the report of ODIHR's field visit to Romania could be of added value in the work of police and law-enforcement institutions in other states.[74]

States should also take a lessons-learned approach to ECtHR judgements and implement specific and practical initiatives to address existing problems raised in the rulings of the ECtHR. In addition, ECtHR rulings should be more extensively used to build the capacity of national courts and judges in an effort to prevent further violations. Specialized workshops with judges, prosecutors, and law-enforcement institutions could serve the purpose of diligently analysing such judgements, identifying shortcomings within the police and judicial system, and establishing a clearer course of action to overcome these challenges.

Mass Media

Good journalism that follows a code of ethics for reporting news stories involving Roma can alter the public perception of Roma communities. The mass media have a responsibility, as well as an interest in maintaining their own credibility, to report as fairly and accurately as possible, and not to cling to convenient stereotypes that distort reality.

Emerging Trends and Challenges

There have been a number of themes in the various ways in which Roma have been portrayed in the mass media over the last decade. This includes representing Roma as a threat, as instigators of violence and social unrest, as nomadic and migrants, as criminals, and as relying on and exploiting multiple forms of welfare.[75] Very often, the media portray deviance and violence as inherent to the Roma community's internal affairs. News of domestic violence and family feuds often disproportionately fill the pages of newspapers in some states.[76]

There is much evidence[77] that it is easy to perpetuate and exploit negative representations of Roma and Sinti in the media, with such reporting often going unchallenged. Examples of this type of reporting include disproportionate reactions in the media to Roma and Sinti migration or single acts of violence by Roma and Sinti individuals. It also indicates that there is a willing audience in the rest of society for such media reactions.

There is evidence of *negative trends* in some states, where far from working against negative and stereotyped media portrayals of Roma and Sinti, governments actually appear to be influenced by negative media coverage of Roma and Sinti. For example, the Roma became a target of media hostility as a response to popular fears against alleged mass Roma immigration to the United Kingdom following EU enlargement in 2004 and 2007.[78] The populist press appears to have contributed to putting the issue of immigration of Eastern European Roma on the government's agenda. The Roma were presented as a collective undesirable invading the country *en masse* to claim social support. This was achieved by implying that direct statements from members of the Roma commu-

> "[Recommended action by participating States:] Encourage the media to show positive aspects and present a balanced portrayal of Roma life, refrain from stereotyping Roma and Sinti people and avoid inciting tension between various ethnic groups."
> — OSCE Action Plan, Chapter III

nity expressed collective intentions. *The Sun*, *The Sunday Times*, *The Daily Express*, and *The Daily Mail* made use of such a strategy in large headlines accompanied by lurid photographs.[79]

Low morality and neglected parental duties have been associated with Roma, with the suggestion that Roma force their children to steal from tourists. Another common stereotype, that Roma steal children, has been sensationalized by the media, as was the case in Italy in February 2005 when several begging Roma women were accused of kidnapping children. This provoked a public outcry, supported by state and legal authorities and pop-

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74 "Field Visit on Police and Roma relations", ODIHR, 12-15 November 2007, <http://www.osce.org/documents/odihr/2008/02/29832_en.pdf>.

75 Rachel Moriss, "Gypsies, Travellers and the Media: Press regulation and racism in UK", *Communications Law*, Vol. 5, No. 6, 2000, <http://www.media-diversity.org/PDFS/Tolleys.pdf>.

76 A typical example of exaggerated reporting is provided by Romanian Realitatea TV, where physical violence in a Roma neighbourhood, characterized as "domestic violence" and "a violent scandal", was reported in more than one news bulletin in December 2004 when in fact the event was a loud domestic argument.

77 See ECRI's country reports, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-Country-by-country_approach>.

78 Laura Morosanu, "Back to Europe? Framing Romania's Accession to the European Union in the United Kingdom", <http://www.migrationonline.cz/e-library/?x=2040308>.

79 Karin Waringo, "Who is Afraid of Migrating Roma?", <http://www.eumap.org/journal/features/2004/migration/pt2/whoafraid>.

ularized by the media in stories that called for Roma from Lombardia to be expelled.[80]

There has always been fertile ground for hostile anti-Roma attitudes and feelings. Instances like those mentioned above or tragic incidents such as the murder of an Italian woman in Rome by a Romanian Roma man in October 2007 sparked a hostile media and political campaign against Roma in general, and Romanian Roma in particular. This culminated in a now defunct emergency decree to expel EU citizens on security grounds. Italy's media coverage in the wake of the murder and its impact on the authorities and law-makers demonstrates the media's power. It was also illustrative of a deterioration in public discourse. What would once have been considered a racist statement became publicly acceptable after this tragic incident. Often, the public statements of politicians sustain this kind of racist discourse in the media, which in turn can contribute to a rise in hate-motivated violence.[81]

Action by Participating States

In many countries, legislation on the role of public media includes provisions on the requirement to provide minorities with access to public media and/or to provide support for a minority's own media, whether print or electronic. In both areas, some positive change has been noted.

There are now more Roma in the media either as interlocutors to voice Roma and Sinti views or as hosts of their own television or radio programmes, sometimes in two languages or in Romani. There are an increasing number of Roma and Sinti radio stations (Budapest, Stockholm), including an Internet-based radio station broadcasting in Romani, Czech, and English.[82] In most states, governments support print media for Roma and Sinti. Some organizations in Central Europe also run training programmes for Roma journalists through the INTRINSIC

project and co-operate with other Roma press centres in the region (Czech Republic, Slovakia, and Hungary).[83]

Media campaigns against racism, with a focus on Roma, have been implemented in several countries by state institutions or international organizations.[84] The anti-discrimination council in Romania ran a campaign called "Racism spoils the game. Violence destroys lives".[85] Under the Council of Europe's "All Different – All Equal" campaign, activities were carried out in Bulgaria.[86] Although a variety of events were organized within the framework of the European Year of Equal Opportunities for All,[87] there was not a particularly strong focus on Roma.

In some states, public and private media are slowly changing the way they present Roma and Sinti, starting from using terms that Roma and Sinti want to be used to describe themselves and avoiding labelling them as "Gypsies" or attaching negative tags.[88] They are taking more care to remove biased representations or generalizations that portray the "Gypsies" as a collective protagonist.

Priority Areas

Although there are examples of media outlets that set high standards in reporting, biased and discriminatory reporting on Roma and Sinti persist. Strong political leadership at the highest level is needed to help reverse the negative trends in parts of the mass media, to speak out against those who use the media to incite ethnic hatred, and to encourage balanced portrayals of Roma and Sinti. In some states, this has clearly been lacking.

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80   See the document prepared by Henry Scicluna, Council of Europe co-ordinator for activities concerning Roma and Travellers, presented at the OSCE's Human Dimension Implementation Meeting in 2006, <http://www.osce.org/documents/odihr/2006/10/21509_en.pdf>.

81   See *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report for 2006* (Warsaw: ODIHR, 2007).

82   See the website of Radio Rota, <http://www.dzeno.cz/?r_id=33>.

83   See the website of the Dzeno Association, <http://www.dzeno.cz>.

84   See the Council of Europe's DOSTA! campaign, <http://www.dosta.org>.

85   "Racism spoils the game. Violence destroy lives", campaign by Romania's National Council for Combating Discrimination, 2007, <http://www.cncd.org.ro/programe/Programe-finalizate/Campania-Rasismul-strica-jocul-Violenta-distruge-vieti-3>.

86   See, for example, "Roma inclusion can stop trafficking of Roma children", 2007, <http://alldifferent-allequal.info/system/files/Roma+Trafficking+in+Bulgaria.doc>.

87   "2007 – European Year of Equal Opportunities for All", European Commission, <http://ec.europa.eu/employment_social/eyeq/index.cfm?cat_id=EY>.

88   For examples of good practice, see *The New York Times, International Herald Tribune, The Economist,* and *Gazeta Wyborcza.*

III. Housing and Living Conditions

Housing and living conditions are the most visible indicators of the social and economic position of an individual family or social group. A considerable number of Roma and Sinti communities throughout Europe, some established decades ago, live in substandard conditions in informal settlements or impoverished residential areas.

These settlements are often in marginalized areas, on the outskirts of urban centres, near industrial areas, or next to waste-disposal sites. They usually lack access to basic infrastructure such as drinking water, sewerage, electricity, main roads or public transportation, and medical services.[89] The difference in living conditions and the social divide between these informal settlements and mainstream society is strikingly large.

Another common type of Roma housing consists of blocks of buildings in compact areas that form rundown neighbourhoods that again lack or have limited access to electricity, running water, gas, sewerage, and sanitation services. Migration from rural and underdeveloped regions to urban areas is one of the contributing factors to the formation of such ghetto-like neighbourhoods. These areas, often inhabited by Roma for generations, are generally neglected by local authorities.[90]

Roma are often unable to access social or alternative housing schemes for a variety of reasons, including age, the absence of a vocational qualification or unemployment status, the absence or low level of education, and a lack of identity papers.[91]

Emerging Trends and Challenges

Participating States' action to improve the housing and living conditions of Roma and Sinti has been generally insignificant. There have been some indications of positive change in several countries, but these are overshadowed by the absence of change or negative trends elsewhere. While many action plans have been conceived, most have yet to lead to specific projects.

Over the last few years, there has been a steadily rising

> "[Recommended action by participating States:] 43. Put in place mechanisms and institutional procedures to clarify property rights, resolve questions of ownership and regularize the legal status of Roma and Sinti people living in circumstances of unsettled legality (e.g., Roma neighbourhoods lacking land rights or which are not included in the urban plans of the main locality; families and houses without legal residence status in settlements where the people have been living de facto for decades)."
> — **OSCE Action Plan, Chapter IV**

trend in some countries of forced evictions and dismantling of informal settlements of Roma.[92] Illegal evictions, or so-called sweep operations, have also been reported.[93] Examples from different countries suggest that the housing situation of Roma, instead of improving, is declining[94]

89   See, for example, the Council of Europe's Framework Convention Advisory Committee's country-specific opinions on the former Yugoslav Republic of Macedonia, available at <http://www.coe.int/t/e/human_rights/minorities>.

90   "Final Report by Mr Alvaro Gil-Robles, Commissioner for Human Rights, on the Human Rights Situation of the Roma, Sinti and Travellers in Europe", Council of Europe, Strasbourg, 15 February 2006, <https://wcd.coe.int/com.instranet.InstraServlet?command= com.instranet.CmdBlobGet&InstranetImage=320815&SecMode=1 &DocId=941416&Usage=2#_Toc97350118>.

91   See, for example, Romania's criteria for its youth housing scheme, <http://www.primariaclujnapoca.ro/phcl/12-9-2006/18.aspx> (in Romanian).

92   "Conclusions and Recommendations from the Side Event on Forced Evictions of Roma in Europe", OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding, Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance, Bucharest, 7-8 June 2007, <http://www.osce.org/documents/cio/2007/06/24986_en.pdf>. Also see the CoE's Framework Convention Advisory Committee's country reports on Turkey, available at <http://www.coe.int/t/e/human_rights/ecri>.

93   "Roma Community Legally Challenges the Urban Renovation Project in Sulukule", ERRC, December 2007, <http://www.errc.org/cikk.php?cikk=2936&archiv=1>; "Greece: Continuing Widespread Violation of Roma Housing Rights", Greek Helsinki Monitor, October 2006, <http://www.cohre.org/store/attachments/greece_roma_report_october_2006 GHM %2B COHRE.doc>.

94   "Submission to the United Nations Human Rights Committee Concerning Implementation of the International Covenant on Civil and Political Rights (ICCPR) in the Czech Republic", Centre on Housing Rights and Evictions, ERRC, Peacework Development Fund, Life Together, <http://www.errc.org/db/02/88/m00000288.pdf>; "Public Letter from Roma and pro-Roma activists and NGOs against forced eviction of Roma", Institute of Roma Public Policy, Milan Simecka Foundation, Centre on Housing Rights and Evictions, ERRC, Bratislava, 19 September 2007, <http://www.errc.org/db/02/81/m00000281.pdf>; see the letter of 11 February 2005 from the ERRC to Ms. Rita Barberá, the mayor of Valencia, Spain, <http://www.errc.org/db/01/39/m00000139.doc>; "Human Rights Organisations Welcome Call on Governments to End Housing Crisis of Roma in Europe: Serious Abuses in Need of Rigorous Response", ERRC, 29 October 2007, <http://www.errc.org/cikk.php?cikk=2864&archiv=1>.

(e.g. Greece, the Czech Republic, Slovakia, Bulgaria, Romania, the Russian Federation, Spain, Turkey, the United Kingdom).[95] Roma are being pushed to the margins of society, which leads to residential segregation.

Forced evictions conducted by police, based on court decisions, often result in an excessive use of force, violence, and racist language. The CoE's commissioner for human rights has expressed concerns regarding the situation of forcibly evicted Roma in Europe.[96]

There have been allegations in some states that, in order to push Roma out of the places where they are located, which are sometimes illegally occupied, their shelters have been burned down by police or other law-enforcement officials and local workers.[97]

Evictions often occur without alternative housing solutions in place, even of a temporary nature. The evicted Roma community can be left without shelter or support, including in sub-zero temperatures. In such crisis conditions, Roma women and children may be at risk of being trafficked or otherwise exploited.

Also of concern is the repeated occurrence of devastating accidental fires within Roma accommodation, often caused by the use of improvised electric and heating devices. Dozens of people die every year from such accidents, many of them children.[98]

There is an evident lack of will on the part of local authorities to include informal settlements in urban upgrading plans. Due to urban developments, many of the lands occupied by informal Roma settlements are planned for modern residential complexes by developers. Therefore, the demands of the housing market suggest that those Roma living in these informal settlements will be evicted.

For example, throughout 2007, a number of international agencies attempted unsuccessfully to stop[99] the destruction of houses in Sulukule,[100] a Roma neighbourhood in Istanbul dating from the 11th century. Slated for urban renewal, houses were destroyed throughout 2007 and into 2008. Sulukule is one of a number of Roma neighbourhoods in Istanbul destroyed in recent years. However, the relevant municipal authorities in Istanbul contest these reports by pointing out that reconstruction and demolition works are being carried out upon the

95   One of the leading international human-rights organizations campaigning for the protection of housing rights and the prevention of forced evictions is the Geneva-based Centre on Housing Rights and Evictions. Besides its global surveys, projects, and campaigns, the centre issues an annual Housing Rights Violator award. As regards the housing situation of Roma in Europe, recipients of this award include Greece (2006) and Slovakia (2007).

96   "'Forced eviction of Roma families must stop'", website of the Council of Europe's commissioner for human rights, <http://www.coe.int/t/commissioner/Viewpoints/060904_en.asp>: "In recent months a number of Roma families in several European countries have been evicted from their homes by force. The tenants were not given adequate notice or offered a real alternative. It is clear that several of these evictions violated European and international human rights standards". The commissioner also observes that the fact that "abusive decisions are sometimes taken at the local level does not absolve central government from responsibility under its international obligations".

97   "Local Workers Set Fire to Romani Encampment: Mayor Urged to Undertake Investigation", ERRC, Budapest, January 2007, <http://www.errc.org/cikk.php?cikk=2716>; Amnesty International media briefing, *op. cit.*, note 55.

98   "Două fetițe din Cluj au ars de vii într-un incendiu", website of Pro TV, 20 January 2008, <http://www.protv.ro/stiri/eveniment/doua-fetite-din-cluj-au-ars-de-vii-intr-un-incendiu.html>; "Cinci morti, intre care patru copii, intr-un incendiu in Slatina", *Gardianul* website, 14 March 2008, <http://www.gardianul.ro/2008/03/14/linia_fierbinte-c5/cinci_morti_intre_care_patru_copii_intr_un_incendiu_in_slatina-s110751.html>; "Roma tents burn down, leaving two dead", *Today's Zaman* website, 4 January 2008, <http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=130778>; "Războiul din livorno - cealaltă baricadă", *Sibinul* website, 21 August 2007, <http://old.sibianulonline.ro/articol/ziar/sibiu/razboiul-din-livorno---cealalta-baricada/16848/>; "Durere in familia Draghici din Cerat Micutul Florin a ars de viu la Bologna, la doua saptamâni dupa ce a ajuns in Italia", *Gardianul* website, 22 November 2007, <http://www.gardianul.ro/2007/11/22/actualitate-c24/durere_in_familia_draghici_din_cerat_micutul_florin_a_ars_de_viu_la_bologna_la_doua_saptam_ni_dupa_ce_a_ajuns_in_italia-s104913.html>; "Revolta in Ferentari", Ziua on line, 15 November 2006, <http://www.ziua.ro/display.php?data=2006-11-15&id=211174>.

99   "MEPs welcome decision to watch Sulukule", *Turkish Daily News* website, 8 May 2008, <http://www.turkishdailynews.com.tr/article.php?enewsid=103902>.

100   "Urgent campaign to save Sulukule", Everyone, Group for International Cooperation on Human Rights Culture, 25 January 2008, <http://www.everyonegroup.com/EveryOne/MainPage/Entries/2008/1/25_Urgent_campaign_to_save_Sulukule.html>.

written consent of the rights holders and that no families or individuals have been forced to leave their property.[101]

Controversial decisions and measures have been taken by some local authorities. For instance, a fence designed to separate the Roma from the majority community in Havlíčkův Brod (Czech Republic) was given the go-ahead by the local planning office,[102] although construction of the fence has stopped, pending approval of funds.[103] Another example from the Czech Republic involved several hundred Roma living in a hostel that was to be replaced by luxury flats. They were threatened with eviction by local authorities, subjected to rent increases and other punitive measures, and were eventually moved to substandard forms of accommodation.[104]

Another recent phenomenon is the growing number of illegal camps in cities of the old EU member states formed by Roma migrants mostly from Eastern European countries. Such camps are increasingly becoming an issue for authorities and are being manipulated politically and by the mass media, leading in some cases to racially motivated violence[105] against Roma by the local

population[106] and controversial government measures.[107] Following reports of a murder allegedly committed by a Roma man from Romania, Italian authorities[108] acted to systematically destroy[109] Roma housing, particularly that of Romanian Roma migrants. Promises to dismantle unauthorized camps were made by the new mayor of Rome, who recently declared: "There are 85 abusive nomad camps to destroy."[110]

A number of complaints relating to housing have been submitted by the ERRC to address violations of the European Social Charter using its collective complaints pro-

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101   Information provided by the Permanent Mission of Turkey to the OSCE in response to an ODIHR request for input on a draft version of this report: "The authorities also underline that the project in question is not a mere urban development initiative, but also aims to preserve the historical formation. It is also worth mentioning that although the Roma community consists only a part of the affected local residents in the area, traditions and specific characteristics of the Roma population were given due attention in all stages of the project. On the other hand, the district of Fatih is under an earthquake risk of the first degree. The region is particularly vulnerable since almost all the premises are old and ruined."

