

EU Policies for Roma Inclusion

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The last five years have seen major progress in the development of a common EU approach to increasing Roma inclusion and improving socio-economic conditions in Roma communities. However, this mission and the one to ensure equal rights for Roma, remain incomplete. While the EU Framework for coordinating national Roma strategies was endorsed by the European Council on 24 June, much more is required to ensure respect of Roma rights and social inclusion across Europe. How can the EU move from an overall framework and approach to national-level implementation? This note assesses recent developments in EU policy on Roma, and highlights the further commitments needed to achieve tangible results.

Recent developments in EU Roma policy

The **European Parliament** brought the increased attention to Roma issues that was key to pushing the Commission and member-states to respond. During the 2004-2009 Parliament, the major political groups came together around Roma rights, culminating in a Parliamentary Resolution calling the Commission and Council to adopt a European Roma Strategy.¹ A similar Resolution with more concrete recommendations and political ambition was passed in 2011.² The second Resolution included seven priority areas and over 30 objectives for the strategy on Roma Inclusion. The European Parliament's attention to Roma created the political momentum towards a future EU Roma Policy, although the details and mechanics have been developed and disputed between the Commission and member-states.

The **European Commission** achieved a major step forward this year with its Communication, the "EU Framework for National Roma Integration Strategies up to 2020".³ The EU Framework was presented in April 2011, welcomed by Council Conclusions in May and endorsed by the European Council on 24 June.⁴ The Framework is the most comprehensive policy document so far produced by the European Commission to improve the social inclusion of the 10-12 million Europeans of Roma origin. It aims to define and coordinate the obligations and responsibilities of the EU member-states and candidate countries towards their Roma populations. Within this Framework, the Commission proposes that member-states

¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P6-RC-2008-0050&language=EN>.

² <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0092+0+DOC+XML+V0//EN>.

³ "An EU Framework for National Roma Integration Strategies up to 2020", COM(2011) 173, Brussels, 5.4.2011,

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0173:FIN:EN:PDF>.

⁴ European Council Conclusions, 24 June 2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/123075.pdf.

develop their own national Roma strategies, based on four key national integration goals (housing, health, education and employment). The document also draws on the 10 Common basic principles for Roma inclusion⁵ and the principles of the Decade of Roma Inclusion.⁶

On 19 May 2011, all 27 member-states at the Employment, Social Policy, Health and Consumer Affairs **Council (EPSCO)** agreed to a set of Conclusions that endorse the EU Framework for coordinating national Roma strategies.⁷ This agreement was particularly encouraging given the context of divisive discussions between Western and Eastern European states on who has responsibility for Roma policy and what competence the EU has in laying down a common agenda.

EPSCO endorsed the concept of national Roma strategies while allowing some flexibility for countries to develop their own set of policy measures around the four integration goals and linked to the National Reform Programs as part of the EU 2020 Strategy for “smart, sustainable and inclusive growth”. The Conclusions commit member-states to “improve the implementation and strengthen the effectiveness of EU funds”, and make better use of technical assistance. They are much bolder on inclusion of Roma in decision-making processes than the Framework and have a strong focus on Roma empowerment through participation in policy debate and implementation. EPSCO invited the Commission “to pursue rigorous monitoring of the implementation of Council Directive 2000/43/EC”, arguably the EU’s most powerful instrument for combating discrimination based on ethnic origin. EPSCO also highlighted the need to intensify the fight against trafficking of Roma and to guarantee the legal rights of Roma victims of trafficking.

The Conclusions of 24 June from the **General Affairs Council** represent the final step in the ladder of building EU-level consensus around issues first raised by civil society organisations with European parliamentarians in the early 2000s (and before). The Conclusions recognise the importance of Roma Inclusion at EU level and call for rapid implementation of the Council's (EPSCO) Conclusions of 19 May 2011 on the EU Framework. The EPSCO Conclusions and the Framework itself give the details of the EU’s approach to Roma but the final Council text from June stipulates a deadline for “the preparation, updating or development of national inclusion strategies”, or “integrated sets of policy measures within their broader social inclusion policies”, by the end of 2011. While there is scope for policy variations in national approaches there is at least a fixed date for progress on strategies.

A new and welcome policy framework

The Framework Communication represents a significant shift in the EU’s approach towards Roma policy. The Commission had hitherto maintained that solutions for Roma should be found in better implementation of existing mainstream policies, even if those policies had been developed without taking into account the specificities of the Roma situation. The recognition that a targeted approach for Roma does not undermine “the broader strategy to fight against poverty and exclusion” or “exclude other vulnerable and deprived group from support” and “is compatible with the principle of non-discrimination both at EU and national level” has allowed much of the recent policy development.⁸

⁵ The 10 Common Basic Principles: 1. Constructive, pragmatic and non-discriminatory policies; 2. Explicit but not exclusive targeting; 3. Inter-cultural approach; 4. Aiming for the mainstream; 5. Awareness of the gender dimension; 6. Transfer of evidence-based policies; 7. Use of Community instruments; 8. Involvement of regional and local authorities; 9. Involvement of civil society; 10. Active participation of the Roma.

