

Andrzej Mirga

## Roma and Sinti: Status and Outlook

Created in 1994, ODIHR's Contact Point for Roma and Sinti Issues (CPRSI) was the first office ever established by an intergovernmental organization specifically to address Roma and Sinti issues. Over the last 18 years, the CPRSI has functioned as part of an organization mandated to deal with human rights issues like those faced by Roma and Sinti as part of a broader approach to security that also includes politico-military and economic and environmental dimensions. What was originally the CSCE and later became the OSCE has, therefore, provided a unique framework in which to raise human rights issues regarding Roma and Sinti.

This piece is not intended as a systematic account of the Contact Point's activities and accomplishments. Instead, the first half covers some of the highlights of these efforts, from the establishment of the CPRSI to the creation of the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, while the second half focuses on current challenges and trends regarding the integration of Roma and Sinti communities and examines the road ahead over the next decade.

Considering the slow pace with which the integration of these communities has proceeded and the many setbacks that have beset it, this piece concludes that while some progress has been made, much more needs to be done to ensure positive outcomes over the long term. The Contact Point will continue to apply its expertise, playing an essential role in helping OSCE participating States to fulfil their commitments to the integration of Roma and Sinti communities into mainstream cultural, economic, and political life in their respective societies.

### *Integrating Roma and Sinti Issues into the Human Dimension of the OSCE: The Historical Role of the Contact Point for Roma and Sinti Issues*

At the Copenhagen Meeting in 1990, a year before ODIHR was established, the CSCE explicitly recognized for the first time the particular challenges confronting Roma ("Gypsies").<sup>1</sup> Participating States declared that they would

---

Note: The views expressed in this article do not necessarily reflect those of ODIHR. The author would like to thank Mirjam Karoly, Anita Danka, and Dan Doghi for contributing to, reviewing, and commenting on this paper.

1 See Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, Copenhagen, 29 June 1990, section 40, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe, Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 439-465, here: p. 459, also available at: <http://www.osce.org/odihr/elections/14304>.

implement legislative and other political measures to protect these minority communities against racial threats and violence and other forms of discrimination.<sup>2</sup> The fall of communism provided a historic opening to respond to Roma and Sinti issues, many of which came in the form of threats to these communities arising from the nature of the transition period in a number of Central and South-eastern European countries. This period was marked by incidents of mob or community violence against Roma and Sinti and a rapid decline in their economic and social conditions, leading to a significant migration to Western Europe by Roma and Sinti and requests for asylum.<sup>3</sup>

The period from 1990 to 1994 was crucial for bringing Roma and Sinti concerns to the attention of governments and the international community. The efforts of a number of academics and Roma and Sinti activists, with the support of NGOs and reports on the situation by high-profile human rights organizations, made a major contribution to focusing attention on these conditions.<sup>4</sup> As a result, participating States proved eager to commit themselves to improving the situation of Roma and Sinti, including at the CSCE Meeting of Experts on National Minorities in Geneva in 1991,<sup>5</sup> and at the Fourth Follow-up Meeting in Helsinki in 1992.<sup>6</sup>

The role of the OSCE High Commissioner for National Minorities (HCNM) and, in particular, the contributions made by the first person to hold the post, Max van der Stoep, in raising awareness of Roma and Sinti among the international community deserve special attention here.<sup>7</sup> At a very early stage of his mandate, in 1993, following a request from the CSCE Committee of Senior Officials, van der Stoep studied the problems faced by Roma to the extent that they were relevant to his mandate.<sup>8</sup> Later that same year, he published the report "Roma (Gypsies) in the CSCE Region". While pointing out

---

2 Cf. *ibid.*, section 40.2.

3 In the early 1990s, Roma and Sinti were the targets of a number of attacks, including incidents of mob violence, in the Romanian village of Hadareni, which left three Roma men dead and led to the destruction of the homes and property of many others. Such outbursts of violence against Roma, coupled with the dire socio-economic conditions in which many Roma people live, have created a strong impetus to migrate westward. But many Roma and Sinti who sought asylum in the West faced similar threats, and violence against them has also resulted in deaths there. For more details see Nicolae Gheorghe/Andrzej Mirga, *Roma in the XXI Century*, Policy Paper, Project on Ethnic Relations, Princeton 1997.

4 During this period, a number of reports were published on Roma by human rights organizations such as Human Rights Watch, Project on Ethnic Relations, Minority Rights Group International, and Amnesty International.

5 See Report of the CSCE Meeting of Experts on National Minorities, Geneva, 19 July 1991, Chapter VI, in: Bloed (ed.), cited above (Note 1), pp. 593-604, here: pp. 600-601, also available at: <http://www.minelres.lv/osce/gene91e.htm>.

6 See CSCE Helsinki Document 1992: The Challenges of Change, Helsinki, 10 July 1992, Decisions, Chapter VI: The Human Dimension, section 35, in: Bloed (ed.), cited above (Note 1), pp. 701-777, here: pp. 743-753, 749-750; also available at: <http://www.osce.org/mc/39530>.

7 The decision to establish a High Commissioner on National Minorities was taken at the CSCE Helsinki Meeting in December 1992. See *ibid.*, Decisions, Chapter II.