102   "Fence cutting off Roma people gets building permit", Prague Daily Monitor website, 2008, <http://www.praguemonitor.com/en/330/czech_national_news/22363>.

103   The only obstacle to the fence's construction is the fact that people from the housing condominium who complained about the Roma people are refusing to pay half of the costs. According to Čeněk Jůzl, the deputy mayor, "It was the members of the condominium who came up with the idea of building a fence." This is reminiscent of the infamous fence built, and eventually dismantled, on Matiční ulice in Ústí nad Labem in 1999, a case that caused debates at the level of the European Parliament.

104   "Forced Evictions: Violations of Human Rights 2003-2006", Centre on Housing Rights and Evictions, December 2006, <http://www.cohre.org/store/attachments/Global_Survey_10.pdf>: "Another punitive measure taken by the municipality was to change the rent basis from 'per family' to 'per person'. For some of the families this meant a six-fold rent increase."

105   "Italy police to protect Gypsies", BBC News website, 14 May 2008, <http://news.bbc.co.uk/2/hi/europe/7400460.stm>.

106   "Gypsy shanty towns burn in Naples as Italian police swoop on illegal immigrants", Timesonline, 16 May 2008, <http://www.timesonline.co.uk/tol/news/world/europe/article3940192.ece>.

107   See the joint letter from the Centre on Housing Rights and Evictions, the European Roma Grassroots Organisation, and OsservAzione to Mr. Romano Prodi and Mr. Calin Popescu Tariceanu, 14 August 2007, <http://www.cohre.org/store/attachments/EU_IE_Italy_Roma_14Aug07_withpics.pdf>.

108   "Consideration of Reports Submitted by States Parties Under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination – Italy", Committee on the Elimination of Racial Discrimination, 72nd session, 18 February-7 March 2008, <http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD-C-ITA-CO-15.pdf>: UN CERD "recommends that the State party develop and implement policies and projects aimed at avoiding segregation of Roma communities in housing, to involve Roma communities and associations as partners together with other persons in housing project construction, rehabilitation and maintenance. The Committee further recommends that it act firmly against local measures denying residence to Roma and the unlawful expulsion of Roma, and to refrain from placing Roma in camps outside populated areas that are isolated and without access to health care and other basic facilities."

109   Guy Dinmore, "Crime fear drives Italian cities to clear gypsy sites", *Financial Times* website, 28 November 2007, <http://www.ft.com/cms/s/0/0f1c7ce6-9d55-11dc-af03-0000779fd2ac.html>.

110   Malcolm Moore, "Rome's new mayor promises purge of migrants", Telegraph.co.uk, 30 April 2008, <http://www.telegraph.co.uk/news/worldnews/1915484/Rome's-new-mayor-promises-purge-of-migrants.html>.

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cedure.[111] Decisions have been issued by the European Committee of Social Rights against several states.[112]

Action by Participating States

Countries participating in the Decade of Roma Inclusion have all prepared plans on housing, which represents *positive change.* In most cases, however, they have yet to lead to specific projects. In Slovakia, for instance, the Office of the Plenipotentiary co-operates systematically with the Ministry of Construction and Regional Development in the implementation of a programme supporting the construction of municipal apartments of lower standards designed for citizens in material hardship and the construction of technical amenities in Roma settlements. It also provides consultations regarding new housing construction of lower-standard apartments.

In 2007, a total of 374 apartments in 21 municipalities were built in Slovakia, at a cost of about 5.5 million euros, and technical amenities at a cost of about 375,000 euros were made in 11 municipalities. In the period 2001-2007, under the cited programme, a total of 1,700 apartments were built. The state, through the Ministry of Construction and Regional Development, provides a subsidy of up to 80 per cent of the acquisition costs for the construction. The construction of lower-standard apartments has been implemented particularly in the Prešov and Košice regions, which have the largest numbers of Roma citizens.[113]

Hungary took significant steps between 2005 and 2007 by implementing the "Housing and social integration program of people living in Roma settlements". Approximately 7.7 million euros was spent, with more than 10,000 direct beneficiaries.[114]

Similarly, in 2005 and 2006, within the Decade framework, two projects funded by the EU through PHARE programmes were implemented in Croatia, totalling 3 million euros, with co-financing of 1.2 million euros from the Croatian government.[115] The projects aimed to legalize and upgrade Roma settlements where housing conditions were good, to settle property issues, to register buildings, and to improve local infrastructure. A survey focusing on sites inhabited by Roma for 12 of the 14 county urban plans was carried out. Some of the local plans were also co-financed by local authorities.

France has taken a positive step in its housing legislation in that evictions are now forbidden from November through mid-March. However, there continue to be reports of evictions of Roma without the provision of satisfactory alternative sites.[116] Similarly, Finland is conducting a research programme called Equality in Housing. The subject of the research is preventing discrimination affecting Roma and immigrants in the area of housing in the Helsinki metropolitan area.[117]

An agency mandated to fight against social exclusion and combat the formation of ghettos was established in January 2008 by the Czech government. It aims to co-operate with bodies of local self-government, associations, and other relevant stakeholders with a view to eradicating ghettos or eventually upgrading them to regular neighbourhoods.[118]

The Andalusian ombudsman in Spain has made a significant contribution to improvements in the housing

111   See "The European Social Charter at a glance" on the Council of Europe's website, <http://www.coe.int/t/e/human_rights/esc/1_general_presentation/CharterGlance_en.asp#TopOfPage>.

112   "Decision on the Merits", European Committee of Social Rights, 8 December 2004, case of *European Roma Rights Centre v. Greece*, Complaint No. 15/2003, <http://www.coe.int/t/e/human_rights/esc/4_collective_complaints/list_of_collective_complaints/CC15Merits_en.pdf>; "Decision on the Merits", European Committee of Social Rights, 7 December 2005, case of *European Roma Rights Centre v. Italy*, Complaint No. 27/2004 <http://www.coe.int/t/e/human_rights/esc/4_collective_complaints/list_of_collective_complaints/CC27Merits_en.pdf>; "Decision on the Merits", European Committee of Social Rights, 18 October 2006, case of *European Roma Rights Centre v. Bulgaria*, Complaint No. 31/2005, <http://www.coe.int/t/e/human_rights/esc/4_collective_complaints/list_of_collective_complaints/CC31Merits_en.pdf>; see the letter from the Centre on Housing Rights and Evictions and the ERRC to the president of Bulgaria, Mr. Georgi Parvanov, 29 June 2006, <http://www.cohre.org/store/attachments/COHRE Letter President Bulgaria 29Jun06.pdf>; also see "Housing Rights of Roma in Bulgaria" on the website of the Centre on Housing Rights and Evictions, <http://www.cohre.org/bulgaria>.

113   Information received from the Human Rights and Council of Europe Department of Slovakia's Foreign Ministry in response an ODIHR request for input on a draft version of this report.

114   See the summary from the Decade of Roma Inclusion Housing Workshop, 3-6 December 2007, Croatia, Hungary, <http://demo.itent.hu/roma/portal/downloads/Decade Documents/Summary_Housing Workshop December 3-6 2007.pdf>.

115   Prague Daily Monitor, *op. cit.*, note 102.

116   See country reports on France on the website of the European Commission against Racism and Intolerance, <http://www.coe.int/t/e/human_rights/ecri>.

117   Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

118   "Czech govt approves establishment of social exclusion agency", romea.cz, 23 January 2008, <http://www.romea.cz/english/index.php?id=detail&detail=2007_713>.

situation of Roma in Andalusia through his substantial interventions in promoting housing projects.[119]

Projects on urbanization and housing are being implemented in several cities in Bulgaria. By the end of 2006, most municipalities with at least a 10 per cent Roma population had developed plans (for 2007 to 2013), including measures to improve the living conditions of Roma.[120] The municipalities of Sofia and Plovdiv are implementing housing-construction projects for Roma. More than 100 Roma families were accommodated from 2003 to 2004, and a detailed urbanization plan for the Roma quarter, funded by the state budget, was drafted.[121] Since the adoption of the OSCE Action Plan, around 300 housing units have been built for homeless Roma or Roma at risk of becoming homeless in Bosnia and Herzegovina.[122]

Some small-scale housing projects have been successfully carried out in several participating States. In Poland, for instance, government funds were allotted to the national Roma programme. In Bologna and Pisa, in Italy, Romanian Roma migrants living in illegal camps were successfully integrated through housing projects. The Italian Interior Ministry is also covering the costs of running legal camps in many cities throughout the country.

Some 6,000 housing loans were made available to Roma by the government of Greece. As of May 2007, over 5,000 beneficiaries had received loans from the banks engaged in the programme.[123] In addition, the legal framework was modified in order to safeguard the programme's effectiveness, including simplifying the application procedure and actively engaging local authorities in the pro-

cess.[124] With regard to travelling Roma, the Greek Interior Ministry has allocated 320,000 euros for the purchase of land for use as temporary accommodation. However, Greece's national loan programme for Roma housing has received some criticism from civil society and from Roma themselves.[125]

Priority Areas

The evident housing crisis of Roma and Sinti in Europe requires clear and coherent policies and measures by states, backed up with adequate financial resources, that are closely monitored and evaluated on a regular basis. Although certain initiatives of participating States have addressed the housing and living conditions of Roma and Sinti, these are primarily small-scale projects that have not changed the overall picture. Such initiatives are failing to expand nationally and to become state policies backed up by adequate funding.

Targeted nation-wide social housing schemes should be developed that address the Roma community, avoiding ghettoization and residential segregation. Where needed, specific laws should be adopted, or amended, to allow for the legalization of informal settlements and guarantee security of tenure for Roma and protection against eviction. In addition, long-established informal Roma settlements should be targeted by local authorities with specific urban upgrading initiatives.

Several reports on housing and forced evictions have been produced by various actors over the past few years. Workshops, conferences, and field visits have also been conducted, producing valuable guidelines and recommendations for needed measures and action.[126] These require more attention and increased use by the ministries and agencies responsible for housing issues.

119   See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinion on Spain, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_Spain_en.pdf>; also see "Integration helps Roma become full members of European society", EU Social Protection Social Inclusion Process, <http://ec.europa.eu/employment_social/spsi/docs/spsi_gpa/gpa5_peer_review_aviles_en.doc>.

120   Information provided to ODIHR by Bulgaria in response to an informal briefing on a draft version of this report.

121   See "Fostering Equal Integration of Roma into Bulgarian Society", Bulgaria's contribution to the Human Dimension Implementation Meeting, Warsaw, 28 September 2005.

122   Information received from Bosnia and Herzegovina in response to an ODIHR request for input on a draft version of this report.

123   Information provided to ODIHR by Greece in response to an informal briefing on a draft version of this report.

124   "Statement by the Greek delegation on Roma", Human Dimension Implementation Meeting, Warsaw, 12 October 2006.

125   See the joint press release by the Centre on Housing Rights and Evictions and the Greek Helsinki Monitor, "Greece has been named one of three Housing Rights Violators in 2006, for persistently violating the right to adequate housing of Roma", 14 December 2007, <http://www.cohre.org/view_page.php?page_id=237>.

126   "Recommendation Rec(2005)4 of the Committee of Ministers to member states on improving the housing conditions of Roma and Travellers in Europe", Council of Europe, Committee of Ministers, <http://www.coe.int/t/dg3/romatravellers/documentation/recommendations/rechousing20054_en.asp>; Roma Housing Settlements in South-Eastern Europe: Summary and Recommendations (Warsaw: ODIHR, 2006), <http://www.osce.org/odihr/item_11_22727.html>.

To meet the challenges of the chronically substandard housing situation of Roma, participating States that are also members of the EU should make better use of EU structural funds, while candidate countries can use EU pre-accession instruments to make tangible improvements to the housing situation of Roma and Sinti groups.

IV. Health Care

The effective participation of Roma in social and economic life demands the enjoyment of good health. This implies not only access to medicines and medical treat-

> "[Recommended action by participating States:] Ensure that Roma and Sinti people have access to health care services on a non-discriminatory basis."
> **— OSCE Action Plan, Chapter IV**

ment, but the right to shelter, sanitation, and clean water, which are essential pre-requisites to good health.

There is a direct link between accessing health care and policies that seek to combat the social exclusion of Roma and Sinti in other areas, such as accessing adequate housing or education. National policies that pursue an integrated approach have more chance of ensuring an effective and sustainable impact. Existing policies and targeted initiatives offer, however, only partial responses.

Emerging Trends and Challenges

There has been *visible progress* in old EU states in relation to local Roma and Sinti communities, but not with regard to migrant ones. The situation seems to be unchanged in some large and ghetto-type settlements and urban quarters in the Balkans and in many parts of Slovakia. There is also evidence that Roma and Sinti encounter particular problems when it comes to accessing health services, especially preventative health care.[127] In addition, some

states rely on externally co-financed measures, and these vary in consistency and frequency.[128]

Access to health care for Roma and Sinti is negatively affected by systemic discrimination in all socio-economic spheres of life. In addition, most states lack an inclusive legislative framework for health-insurance coverage. There are examples of Roma and Sinti being denied health care because, for example, they lack citizenship documents.[129] Examples of racism have been reported, such as inadequate attention to Roma patients, the avoidance of physical contact with patients, the segregation of patients,[130] and ambulances not responding to emergency situations in Roma homes.[131] In some countries, the majority of Roma are unregistered and therefore excluded from the health-care system. There have been instances where severely sick children have been denied access to health-care services.[132]

While information related to the health of Roma is disjointed and limited, what exists points to a *negative trend* of a significant gap in health status between Roma and non-Roma. The average lifespan of Roma is lower than the majority popula-

127 "Final Report by Mr Alvaro Gil-Robles, Commissioner for Human Rights, on the Human Rights Situation of the Roma, Sinti and Travellers in Europe", *op. cit.*, note 90.

128 See the webpage of the Decade of Roma Inclusion 2005-2015, <http://www.romadecade.com>. In the former Yugoslav Republic of Macedonia, the provision of health care is often dependent on the production of utility bills. See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinions on the former Yugoslav Republic of Macedonia, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_FYROM_en.pdf>.

129 Citizenship and residence papers are especially an issue for those Roma living in former Yugoslav countries and among groups of Roma refugees and displaced persons. See Decade of Roma Inclusion 2005-2015, *ibid.*

130 See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinions on Slovakia, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_SlovakRepublic_en.pdf>.

131 "Ambulance Not on the Way: The Disgrace of Health Care for Roma in Europe", ERRC, <http://www.errc.org/db/01/E6/m000001E6.pdf>.

132 Information received from Bosnia and Herzegovina in response to an ODIHR request for input on a draft version of this report.

tion by around 10 years.[133] In addition, infant mortality rates are almost double those of the non-Roma population.[134] When Roma and non-Roma live in neighbouring areas, two or three times as many Roma do not have access to medicines, and, in South-Eastern Europe, the majority of Roma generally do not have access to essential medicine.[135]

This is due to a number of factors closely linked to the marginalized and socially excluded position of Roma. The failure to keep good statistical data that is carefully analysed over time makes it difficult to see whether there has been any change and to show where problems are most acute and therefore where resources should be prioritized.

In addition, sub-standard and cramped housing conditions have led to an unhealthy environment: communicable diseases, such as tuberculosis and hepatitis, are widely prevalent among Roma communities throughout Europe. The psychological impact of poverty, especially among the young, has led to drug and alcohol addiction, with a related increase in the incidence of HIV/AIDS.[136] For instance, in Bulgaria, the former Yugoslav Republic of Macedonia, Romania, and Serbia, there has been a reported increase in the number of young Roma injecting themselves with drugs.[137]

The double discrimination faced by Roma women, first for their ethnicity and second for their gender, has had a profound influence on their ability to access health-care services throughout the OSCE area. This includes all health-related services, but especially prenatal and postnatal care. For instance, the ERRC conducted field research to document the discrimination Roma women face within the health-care sector in Hungary. Among the findings, the ERRC reports 44 cases of segregated maternity wards, so-called Gypsy rooms; misconduct by medical practitioners, including verbal abuse; and extortion of money from Roma women patients in exchange for medical treatment.[138] The US State Department's 2004 report on human-rights practices in Slovakia found that the life expectancy of Roma women is almost 17 years lower than that of the majority population.[139]

Of particular concern to many organizations working on Roma issues has been the coercive sterilization of Roma women throughout Europe, including sterilization without informed consent. For instance, various reports point to practices in the Czech Republic and Slovakia[140] with regard to the coercive sterilization of Roma women.[141] As recently as 2005, Roma victims of coercive sterilization filed complaints in the Czech Republic and Slovakia that resulted in some acknowledgement of the issue.[142]

133   See the OSI's public health factsheet "Left Out: Roma and Access to Health Care in Eastern and South Eastern Europe", <http://www.soros.org/initiatives/health/focus/roma/articles_publications/publications/leftout_20070420/leftout_20070423.pdf>; Concluding observations of the UN Committee on Economic, Social and Cultural Rights, Hungary 2007, 16 January 2008, E/C.12/HUN/CO/3.

134   Dina Ringold, "Roma and the Transition in Central Eastern Europe: Trends and Challenges", <http://lnweb18.worldbank.org/eca/eca.nsf/General/505B16F496817B338525695800647D86?OpenDocument>.

135   Roma in Central and Eastern Europe: Avoiding the Dependency Trap (Bratislava: UNDP, 2002), p. 55, <http://vulnerability.undp.sk>.

136   "HIV/AIDS in Southeastern Europe: Case Studies from Bulgaria, Croatia, and Romania", World Bank, Working Paper No. 4, May 2003.

137   "How the Global Fund Can Improve Roma Health", OSI, 2007, <http://www.romadecade.org/portal/downloads/Health%20Resources/gfatm_20070829.pdf>; also see the OSI's public health fact sheet "Understanding Risk: Roma and HIV Prevention", <www.soros.org/initiatives/health/focus/roma/articles_publications/publications/fact_20070921/fact_20070921.pdf>.