<http://ec.europa.eu/social/main.jsp?catId=761&langId=en>.

⁶ <http://www.romadecade.org>.

⁷ The Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) is composed of employment, social protection, consumer protection, health and equal opportunities ministers, who meet around four times a year. The May 2011 Conclusions are available here: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/lsa/122100.pdf.

⁸ EU Framework, COM(2011) 173.

► **Monitoring:** One of the most valuable proposals that the Commission introduced in the EU Framework is what it calls a “robust monitoring mechanism” which will measure the individual progress of each member-state. Results, both good and bad, for implementation of the national Roma strategy will be reported to the Commission and later to the Council and European Parliament. This call for robust monitoring should be considered a unique opportunity to disseminate the rules of proper Roma inclusion, learn from criticism and help member-states share best practice. The mechanics of the monitoring are likely to be complicated, however. It will require a mixture of input from the Fundamental Rights Agency (FRA), together with “other relevant bodies”, including, *inter alia*, the European Foundation for the Improvement of Living and Working Conditions, member-states’ own monitoring mechanisms and the EU 2020 Strategy monitoring and peer review process. The role of the FRA to work with member-states to develop monitoring methods which produce comparative data will be crucial to the whole European approach.

► **Enlargement:** The accession of the Western Balkans and Turkey as EU members would bring another 3.8 million Roma into the EU. The Commission has long stressed improvement in the treatment of the Roma in these countries as a key political condition for enlargement, and devotes considerable funds for Roma equality and inclusion through its Instrument for pre-Accession (IPA). The Commission has announced that it will improve and better coordinate the use of IPA funds on Roma and to orientate the funds towards more strategic and results-oriented policies.⁹ The 2010-2011 Enlargement Package from the Commission (which assesses progress towards accession by candidate and potential candidate countries) highlighted the increased risk to Roma as a “particularly vulnerable minority” from the effects of the economic crisis. DG Enlargement, pre-empting the Framework document, encouraged enlargement countries to work on reducing poverty and social exclusion, in line with the Europe 2020 Strategy, and using the Decade of Roma Inclusion, and recommended that these countries consider “setting explicit and ambitious targets on employment, education and poverty reduction of disadvantaged communities, in particular Roma.”¹⁰ Effectively, the EU has offered the enlargement countries an opportunity to outshine member-states in their treatment and inclusion of Roma.

► **Roma Task Force:** The Roma Task Force of the European Commission was set up to look at how to improve spending of EU funds. In late December 2010, the Task Force published a study on the use of EU funds on Roma inclusion.¹¹ The study indicated that member-states do not yet properly use EU money for the purpose of effective social and economic integration of Roma and the reasons can be tracked to the lack of know-how and administrative capacity to absorb EU funds. The study also identified problems in providing national co-financing and insufficient political will in some member-states. The EU Framework therefore reflected the Task Force’s findings, recommending better and more efficient use of EU funds on Roma inclusion by member-states within the current and next programming period. The Task Force will now become a permanent internal body for focused discussion between directors in the relevant Commission Directorates-General.¹²

⁹ EU Framework, *ibid*.

¹⁰ Enlargement Strategy and Main Challenges 2010-2011, Brussels, 9.11. 2010 COM(2010) 660: http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/strategy_paper_2010_en.pdf.

¹¹ <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1097&format=HTML&aged=1&language=EN&guiLanguage=fr>.

¹² This includes the Directorates-General for Justice Fundamental rights and Citizenship; Employment; Home affairs; Education, Culture, Multilingualism and Youth; Regional Policy; Research, Innovation and Science; Agriculture and Rural Development; Health and Consumer Policy; Financial Programming and Budget; Enlargement and European Neighborhood Policy; and the office of the Secretary General of the European Commission).

The missing element: anti-discrimination

The EU Framework communication has the explicit goal of guiding social inclusion, and it misses out the vital element of combating prejudice and discriminatory behavior towards Roma. The good intentions at EU level are far from being matched by the individual policies and statements in the member-states. Europe suffers from deep-rooted anti-Roma sentiment. “Anti-Gypsyism” is evident in a number of member-states through the media, state policies and behavior of individual citizens - from forced evictions and camp clearances on ethnic grounds, racist statements, hate speech and incitement to violence.¹³

Racist violence is often practiced by members of extremist groups, sometimes given political cover by mainstream politicians. Increasing intolerance can also be seen in the actions of some governments. It is essential that the Commission is quick and unequivocal in its reaction to such behaviour by member-states. Existing legal instruments and measures at EU level could have been listed in the Commission communication to remind member-states that Roma inclusion and respect go hand in hand with the fight against discrimination. A stronger focus on the legislative elements of anti-discrimination policy, and the need for much better enforcement at national level, would have made the EU Framework a more complete document. Fortunately, EPSCO’s Conclusions on the Communication make a step towards this by asking the Commission to pursue rigorous monitoring of the implementation of Council Directive 2000/43/EC.¹⁴ Vulnerable Roma in Europe count on the Commission to be active in calling member-states to account when governments violate EU law in discriminating against Roma.