8 Cf. Marcia Rooker, *The International Supervision of Protection of Romany People in Europe*, Nijmegen 2002, p. 281.

the limits of his mandate with regard to addressing Roma issues, van der Stoel recommended that the situation of Roma should be considered “a standard topic for consideration at Review Conferences, Implementation Meetings and other relevant fora organized within the context of the Human Dimension”, and “that a point of contact for Roma issues be established within the ODIHR”.<sup>9</sup>

The idea of creating a contact point of this kind had already been debated within ODIHR, as well as among various civil-society organizations that ultimately played a major role in shaping it.<sup>10</sup> Especially important in this process was the groundbreaking CSCE Human Dimension Seminar on Roma, which was held in Warsaw from 20 to 23 September 1994. This was the first such seminar ever to be devoted entirely to Roma and Sinti issues. The event was organized jointly by the CSCE and the Council of Europe,<sup>11</sup> with important contributions coming from NGOs in setting the agenda and aims of what would become the ODIHR Contact Point for Roma and Sinti Issues.<sup>12</sup>

The CSCE Budapest Summit, held on 5 and 6 December 1994, adopted the decision to establish the Contact Point, with the primary goal of assisting participating States in finding constructive solutions to the problems faced by the Roma.<sup>13</sup> Interestingly, although the task was given to ODIHR, the office

---

9 *Roma (Gypsies) in the CSCE Region. Report of the High Commissioner on National Minorities*, Meeting of the Committee of Senior Officials, 21-23 September 1993, sections 5.3. (1) and (2), at: <http://www.osce.org/hcnm/36441>.

10 Roma civil-society organizations, such as the International Romani Union (IRU), the Roma National Congress (RNC), and the Project on Ethnic Relations (PER), were instrumental in lobbying for the establishment of a contact point for Roma and Sinti issues both at the OSCE Human Dimension Implementation Meeting in Warsaw and at the Summit of Heads of State or Government in Budapest in 1994.

11 In 1993, moreover, the Parliamentary Assembly of the Council of Europe released its own report on Roma, prepared by Josephine Verspaget. Following the recommendations included in this report, the Parliamentary Assembly of the Council of Europe decided to set up its own structure: the Specialist Group on Roma/Gypsies at the Council of Europe. The Specialist Group came into existence in 1995. For details see Parliamentary Assembly, Council of Europe, *Recommendation 1203 (1993) on Gypsies in Europe*, Parliamentary Assembly of the Council of Europe, 2 February 1993, at: <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta93/EREC1203.htm>.

12 Cf. ODIHR, *Human Dimension Seminar on Roma in the CSCE Region*, 20-23 September 1994, available at: <http://www.osce.org/odihr/19704>. For further details of the HCNM's role in this process, see also: Organization for Security and Co-operation in Europe, High Commissioner on National Minorities, *Report on the situation of Roma and Sinti in the OSCE Area*, March 2000, at: <http://www.osce.org/hcnm/42063>.

13 “The participating States decide to appoint within the ODIHR a contact point for Roma and Sinti (Gypsies) issues. The ODIHR will be tasked to: act as a clearing house for 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 [OSCE] institutions and other international organizations and institutions.” Budapest Document 1994, Budapest, 6 December 1994, Budapest Decisions, Chapter VIII, section 23, in: Arie Bloed, *The Conference on Security and Co-operation in Europe. Basic Documents, 1993-1995*, The Hague 1997, pp. 145-189, here: pp. 153-189, p. 179.

was not provided with any additional funding or human resources to fulfil it.<sup>14</sup>

Over the next few years, until 1998, when the CPRSI was reinforced by the addition of an Adviser on Roma and Sinti Issues, the Contact Point played a part in raising awareness and acted as a clearing house for related issues both within what became the OSCE and among Roma and Sinti organizations, gathering, recording, and reporting information on the situation of Roma and Sinti in the participating States. The office was increasingly becoming an important centre for Roma and Sinti civil society, in terms of both facilitating communication with governmental representatives at Human Dimension meetings and acting as a catalyst for Roma and Sinti organizations' own efforts.<sup>15</sup>

As part of the OSCE, the CPRSI has been uniquely positioned to tackle "hard" security issues faced by Roma in crisis or post-crisis situations. Just such a challenge arose during the conflict in Bosnia and Herzegovina. A joint fact-finding mission was organized by the CPRSI and the Council of Europe Specialist Group on Roma, Gypsies, and Travellers<sup>16</sup> in 1996, just after the conflict ended. The team produced a report providing accounts of the fate of the Roma community during the ethnic conflict, as well as a number of recommendations for moving forward.<sup>17</sup> A similar joint effort, again in co-operation with the Council of Europe, documenting the fate of Roma, Ashkali, and Egyptian communities during the war in Kosovo was carried out in 1999, and was also followed by a report and recommendations.<sup>18</sup>

The ODIHR Contact Point, together with the Council of Europe's Specialist Group on Roma, Gypsies, and Travellers, also played a part in the Working Table on Democratization and Human Rights at the meeting of the