138   See Roma Rights Quarterly, Nos. 3 and 4, 2004, on the website of the European Roma Rights Centre, <http://www.errc.org>.

139   See the 2004 country report on human-rights practices in Slovakia on the website of the US State Department, <http://www.state.gov/g/drl/rls/hrrpt/2004/41707.htm>.

140   Information received from the Human Rights and Council of Europe Department of Slovakia's Foreign Ministry in response to an ODIHR request for input on a draft version of this report: "In the Slovak Republic does not exist, and has never existed, a government-led policy encouraging sterilisations of groups of the population or leading to tolerance of such illegal acts."

141   US State Department Hearing on Coercive Sterilization of Romani Women, <http://www.america.gov/st/washfile-english/2006/August/200608171045451CJsamohT0.678158.html>; "Accountability and Impunity: Investigations Into Sterilization Without Informed Consent in the Czech Republic and Slovakia", Commission on Security and Cooperation in Europe, 2006, <http://www.csce.gov/index.cfm?Fuseaction=Files.Download&FileStore_id=647>; "Body and Soul: Forced Sterilization and Other Assaults on Roma Reproductive Freedom", Centre for Reproductive Rights, <http://www.reproductiverights.org/pub_bo_slovakia.html>.

142   Committee on the Elimination of Discrimination against Women, 36th Session, 7-25 August 2006, CEDAW/C/36/D/4/2004. In August 2006, the UN Committee on the Elimination of Discrimination against Women condemned Hungary for violating international human-rights law by failing to provide compensation to a Roma woman who was sterilized without her consent following a miscarriage, <http://www.un.org/womenwatch/daw/cedaw/protocol/decisions-views/Decision%204-2004%20-%20English.pdf>.

Action by Participating States

In some states, national health plans[143] have been established that emphasize access to health care for immigrant populations and new minorities, including Roma. The plans focus on adapting public assistance services to make them open and easily comprehensible for immigrant and new minority groups.[144]

In most states, health policies are mainstreamed. In some situations, this creates disadvantages for Roma and Sinti communities since neither health-care staff nor procedures are prepared to deal with the specific cultural practices of some Roma communities.[145] In addition, medical personnel often exhibit a prejudice towards Roma and Sinti. In order to overcome these kinds of biases, in Finland, for example, Roma and Sinti representatives have drafted support guidelines for the authorities to sensitize and explain ways that health-care professionals can reach out to these communities.[146]

In a number of states, and in an effort to reach out to Roma communities, health facilities have been placed within the communities, or public-health services have been made more accessible to Roma. Some states have carried out health-care promotional campaigns among the Roma population. Projects formed within the respective health ministries have more chances of offering examples of *visible progress*.[147] In Romania, for instance, the Roma health-mediator project was initiated by, and officially placed within, the Health Ministry.[148]

Ensuring immunization for Roma children and provisions for special care for children and mothers are some of the measures being undertaken in the field of health care in Bulgaria and Romania.[149]

Twenty-five socio-medical centres, including mobile socio-medical units, are operating in temporary and permanent settlements throughout Greece, providing basic health services, vaccinations, counselling, and psychological support. Roma mediators are employed in these centres.[150] Health ministries have approved a number of projects submitted by health institutions and Roma NGOs.[151]

The Office of the Plenipotentiary on Roma in Slovakia and the Regional Health Authority have been working together on a programme to promote the health of disadvantaged communities in Slovakia during the period 2006-2013. The programme focuses on the removal of pests, including rodents, as well as the removal of biological waste in selected municipalities with socially disadvantaged communities.[152]

In an effort to reduce health inequalities in the Roma community, the European Commission co-funded a project involving several states with large Roma populations. Emphasis was placed on collecting information on

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143 Under governmental strategies and action plans, including within the Decade of Roma Inclusion.

144 For instance, some priority areas of the national plan developed in Italy include: improving assistance to migrant and minority pregnant women; prevention campaigns among minority social groups about the risks of HIV and sexually transmitted diseases; vaccination of children from migrant and minority communities; and enforcing equal treatment and safety regulations for migrant workers. Information provided to ODIHR by Italy in response to the questionnaire on participating States' implementation of the OSCE Action Plan on Roma and Sinti.

145 In Spain, for example, hospital regulations do not provide for the involvement of extended families. See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinions on Spain, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_Spain_en.pdf>; in the United Kingdom, for example, Scotland has made provisions for patient-held records in some localities for those with an itinerant lifestyle. See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinions on the United Kingdom <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_UK_en.pdf>.

146 Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

147 For more recommendations for states to improve the chances of success using Roma health mediators, see "Mediating Roma Health: Policy and Program Opportunities", OSI, 2005, <http://www.soros.org/initiatives/health/focus/roma/articles_publications/publications/romanihealth_20051201>.

148 "Ambulance Not on the Way", ERRC, *op. cit.*, note 131.

149 "Fostering Equal Integration of Roma into Bulgarian Society", *op. cit.*, note 121.

150 "Statement by the Greek delegation on Roma", *op. cit.*, note 124. Updated information was provided to ODIHR by Greece in response to an informal briefing on a draft version of this report.

151 For instance, this includes projects on promoting Roma women's health, immunization of children, and oral health in Serbia. Information provided to ODIHR by Serbia in response to an informal briefing on a draft version of this report.

152 Information provided by the Human Rights and Council of Europe Department of Slovakia's Foreign Ministry in response to an ODIHR request for input on a draft version of this report.

the health situation in Roma communities and raising awareness among public health administrators.[153]

V. Unemployment and Economic Problems

The challenge of improving employment among Roma and Sinti is enormous. The two main factors leading to the present employment situation of Roma and Sinti in the OSCE area are discrimination and the fact that many Roma have limited or no skills (less than 1 per cent of Roma and Sinti have completed university). There was a dramatic change in the 1990s for many Roma and Sinti families, who in socialist economies were largely employed, and who with the creation of market economies found themselves in long-term unemployment. The market economy has set a higher threshold for employment, and Roma and Sinti have been left with even fewer opportunities.

Emerging Trends and Challenges

There continue to be *negative trends* in the area of employment among Roma and Sinti. Efforts are scattered, piecemeal, and short-lived. The lack of success in this area increases the danger of further marginalization in society with its negative consequences for the community and for the majority society. Roma and Sinti communities are increasingly dependent on welfare, trapped in a vicious circle of poverty, marginalization, social exclusion, and dependency on the grey or black economy or crime.

Roma are severely affected because they are often the least-educated and least-skilled workers. Consequently, Roma have minimal access to state economic development programmes. Moreover, Roma are underrepresented in decision-making bodies and therefore their specific unemployment needs are inadequately addressed.

This community is also exposed to multiple discrimination, which affects both Roma women and middle-aged Roma workers. Many Roma who were employed for years (even as skilled factory workers) have lost their jobs due to discrimination or simply due to restructuring of industry, and now they have particular problems in finding work.

Roma and Sinti share disadvantages with members of some other ethnic minorities due to a lack of skills and qualifications, but they run a particularly high risk of multiple discrimination often caused by their social and cultural visibility. They may also face competition even for low-skilled jobs from new immigrants.[154] Many immigrants work in irregular conditions — their work is

> "[Recommended action by participating States:]
>
> "Promote increased representation of qualified Roma and Sinti people in public employment (Article 48)
>
> "Develop training programmes to prepare under-represented groups such as Roma and Sinti for employment in local public administration and other areas, and develop policies to encourage employment of the graduates of these programmes as civil servants (Article 49)
>
> "Develop policies and programmes, including vocational training, to improve the marketable skills and employability of Roma and Sinti people, particularly young people and women (Article 51)
>
> "Adopt social policies that strengthen incentives to seek employment, as a sustainable way to avoid dependency on social benefits" (Article 52).
> — **OSCE Action Plan, Chapter IV**

undeclared and so employers do not pay social security. Undeclared work is also common among unemployed Roma.

Growing dependency on welfare may turn into a trap both for Roma and Sinti and for the majority population. It contributes to and maintains poverty but also feeds prejudice and stereotypes. Both can easily fuel ethnic conflicts. Cuts in welfare pushed many Roma families to the streets in Slovakia in the spring of 2004.[155]

Although it is evident that Roma unemployment is being partially addressed through self-employment, a way of circumventing discrimination by employers, the informal sector offers temporary remedies but is inherently unstable and does not represent a long-term solution to Roma unemployment, under-employment, and lack of integration into society as a whole.

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153 "Reduction of Health Inequalities in the Roma Community", European Network Sastipen, <http://ec.europa.eu/health/ph_projects/2004/action3/docs/2004_3_01_frep_en.pdf>.

154 The Roma magazine on Czech TV edited by Jarmila Balážová, a member of the EC's high-level group, revealed that some firms even conclude agreements with recruitment agencies that state that, for example, only Ukrainian workers will be hired. See "Ethnic Minorities in the Labour Market: An Urgent Call for Better Social Inclusion", High Level Group of Experts on the Social Integration of Ethnic Minorities and their Full Participation in the Labour Market, Brussels, December 2007, <http://ec.europa.eu/employment_social/fundamental_rights/pdf/hlg/etmin_en.pdf>.

155 "Slovak president alarmed at riots", BBC News website, 24 February 2004, <http://news.bbc.co.uk/2/hi/europe/3518347.stm>.

In most states with large Roma populations, there is widespread discrimination in employment. Often, non-discrimination policies are weak and do not have a long tradition. Monitoring of job availability is problematic. There is no authority that systematically monitors hiring and whether employers include women, mothers with children, foreigners, or Roma among their employees. Employers may then discriminate with impunity.

The Slovak situation epitomizes much of the rest of the region and was well summarized in one newspaper article: "Faced with prejudices branding them as work-shy and criminal, Roma say they find it almost impossible to find jobs and break out of the cycle of poverty and illiteracy, bad housing and ill health. Authorities in Varhaňovce recognise that they had to turn away 230 of the 290 Roma who applied for a communal work programme that would have allowed them to supplement their benefits by £20 a month because there were not enough places."[156]

Throughout the OSCE region, Roma women face multiple forms of discrimination that render them among the most vulnerable and socially excluded category in society. A 2005 UNDP report[157] offers country statistics specifically related to Roma women and employment. For instance, in Romania, 35 per cent of Roma women are unemployed, and Roma in general are five times more likely to live below the poverty line when compared with the majority population. This is further supported by an OSI report[158] of 2006 that shows that only 26 per cent of Roma women surveyed in Romania were part of the work force, and that almost a quarter of the women have no formal education.

Action by Participating States

Most participating States include chapters on employment policies in their Roma and Sinti strategies or programmes. Similarly, the Decade of Roma Inclusion

foresees such employment action plans. The EU's enlargement, public policies, and financial instruments (Lisbon Strategy, social-inclusion and poverty-reduction programmes, integration of immigrants, structural funds) provided governments with new opportunities to reduce unemployment for Roma and Sinti women and men both in the pre-accession period and after accession.

Although there is EU funding available for countries in the pre-accession process for projects targeting socially excluded groups, including Roma, there is no strong evidence that Roma were or are benefiting in a significant way from EU instruments and opportunities.[159]

A high-level group on social and labour-market integration of ethnic minorities[160] was established at the Directorate-General for Employment, Social Affairs and Equal Opportunities under Commissioner Vladimir Spidla (2006-2008). It has analysed the situation and barriers that various disadvantaged minorities face in the labour market.[161] Particular attention has been devoted to Roma and Sinti. The group indentified 14 barriers that prevent members of ethnic minorities from fully participating in the labour market. Some of these barriers — lack of education, prejudices and stereotypes, and disincentives through welfare systems — have a tendency to accumulate and reinforce each other and operate especially forcefully against Roma and Sinti.

In a similar way, there has been no significant use of the above-mentioned EU instruments to boost employability among Roma and Sinti in new EU member states (post-accession). In the European Commission's own assessments, it has been observed that specific measures for the social inclusion of Roma and Sinti in the labour market were few and insignificant.

There have been many efforts to develop employment programmes for Roma and Sinti with state support. Many of these have aimed at re-qualification, training, or encouraging the development of small businesses. Microcredit groups have proved to be a successful alternative for the unemployed who do not have access to bank loans

156   "Roma face starvation in the slums of Slovakia", *The Observer* website, 29 February 2004, <http://www.guardian.co.uk/world/2004/feb/29/theobserver>.

157   *Faces of Poverty, Faces of Hope: Vulnerability Profiles for Decade of Roma Inclusion countries* (Bratislava: UNDP, 2005), <http://europeandcis.undp.org/home/show/67D47F90-F203-1EE9-BB4A88AD1FF2FF8D>; also see "Your Sex and Race Matter: Romani Women's Employment in the Czech Republic", OSI Network Women's Program, 2006, <http://www.soros.org/initiatives/women/news/genderequality_20060503/czech_factsheet.pdf>.

158   "Broadening the Agenda: The Status of Romani Women in Romania", OSI, 2006, <www.soros.org/initiatives/roma/articles_publications/publications/broadening_20060313/broadening_agenda.pdf>.

159   "Review of the European Union Phare Assistance to Roma Minorities", European Commission, Directorate-General for Enlargement, December 2004, <http://ec.europa.eu/enlargement/pdf/financial_assistance/phare/revised_minorities_thematic_raw_161204_en.pdf>.

160   European Commission press release, "High Level Group on the Social Integration of Ethnic Minorities and their Full Participation in the Labour Market", 3 December 2007, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/536&format=HTML&aged=0&language=EN&guiLanguage=en>.

161   "Ethnic Minorities in the Labour Market: An Urgent Call for Better Social Inclusion", *op. cit.*, note 154.

but need start-up capital to develop their small businesses — positive examples of this can be found in Hungary and Romania.[162]

The impact of such programmes in general has been limited, mostly due to market conditions: in disadvantaged regions, where many such programmes are carried out, local markets either do not exist or do not have much to offer. Other problems that such initiatives face include obtaining secure clients and contracts, management problems, and the lack of contacts in relevant commercial networks. But even if these initiatives do not immediately result in an increase of jobs and income, their social and psychological impact can be worthwhile.

In several states, job fairs for Roma have been organized at the national level. In addition to regular promotional activities involving contacts with companies and media campaigns, a central steering committee has been set up in Romania.[163] Some national programmes aim to combat discrimination while at the same time facilitating access to the labour market.

More often, states develop schemes for public works to address Roma and Sinti unemployment (for example, in Hungary). Activities aimed at enhancing vocational training and employment for Roma groups through initiatives such as Spain's Roma Employment Access Programme, or Acceder, are also quite frequent.[164] After three years of implementation, nearly 20,000 Roma have benefited and over 11,500 have received salaried employment contracts in Spain as part of this initiative.[165] However, many of these job-training schemes relate to low-level employment, resulting in a lack of job security. In Finland, as part of the EU's EQUAL programme, three wide-ranging

projects on adult education and employment for Roma were implemented between 2004 and 2007.[166]

Funds have been allocated to provide services with the aim of facilitating integration, including: language courses, legal services, workshops, and vocational training seminars and cultural mediation (Italy).[167] Some critical assessments underline that some projects benefited Roma and Sinti for the duration of the project, but once they concluded the employment often ended.[168]

As regards measures recommended in the Action Plan to increase employment of Roma and Sinti in public administration, a significant number of Roma are placed in public office through the system of minority self-governments in Hungary.[169] Hungary also has a good record of employing Roma clerks in public or governmental administration. With the establishment of Roma and Sinti offices at government level in Romania and Slovakia, a certain number of Roma have been employed in these institutions. The Office of the Plenipotentiary on Roma in Slovakia takes part in projects whereby young unemployed Roma are selected and trained under the guidance of experienced specialists in order to acquire the skills and knowledge necessary for them to find suitable employment.[170]

There has also been a *positive change* when it comes to appointing or employing Roma and Sinti advisers, sometimes to prime ministers, deputy prime ministers, ministers, mayors, etc., where there are a few encouraging examples of Roma and Sinti holding public office on merit (for example, the commissioner for national minorities in Hungary, and the plenipotentiary for national minorities

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162   "Access to Employment and Income Opportunities: Approaches and Methods among Roma and Other Disadvantaged Groups", Pakiv, European Roma Fund, March 2006, <http://www.osce.org/publications/odihr/2006/03/23160_798_en.pdf>.

163   "Overview of the latest measures undertaken by the Government of Romania in order to improve the situation of the Roma community, within the framework of the national strategy for Roma", contribution by the delegation of Romania to the OSCE, Human Dimension Implementation Meeting, Warsaw, 6 October 2004.

164   "National programme for the Spanish Roma Community", European Social Fund in action 2000-2006, <http://ec.europa.eu/employment_social/esf/docs/es4_en.pdf>.

165   Fundación Secretariado Gitano, *op. cit.*, note 50. Acceder programme activities take place throughout the main cities of Spain (a total of 44) and cover 14 autonomous communities.

166   Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

167   Information provided to ODIHR by Italy in response to the questionnaire on participating States' implementation of the OSCE Action Plan.

168   "Review of the European Union Phare Assistance to Roma Minorities", European Commission, *op. cit.*, note 159; "Access to Employment and Income Opportunities: Approaches and Methods among Roma and Other Disadvantaged Groups", Pakiv, *op. cit.*, note 162.

169   There are different opinions about the legal authority, competences, level of funding, and impact of minority self-governments. See, for example, "The Hungarian Minority Self-Government System as a Means of Increasing Romani Political Participation", National Democratic Institute assessment report, October 2006, <http://www.osce.org/documents/odihr/2007/07/25447_en.pdf>.

170   Information provided by the Human Rights and Council of Europe Department of Slovakia's Foreign Ministry in response an ODIHR request for input on a draft version of this report.

in the Krakow region of Poland). However, these cases remain exceptional.

VI. Improving Access to Education

The need to close the gap between the education level of Roma and Sinti and that of the majority population has

> "Education policies should aim to integrate Roma and Sinti people into mainstream education by providing full and equal access at all levels, while remaining sensitive to cultural differences."
> – OSCE Action Plan, Chapter V

been widely recognized as the only way to deal with the so-called dependency trap and to avoid further marginalization and ghettoization. Both governments and civil society are prioritizing education. In most governmental strategies to address Roma issues in recent years, education has been a prime concern (see the Decade of Roma Inclusion national action plans on education).[171] Numerous NGO projects have also focused predominantly on the education of Roma children.