Key areas where further commitment is needed by member-states

► **Education of Roma:** Education is one of the most essential elements in the EU Framework. The goal set by the Commission on education (to ensure that all Roma children complete at least primary school) calls for access to quality education without subjection to discrimination or segregation; primary school completion; access to quality early childhood education and care; a reduced number of early school leavers from secondary education; and strong encouragement to young Roma to participate in secondary and tertiary education. These are important elements but nevertheless the goal lacks ambition. If the EU achieves universal primary education completion for all Roma children by 2020, it will still leave them five years behind the developing nations struggling to meet the Millennium Development Goals set for 2015. More specifically, the EU Framework missed an opportunity to call for the elimination, not just of school segregation but of inappropriate placement of Roma children in special schools, to help reduce the gap in educational attainment between Roma and other EU citizens at secondary and tertiary levels. Fostering graduation of Roma at university level is crucial to empower Roma. Roma youth will be in a much more effective position to achieve social inclusion if they have good education.

► **Roma participation:** The active participation of Roma in the shaping of Roma policies and implementation could have been listed as a fifth integration goal in the Framework. Roma policies cannot be developed at a distance from the communities they aim to benefit. The significant participation of Roma professionals in formulating and implementing Roma policies is essential to their success, to foster a sense of ownership and responsibility. Fortunately, the EPSCO Conclusions included this essential element. Inclusion is not possible without participation.

► **Effective monitoring:** While robust monitoring is outlined in the Framework, the mechanisms to ensure it need to be further developed. A monitoring system that details progress, shames under-achievers

¹³ For examples, see: <http://www.romadecade.org/files/downloads/News/CSCE%20Presentation%20-%20Stanislav%20Daniel.pdf>.

¹⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML>

and promotes good practices is essential. The EU could learn from the methodologies already employed by Decade Watch, which is a monitoring instrument developed to keep track of progress on the Decade of Roma Inclusion. It has helped the Decade member countries by highlighting their achievements and showing what needs more attention.

Effective monitoring would be easier if the role of the National Contact Points on Roma were clearer. In the EU Framework, these Contact Points are given a coordination and development role but the EPSCO Conclusions only refer to a monitoring role. The solution would be for another independent commission to undertake the evaluation. Experience in some Eastern European countries has shown that if the same body implements, monitors and develops policy; poor policy implementation is likely to result.

Conclusion: The political factor

Each Roma community is defined by its local context, especially levels of school attendance, social inclusion, living standards and employment. The standards, laws and competences required to challenge these local realities lie at local, national and European levels, but the key to effective change is political will. Member-states' Roma strategies have yet to close the gap between policy agreements in Brussels and their implementation in member-states.

The Commission's Framework quotes World Bank figures showing what Roma exclusion costs member-states.¹⁵ Inclusion could in some cases increase the national GDP by another 4%, or in tax benefits Roma would be able to contribute another 175 million Euro per country. EPSCO again highlighted the "economic cost for society as a whole, including through the waste of human capital and loss of productivity".¹⁶ In parallel, the EU is encouraging member-states to use EU funds and technical assistance to help them address Roma issues. Economic benefits rather than the challenge of addressing social exclusion, poverty and prejudice may prove to be an effective motivation. If national policy makers, parliamentarians and citizens understand that Roma inclusion leads to dividends of additional revenue in tight national budgets using additional EU funds and improving labour markets, (as well as reducing poverty and social exclusion), the chances that political statements at EU level are turned into effective, well-implemented national strategies are increased. Similarly, if intransigence on inclusion can no longer rely on the excuse of financial cost, it must defend against accusations of deliberate discrimination.

Resolutions from the Parliament, the Framework from the Commission, the EPSCO and European Council Conclusions, together make a good set of policy recommendation for member-states to fight Roma exclusion. These policy foundations now require strong action by member-states as they *prepare, update or develop* their strategies. The process will require increased human and financial resources to move forward, political pressure to ensure effective implementation, and an unequivocal response from the Commission if commitments are not met.

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¹⁵ http://siteresources.worldbank.org/INTRROMA/Resources/Policy_Note_Fact_Sheet.pdf.

¹⁶ EPSCO Conclusions, *ibid*.