- 
- 14 Within the limits of existing resources, ODIHR appointed a staff member, Jacek Paliszewski, as co-ordinator of Roma Contact Point Activities. He was assisted by Paulina Rogowska and Elizabeth Winship. With the decision of the office to issue a CPRSI Newsletter, an additional staff member, Ilya Belkin, was designated to work as its editor. The newly established office started issuing its bi-monthly CPRSI Newsletter within the first six months, aiming, among other things, to provide information about Roma- and Sinti-related events, gather information about violations of the human rights of Roma and Sinti, and provide lists of reports, publications, and statements related to Roma. The first newsletter was issued in July 1995, and publication continued until the beginning of 1997.
- 15 The establishment and activities of the ODIHR CPRSI have been the subject of a number of academic studies. See, for example, Martin Kovats/Marcia Rooker, The emergence of European Roma policy, in: Will Guy (ed.), *Between the Past and Future. The Roma of Central and Eastern Europe*, Hatfield, Herts., 2001, pp. 93-117.
- 16 The Council of Europe Specialist Group was represented by Andrzej Mirga and Josephine Verspaget, and the CPRSI was represented by Jacek Paliszewski.
- 17 See *Fact-Finding Mission to Bosnia and Herzegovina on the Situation of the Roma/Gypsies (16-21 May 1996). Conclusions of the Mission and Recommendations*, at: [http://www.coe.int/T/DG3/RomaTravellers/archive/documentation/fieldvisits/missionbih\\_en.asp](http://www.coe.int/T/DG3/RomaTravellers/archive/documentation/fieldvisits/missionbih_en.asp).
- 18 Nicolae Gheorghe/Josephine Verspaget, *Report on the joint OSCE/ODIHR-Council of Europe Field mission on the situation of the Roma in Kosovo, 1999, 27 July-6 August 1999*, at: [http://www.coe.int/T/DG3/RomaTravellers/archive/documentation/fieldvisits/missionkosovo99\\_en.asp](http://www.coe.int/T/DG3/RomaTravellers/archive/documentation/fieldvisits/missionkosovo99_en.asp).

Task Force on Human Rights and Minorities, within the scope of the Stability Pact for South-Eastern Europe in 1999. The outcome was a joint project with the Council of Europe under the Stability Pact, which was realized from 2001 to 2003, focusing on the advancement of the political rights of Roma and Sinti and funded by the EU, and with additional support from the United States.<sup>19</sup>

Such efforts by the CPRSI to tackle “hard” security issues continued, mainly through activities devoted to Roma in post-conflict situations carried out in co-operation with the OSCE field operations in the region, with the situation of the Roma, Ashkali, and Egyptian communities of Kosovo being a particular focus. The Contact Point was actively involved in addressing issues related to refugees, internally displaced persons, and returnees. In the course of this work, the CPRSI was involved in addressing several crisis situations, such as that involving Kosovo Roma, Ashkali, and Egyptian refugees at Medzetlija, a border point between the former Yugoslav Republic of Macedonia and Greece, in 2003.<sup>20</sup>

The period between 1998 and 2003 saw a phase of consolidation in the CPRSI’s mandate and mission. Firstly, the Contact Point was reinforced by the creation – in a decision by the 1998 Oslo Ministerial Council – of the post of OSCE Adviser on Roma and Sinti within ODIHR, who was also to act as the head of the CPRSI.<sup>21</sup> At the Istanbul Summit the following year, the participating States concluded that a “further helpful step might be the elaboration by the Contact Point of an action plan of targeted activities, drawn up in co-operation with the High Commissioner on National Minorities and others active in this field, notably the Council of Europe”.<sup>22</sup> Strong support for the further development of the Contact Point came with the recommendations

---

19 See OSCE ODIHR, Contact Point for Roma and Sinti Issues, Briefing Paper, *Joint European Commission and OSCE ODIHR Programme: “Roma, use your ballot wisely!”*, *Country Profiles: Roma Participation in Elections in South-Eastern Europe 2003-2005*, Warsaw December 2006, at: [http://www.ecoi.net/file\\_upload/227\\_1166545977\\_22514-en.pdf](http://www.ecoi.net/file_upload/227_1166545977_22514-en.pdf).

20 Cf. OSCE Office for Democratic Institutions and Human Rights, Press Release, *OSCE Skopje conference ends with agreement on return of Roma refugees stranded at Greek border*, Skopje, 25 July 2003, at: <http://www.osce.org/odihr/55517>. Cf. also Office for Democratic Institutions and Human Rights, *Annual Report 2003*, p. 64, available at: <http://www.osce.org/odihr/32239>. Some 700 Roma refugees from Kosovo residing in the Former Yugoslav Republic of Macedonia moved to the Greek border in an attempt to enter the European Union on 19 May 2003. When the Greek border authorities refused to allow them to cross the border, they set up camp and remained there. Following two months of deadlock, the border crisis was eventually resolved between representatives of the refugee group and the authorities of the former Yugoslav Republic of Macedonia, based on a five-point plan brokered by ODIHR and the Council of Europe.

21 Nicolae Gheorghe, a Roma from Romania, was appointed as Adviser at the OSCE/ODIHR in 1998. He served in this position until 2006.