Emerging Trends and Challenges

Most Roma pupils do not continue their studies beyond primary education; consequently, their representation in secondary and higher education is very low. Roma pupils have higher rates of dropping out and absenteeism than pupils from the majority population. This is even more so for Roma girls and young women, who often drop out of school at a very early stage.[172]

A 2006 report by the European Monitoring Centre on Racism and Xenophobia notes that: "Roma and Traveller pupils continue to be subject to direct and systemic discrimination and exclusion in education resulting from a variety of interrelated factors including poor conditions of life, especially high unemployment, substandard housing conditions and poor access to health services."[173]

Roma children have rather limited access to quality education, which is the result of *de facto* segregation in schools, and/or residential segregation. Segregation of Roma children includes so-called Roma schools with mainstream curricula, Roma classes within mainstream schools but with special curricula, and special schools for children with disabilities. In most Central and Eastern European countries, there are disproportionate numbers of Roma children in special schools — in some cases outnumbering non-Roma children — and in most cases there are no health-related grounds for this. The extent of the phenomenon shows that the various forms of separation/segregation of Roma children in education is a systemic rather than a casual phenomenon.

The level of segregation in education, as measured by the percentage of schools with predominantly Roma pupils, reaches from 27 to 49 per cent in Bulgaria,[174] from 12 to 28 per cent in the Czech Republic, from 14 to 32 per cent in Romania, from 24 to 40 per cent in Slovakia, and from 17 to 28 per cent in Hungary.[175]

Other studies show that there is growing residential segregation of poor Roma, which leads to the emergence

171 See "Decade Action Plans", Decade of Roma Inclusion 2005-2015 website, <http://www.romadecade.org/index.php?content=70>.

172 See the country reports of the Council of Europe's Framework Convention on National Minorities on Ukraine, Poland, Slovakia, the former Yugoslav Republic of Macedonia, and Portugal, <http://www.coe.int/t/e/human_rights/minorities>.

173 "Roma and Travellers in Public Education", EUMC, <http://www.eumc.eu.int/eumc/material/pub/ROMA/roma_report.pdf>.

174 Information about Roma school enrollment received from the Human Rights Directorate of Bulgaria's Foreign Ministry in response to an ODIHR request for input on a draft version of this report: "Data collected by the Regional Education Inspectorates (REIs) indicates that there were a total of 867,496 pupils in grades I to XII in the beginning of the 2005/2006 school year. According to various sources, including REIs, the total percentage of Roma children attending school in that age bracket was slightly over 10 % or about 90 thousand children. REIs also reported that during the 2005/2006 school year, a total of 30,421 Roma children attended kindergartens and schools located within the larger separate urban Roma neighbourhoods. 2,464 of them were children in 24 kindergartens and the other 27,957 were pupils attending 65 schools. During the 2006/2007 school year, according to information from REIs, approximately 10-11% of the pupils were of Roma origin. Out of these, about 27 000 attended schools located in separate Roma neighbourhoods and 40 000 in the single schools in rural locations with predominantly Roma populations. Experts estimate that some 43,000 Roma children attend mixed schools in rural areas where single schools exist. However, a typical trend in these rural areas is the drift of the population of Bulgarian ethnic origin mainly to big cities, and less to foreign countries, as a result of which they remain populated mainly by Roma, and consequently Roma children prevail at schools there. The other (approximately 20,000) Roma children study in mixed schools in urban areas. These children come from families which are well integrated in Bulgarian society and do not need special integration measures."

175 *Roma in Central and Eastern Europe: Avoiding the Dependency Trap*, UNDP, *op. cit.*, note 135.

of ghetto-type Roma neighbourhoods and schools that become exclusively comprised of Roma and Sinti.[176]

The "snow-balling" or "rolling ghetto" mechanism, in which non-Roma parents choose to take their children out of schools where the ratio of Roma pupils reaches what they consider to be an intolerable level, represents yet another pattern of making some schools exclusively Roma, thus diminishing the chances of getting a quality education.[177] These patterns of negative selection among schools, as well as within schools, e.g., setting up Roma classes for different "professional reasons", has been well documented.[178]

In addition, schools that had taught the regular curriculum to separate Roma classes might now introduce remedial or catch-up classes that again would only include Roma pupils. As a result, the separation in education may continue. Segregated Roma schools or classes offer inferior levels of education and are served by unqualified and unmotivated staff and have substandard facilities. This segregation is also prevalent in primary schools.[179]

The Advisory Committee on the CoE Framework Convention for National Minorities has addressed the phenomenon of channelling Roma children into special schools in reference to a number of states. This practice obviously uncovers the lack of capacity within education systems for dealing with diversity in regards to Roma children.

The successful transfer of Roma children from special schools to mainstream schools is possible if appropriate support is provided, and this transfer can also be cost-effective.[180] Yet, the persistence of this kind of practice is striking.

There are also incentives from both sides to maintain the high levels of Roma children in special schools. Special schools receive higher subsidies from the state; similarly, parents with disabled children receive higher welfare benefits to take care of them. Teachers and school personnel do not wish to lose those provisions that ensure their jobs; at the same time, welfare for a disabled child represents income that some poor Roma and Sinti families would not otherwise have. There are cases where Roma parents deliberately seek to place their children in such schools (e.g., in Bulgaria).[181] These kind of practices should be eliminated as soon as possible.

The negative results of separation/segregation of Roma children in education and channelling them into special schools are obvious and are the subject of numerous reports and studies. The percentage of Roma who actually complete a university degree may serve as a final measure: in Hungary, it is less than 1 per cent. Thus, the disparity between the majority population and Roma students in this regard is drastic.[182]

A landmark case was brought to the ECtHR on behalf of 18 Roma children in the Czech Republic who, between 1996 and 1999, were placed in special schools for children with learning difficulties. The decision to place the children in special schools had been taken by the relevant head teachers on the basis of the results of tests to measure each child's intellectual capacity carried out in an educational psychology centre, and the decision required the consent of the child's legal representative. The ECtHR ruled in favour of the children in a judgement that has major ramifications for all states parties to the ECHR, who will now carry the burden of proof to ensure that

176   E. Kallai, E. Torzsok (eds.), *A Roma's life in Hungary* (Budapest: Public Foundation for European Comparative Minority Research, 2005), <http://www.eokik.hu/english/publications/R_2004e.pdf>.

177   See the reports on access for Roma to quality education that are available on the EUMAP website at <http://www.eumap.org/topics/minority/reports/roma_education>.

178   See, for example, Jeno Kaltenbach, the parliamentary commissioner for the rights of national and ethnic minorities in Hungary, in his May 2001 report, as quoted in "Hungary: Government Actions to Improve the Situation of Roma in 2000-2001", Immigration and Refugee Board of Canada, May 2001, <http://www.irb-cisr.gc.ca/en/research/ndp/ref/index_e.htm?docid=84&cid=0&sec=CH05>.

179   Surdu, *op. cit.*, note 44.

180   Benjamin Levin, "Costs and Effects of the Step by Step Roma Special Schools Initiative", *Roma Rights Quarterly*, Nos. 3-4, 2002 <http://www.errc.org/cikk.php?cikk=1649>; also see Susan Rona, Linda Lee, "School Success for Roma Children: Step by Step Special Schools Initiative", OSI, interim report, December 2001, <http://www.soros.org/initiatives/children/articles_publications/publications/romachildren_20011201/romachildren_report.pdf>.

181   Information about Roma school enrollment received from the Human Rights Directorate of Bulgaria's Foreign Ministry in response to an ODIHR request for input on a draft version of this report: "With regard to instances in the past where parents of Roma children deliberately decided to place the latter in special schools, the competent authorities have been implementing comprehensive measures to prevent such unfortunate practices and currently these have been practically eliminated (any individual cases remaining from the past are being dealt with accordingly."

182   "Report on the situation of Roma and Sinti in the OSCE Area", HCNM, *op. cit.*, note 12.

educational measures do not adversely and disproportionately affect Roma children.[183]

Action by Participating States

National governments have actively sought to address the issues of integrating Roma into the mainstream education system by developing various national education strategies for minorities, or specifically for Roma. However, while well-intentioned, problems arise in the implementation of these policies and the lack of sustainability. Often, projects and programmes aimed at improving educational opportunities for Roma groups are externally funded through large international NGOs.

Nevertheless, some *positive change* or even *visible progress* has been seen in several states, especially regarding enrolling children in school.[184] In some states, increased attention is being paid to the early education of Roma and Sinti children.[185] The practice of employing Roma school assistants is becoming widely applied.[186] Similarly, governments are subsidizing handbooks and other teaching materials for Roma and Sinti children, or

meals and transportation.[187] In some states (e.g., Hungary), Roma and Sinti children receive scholarships. Various types of support are provided to those who reach high school and intend to enter university, e.g., they are offered assistance to pass entry exams (Hungary), scholarships (Poland), or they can benefit from reserved places at universities (Romania). The Finnish National Board on Education launched its second programme on Roma education in 2008.[188] There have been efforts to dismantle special schools for Roma and Sinti and to integrate them into mainstream classrooms, as well as efforts at the de-segregation of the education system (Bulgaria, Hungary, Romania).

In states as far apart as Portugal and Slovakia, there have been calls for more support for the participation of Roma children in pre-school education.

There have been a wide range of donor-supported NGO initiatives for kindergartens in some states (e.g., in the western Balkans). In addition, organizations have been active in initiating a set of projects in Serbia called "kindergartens as a family centre", which were highly successful in helping Roma children adapt to school and learn the national language.[189] The continuity and development of these schemes within state education systems remains a problem even in wealthy states, demanding local and central government support.

Priority Areas

Well-focused policies in the area of education are required to make a breakthrough in the education of Roma children. Investment in the early education of Roma children will pay off.[190] In order to achieve a positive outcome,

183   The ECtHR determined that the relevant Czech legislation at the time had had a disproportionately prejudicial effect on the Roma community, and that the applicants, as members of that community, had necessarily suffered the same discriminatory treatment. Consequently, there had been a violation of Article 14 of the ECHR (prohibition of discrimination), read in conjunction with Article 2 of Protocol No. 1 (right to education). See ECtHR Grand Chamber Judgement, *D.H. and Others v. the Czech Republic*, Application No. 57325/00. The Czech Republic has since brought in new legislation abolishing special schools and providing for children with special educational needs, including socially disadvantaged children, to be educated in ordinary schools.

184   In France, children of Roma and non-sedentary families now must at least be temporarily accepted in primary schools even where documentation is incomplete. See the country reports on France on ECRI's website, <http://www.coe.int/t/e/human_rights/ecri>.

185   Information provided by the Human Rights and Council of Europe Department of Slovakia's Foreign Ministry in response to an ODIHR request for input on a draft version of this report: "Office of the Plenipotentiary on Roma in Slovak Republic participates in a range of education projects and programmes of the Ministry of Education. The implementation of pre-school education of Roma children is significantly assisted by the provision for free pre-school education for children from age 5 in kindergartens, namely by the fact that the state pays municipalities a monthly contribution per child."

186   See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinions on Germany, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_Germany_en.pdf>.

187   For example, Russian efforts to supply textbooks in Roma languages. See the website of the Council of Europe's Secretariat of the Framework Convention for the Protection of National Minorities for the Advisory Committee's opinions on the Russian Federation, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/2._monitoring_mechanism/4._opinions_of_the_advisory_committee/1._country_specific_opinions/2._second_cycle/PDF_2nd_OP_RussianFederation_en.pdf>.

188   Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

189   *Denied a future? the right to education of Roma/Gypsy and Traveller children in Europe* (London: Save the Children, 2001), Vol. I, "South-eastern Europe", p. 167 ff., <http://www.savethechildren.org.uk/en/docs/denied_future_vol1.pdf>.

190   "Expected Long-Term Budgetary Benefits to Roma Education in Hungary", Roma Education Fund, 2006, <http://www.itweb.hu/partners/RomaEducationFund/documents/Kertesi-Kezdi-BudgetaryBenefits.pdf>.

several conditions will have to exist: guaranteed places for Roma children in kindergartens; an extended time frame for kindergarten education (from 4 years of age); making early education obligatory for Roma children, and enforceable so that neither parents nor education authorities can neglect this task; investment, where needed, in infrastructure and construction of space for Roma children, whether in integrated or in community/settlement kindergartens; investment in qualified teachers, where necessary, by offering increased salaries as an incentive to reach out to teachers who may face harsh conditions and numerous challenges.

A major challenge is to make the education system capable of dealing with Roma diversity, thus making it more inclusive. Roma ethnicity cannot be a basis for separation or segregation in education and channelling Roma children into special schools. There is a clear need for a systemic response in education policy, since, thus far, even numerous pilot projects and initiatives carried out by NGOs have not significantly changed the situation. Governmental programmes or policies that have been adopted in many states in recent years to address the education of Roma children are still relying too much on small-scale projects through NGOs instead of seeking a systemic solution.

Ensuring that Roma children have access to quality education regardless of whether they live in integrated communities or in segregated and rundown settlements is a prerequisite to breaking out of this vicious circle. A good start in education will limit the drop-out rate and would work successfully through all stages of education. It would require investment, but a lack of progress in this area would ultimately be more costly to the state budget, as numerous uneducated and therefore unqualified and unemployed Roma would become dependent on state welfare. The social consequences of such a situation can be dangerous, as it can pose threats to social cohesion and security.

VII. Enhancing Participation in Public and Political Life

In principle, Roma and Sinti enjoy all political and minority rights inscribed in international conventions. In more than 20 participating States, Roma and Sinti are recognized as an ethnic or national minority. Their legal-

> "Roma and Sinti people have an equal right to participate in public affairs. This includes the rights to vote, stand for election, participate in public affairs and form political parties without discrimination."
> — OSCE Action Plan, Chapter VI

minority status is confirmed explicitly either in constitutions (the former Yugoslav Republic of Macedonia or Finland), in minority bills (Hungary or Poland), or *de facto* (Romania or Slovakia).

Roma and Sinti are protected by the provisions of the Framework Convention for the Protection of National Minorities (FCNM), especially Article 4.2, which requires states parties to promote "full and effective equality", and Article 15, which requires states parties to create the necessary conditions for "effective participation" in all areas of life, in particular in those affecting the minority. The "Lund Recommendations on the Effective Participation of National Minorities in Public Life"[191] and the Advisory Committee's Commentary on Article 15 of the FCNM elaborate further on how the realization of these rights should be achieved.[192]

The political participation of Roma and Sinti is crucial for successful integration into wider society. Yet, intoler-

191 "Lund Recommendations on the Effective Participation of National Minorities in Public Life", Foundation on Inter-Ethnic Relations, 1999, <http://www.osce.org/documents/hcnm/1999/09/2698_en.pdf>.

192 See "Framework Convention for the Protection of National Minorities and Explanatory Report", 1995, Article 15, pp. 22-23, <http://www.coe.int/t/e/human_rights/minorities/2._framework_convention_%28monitoring%29/1._texts/PDF_H(1995)010%20FCNM_ExplanatoryReport_en.pdf>: "Parties could promote – in the framework of their constitutional systems – inter alia the following measures:
- consultation with these persons, by means of appropriate procedures and, in particular, through their representative institutions (…)
- involving these persons in the preparation, implementation and assessment of national, regional development plans and programs likely to affect them directly (…)
- effective participation of persons belonging to national minorities in decision-making processes and elected bodies both at national and local levels;
- decentralized or local forms of government."

ance and widespread discrimination have hindered this group's ability to participate fully in the public and political life of the states in which they live. Meaningful and effective political participation can work to overcome discrimination. It can simultaneously be a tool to combat discrimination and an indicator of inclusion and integration into the state and society.

For Roma and Sinti, it is still difficult to attain stronger representation and substantially increase their presence in public or elected bodies. Opinions vary on the question of why they remain underrepresented. Most analysts and activists tend to view the state of mainstream parties, governments, or even society in general as responsible for the failure of Roma and Sinti to reach a satisfactory level of political participation and representation. Societal exclusion, racism, and discrimination, or so-called window-dressing policies that place only a token number of Roma in public bodies are cited as reasons for this failure. In some contexts, however, like in the legislative framework of Bosnia and Herzegovina, Roma are *de jure* excluded from running for public office due to their non-recognition as a constituent people; instead, they are assigned to the category "others".[193]

Instead of political organizations, rapidly developing Roma civil-society groups are often taken to represent the community's interests. A variety of advocacy networks have been substituted for genuine political representation that is accountable to its constituency. Nevertheless, factors such as the size of the Roma community and its position (economic, social, and educational) play an important role in gaining stronger representation.

An overview of the situation shows that participating States have made *visible progress* in this area. Roma and Sinti participate in public and political life in a number of ways and are consulted in matters affecting them. Consultation mechanisms have been set up in various forms. In some states, Roma and Sinti are part of general minority councils (established for all minorities) whose role is linked either to parliament or to government. They may have their own minority boards (like in Finland, the country with the oldest consultative body for Roma and Sinti) or inter-ministerial commissions for Roma affairs (Czech Republic).

Factors that impact upon the participation of Roma and Sinti both as voters and as candidates and elected officials include: a lack of information among Roma and Sinti with regard to their rights as citizens; the reluctance of mainstream political parties to include Roma and Sinti as candidates on their lists; social marginalization; cultural practices that limit Roma women's political and public participation; and exploitation of this group by political candidates through vote-buying, proxy voting, and other irregularities. The most vulnerable groups within the Roma and Sinti communities are particularly affected, including IDPs, refugees, young people, and women.

It is important to strengthen Roma individuals' skills and increase their opportunities to build coalitions both with other Roma and with mainstream parties. This is one of the key approaches to increasing the representation of Roma and Sinti in politics in general.[194]

Voter turnout among Roma is generally below average. This is partly due to the lack of civic education and to the insufficient efforts of political parties to reach out to this sector of the electorate. Political apathy appears to be quite high among Roma voters.[195] There is a need for more studies of Roma voting behaviour.

Problems with identity documents further contribute to the low turnout among Roma voters. In addition, issues concerning the Roma community rarely find their way into mainstream parties' election campaigns. The main reason for this apparent neglect of the Roma electorate seems to be the lack of interest on the part of mainstream parties. There appear to be instances where parties deliberately avoid targeting Roma voters out of a concern that this could cost them votes from other parts of the population. Furthermore, Roma parties often use ineffective campaign tactics, and their campaigns are regularly characterized by a lack of programmatic issues, which limits their appeal. The number of Roma who occupy elected positions is very low. Roma populations are

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193 Information provided by Bosnia and Herzegovina in response to an ODIHR request for input on a draft version of this report.