22 Istanbul Summit Declaration, section 31, in: Organization for Security and Co-operation in Europe, *Istanbul Summit 1999, Istanbul Document 1999*, Istanbul 1999, January 2000/Corr., pp. 46-58, here: p. 52, at: <http://www.osce.org/mc/39569>.

made in the second report by the HCNM on Roma and Sinti, in 2000, which were instrumental in enhancing the CPRSI's mandate.<sup>23</sup>

Over this same period, substantive work was done to realize the Contact Point's Istanbul Summit tasking – the drafting of an action plan of “targeted activities”. The effort, led by the Adviser on Roma and Sinti, comprised broad consultations and international meetings organized by and with the active participation<sup>24</sup> of the CPRSI and, at a later stage, the drafting of the document by a working group comprised of delegations from a number of participating States.<sup>25</sup>

The adoption of the Action Plan closed another chapter in the history of the Contact Point's activities. Less than a decade after the creation of the CPRSI, the participating States adopted a groundbreaking document that has served as an important reference both for evaluating and monitoring states'

---

23 “In light of the complexity and magnitude of the issues Roma face, and the various inter-governmental bodies which have developed initiatives related to Roma, the OSCE Contact Point for Roma and Sinti Issues will be most effective if the office establishes targeted priorities in implementing its broad mandate. The following are some of the activities that could usefully be pursued by the Contact Point.

1. Assume a pro-active role in analyzing information concerning measures undertaken by participating States in meeting their OSCE commitments vis-à-vis Roma and in advising governments concerning their efforts to meet those commitments.

2. OSCE participating States should respond in a timely fashion to specific questions concerning their policies and practices in respect of Roma that may be formulated by the Contact Point.

3. Act as an advisor to governments on mechanisms that are likely to ensure the effective participation of Roma in policy-making at the national, regional and local level, and in linking national policy to implementation at the local level.

4. Advise governments on effective mechanisms for alleviating tensions between Romani and non-Roma communities, and on effective means for combating anti-Roma discrimination by public officials and institutions, including police. The compilation of a manual of ‘best practices’ in this regard could be a particularly useful contribution.

5. Conduct on-site inquiries as necessary to investigate conditions affecting Roma populations. The Contact Point should be assured the necessary resources and facilities to conduct these inquiries.

6. Governments and inter-governmental bodies confronted with the challenge of protecting Romani communities which are at risk can draw upon the Contact Point as a resource; the OSCE in particular could usefully incorporate Roma issues into its training programs for its mission members who are working in countries with Roma populations.

7. In light of the Contact Point's mandate to include ‘seminars [and] workshops’ in his work program, and of the utility of targeted implementation in this area of the mandate, it would be a particularly useful contribution to organize a seminar on the issue of ethnic data collection by governments.

8. The programs of the Contact Point should be shaped, at least in part, by the possibility of enhancing the contributions of important initiatives in respect of Roma undertaken by other organizations.” *Report on the situation of Roma and Sinti in the OSCE Area*, cited above (Note 12), Chapter VI, Recommendations, E. Enhancement of the Mandate of the Contact Point for Roma and Sinti Issues, pp. 165-166.

24 Mention should also be made of the contributions to this process by leading non-governmental organizations, such as PER, the Open Society Institute, the European Roma Rights Center (ERRC), Amnesty International, and the Minority Rights Group, to name just a few. Furthermore, the drafting process for the OSCE Action Plan benefited from critical review and input by the Council of Europe's Roma Division and from the recommendations on Roma made by the Committee of Experts on Roma and Travellers.

25 The working group was chaired by Ambassador Liviu Bota of Romania.

progress with regard to Roma integration and for efforts and initiatives by other intergovernmental organizations. It has also proven to be a useful advocacy tool for Roma and non-Roma civil-society actors.

*The Development of the OSCE Action Plan on Improving the Situation of Roma and Sinti for Shaping National Policies to Promote Integration*

The 2003 Action Plan<sup>26</sup> is undoubtedly the most far-reaching and detailed policy document on Roma-related issues at international level.<sup>27</sup> It covers, in 139 paragraphs, all of the important aspects of ensuring that Roma and Sinti people are able, without discrimination, to play a full and equal part in our societies. The Action Plan provided participating States with a road map on how to improve the situation of Roma and Sinti.

The Action Plan served as a reference in all subsequent efforts by the participating States to develop their own national strategies or programmes for the integration of Roma and Sinti communities.<sup>28</sup> In some instances, the CPRSI has been directly involved in helping governments to work out these programmes.<sup>29</sup> The value of the Action Plan and the role of the Contact Point have been widely recognized by other intergovernmental organizations.<sup>30</sup>

Ever since it commenced its activities, the CPRSI has recognized the importance of strengthening co-operation with international organizations,

---

26 Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, Annex to Decision No. 3/03, in: OSCE, *Eleventh Meeting of the Ministerial Council, 1 and 2 December 2003*, MC.DOC/1/03, Maastricht, 2 December 2003, pp. 62-77

27 General Recommendation 27: Discrimination against Roma, adopted by the UN Committee on the Elimination of Racial Discrimination (CERD) at the 57th session in 2000, sets out a number of measures in the areas of anti-discrimination, education, living conditions, media, and public participation to be followed by member states. Moreover, numerous recommendations and resolutions have been adopted by various Council of Europe bodies since 1996. Most recently, on 20 October 2010, the Council of Europe's Secretary General called for a high-level conference for Roma, which led to the adoption of the "Strasbourg Declaration on Roma". Another notable initiative is the "Decade of Roma Inclusion 2005-2015", a regional initiative supported by a number of states as well as by the Open Society Institute, the World Bank, and other international organizations. This initiative is aimed at addressing the socio-economic challenges that hinder greater inclusion of Roma communities within wider society. The initiatives' priority areas are education, health, employment, and housing.

28 OSCE documents and, in particular, the 2003 Roma and Sinti Action Plan have been quoted in governmental strategies or programmes for Roma and Sinti integration such as the Polish Action Plan that was adopted in 2005.

29 Most recently, the ODIHR CPRSI has been providing assistance to Moldova's government in relation to the elaboration of a new Roma Action Plan 2011-2015.

30 A number of Council of Europe documents pertaining to Roma make reference to the OSCE Action Plan; EU institutions also refer to the Action Plan, e.g. in EC communications on Roma or in European Parliament resolutions. The President of the European Commission, José Manuel Durão Barroso, also mentioned the OSCE standards in his speech at the European Roma Summit in 2008, cf. José Manuel Durão Barroso, President of the European Commission, "*European Roma Summit*", Speech/08/429, Brussels, 16 September 2008, at: [http://www.romadecade.org/files/downloads/General\\_Resources/Barroso\\_Roma\\_Summit\\_Speech.pdf](http://www.romadecade.org/files/downloads/General_Resources/Barroso_Roma_Summit_Speech.pdf).

and it has always sought to complement and co-ordinate its various programmatic activities with those of the other stakeholders. In 2000, for example, the CPRSI initiated the creation of the Informal Contact Group on Roma of Intergovernmental Organizations.<sup>31</sup>

The Contact Point's mandate was strengthened by the 2003 Maastricht Ministerial Council Decision to adopt the Action Plan, and its associated tasks increased in scope. This began a new phase in its activities,<sup>32</sup> coinciding with the EU's enlargement in 2004, which brought in ten new member countries, some of which had significant Roma and Sinti populations. This changed the whole architecture of Europe's Roma policy and of the stakeholders involved, as the PHARE programme of aid to Central and Eastern European countries in the pre-accession period had already played a positive role both for the acceding countries and for the civil society within them, which benefited from the funding received.<sup>33</sup>

Following the 2004 enlargement, and another enlargement in 2007, the focus of the Contact Point's activities shifted increasingly to states outside the EU and especially to the post-crisis countries of the former Yugoslavia and their Roma communities.<sup>34</sup> The enlargement process itself, however, ushered in new developments and challenges related to Roma and Sinti populations inside the Union, leading to increased migration of Roma from the new EU member states to the "old" states, which, in some cases, led to a rise in intolerance levels and in the incidence of violence against Roma. These unfortunate trends resulted in greater attention being paid by ODIHR to Roma and Sinti issues within the enlarged EU space.

With EU institutions becoming more involved with Roma and Sinti issues,<sup>35</sup> the Contact Point identified the need to help provide co-ordination

---

31 Ever since its inception, the ODIHR CPRSI has co-ordinated its activities with other international stakeholders. This process was formalized in the creation of the Informal Contact Group on Roma of Intergovernmental Organizations. The Informal Contact Group continues to meet regularly, usually on the sidelines of international events such as EU Platform meetings for Roma Inclusion.

32 Following the adoption of the Action Plan, the CPRSI began to assist participating States in implementing the Plan's recommendations and, on request, in dealing with other specific topics. In 2004, for example, the CPRSI launched the two-year programme "Police and Roma: Towards Safety for Multiethnic Communities". In the following year, trafficking in human beings and the protection of Roma children were addressed, as well as civil registration and the legalization of informal settlements to improve the living conditions of Roma and Sinti.

33 See European Commission, Directorate General for Enlargement, *European Union support for Roma communities in Central and Eastern Europe*, Brussels 2002, updated 2003, at: [http://ec.europa.eu/enlargement/pdf/brochure\\_roma\\_oct2003\\_en.pdf](http://ec.europa.eu/enlargement/pdf/brochure_roma_oct2003_en.pdf); see also: Project on Ethnic Relations, *Roma and the EU accession: elected and appointed Romani representatives in an enlarged Europe*, Princeton 2003, also available at: [http://www.per-usa.org/Reports/Per Brussels Report.pdf](http://www.per-usa.org/Reports/Per%20Brussels%20Report.pdf).

34 For more details, see Office for Democratic Institutions and Human Rights, *Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area. Status Report 2008*, Warsaw 2008, pp. 51-55, available at: <http://www.osce.org/odihr/33500>.

35 In 2004, two Roma women from Hungary were elected to the European Parliament. This was the first time that Roma had entered the European Parliament.



and promote co-operation and the harmonization of policies and efforts among the rising number of stakeholders that emerged at international organization level. Two conferences were convened by ODIHR to focus on enhanced co-operation in the implementation of national Roma integration policies, the first in Warsaw in 2005 and the second in Bucharest in 2006.<sup>36</sup>

A number of changes, both in the way the Contact Point functioned and in the focus of its activities, came in 2007. Greater priority was given to the assessment and monitoring of participating States' implementation of their OSCE commitments on Roma and Sinti issues, and more time was devoted to identifying and addressing trends that were of concern to ODIHR in this area. This resulted in a number of ODIHR-led field assessment visits.

The first such visit, to Romania, was conducted that very year in co-operation with representatives of the HCNM and the OSCE Strategic Police Matters Unit; its aim was to address the issue of the use of force by police and law-enforcement bodies in the course of their professional work with Roma communities. A report on the findings of the field assessment visit was released; it included a set of recommendations for the Romanian interior ministry and police forces.<sup>37</sup>

The next field assessment visit, in 2008, was to Italy following the declaration of a state of emergency in three regions by the government. The government cited an influx of Roma migrants to the regions as the reason for the decision, which also came after an arson attacks against Roma camps in Naples and Rome.<sup>38</sup>

A third such visit, to Hungary, was conducted the following year in response to a series of attacks against the Roma there that resulted in a number of deaths.<sup>39</sup> Each of the field assessment visits was followed by the issuing of a report and recommendations for the governments concerned, as well as concrete follow-up activities with the relevant authorities.