194 "Mapping the Electoral Participation of Roma in South-Eastern Europe", ODIHR, <http://www.osce.org/documents/odihr/2007/01/22963_en.pdf>: "In general, facilitating the establishment of electoral coalitions, regardless of what type of coalitions, can help to maximize the impact of the Roma vote, in particular in situations where Roma parties running on their own have little or no chance of winning representation on elected bodies."

195 "National Democratic Institute Assesses Roma Political Participation in Future EU Members: Bulgaria, Romania, and Slovakia", *Roma Rights Quarterly*, <http://www.errc.org/cikk.php?cikk=1342>. However, one project undertaken by the National Democratic Institute to assess Roma political participation in three countries slotted, at the time, for accession to the European Union (Bulgaria, Romania, and Slovakia) found that Roma are likely to be more politically active at the local level than at the national level.

grossly under-represented in local and national assemblies and government administrations all over Europe.[196]

Roma women, especially refugees and IDPs, suffer multiple forms of discrimination by virtue of their ethnicity, gender, and place within Roma and Sinti communities. However, there have been numerous efforts over the last decade to improve the political and public participation of Roma women across the OSCE region. For instance, Roma women have been elected to public office in Hungary, Slovakia, and Romania.[197]

Action by Participating States

The participation of Roma and Sinti in policy design, implementation, and monitoring is being achieved in a number of ways, including by setting up specific administrative structures to deal with Roma in the government: these can be a Roma office (Hungary), a Roma agency (Romania), or a plenipotentiary for Roma issues (Slovakia). In all these examples, the heads of these structures are Roma themselves. There can be a single ministry with a department or office tasked with such a role (Labour Ministry, former Yugoslav Republic of Macedonia), but there are a number of models used. The Finnish Advisory Board on Roma Issues represents yet another way to ensure participation of Roma in policy-making and representation. It was founded in 1956 and has had four regional advisory boards since 2005.[198] In general, setting up a separate structure for the resolution of Roma issues is most common, due to the saliency and specificity of Roma issues. However, the work often involves the competencies of a number of ministries and demands effective co-ordination and an influential position.

The effective participation of Roma and Sinti in decision-making processes and elected bodies at both the national and local levels is ensured through systems of minority self-government, such as in Hungary, or minority councils, such as in Serbia or Croatia. Both practices are general, for all minorities, and involve democratic procedures for electing representatives of minorities to these bodies.

While European governmental administrative structures have advocated the establishment of various posts for Roma (including country offices specifically for Roma, local expert advisers, and joint working groups), monitoring reveals that most of these structures lack the resources and authority to conduct any kind of meaningful local activities. Poor co-ordination among local bodies also hinders effective action at this level, as does the apparent politicization in selecting staff for the country offices for Roma and Sinti.[199]

Local government is a crucial area for Roma participation, as more key social and economic responsibilities are decentralized. This can have significant benefits when there are high concentrations of Roma, such as in municipalities like Shuto Orizari in the former Yugoslav Republic of Macedonia.

Several governments have initiated training courses for young Roma to encourage their participation in public and political life. In Croatia, for instance, the Governmental Office for Ethnic Minorities organized six training and educational seminars for young Roma, with the aim of implementing measures from the National Programme for Roma.[200] With the support of the European Agency for Reconstruction (EAR), the Serbian Agency for Human and Minority Rights has started a programme of hiring Roma co-ordinators in local self-government units, paid by the EAR.[201] In addition, the Agency for Human and Minority Rights has, since 2004, established Roma facilitators in 20 municipalities to assist in liaising between Roma communities and local authorities. This has helped

196   See the statement by Council of Europe Commissioner for Human Rights Thomas Hammarberg, "Welcoming the Roma to Political Participation in Europe", OSCE Human Dimension Implementation Meeting, Warsaw, 27 September 2007, <http://www.osce.org/documents/odihr/2007/09/26718_en.pdf>.

197   "Roma Rights 4/2006: Romani Women's Rights Movement", *Roma Rights Quarterly*, <http://www.errc.org/cikk.php?cikk=2747>.

198   Information provided by the secretary-general of the Advisory Board on Roma Issues, Sarita Friman-Koprpela, in response to an ODIHR request for input on a draft version of this report.

199   "Monitoring the local implementation of the Government Strategy for the Improvement of the Condition of Roma (ROMAP)", eumap.org, <http://www.eumap.org/topics/minority/reports/romap>; OSI press release, "Government Strategy lags behind while Roma capacity is underused", September 2004, <http://www.eumap.org/pressinfo/press_releases/min_prot/2004_roma_romania/englishpr.doc>; "Monitoring the local implementation of the Government Strategy for the Improvement of the Condition of Roma (ROMAP)", OSI/EUMAP, 2004, <http://www.eumap.org/topics/minority/reports/romap>.

200   Croatia, statement on Roma and Sinti, Working Session 14: "Tolerance and non-discrimination II, National Minorities, Roma and Sinti", OSCE Human Dimension Implementation Meeting, 28 September 2005, Doc. No. 377.

201   Serbia, Agency for Human and Minority Rights, "Implementation of the OSCE Action Plan For the Promotion of the Position of Roma and Sinti", Human Dimension Implementation Meeting, Warsaw, 28 September 2005, Doc. No. 382.

to ensure that Roma are able to participate effectively in the decision-making processes of their municipality.[202]

On the initiative of the local authorities in Greece, an inter-municipal network was created that facilitates co-operation between local authorities and Greek Roma. In addition, the central government supports Roma participation at all levels of decision-making regarding Roma-related policies and strategies. Furthermore, a Roma political party was formed that represents Greek Roma in local and national elections.[203]

In comparison with other minorities, Roma and Sinti are the least successful in gaining representation in elected bodies, at both the national and local levels. Advances have mainly taken place across Central and South-Eastern Europe, but not in the states of Western Europe. The strongest evidence of progress can be seen by the election of two Hungarian Roma women politicians to the European Parliament in 2004.

For the time being, Roma and Sinti have managed to attain a small degree of representation in parliament in only a few states: in Hungary, there are four Roma parliamentarians; in Romania, two; in the former Yugoslav Republic of Macedonia, two; and in Bulgaria, one. And these were largely elected from mainstream party lists (Hungary and Bulgaria) or through coalitions with mainstream parties (Romania, the former Yugoslav Republic of Macedonia). In Romania, Roma, along with other minorities, benefit from seats reserved for minorities. Roma and Sinti have been more successful during local elections, though they are still under-represented.

"The participating States have an obligation to ensure that, even in crisis and post-crisis situations, all fundamental rights, including the rights of refugees … are secured without discrimination … .

"Recommended action by OSCE institutions and structures: 116. The ODIHR will assume a proactive role in analyzing measures undertaken by participating States relating to Roma and Sinti people and offer advice with a view to better tackling those elements of tension in particular contexts which may evolve, if not prevented, into open conflict situations."
— **OSCE Action Plan, Chapter VIII**

202   Information provided to ODIHR by Serbia in response to an informal briefing on a draft version of this report.

203   Information provided to ODIHR by Greece in response to an informal briefing on a draft version of this report.

VIII. Roma and Sinti in Crisis and Post-Crisis Situations

Chapter VIII of the Action Plan refers to crisis and post-crisis situations caused by war or open conflict that affect people, including Roma, as they become IDPs, refugees, or stateless persons. It concerns mainly the Roma, Ashkali, and Egyptians (RAE) who were affected by the recent conflicts in the Balkans (in Bosnia and Herzegovina and in Kosovo). This report elaborates on recent developments in reference to the situation of RAE in Kosovo. It pays less attention to the Roma situation after the Bosnian war, both in Bosnia and elsewhere. (Roma refugees from the Bosnian war and/or refugees from the former Yugoslavia are quite numerous in Western countries, and they continue to live there with an unclear, undefined legal status, or as stateless persons.)

Before the conflict, in 1999, Kosovo was home to 120,000 to 150,000 Roma, Ashkali, and Egyptians. Some of these communities enjoyed a considerably high standard of living. The Roma lived mostly among the Serbs, whereas the Ashkali and Egyptians lived among the Albanians. The latter also speak mostly Albanian and are Muslims. During and after the conflict, more than 100,000 RAE fled from Kosovo. Roma settlements across Kosovo were burned down and looted in acts of retaliation for allegedly collaborating with Serbs during the conflict. While these actions targeted Roma settlements, the Ashkali and Egyptians were also affected.

The conflict in Kosovo left many RAE displaced and dispossessed of their houses and property. Many became long-term refugees living dispersed throughout many countries, sometimes in dire housing conditions, such as in Serbia, Montenegro, and the former Yugoslav Republic of Macedonia, or they found temporary protection in the West.

Emerging Trends and Challenges

A number of challenges and concerns regarding RAE in Kosovo persist, including security and freedom of movement for minorities, discrimination in obtaining identification documents, and denial of access to remedies for violent crimes committed against RAE communities. Furthermore, RAE face racially motivated violence and threats of further violence and systemic and pervasive racial discrimination. RAE communities in Kosovo live in substandard conditions. IDPs and refugees, especially the

elderly, women, and children, are particularly vulnerable in Serbia, as well as in other countries such as the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and Montenegro, and they continue to experience severe problems linked to their unclear civil status, as well as the lack of adequate housing, education, and employment. International organizations play an important role in providing support and protection, as well as in raising awareness of the issues faced by these communities.

Kosovo's political, social, and economic stability has not yet improved, and limited results can be expected in the short and medium term. The economy is growing at a rate of 2 per cent per year, while its population is growing by an estimated 3.5 per cent annually.[204] There has also been a decrease in available employment opportunities, with far more job-seekers entering the employment market every year compared to the number of jobs created. Political instability is also preventing private investment from taking place in the foreseeable future.

About 15 per cent of the population of Kosovo is estimated to be extremely poor, defined as individuals who have difficulty meeting their basic nutritional needs (with daily incomes under $1). About 45 per cent report a consumption level below the poverty line (under $2 a day).[205] These poverty rates are very high compared to neighbouring countries, and, unlike many countries in the region, they have not improved over time (in fact, poverty rates have gotten worse since the last measurement, which indicates that about 12 per cent of the population are extremely poor). Given these conditions, the prospect for improving the situation of RAE communities is precarious.

The Roma communities living in enclaves rely principally on parallel administrative structures for public services in the areas of health, education, and social assistance. These structures are funded by the Serbian government in municipalities where there is a significant Serb presence. School attendance by Roma children continues to be poor.[206]

A majority of the RAE have been residing in informal settlements. Problems relating to the restoration of property rights are particularly acute for the RAE community, as many of the deeds to the properties where they lived prior to the conflict were not formalized.

In Kosovo, the RAE IDP community, as with other ethnic minorities, continues to feel insecure. Confidence in law-enforcement authorities, both international and local, remains low. As described in the last UNHCR position paper on the protection needs of people from Kosovo, the RAE, and especially those of Roma ethnic origin, continue to fear discrimination and revenge, as well as limitations on freedom of movement, including access to economic and social services.[207]

The pace of returning property to RAE and rebuilding their *mahalas* has been slow and is being carried out on a small scale. The voluntary return of Roma to Kosovo is closely related to the resolution of property disputes. The relocation of several hundred RAE IDPs to the Osterode camp (from lead-contaminated camps in northern Mitrovica) remains unresolved after more that seven years of living in camp conditions.

The difficult issues of the return of RAE refugees or forced returnees from Western countries remain unresolved. Many RAE from Kosovo, who have temporary protection status in other states, live in anxiety because of their uncertain future.

Overall, the return process stagnated in 2007, with roughly the same number of returnees as in 2006. Spontaneous returns decreased slightly, while organized returns saw a rise. The return trend in the first quarter of 2008 was below expectations (28 Roma and 55 Ashkali and Egyptians).

Action by Participating States

For those states that share a border with Kosovo, the main concern has been the issue of RAE refugees and IDPs. According to the UNHCR, some 22,981 Kosovo RAE were displaced in Serbia, with a further 4,338 RAE displaced in Montenegro, and some 1,800 RAE in the former Yugoslav Republic of Macedonia.

In the case of the former Yugoslav Republic of Macedonia, there was a serious crisis situation with Kosovo RAE refugees at the Greek border in 2003 (in the town of Medjitlia). Some 700 RAE came to the border with the inten-

204 *Human Development Report 2004: Cultural liberty in today's diverse world* (New York: UNDP, 2004), <http://hdr.undp.org/en/reports/global/hdr2004>; International Monetary Fund staff visit to Kosovo, 21-29 April 2008, internal aide memoire.

205 "Kosovo Poverty Assessment", World Bank, 2007, Vol. 1, "Accelerating Inclusive Growth to Reduce Widespread Poverty", p. i, <http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2007/11/01/000020439_20071101092530/Rendered/PDF/397370XK.pdf>.

206 Information provided by the UNHCR in response to an ODIHR request for input on a draft version of this status report.

207 "UNHCR's Position on the Continued International Protection Needs of Individuals from Kosovo", UNHCR, 1 June 2006, <http://www.unhcr.org/refworld/docid/449664ea2.html>.

tion of crossing into Greece to request asylum.[208] While this attempt was unsuccessful, it did trigger a number of measures by the former Yugoslav Republic of Macedonia to address some RAE concerns. One was the adoption of an asylum law.[209] To date, however, only a small number of individuals have been granted asylum status.

In Montenegro, the governmental strategy for RAE adopted in 2007 foresees some measures to address the needs of this community. The most difficult situation is being faced by the RAE in Serbia, as little action in support of this community can be reported. Still, international organizations play an important role in providing support and protection, as well as in raising awareness of the issues faced by these communities.

In Kosovo, there has been some positive change, mainly in terms of increased security for minorities in general and for Ashkali and Egyptians in particular. This situation was noted in the UNHCR's last position paper on the need for international protection, which maintained that there are safe conditions for the return of certain groups, such as Ashkali, Egyptians, Gorani, and Bosniaks. The UNHCR's view is that, whereas it is safe for the Ashkali and Egyptians to return, it is still not safe for Kosovo Roma. The UNHCR suggests that they should continue to benefit from international protection in countries of asylum. The return of these minorities should take place on a strictly voluntary basis, based on fully informed individual decisions.

A major undertaking was the decision supported by Kosovo's provisional government and now the government to reconstruct the Roma *mahala* in southern Mitrovica. This initiative benefited from the support of international donors. In order to oversee its implementation, a steering group comprising senior representatives of the municipality of Mitrovica, the Ministry of Returns and Communities, UNMIK, the OSCE, and the UNHCR was established.

Activities under the UNMIK's Return to Roma Mahala Project[210] were carried out within the framework of the co-ordination mechanism established in April 2005. Former residents without formal property deeds were invited to apply for the allocation of rights of use of publicly owned apartments for up to 99 years. Furthermore, the Danish Refugee Council implemented a separate project to assist the displaced RAE who owned land in the Roma *mahala*.[211] Four apartment blocks and 50 individual houses have been reconstructed to date, and around 600 people have been re-housed there, a small fraction of the community of up to 8,000 before the conflict.

The construction of two apartment buildings (in Magure/a and Plementina) made it possible for 47 families (219 individuals) to return between May and June 2006. The construction of a third building (in Plementina), funded by the European Agency for Reconstruction, followed in 2007. Seventeen families (65 individuals) were residing in this building by end of June 2007. Most of these families had never owned any property.[212]

In addition to spontaneous returns in 2003 and 2004, there were significant (more than 30 families) Roma returns to the village of Abdullah Presheva/o in Gjilan/Gnjilane. The second phase of the Abdullah Presheva/o organized return project (benefiting about 25 RAE families) had received funding from the Kosovo consolidated budget and was completed in 2007.

In Peje/Pec in 2004, the RAE community benefited from two organized return projects in Dubrave/a (84 people) and Brekoc/Brekovac (more than 200 people). Further, in Peje/Pec, the 7 Shtatori return project for the organized return of 25 families was successfully completed in 2007.

Kindergartens and catch-up classes for RAE have been established in several municipalities in Kosovo, with the aim of integrating them into the Kosovo education system. In the 2004-2005 school year, almost 1,000 RAE attended these catch-up classes, which were organized

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208   See ODIHR press release, "OSCE Skopje conference ends with agreement on return of Roma refugees stranded at Greek border", 25 July 2003, <http://www.osce.org/odihr/item_1_7680.html>.

209   See the law on asylum and temporary protection of the Yugoslav Republic of Macedonia: "persons from Serbia and Montenegro from Kosovo, with the status of temporary humanitarian assisted persons in the Republic of Macedonia, shall be considered as persons under temporary protection", <http://www.legislationline.org/upload/old/1ab4691acbfce80ea19403be2eefb588.pdf>.

210   See UNMIK press release, "SRSG attends the Ground-breaking ceremony of the Roma Mahala in Mitrovicë/Mitrovica and visits Svinjare/Frasher village", <http://www.unmikonline.org/DPI/PressRelease.nsf/0/E31B9D01D31E6753C125715C0024FF6B/$FILE/pr1541.pdf>.

211   See the Danish Refugee Council project "Design and Facilitation of Sustainable Voluntary Return to Kosovo", <http://www.flygtning.dk/Project_description.4024.0.html>.

212   Information provided by the UNHCR in response to an ODIHR request for input on a draft version of this status report.

jointly by the Kosovo Ministry of Education, Science and Technology and OMIK.[213]

In addition, classes are being provided for RAE children on their traditions and culture. The media have slowly started to show a greater interest, and political resistance towards this group is decreasing. For the first time, on 8 April 2008, the main newspapers ran full-length articles highlighting the plight of RAE communities. In Prizren, the RAE have reopened their own radio station.[214]

Joint activities have been undertaken over the last several years between OMIK, UNMIK, and the Kosovo provisional government to address the situation of RAE communities in Kosovo. The most significant in terms of policy-making were started in August 2006, when Kosovo's prime minister, OMIK representatives, and the Kosovo Foundation for the Open Society hosted a conference for the development of a Kosovo strategy for the integration of Roma, Ashkali and Egyptians.[215] Since then, a number of thematic workshops have been organized, facilitated, and supported by OMIK, with the participation of the RAE community, to prepare draft contributions to the Kosovo strategy for RAE. The strategy is expected to be finalized this year.