This period also saw a reformulation by ODIHR of the Contact Point's focus and activities in relation to the situation of Roma in post-conflict situations in South-eastern Europe. A new emphasis was placed on engaging the governments of EU countries in working out and supporting sustainable and long-term solutions to issues concerning Roma, Ashkali, and Egyptian refu-

---

36 The International Implementation Conference on Roma, Sinti and Travellers, Warsaw, 20-21 October 2005; International Conference on the Implementation and Harmonization of National Policies on Roma, Sinti and Travellers. Guidelines for a Common vision, Bucharest, 4-5 May 2005.

37 See OSCE ODIHR, *Field Visit on Police and Roma relations, Romania*, 12-15 November 2007, at: <http://www.osce.org/odihr/30876>.

38 See OSCE Office for Democratic Institutions and Human Rights/High Commissioner on National Minorities, *Assessment of the Human Rights Situation of Roma and Sinti in Italy. Report of a fact-finding mission to Milan, Naples and Rome on 20-26 July 2008*, Warsaw/The Hague, March 2009, at: <http://www.osce.org/odihr/36374>.

39 See OSCE Office for Democratic Institutions and Human Rights, *Addressing Violence, Promoting Integration. Field Assessment of Violent Incidents against Roma in Hungary: Key Developments, Findings and Recommendations, June-July 2009*, Warsaw, 15 June 2010, at: <http://www.osce.org/odihr/68545>.

gees and internally displaced persons in the region. To this end, ODIHR, in co-operation with the Project on Ethnic Relations, an NGO in the United States, organized two round tables, which addressed these issues (in Vienna and Pristina respectively) and held a third in Belgrade which was organized in co-operation with the Serbian government.<sup>40</sup> The CPRSI also helped organize a briefing for the German *Bundestag* on the issues of forced and voluntary return of members of these communities from Germany to the Western Balkans. In 2011, ODIHR became one of the partner organizations in a new project focused on Roma in the Western Balkans that was set up by the European Commission's Directorate-General for Enlargement and implemented in co-operation with OSCE field operations and EC Delegations in the region.<sup>41</sup>

In 2008, the Contact Point concluded its work on another important project – a Status Report assessing the implementation by participating States of the provisions of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area. In the process of developing the report – the first assessment of this kind conducted by ODIHR – the Contact Point developed a methodology for assessing the progress made by the participating States in meeting their commitments to improve the situation of Roma and Sinti.<sup>42</sup> The findings of the report represent both a reference point for evaluating progress and, at the same time, a valuable resource for state authorities responsible for implementing Roma policy. The Status Report's findings identified good practices in this area and also outlined trends and the dilemmas states face in their efforts to achieve the objectives laid out in the Action Plan.

This period also saw the body of OSCE commitments related to Roma and Sinti grow as a result of Ministerial Council Decisions taken in Helsinki in 2008 and Athens in 2009.

Ministerial Council Decision No. 6/08 was a direct result of the analysis in the Status Report on the Action Plan, particularly in its focus on ensuring access to early education for Roma and Sinti children as a prerequisite for an

---

40 See Project on Ethnic Relations, *International Roundtable on Roma, Ashkali and Egyptians of Kosovo: Challenges and Prospects of Sustainable Integration, Vienna, 22 October 2008*, Report, Princeton, December 2008, at: <http://www.per-usa.org/Reports/RAE>Returns.pdf>; Project on Ethnic Relations, *International Roundtable on Roma, Ashkali, and Egyptians of Kosovo: Challenges and Prospects of Sustainable Integration, Pristina, 9 February 2009*, Report, at: <http://www.per-usa.org/Reports/Microsoft Word -20Final Pristina Report edited.pdf>; OSCE ODIHR, *Report of the OSCE-ODIHR Roundtable. Organized in co-operation with the Serbian Ministry of Human and Minority Rights, Sustainable Solutions for Displaced Roma, Ashkali and Egyptians and Policies to Improve the Reintegration of Repatriated Roma, Belgrade, 16 April 2010*, at: <http://www.osce.org/odihr/75578>.

41 The ODIHR CPRSI has been participating, as a partner organization, in round tables organized by the European Commission's Directorate-General for Enlargement in several countries in the Western Balkans.

42 Nicolae Gheorghe, ODIHR's Adviser on Roma and Sinti, initiated the project for the Status Report and substantive preparatory work was done during his term in the post.

equal starting point and for future educational success, which is vital to better social inclusion and integration.