Priority Areas

Years after the Kosovo conflict, the situation of Kosovo's RAE remains unresolved. These communities face major disadvantages as refugees or IDPs in Balkan countries and in EU states, where many individuals remain essentially stateless. Their future is uncertain; they could be forced to return to Kosovo. And they are largely voiceless. Addressing these issues at a regional conference with the participation of RAE representatives and some EU governments should be a priority.

Developing a governmental strategy for Kosovo's RAE is another priority area. Such a strategy should be finalized and adopted by the government, and all relevant areas should be addressed in the strategy. Such a policy document should be monitored by the international community with respect to its implementation. Kosovo's authorities should demonstrate their commitment to resolve the problems faced by these communities and be prepared to integrate RAE returnees.

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213   UNMIK press release, "Return to the Roma Mahala in Mitrovice/Mitrovica", March 2007, <http://www.unmikonline.org/dpi/pressrelease.nsf/0/1839E58541DC75A2C12572B10025E8B7/$FILE/pr1661.pdf>.

214   See the website of the Kosovar Roma Oral Histories Project, <http://www.balkanproject.org/roma/interviews.shtml>.

215   OSCE Mission in Kosovo, press release, "PM Office, OSCE Mission and Kosovo NGO begin drafting strategy on Roma, Ashkali and Egyptian communities", 8 September 2006, <http://www.osce.org/item/20424.html>.

3.
The OSCE's Role in Implementing the Action Plan

The Budapest Document of 1994 mandated ODIHR's Contact Point for Roma and Sinti Issues to "act as a clearing-house for the exchange of information on Roma and Sinti (Gypsies) issues, including information on the implementation of commitments pertaining to Roma and Sinti (Gypsies); facilitate contacts on Roma and Sinti (Gypsies) issues between participating States, international organizations and institutions and NGOs; maintain and develop contacts on these issues between CSCE institutions and other international organizations and institutions".[216]

The OSCE Oslo Ministerial Council[217] renewed the Contact Point's mandate, tasking it with promoting "full integration of Roma and Sinti communities into societies they live in, while preserving their identity".

With the Maastricht Ministerial Decision of 2003, which introduced the Action Plan, the Contact Point's mandate was broadened and strengthened. New tasks were assigned in Chapters VIII, IX, and X. The Action Plan also recommends actions to be taken by OSCE institutions and structures, in particular, by ODIHR.

Chapter IX describes the proactive role of the Contact Point in analysing measures taken by participating States,[218] while Chapter X is dedicated to review and assessment of implementation of the Action Plan, especially

in paras. 133 and 135.[219] Since the adoption of the Action Plan in 2003, the Contact Point has developed its activities in line with its mandate and the Action Plan.

The main goal of the Action Plan is to reinforce participating States' efforts aimed at "ensuring that Roma and Sinti are able to play a full and equal part in societies and, eradicating discrimination against them".[220] This anti-discrimination perspective dominates the document. The Action Plan examines areas where discrimination occurs, and it identifies vulnerable groups within large and diverse Roma and Sinti communities that are particularly exposed to discrimination, such as children, women, refugees, stateless persons, and IDPs resulting from wars and crisis situations.

Dissemination and Encouragement

The first challenge was to disseminate the Action Plan widely among participating States, to provide information on its key elements, and to stimulate and encourage its use in polices and projects related to Roma and Sinti. State officials and administrations have limited knowledge of the Action Plan, and there have been few direct references to it at the state level, as reported during an informal briefing to the Permanent Council in 2004. The fact is, however, that preparation of the Action Plan and the complex process of consultation were themselves forms of dissemination, information exchange, and dialogue, at least among the circle of experts and state institutions that prepared the Action Plan.

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216   CSCE Budapest Document 1994, "Towards a Genuine Partnership in a New Era", paras. 23 and 24, <http://www.osce.org/documents/mcs/1994/12/4048_en.pdf>.

217   OSCE Oslo Ministerial Council 1998, Decision on Enhancement of the OSCE's Operational Capabilities Regarding Roma and Sinti Issues (MC(7).DEC/5), <http://www.osce.org/documents/mcs/1998/12/4168_en.pdf>.

218   See Chapter IX, para. 129 of the Action Plan: "Towards this end CPRSI will establish and develop direct contacts with participating States and will offer advice and opinions to them."

219   See Chapter X, para. 133 of the Action Plan: "review of the Action Plan's provisions at the HDIM, Review Conferences and other relevant human dimension events"; also see para. 135: "The Permanent Council will periodically organize informal briefings by the CPRSI on the areas covered by the Action Plan in order to assess the impact at the national and local levels of the measures foreseen by it."

220   Action Plan, para. 1.

OSCE human-dimension events have also provided opportunities to raise awareness of the many issues covered in the Action Plan. The Contact Point has promoted the Action Plan in all its activities, including through communications with OSCE state delegations, contacts and co-operation with state institutions and local authorities, conferences, field visits, and its reports and publications. The Action Plan is readily available for reference on ODIHR's website[221] and in printed form.

In the period from 2004 to 2007, ODIHR organized a number of activities and was involved with, or participated in, most major Roma-related events organized by governments and international organizations. By making formal statements and contributing to the debates at these events, ODIHR achieved two major objectives: it encouraged participating States to respond to challenges faced by Roma and Sinti, and it stimulated various actors to undertake additional activities and to co-operate further in addressing pressing issues. For this purpose, ODIHR used all the forums at which Roma and Sinti were considered, whether international, national, local, governmental, or non-governmental.[222]

Facilitating and Mediating

The Contact Point's mandate includes acting as a clearing-house. This means that it collects, disseminates, and facilitates access to, or use of, accumulated expertise on Roma and Sinti for interested parties. The Contact Point also publishes information on Roma and Sinti issues (reports, commissioned studies, publications, website materials). It is actively involved in facilitating communication between various parties and organizations, especially with respect to facilitating access of Roma and Sinti to various institutions at both the national and international levels during human dimension events. Three examples of this include: the active promotion of OSCE policies through practical involvement during the Roma refugee crisis on the border between the former Yugoslav Republic of Macedonia and Greece; expressing concerns with respect to the sterilization of Roma women in the

Czech Republic[223] and Slovakia[224]; and supporting the reconstruction of the Fabricka Roma *mahala* in southern Mitrovica, Kosovo.

Focusing and Prioritizing

Since the adoption of the Action Plan, ODIHR has focused on facilitating and enhancing its implementation by participating States.

Certain activities have been on ODIHR's agenda for a considerable time, e.g., political participation, whereas others, such as employment or education, have become a focus of attention more recently. ODIHR has also concentrated its efforts in certain geographical areas. Crisis and post-crisis situations have obviously been given the most attention, particularly in Kosovo and the former Yugoslav Republic of Macedonia. More recently, however, Roma and Sinti migration has led to an increased focus on destination countries, mostly in Western European states.

Civil Society

The idea of establishing the Contact Point emerged both within ODIHR itself and within civil society, which also played a major role in shaping it. Organizations such as the International Roma Union (IRU), the Roma National Congress (RNC), and the Project on Ethnic Relations (PER) were instrumental in lobbying for the Contact Point both at the OSCE Human Dimension Implementation Meeting and at the Budapest Summit in 1994.[225] Prior to the Budapest Summit, there had been two important regional conferences that, together with other developments during that period, contributed to setting the

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221   See <http://www.osce.org/odihr/18148.html>. It is available in the six official languages of the OSCE, as well as unofficial translations in Romani, Serbian, and Romanian.

222   See Appendix VI of this report.

223   ERRC, press release, "Czech Report on Coercive Sterilisation of Romani Women Published in English Translation: Civil Society Organisations Throughout Europe Urge Government Follow-Up", 14 March 2006, <http://www.errc.org/cikk.php?cikk=2528>.

224   Jeffrey Thomas, "Coercive Sterilization of Romani Women Examined at Hearing: New report focuses on Czech Republic and Slovakia", America.gov, 16 August 2006, <http://www.america.gov/st/washfile-english/2006/August/200608171045451CJsamohT0.678158.html>.

225   See the following reports by the PER: "The Romanies in Central and Eastern Europe: Illusions and Reality", <http://www.per-usa.org/rctr_eu.htm>; "Countering Anti-Roma Violence in Eastern Europe: The Snagov Conference and Related Efforts", <http://www.per-usa.org/snagov.htm>; also see the CSCE Budapest Document 1994, "Towards a Genuine Partnership in a New Era", <http://www.osce.org/documents/mcs/1994/12/4048_en.pdf>.

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agenda and aims of the Roma movement.[226] The Snagov conference concluded with a declaration outlining future objectives and the most urgent or requested action from governments. Non-governmental organizations also provided important input during the groundbreaking OSCE Human Dimension Conference in 1994,[227] which was co-organized with the Council of Europe.

The Contact Point's strength depends to a large extent on its ability to co-operate with civil society, and on the scope of that co-operation. The Contact Point supports activities organized by civil society, sometimes acting as a co-organizer. In return, the Contact Point receives important input from those same groups that it needs in order to function effectively. In particular, the Contact Point helps empower Roma and Sinti organizations, especially those involved in women's and youth issues.

SOME OF THE CONTACT POINT'S KEY PROJECTS

Political Participation and Civil Registration

The Contact Point has carried out two programmes funded by the EU: "Roma and the Stability Pact in South-Eastern Europe", between 2001 and 2003; and "Roma, Use Your Ballot Wisely!", between 2003 and 2006. The latter programme was jointly organized with the Council of Europe.

Both programmes focused on mapping the electoral participation and representation of Roma; voter education; training for Roma candidates, including women and young people; coalition-building; joint projects to mainstream Roma-related issues in electoral platforms; and networking of elected Roma representatives on both a national and regional basis. They also included training Roma to work as observers in ODIHR election observation missions or through networks of domestic election observers. In addition, the programmes tackled the problems faced by RAE in relation to civil or voter registration, such as lack of identification documents, unclear citizenship status, lack of property and land rights, as

well as issues of concern to IDPs, repatriated persons, and families in areas of previous conflicts.

Empowering Roma and Sinti

The Contact Point's work has also focused on empowering Roma representatives and communities. It has supported a number of initiatives to strengthen unity among various Roma and Sinti organizations and interest groups, e.g., initiatives to bring together the IRU and RNC; to encourage a political platform for RAE in Kosovo; to support Finnish President Tarja Halonen's proposal to set up a European Roma and Travellers Forum, or the Soros and World Bank initiative, the Decade of Roma Inclusion. The Contact Point also provided assistance and support to the Roma Women's Network and its activities. In Kosovo, it has, since 2005, provided financial support to the Roma and Ashkali Documentation Centre, an NGO based in Prishtina and Mitrovica.

Roma and Police

The Contact Point has been implementing a project called "Police and Roma: Towards safety in multiethnic communities" since 2004. The purpose of the project is to provide law-enforcement institutions, especially the police, with a framework for sharing information about best practices on policing in ethnic communities and implementation of international standards on policing. A series of roundtables, workshops, and training sessions have been held in Romania, Poland, the Russian Federation, and the United Kingdom.[228] Other local partners were also involved in these events, which were valuable in their own right, but which have also helped show how national and international organizations can be more effective by working together.

Based on the police-related tasks within the Action Plan, ODIHR staff, in co-operation with the Office of the HCNM and the SPMU, visited several places in Romania in November 2007 to investigate reports of violence and use of firearms by the police against Roma. The decision to organize these field visits was prompted by the fact that there had been similar incidents in other locations. The visits raised awareness among the police and Interior Ministry officials about the excessive use of force and the abuse of firearms. As a result, the OSCE was able to

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226   "Recommendation 1203 (1993) on Gypsies in Europe", Parliamentary Assembly of the Council of Europe, <http://www.coe.int/t/dg3/romatravellers/documentation/recommendations/parec1203(1993)_en.asp>; "Report on the situation of Roma and Sinti in the OSCE Area", HCNM, *op. cit.*, note 12; General Recommendation No. 27, *op. cit.*, note 10.

227   See "Consolidated Summary of CSCE Human Dimension Seminar on Roma in the CSCE Region", OSCE, 1994, <http://www.osce.org/documents/odihr/1994/09/1774_en.pdf>.

228   This was co-ordinated on behalf of ODIHR by the London-based NGO European Dialogue, <http://www.europeandialogue.org>.

identify ways to assist both the Interior Ministry and the General Police Inspectorate to combat this problem.

Recommendations from the visit stressed that the authorities need to consider alternative ways to enforce the law, that the police should fulfil their responsibilities with a minimum use of force, and that incidents involving the disproportionate use of force should be properly investigated.[229]

OSCE participating States can also use ODIHR's Law Enforcement Officer Programme on Combating Hate Crime (LEOP) to address the issue of hate crimes, including those against Roma and Sinti. The LEOP was developed as a tool to assist OSCE participating States in meeting their commitments to combat racism, xenophobia, anti-Semitism, and other forms of intolerance and discrimination. Roma-related issues are mainstreamed within the LEOP curriculum, given that Roma are one of the most frequent hate-crime victim groups in many OSCE states.[230]

Housing

Within the framework of the Action Plan, ODIHR encourages and supports governments in developing and implementing measures for legalizing informal settlements and in raising awareness of the violation of Roma and Sinti rights regarding housing and forced evictions. The Action Plan also emphasizes the need for governments to consider other relevant frameworks and initiatives such as the Decade of Roma Inclusion and recommendations by the Council of Europe[231] and the UN.[232] The Contact Point acts as an observer at the International Steering Committee of the Decade of Roma Inclusion.

ODIHR has undertaken a series of activities to stimulate debates on the issue of housing and security of residence and legalization of informal settlements. In an

effort to support the legalization of land inhabited by approximately 80 Roma families in the former Yugoslav Republic of Macedonia, ODIHR supported a project (2004-2006) implemented by a Roma NGO, in partnership with the municipality. The aim of the project was to rezone a green area in Kocani as a residential area. While the project was feasible, the municipality was unwilling to implement it.

ODIHR supported a project addressing the crisis situation of several Roma communities in Bacau county, Romania, affected by floods in 2005. Dozens of Roma families had their (illegally built) houses destroyed by floods and were left without shelter. The project was facilitated through a memorandum of understanding signed between ODIHR, the local council, and a local Roma NGO. Under the project, 79 houses were built, and papers were submitted for registration.

In 2006, ODIHR supported the publication of a Serbian-language book entitled *Stanovanje i naselja roma u jugoistoenoj Evropi: prikaz stanja i napretka u Srbiji* (Roma Housing and Settlements in South-Eastern Europe: Profile and Achievements in Serbia in a Comparative Framework). The book is an in-depth study of the issue of Roma settlements and housing in urban areas. It promotes positive experiences and practices with the potential of replication and suggests ways to build upon such examples both in Serbia and in other areas of South-Eastern Europe. The book's summary and recommendations are available in English.[233]

Furthermore, ODIHR supported the organization of a conference called "Consolidation and Legalization of Roma Settlements and Housing" in Belgrade in November 2006. This event resulted in "Guidelines for Improvement and Legalization of Roma Informal Settlements in Serbia", signed by the Serbian government at the start of 2007. Several localities were selected to pilot the implementation of these guidelines.

The Contact Point organized a side event on forced evictions[234] during an OSCE conference on combating discrimination, in Bucharest in June 2007. Conclusions and recommendations were delivered in plenary.[235]

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229 "Field Visit on Police and Roma relations", ODIHR, *op. cit.*, note 74.

230 See "Law Enforcement Officer Programme on Combating Hate Crime in the OSCE Region training-for-trainers seminar" at <http://tandis.odihr.pl/index.php?p=leop>. During the LEOP training-of-trainers session in November 2007, in London, Roma issues were introduced to the participants.

231 See the Council of Europe's housing-related materials and recommendations at <http://www.coe.int/T/DG3/RomaTravellers/documentation/housing/default_en.asp>.

232 See the UNDP webpage "Roma: Human Development Challenges and Opportunities", <http://roma.undp.sk>; "The Habitat Agenda Goals and Principles, Commitments and the Global Plan of Action", UN Habitat, <http://www.unhabitat.org/downloads/docs/1176_6455_The_Habitat_Agenda.pdf>.

233 *Roma Housing Settlements in South-Eastern Europe, op. cit.*, note 126.

234 "Side Event Report: Forced evictions of Roma in the OSCE region: working towards findings [sic] sustainable solutions to stop this phenomenon", ODIHR, Bucharest, 2007, <http://www.osce.org/documents/odihr/2007/06/25338_en.pdf>.

235 "Conclusions and Recommendations from the Side Event on Forced Evictions of Roma in Europe", ODIHR, Bucharest, 7 June 2007, <http://www.osce.org/documents/cio/2007/06/24986_en.pdf>.

Gender Perspective

ODIHR emphasizes the need to include Roma, including women and young people, as important contributors to the design and implementation of project initiatives. Furthermore, ODIHR recognizes the vacuum in international human-rights discourse on this subject, as well as the need to engage Roma human-rights activists in discussing taboo issues connected with gender equality in Roma and Sinti communities. Certain aspects of this issue, along with specific recommendations, are covered in the recent European Parliament resolution on Roma women in the European Union.[236]

Throughout its work, the Contact Point has emphasized the need for gender sensitivity to the different positions of Roma and Sinti men and women in society to ensure that their rights are realized in practice through targeted programming.

To assist in opening a dialogue on sensitive issues, such as early marriages, reproductive rights, and trafficking in human beings in Roma communities, ODIHR initiated a series of debates among Roma activists, both women and men, traditional and progressive. These debates focus on the challenges between human rights and some cultural practices of particular Roma groups. The main objective of these meetings is to develop a common platform when publicly discussing issues considered taboo in Roma communities. This allows Roma activists and representatives to raise awareness among non-Roma in an effort to eradicate the existing stereotypes about Roma and their cultural practices. It also allows Roma to network and to learn from each other on these challenging issues.

Anti-trafficking

In 2003, ODIHR issued an assessment on trafficking of children from Roma and Egyptian communities in Albania. Several recently published NGO expert reports highlight that Roma communities are especially vulnerable to trafficking in human beings. In particular, children begging or selling small items on the street has become an issue of increasing concern in Central and Southern Europe, as well as in Western European cities. One of the Contact Point's objectives in this field is to include Roma activists in all spheres of national activities and networks for combating trafficking in human beings, and to contribute to promoting working relations between Roma

organizations and mandated institutions to combat trafficking and to protect children.

Based on the findings of a series of meetings on trafficking in human beings in different states, ODIHR produced a position paper in 2006.[237] In September 2006, a roundtable was organized jointly by ODIHR and the OSCE Presence in Albania.[238]

Co-operation with OSCE Institutions

ODIHR has consistently co-operated with OSCE institutions and field operations. It has conducted joint projects with the OSCE missions in South-Eastern Europe, where there are large Roma communities.[239]

In 2003, for example, ODIHR provided assistance to the OSCE Spillover Monitor Mission to Skopje during the Roma refugee crisis, near the Greek border (Medjitlia).[240] ODIHR has also co-operated with OSCE missions on combating trafficking in human beings to support Roma and Sinti communities in Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, and Serbia.[241] Recently, ODIHR has been closely co-operating with the Mission in Montenegro on the implementation of the governmental Roma strategy.

There is a tradition of co-operation between ODIHR and the HCNM. The high commissioner dedicated a topical report in 1993 to Roma and Sinti[242] prior to the establishment of the Contact Point, as well as another important report in 2000. Recently, ODIHR further strengthened its co-operation with the HCNM, undertaking a number of joint activities.[243]

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236 European Parliament resolution on the situation of Roma women in the European Union, *op. cit.*, note 28.

237 "Awareness Raising for Roma Activists on the Issue of Trafficking in Human Beings in South-Eastern Europe", ODIHR, 2006, <http://www.osce.org/documents/odihr/2006/04/18692_en.pdf>.

238 *Building the Capacity of Roma Communities to Prevent Trafficking in Human Beings* (Warsaw: ODIHR, 2007), <http://www.osce.org/odihr/item_11_25035.html>.

239 In Serbia, for example, the Local Administration Internship Programme for Roma was a joint project between ODIHR and the OSCE Mission to Serbia and Montenegro in 2005.

240 "OSCE Skopje conference ends with agreement on return of Roma refugees stranded at Greek border", *op. cit.*, note 208.

241 *Building the Capacity of Roma Communities to Prevent Trafficking in Human Beings, op. cit.*, note 238.

242 "Roma (Gypsies) in the CSCE Region: Report of the High Commissioner on National Minorities", HCNM, *op. cit.*, note 11.

243 "Field Visit on Police and Roma relations", ODIHR, *op. cit.*, note 74; ODIHR is also closely co-operating with the personal representative of the OSCE Chairman-in-Office on combating racism, xenophobia and discrimination.

Appendix I
Timeline of Roma and Sinti Issues at ODIHR

The following table shows the development of Roma and Sinti issues within ODIHR, first from 1990 until the adoption of the OSCE Action Plan in December 2003, and since then to the present. It maps the development stages, from human dimension commitments and reports on Roma and Sinti to relevant actions and recommendations, a process that began with the OSCE's recognition of the need to include Roma and Sinti in the decision-making process, and the establishment of relevant institutional mechanisms to address this inclusion. The period from 2003 to the present indicates practical initiatives undertaken to implement various chapters of the Action Plan.

Period	Human Dimension Commitments and Reports on Roma and Sinti	Actions/Recommendations for OSCE Participating States
1990-1993		
Awareness-raising and calls for development of programmes	• CSCE Copenhagen Document, 1990 • CSCE Meeting of Experts on National Minorities, Geneva, 1991 • Helsinki OSCE Document, the Challenges of Change, 1992 • HCNM Statement on Roma at the Meeting of the Committee of Senior Officials, 1993	• Recognition of the particular challenges confronting Roma and Sinti • Emphasis placed on undertaking effective measures in order to achieve full equality of opportunities • Programmes developed to create the conditions for promoting non-discrimination and cross-cultural understanding • New measures introduced to tighten east-to-west migration controls
1994-1995		
Creation of an OSCE arrangement to monitor the situation and facilitate information exchange; mapping of Roma and Sinti throughout OSCE area	• Human Dimension Seminar on Roma and Sinti, Warsaw, 1994 • OSCE Summit of Heads of State, Budapest, 1994 • Report of the Human Dimension Implementation Meeting in Warsaw, 1995	• Contact Point for Roma and Sinti Issues established within ODIHR • Suggestion of country-by-country study with regular follow-up
1996-1997		
Moving towards state policies and programmes through NGO-state exchange	• Rapporteurs' Report of the OSCE Review Meeting, Vienna, 1996 • Report of the First Roundtable on Roma and Sinti Issues • Human Dimension Implementation Meeting, Warsaw, 1997	OSCE delegations put forth policies and structures to address intolerance against Roma and Sinti *Recommendations:* • Develop a comprehensive approach to issues relating to Roma and Sinti • Increase Roma political and public participation • Combat hate crimes and discrimination

Period	Human Dimension Commitments and Reports on Roma and Sinti	Actions/Recommendations for OSCE Participating States
1998-2002		
Establishing and strengthening ODIHR's Contact Point

Moving towards a new phase of action:
• putting best practices into operation
• implementing platform of action in emergency situations | • OSCE Parliamentary Meeting, June 1998
• Ministerial Council Meeting, Oslo, December 1998
• Report of the Roundtable on Roma and Sinti Issues
• St. Petersburg OSCE Parliamentary Meeting
• Supplementary Human Dimension Meeting, Vienna, 1999
• Istanbul Document (Summit of OSCE Heads of State), Istanbul 1999 | Recommendations:
• The creation of the position of adviser on Roma and Sinti issues at ODIHR
• Enhanced tripartite co-operation among ODIHR, the CoE, and the EC
• OSCE Task Force and Plan of Action on Roma in Kosovo and in other crisis situations |
| **2003-present** | | |
| Adoption of the Action Plan

ODIHR implementation of various chapters of the Action Plan | • OSCE Ministerial Council Meeting, Maastricht, December 2003
• Regional Conference on the Civil Registration of Roma in South-Eastern Europe, Belgrade, 28 November 2005
• International implementation conference on Roma, Sinti and Travellers, Warsaw, October 2005
• International Conference on the Implementation and Harmonization of National Policies for Roma, Sinti and Travellers: Guidelines for a Common Vision, Bucharest, May 2006
• OSCE Action Plan on Roma and Sinti: participation in political life, overcoming discrimination, September 2007 | • Emphasizing a regional approach to issues of civil registration of Roma and Sinti in South-Eastern Europe
• Harmonization of policies related to Roma and Sinti
• Supporting Roma and Sinti in becoming political stakeholders |

Appendix II
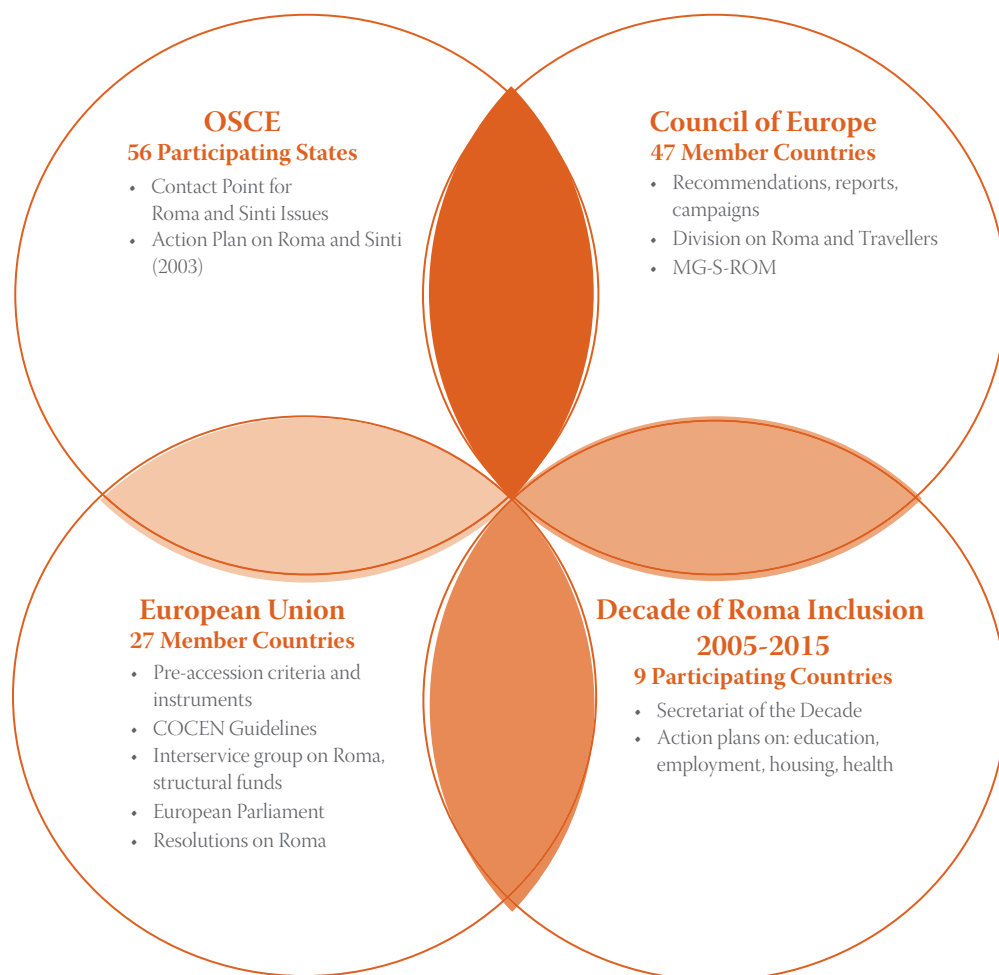## Legal Norms and Policy Frameworks of Relevant Institutions

	Policy Framework	International Law	Directives	Institutions
OSCE http://tandis.odihr.pl	**OSCE Action Plan for Improving the Situation of Roma and Sinti within the OSCE Area** (OSCE PC Decision 566/2003, and Maastricht MC Decision 3/03) **Report on the situation of Roma and Sinti in the OSCE in 2000** OSCE High Commissioner on National Minorities **Resolution on "Education of Roma Children" (Berlin, 2002)** OSCE Parliamentary Assembly **Supplementary Human Dimension Meetings** on Roma and Sinti **HDIM and ODIHR seminar recommendations** on Roma (2003-2007)			**Permanent Council** www.osce.org **ODIHR Contact Point for Roma and Sinti Issues (since 1994)** www.osce.org/odihr/18148.html **Field Missions** Roma assistants in Albania, Bosnia and Herzegovina, Serbia, Kosovo, and the former Yugoslav Republic of Macedonia www.osce.org/about/13510.html **High Commissioner on National Minorities** www.osce.org/hcnm/
Council of Europe www.coe.int	**MG-S-ROM Recommendations approved by Committee of Ministers on:** Economic and Employment, Movement and Encampment, Education, Housing, Health Care http://www.coe.int/t/dg3/romatravellers/documentation/recommendations/default_en.asp **Tolerance and non-Discrimination** http://tandis.odihr.pl/index.php?p=home **ECRI** General Policy Recommendation No. 3: Combating racism and intolerance against Roma/Gypsies www.coe.int/t/e/human_rights/ecri **Parliamentary Assembly** Reports and recommendations on the situation of Roma/Gypsies (Rec.1203/1993 and1557/2002) http://assembly.coe.int	**European Convention for the Protection of Human Rights and Fundamental Freedoms** http://conventions.coe.int/treaty/EN/Treaties/html/005.htm **Framework Convention on National Minorities** www.coe.int/minorities **European Social Charter** **European Charter for Regional or Minority Languages** www.coe.int/minlang		**Committee of Experts (MG-S-ROM) (1996)** www.coe.int/t/dg3/romatravellers/mgsrom/default_en.asp **DG III Social Cohesion** Coordinator of Roma and Travellers Activities www.coe.int/T/DG3/RomaTravellers/ **Monitoring Mechanisms, including:** **Commissioner for Human Rights (1999)** www.coe.int/t/commissioner/default_en.asp **European Court of Human Rights** www.echr.coe.int **The Advisory Committee on the Framework Convention on National Minorities** www.coe.int/minorities **European Committee of Social Rights** www.coe.int/T/E/Human_Rights/Esc **The Committee of Experts of the European Charter for Regional or Minority Languages** www.coe.int/minlang **European Commission against Racism and Intolerance** www.coe.int/t/e/human%5Frights/ecri

	Policy Framework	International Law	Directives	Institutions
European Union http://ec.europa.eu	**EU Guiding Principles to improve the living conditions of Roma (Tampere, 1999)** **Parliamentary resolution on the situation of the Roma in the European Union P6_TA(2005)0151** www.europarl.europa.eu **Parliamentary resolution on the situation of Roma women in the European Union (2005/2164(INI)** www.europarl.europa.eu **High Level Group on the Social Integration of Ethnic Minorities and their Full Participation in the Labour Market** http://ec.europa.eu/employment_social/fundamental_rights/policy/hlg_en.htm **EC annual progress reports on candidate countries (since 1998)** http://ec.europa.eu/enlargement/index_en.htm		**EU Race Directive 2000/43/EC** http://ec.europa.eu/employment_social/fundamental_rights **EU Equal Treatment in Employment Directive 2000/78/EC** http://ec.europa.eu/employment_social/fundamental_rights	**European Commission Inter-service group on Roma issues (2004), see DG Employment** www.ec.europa.eu/employment_social/fundamental_rights/roma/rabout_en.htm **DG Enlargement** www. ec.europa.eu/enlargement **External Co-operation-Europe Aid** www.ec.europa.eu/europeaid/index_en.htm **European Commission Delegations** *(States outside the European Union)* http://ec.europa.eu/external_relations/delegations/intro/web.htm **Structural Funds support programmes for Roma projects on Roma/Gypsies of EU** http://ec.europa.eu/regional_policy/funds/prord/sf_en.htm **Cohesion funds** http://ec.europa.eu/regional_policy/funds/procf/cf_en.htm **Fundamental Rights Agency** Formerly EUMC http://eumc.europa.eu/fra/index.php
United Nations www.ohchr.org	**Declaration of the World Conference against Racism, (Durban, 2001)** http://www.ohchr.org/Documents/Issues/Racism/Durban.pdf *Roma in Central and Eastern Europe: Avoiding the Dependency Trap* http://roma.undp.sk **UNHCR reports on the situation of Roma, Ashkali, Egyptians from Kosovo** www.unhcr.org	**Convention on the Elimination of Racial Discrimination** http://www.unhchr.ch/html/menu3/b/d_icerd.htm **General Recommendation No. 27: Discrimination against Roma** www.ohchr.org		**Office of UN High Commissioner on Human Rights** www.unhcr.org **Treaty monitoring bodies** www.unhchr.ch/tbs/doc.nsf **Human Rights Council** http://www2.ohchr.org/english/bodies/hrcouncil **World Bank** www.worldbank.org **UN agencies, especially:** **UNDP** www.undp.org **UNICEF** www.unicef.org

Appendix III
Participating States and Institutional Memberships

OSCE
56 Participating States
- Contact Point for Roma and Sinti Issues
- Action Plan on Roma and Sinti (2003)

Council of Europe
47 Member Countries
- Recommendations, reports, campaigns
- Division on Roma and Travellers
- MG-S-ROM

European Union
27 Member Countries
- Pre-accession criteria and instruments
- COCEN Guidelines
- Interservice group on Roma, structural funds
- European Parliament
- Resolutions on Roma

Decade of Roma Inclusion 2005-2015
9 Participating Countries
- Secretariat of the Decade
- Action plans on: education, employment, housing, health

EU Candidate Countries
- *Croatia*
- *Former Yugoslav Republic of Macedonia*
- *Turkey*

Decade of Roma Inclusion
- *Bulgaria*
- *Croatia*
- *Czech Republic*
- *Former Yugoslav Republic of Macedonia*
- *Hungary*
- *Montenegro*
- *Romania*
- *Slovakia*
- *Serbia*

Invited countries
- *Albania*
- *Bosnia and Herzegovina*
- *Moldova*
- *Portugal*
- *Slovenia*
- *Spain*

Appendix IV
Activities of International Organizations (2003-2007)

Council of Europe	Roma Rights Summer workshop with ERRC
	Meetings of the MG-S-ROM – Committee of Experts (Table I)
	Joint project between the CoE's Directorate General IV, ODIHR, and the EC "Roma under the Stability Pact", strategy planning, development and monitoring www.coe.int/T/DG3/RomaTravellers
	Judgements of ECtHR: www.echr.coe.int
	Country monitoring reports: www.coe.int/t/commissioner/default_en.asp www.coe.int/minorities www.coe.int/t/e/human%5Frights/ecri
European Union	EU Parliament Participation of Roma in the European Parliament
	EC initiatives See Table I – funding range of programmes via: DG Enlargement www. ec.europa.eu/enlargement
	External Co-operation-Europe Aid www.ec.europa.eu/europeaid/index_en.htm
	Structural Funds support programmes for Roma projects on Roma/Gypsies of EU http://ec.europa.eu/regional_policy/funds/prord/sf_en.htm
	Cohesion funds http://ec.europa.eu/regional_policy/funds/procf/cf_en.htm
	Fundamental Rights Agency Formerly EUMC – monitoring reports http://eumc.europa.eu/fra/index.php
	Year of Equal Opportunities (2007)
	Year of Inter-cultural Dialogue (2008)
United Nations	UN Millennium Goals to be implemented during the Decade for Roma Inclusion www.ohchr.org
	United Nations Office of the High Commissioner for Human Rights (UNOHCHR) Roma Declaration Dublin
	Debates on Roma within the UN Working Group on Minorities
	Country reports of human-rights treaty bodies www.ohchr.org
	UN Beijing +10 Roma women's issues on the agenda www.ohchr.org
	Current activities of UN: UNDP, UNICEF, UNOHCHR, UNHCR
World Bank and Other IGOs	Follow-up by the World Bank and the OSI Conference "Roma in an Expanding Europe: Challenges for the Future" (Budapest, 29 June-1 July 2003)
	Launching of the Decade of Roma Inclusion, 2005-2015 (February 2005), Sofia, Bulgaria www.worldbank.org/roma
	Roma Education Fund Meetings of the Roma Decade International Steering Committee
	Funding of Partnership Projects http://romaeducationfund.hu

Selected NGOs	CARE
	www.careinternational.org
	Citizens Centre for Freedom and Democracy
	www.ccfd.ca
	European Centre for Minority Issues
	www.ecmi.de
	European Dialogue
	www.europeandialogue.org
	European Roma Rights Centre
	www.errc.org
	European Roma Information Office
	www.erionet.org
	Minority Rights Group International
	www.minorityrights.org
	National Democratic Institute
	www.ndi.org
	Open Society Institute
	www.soros.org
	PAKIV
	www.pakiv.org
	Project on Ethnic Relations
	www.per-usa.org
	SPOLU
	www.spolu.nl
	European Roma and Travellers Forum – ERTF
	www.ertf.org