The second, Ministerial Council Decision No. 8/09, reflected concerns over increases in intolerance of and violence against Roma and Sinti in the OSCE, which arose partly from the conclusions of the field assessment visits to Italy and Hungary.<sup>43</sup>

### *Challenges in Implementing the Roma-related OSCE Commitments and International Obligations*

The OSCE commitments, including those contained in the Action Plan, are politically binding and, as such, their implementation depends largely on the political will shown by participating States. The 2008 Status Report found that a lack of political will to ensure implementation of the Action Plan provisions had prevented a breakthrough in any area of the lives of Roma and Sinti in the OSCE region. In many cases, implementation has been piecemeal or ineffective due to a lack of readiness or commitment on the part of governments to provide adequate, sustainable financial, institutional, and human resources during the process. Although there have been many good practices piloted at local level, these have not been translated into country-wide practice. Roma and Sinti issues have featured only marginally on the political agendas of governments in participating States, and then often only when existing tensions threatened to escalate, or did escalate, into violence.<sup>44</sup>

Calls to enhance implementation and to secure concrete outcomes have been issued at the highest level and by key stakeholders. That was the case with the European Commission President, José Manuel Barroso, at the first EU Roma Summit held in Brussels in 2008<sup>45</sup> and with the Council of Europe's "Strasbourg Declaration on Roma" from 20 October 2010.<sup>46</sup> Ambassador Janez Lenarčič, the Director of ODIHR, has raised this issue on numerous occasions, most recently at the Warsaw 2010 OSCE Review Con-

---

43 Cf. Decision No. 8/09, Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration, MC.DEC/8/09 of 2 December 2009, in: OSCE, *Seventeenth Meeting of the Ministerial Council, 1 and 2 December 2009*, Athens, 2 December 2009, pp. 32-34. Most recently, similar concerns were raised in the OSCE Parliamentary Assembly's Belgrade Declaration, specifically in the resolutions on Promoting Policies in Favour of the Roma Population and on Promoting Policies on Equality between Women and Men of the Roma Population, in: OSCE PA, Belgrade Declaration of the OSCE Parliamentary Assembly and Resolutions Adopted at the Twentieth Annual Session, Belgrade, 6 to 10 July 2011, pp. 52-55 and pp. 56-58, respectively, available at: <http://www.oscepa.org/meetings/annual-sessions/belgrade-2011>.

44 For more, see the Executive Summary of the *Status Report 2008*, cited above (Note 34), pp. 9-11.

45 See Barroso, cited above (Note 30), p. 4.

46 See Council of Europe High Level Meeting on Roma, Strasbourg, 20 October 2010, "*The Strasbourg Declaration on Roma*", available at: <http://www.coe.int/lportal/web/coe-portal/event-files/our-events/council-of-europe-meeting-for-roma>.

ference and in his speech at the aforementioned high-level meeting on Roma and travellers in Strasbourg.<sup>47</sup>

Research carried out and reports produced on Roma policy and its implementation with the support of the EU have come to similar conclusions.<sup>48</sup> The few assessments of structural funds and their impact for Roma<sup>49</sup> that have been carried out have painted an ambiguous picture: The funds have been used but have produced no tangible results. The EU is currently pushing for more result-oriented policy implementation in its member states.<sup>50</sup>

### *Emerging Trends*

Roma and Sinti migration has become a key challenge in the OSCE area today and is likely to remain so for some time.<sup>51</sup> The push and pull factors underpinning these movements are still not adequately understood, while the

---

47 See *High-Level Meeting on Roma and Travelers, Remarks by Ambassador Janez Lenarčič, ODIHR Director, Strasbourg, 20 October 2010*, at: <http://www.osce.org/odihr/73350>.

48 See European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities, *Improving the tools for social inclusion and non-discrimination of Roma in the EU*, Luxembourg 2010.

49 See *European Council 23/24 June 2011, Conclusions*, Brussels, 24 June 2011, at: <http://register.consilium.europa.eu/pdf/en/11/st00/st00023.en11.pdf>.

50 The most recent EU Council Decision, from July 2011, regarding the EU Framework for National Roma Integration Strategies, which commits all 27 member states to developing targeted policies that systematically tackle the socio-economic exclusion of and discrimination against Roma people throughout the EU, provides new hope that things will eventually progress in the right direction. This is especially the case given that this decision requires member states, by the end of 2011, to finalize, update, and improve their national Roma integration strategies or their integrated political initiatives aimed at improving the situation of Roma within the broader framework of social-inclusion policies. The national approaches must focus on four priority areas: education, employment, healthcare, and housing. They must also set out attainable goals. The Framework Strategy has a robust inbuilt monitoring mechanism for progress on the integration of Roma by the member states. These efforts to come up with renewed commitments and measures at EU level to push for a more action-oriented policy that will also ensure tangible outcomes have been welcome. For more information, see European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. An EU Framework for National Roma Integration Strategies up to 2020*, COM(2011) 173/4 Brussels 2011, available at: <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=1011&furtherNews=yes>; see also: Council of the European Union, *Council conclusions on an EU Framework for National Roma Integration Strategies up to 2020*, Brussels, 19 May 2011, at: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lsa/122100.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/122100.pdf). The Commission has also taken an increasingly proactive approach. The high-level visits by the European Commission to EU member states to review the use of structural funds for improving the situation of the Roma and Sinti are examples of such efforts. A series of high-level seminars on Roma in the pre-accession Western Balkan states organized by the Directorate-General for Enlargement constitutes another such positive development.