Appendix V

Council of Europe Estimates of Roma and Sinti Populations

	Official number (last census)	Estimated figures
Romania	535,000 (2002)	1,200,000 to 2,500,000
Bulgaria	370,908 (2001)	700,000 to 800,000
Spain	No data available	600,000 to 800,000
Hungary	190,046 (2001)	600,000 to 800,000
Turkey	No data available	300,000 to 700,000
Slovakia	89,920 (2001)	350,000 to 520,000
Serbia (excluding Kosovo)	108,193 (2002)[1]	400,000 to 450,000
France	No data available	300,000 to 340,000
Russian Federation	182,617 (2002)	220,000 to 400,000
United Kingdom	4,096 (2001)[2]	Up to 300,000
Former Yugoslav Republic of Macedonia	43,707 (1994)	220,000 to 260,000
Ukraine	47,600 (2001)	50,000 to 400,000
Czech Republic	11,716 (2001)	150,000 to 300,000
Greece	No data available	80,000 to 350,000
Italy	No data available	120,000 to 160,000
Germany	No data available	70,000 to 130,000
Albania	1,261[3]	80,000 to 120,000
Moldova	12,280 (2004)	18,691 to 150,000
Portugal	No data available	40,000 to 50,000
Sweden	No data available	40,000 to 50,000[4]
Poland	12,731(2002)	20,000 to 60,000
Bosnia and Herzegovina	8,864 (1991)	20,000 to 60,000
Belarus	No data available	10,000 to 70,000
Ireland	24,000 (2002)	32,000 to 38,500[5]
Switzerland	No data available	35,000[6]
Croatia	9,463 (2001)	30,000 to 40,000
Belgium	No data available	20,000 to 30,000
Austria	No data available	20,000 to 25,000
Netherlands	No data available	5,000 to 40,000[7]
Montenegro	2,875 (2003)	20,000
Latvia	8,205 (2000)	8,000 to 15,000
Finland	No data available	10,000
Slovenia	3,246 (2002)	7,000 to 10,000
Norway	No data available	2,300 to 11,000[8]
Denmark	No data available	1,000 to 10,000

1 Excluding Kosovo. In addition, there are about 100,000 to 120,000 IDPs from Kosovo.
2 This includes 2,219 Travellers of Irish Heritage and Gypsies in England and Wales, plus 167 in Scotland and 1,710 in Northern Ireland. According to the latest figures from the Office of the Deputy Prime Minister, there are about 15,000 caravans travelling in the United Kingdom.
3 Roma and Vlachs together.
4 Roma and Travellers together.
5 This includes 30,000 to 36,000 Irish Travellers, plus 2,000 to 2,500 Roma.
6 Yenish population.
7 Including 5,000-10,000 Roma and Sinti and 23,000 autochthonous Travellers.
8 Including 2,000-3,000 Roma/Travellers and 300-400 Roma/Gypsies (official source).

	Official number (last census)	Estimated figures
Lithuania	2,570 (2001)	2,575 to 4,000
Georgia	1,744 (1989)	Over 2,000
Cyprus	No data available	1,500
Estonia	542 (2000)	1,000 to 1,500
Luxembourg	No Roma/Travellers	100 to 500
Armenia	No official data	a few hundred

Appendix VI
CPRSI Events (2004-2007)

Year	Title	Co-organizer(s)	Events Related to Roma and Sinti
2007	Implementation of policies on Roma, Sinti and Travellers	Fundamental Rights Agency	HDIM, 26 September, Warsaw
	Roma Politicians' Influence on Political Processes	Project on Ethnic Relations, National Democratic Institute	HDIM, 27 September, Warsaw
	European Roma Rights Charter – A guide for ERTF Roma related policies	European Roma and travellers Forum	HDIM, 27 September, Warsaw
	Roma & Sinti: implementing commitments		HDS, 18 May, Warsaw
2006	Building Coalitions among Roma Representatives to Formalize Informal Settlements and Prevent Forced Evictions of Roma, Sinti and Travellers	UN Habitat Warsaw Office, Council of Europe	HDIM, 2 October, Warsaw
	Exhibition "Unsettled Spaces - Vulnerable People; How Should We Legalize Roma Settlements and Overcome Frozen Conflicts?"	University of Urbanism and Architecture, Roma Museum of Tarnow	HDIM, 2-6 October, Warsaw
	Exhibition: "Historical and contemporary aspects of life of Roma in Poland"	Roma Museum of Tarnow	HDIM, 4-6 October, Warsaw
	The Gender Dimension of Roma and Sinti Affairs, including situation of Roma women as refugees	OSI Roma Participation Program, OSI Joint Roma Women's Initiative, Roma CRISS	HDIM, 4 October, Warsaw
	Prospects and policies for Roma, Ashkali, and Egyptians in the framework of the Kosovo political status	Kosovo Roma and Ashkali Forum	HDIM, 5 October, Warsaw
	Bringing Social Partners Together in Facilitating Roma Integration into the Labour Market	Roma Education Fund	HDIM, 6 October, Warsaw
	Methodology for review and assessment of the implementation of the OSCE Action Plan on Roma and Sinti in relation to the Governmental Programmes for Roma and Sinti	Polish Ministry of Interior and Administration, OSCE Delegation of Romania	HDIM, 9 October, Warsaw
	Police and Roma: towards safety for multiethnic communities	Romanian Institute for Research and Prevention of Criminality	HDIM, 10 October, Warsaw
	HCNM Recommendations on Policing in Multi-Ethnic Societies		HDIM, 11 October, Warsaw
	Meeting of the Informal Contact Group of International Organisations on Roma, Sinti and Travellers		3 April
	Roundtable on Making Prevention of Trafficking in Human Beings Effective: Building Regional and Local Capacity of Roma Communities	OSCE Presence in Albania	18-20 September, Tirana
	Current situation and prospects of Kosovo Roma		SHDM, 29-30 March, Vienna
	European Parliament - Hearing on Kosovo Roma		International Status Talks regarding Kosovo, 6 March

Year	Title	Co-organizer(s)	Events Related to Roma and Sinti
2005	International Conference on the Implementation and Harmonization of National Policies on Roma, Sinti and Travellers: Guidelines for a common vision	CoE, EU, Romanian Government	4-5 May, Bucharest
	Meeting of the Informal Contact Group of International Organizations on Roma, Sinti and Travellers		19 April, Brussels
	Particular problems of Roma in migration trends across states		HDS on Migration and Integration, 11 May, Warsaw
	Implementing the Roma and Sinti Action Plan (economic and social aspects): Promoting local economic development		13th Meeting of the OSCE Economic Forum, 24 May
	Combating Racism and Discrimination against Roma and Sinti: (Implementing Chapter III of the OSCE Action Plan on Roma and Sinti)	European Roma Information Office	7 June
	Documentation Point - Kosovo Roma and Roma in crisis and post-crisis situations		HDIM, 20 September, Warsaw
	Kosovo Roma: as minorities in Kosovo; as refugees and IDPs in OSCE area	The International Roma Contact Group	HDIM, 20 September, Warsaw
	Participation of Roma and Sinti in electoral processes		HDIM, 19 September, Warsaw
	Documentation Point - Participation of Roma and Sinti in electoral processes		HDIM, 18-19 September, Warsaw
	Gender Dimension of Roma and Sinti Issues: Multiple Identities as a Source of Strength and Discrimination	OSI Roma Participation Program, OSI Joint Romani Women's Initiative, Minority Rights Group International	HDIM, 27 September, Warsaw
	How to Match Words with Funds: Equal Access of Roma to Housing, Residential Security and to Quality Education	CoE (as joint Secretariat of the Informal Contact Group of International Organisations on Roma, Sinti and Travellers)	HDIM, 19-30 September, Warsaw
	How to teach about the experience of Roma during WW II	CoE	HDIM, 29 September, Warsaw
	Documentation Point - How to teach about the experience of Roma during WW II	CoE	HDIM, 28-29 September, Warsaw
	Meeting of the Roma Focal Points of the OSCE Missions		HDIM, 29 September, Warsaw
	International implementation Conference on Roma, Sinti and Travellers	CoE, EUMC, Poland, Slovenia	20-21 October, Warsaw
	Meeting of the Informal Contact Group of International Organisations on Roma, Sinti and Travellers		9 November, Brussels
	Regional Conference on the Civil Registration of Roma in South-Eastern Europe	Ministry of Human and Minority Rights of Serbia and Montenegro	28 November
2004	Improving Access to Education of Roma and Sinti; towards school desegregation and quality education for children and youth	CoE, European Roma Rights Centre	OSCE Sofia Ministerial Council Meeting, 7 December
	Situation of Roma Internally Displaced Persons in the framework of the implementation of the OSCE Action Plan, Chapter VII		SHDM "Internally Displaced Persons", Vienna, 4-5 November
	Promoting entrepreneurship and opportunities for economic development for Roma and Sinti		12th Meeting of the OSCE Economic Forum, Prague, 31 May-4 June
	Meeting of the Informal Contact Group of International Organisations on Roma, Sinti and Travellers		Brussels
	Informal discussion with Roma participants of the HDIM on the ODIHR-EC project "Roma, use your ballot wisely!"		HDIM, 4-15 October, Warsaw
	Building co-operation between central government, local government and NGOs to improve the situation of the Roma in Poland	Advisory Office, joint project of Ministry of Internal Affairs and Administration of Poland and British Embassy	HDIM, 4-15 October, Warsaw
	Roma and the right to equal housing in Europe	European Roma Rights Centre	HDIM, 4-15 October, Warsaw
	Improving relations between Roma and the police, in the framework of the OSCE Action Plan	European Dialogue	HDIM, 4-15 October, Warsaw
	Media and Fighting Discrimination against Roma and Sinti: Media as a tool against Anti-Gypsyism		13 September, Brussels

APPENDIX VII

## Replies to ODIHR's Questionnaire from OSCE Participating States (2006)

State	National action plan/ legislation relevant to Roma	Specialized office to oversee the implementation of the national action plan	State funds allocated for implementation of Roma and Sinti action plan/legislation
Belgium	♦	♦	51,058 euros annually for the *Centre de Mediation des Gens du Voyage* + 84,087 euros (2004) for the Impuls Fund for immigration policy
Bulgaria	♦	♦	• 2,989,334 BGN (1,532,990 euros) for the Framework Program for Equal Integration of Roma in Bulgarian society; and • 9,703,000 BGN (4,975,900 euros) for the National Program for Improvement of the Living Conditions of Roma
Croatia	♦	♦	12,000,000 KN (1,613,180 euros) in 2006
Czech Republic	♦	♦	3,960,000 euros
Denmark	♦	♦	
Finland	♦	♦	From various budget lines (*no exact amount can be calculated*)
France	♦	♦	From various budget lines (*no exact amount can be calculated*)
Germany	♦	♦	From various budget lines (*no exact amount can be calculated*)
Greece	♦	♦	339.747 million euros (2002-2006)
Hungary	♦	♦	172.5 million HUF (638,000 euros)
Italy			
Latvia		♦	
Lithuania	♦		
Montenegro	♦		
Netherlands		♦	
Norway		♦	
Poland	♦		1.5 million euros annually
Portugal			From various budget lines (*no exact amount can be calculated*)
Romania	♦	♦	
Serbia	♦	♦	
Slovakia	♦	♦	From various budget lines (*no exact amount can be calculated*)
Slovenia	♦	♦	3,245,284 euros for 2006
Spain	♦	♦	6,487,261 euros for 2005
United Kingdom	♦	♦	56 million GBP (83 million euros) for 2006-2008 committed to Gypsy and Travellers sites

Notes: Canada, Iceland, Lichtenstein, and Sweden responded to the questionnaire; the data provided was not relevant to the categories shown in this table. Where fields are left empty in the table, no relevant data was provided for the items in question.
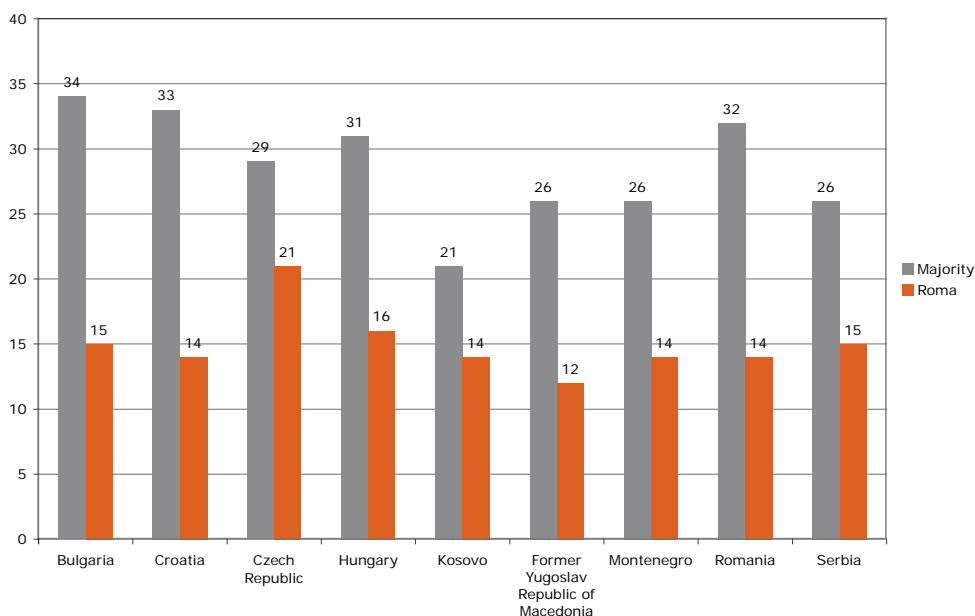
Appendix VIII
UNDP Roma Factsheet (2005)

Share of the population below the internationally recognized poverty line
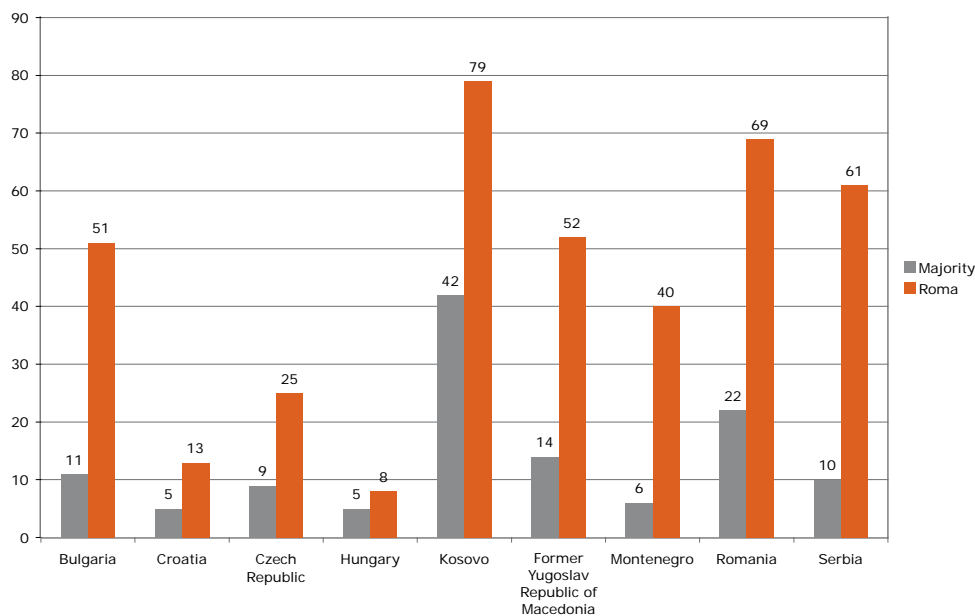

Five times more Roma live below the poverty line than do the majority populations surveyed in Bulgaria and Serbia; three times more in the former Yugoslav Republic of Macedonia and Romania.

Square metres per household member

The total living space in Roma households measured per household member in all countries except the Czech Republic is half as much as the living space per household member for the majority populations surveyed.

Share of households that cannot afford prescription medication
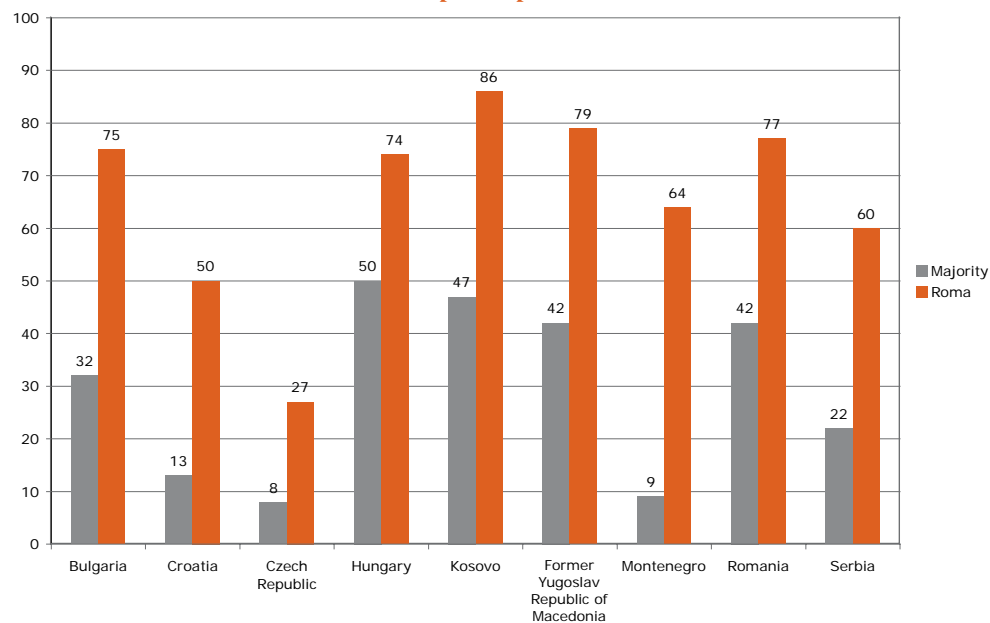
The surprise is Hungary, where drugs are almost equally unaffordable for Roma and the majority population. Seven out of 10 Roma cannot afford prescription drugs, while 5 out of 10 among the majority cannot afford them.