51 The serious human rights challenges faced by Roma when migrating or exercising their right to freedom of movement, together with attendant security implications, were the focus of a joint international conference in Vienna on 9 and 10 November 2009 co-organized by ODIHR in co-operation with the European Union Agency for Fundamental Rights, the Council of Europe Commissioner for Human Rights, and the OSCE HCNM.

multiple forms of discrimination and, sometimes, violence against Roma and Sinti migrants continue. There has been a resurgence of past stereotypes and prejudices against Roma and Sinti, characterizing them as uncontrollable nomads, associating them with illicit or illegal activities, and/or labelling them as the “undeserving poor”. This scapegoating of Roma and Sinti as a burden on social welfare systems or a danger to public safety and order feeds long-established pejorative perceptions of these communities and, in some instances, has been used by state authorities as justification for their actions in attempting to regulate and control Roma migration. Attempts to view Roma migrants as a public safety issue and efforts to penalize begging or to identify begging as a cultural characteristic of Roma are likely to occupy more space in the political agendas of some state authorities and political groupings. These attitudes are conducive to intolerance and scapegoating and, in extreme cases, can lead to open hostility and violence.

There has been a noticeable increase in the number of hate-motivated attacks against members of Roma and Sinti communities in a number of participating States, some of which have led to deaths.<sup>52</sup> While members of this community have been subjected to various forms of violence in the past, more recent attacks appear to have been more commonly motivated by racist ideologies, premeditated, and planned.<sup>53</sup> The deliberate use of hate speech targeting Roma and Sinti appears to be on the rise in a number of OSCE participating States. Criminal justice systems, often slow or reluctant to recognize the racial basis for these attacks, often compound the problem.

The mobilization of extreme-right groups or political organizations ready to instigate and exploit hate speech, focusing on the concept of “Gypsy criminality”, is also likely to continue. Populist, extreme-right, or neo-Nazi groups are especially prone to exploiting anti-Roma prejudice and sometimes

---

52 In recent years, a number of high-profile cases of hate-motivated incidents of violence against Roma and Sinti have been reported in a number of participating States. The most serious were attacks against Roma in Hungary in late 2008 and the first half of 2009. A series of violent incidents targeting people and property resulted in the deaths of six Roma. With MC Decision No. 8/09 adopted in Athens in December 2009, the OSCE Ministerial Council expressed concern over the increase of violent manifestations of intolerance against Roma and Sinti and urged the participating States to address this trend and to unequivocally and publicly condemn any violence targeting Roma and Sinti and to take all necessary measures to ensure access to effective remedies. The essential role free and independent media can play in both countering and exacerbating misperceptions and prejudices was also recognized; cf. Decision No. 8/09, cited above (Note 43).

53 In February 2009, ODIHR issued a press release expressing concern over the continuing attacks and hate speech targeting Roma and Sinti communities in several countries across Europe. Responding to a series of violent attacks against Roma individuals, families, and property in Hungary, ODIHR conducted a field assessment visit to the country from 25 June to 3 July 2009; cf. OSCE Office for Democratic Institutions and Human Rights, cited above (Note 39). In order to raise awareness of extremist manifestations of racism, intolerance, and hate-motivated violence against Roma in Europe and to analyse the potential threat these pose to social cohesion and security, ODIHR supported the organization of a conference on “Extremism and the Roma and Sinti in Europe: Challenges, Risks and Responses” in London in September 2009.

instigate hostility or violence against Roma and Sinti.<sup>54</sup> While this approach by extreme-right and similar groups with regard to the Roma is not a new phenomenon, the increased political influence of and public support for such ideologies are worrying developments.

While this situation has been fuelled partly by the financial crisis and the current economic conditions, fundamental changes in party politics, in which populist ideologies have become more acceptable, even for mainstream parties, have also played a part. In such circumstances, negative portrayals of Roma become tools that are used by some politicians and parties to mobilize electorates.

A key factor in this is the deteriorating social and economic situation for Roma and Sinti. The marginalization of these communities, economically and socially, simply feeds anti-Roma prejudice.

Anti-Roma discourse has become a characteristic of politics in a number of participating States not only at national level, but also locally, where openly anti-Roma statements can increasingly be heard. Local authorities and mayors in a number of areas have actively pursued policies aimed at driving Roma and Sinti out of their communities. Exclusion or separation is openly advocated in some municipalities.<sup>55</sup>

#### *Conclusions: Roma and Sinti Issues in the Human Dimension in the Next Decade*

The Contact Point's main task is to help participating States implement commitments with regard to Roma and Sinti. At the heart of this task is the need to mobilize or buttress the political will of governmental authorities to take action in this area. From this perspective, ODIHR's work in this area is far from finished. The key issue in the future will be the same one that has prevailed up until now – ensuring that the governments of participating States follow through on their commitments.

After nearly two decades of commitment to work on Roma and Sinti issues, both independently and in co-operation with other international organizations and civil society, ODIHR has learned some important lessons and accumulated a number of good practices.<sup>56</sup> Despite this acquired knowledge and expertise both at ODIHR and at other international organizations and NGOs dealing with the issue, the implementation of Roma policy is still in its

---

54 See Andrzej Mirga, *The Extreme Right and Roma and Sinti in Europe: A New Phase in the Use of Hate Speech and Violence?* In: *Roma Rights Journal* 1/2009. pp. 5-9, at: <http://www.errc.org/cms/upload/media/04/10/m00000410.pdf>.

55 See European Roma Rights Centre, *Factsheet: Summit-to-Summit Roma Rights Record 2010*, 8 April 2010, at: <http://www.errc.org/cikk.php?cikk=3573>.

56 See *Status Report 2008*, cited above (Note 34); see also the ten “Common Basic Principles for Roma Inclusion”, in: Council of the European Union, *Council conclusions on Inclusion of the Roma*, Luxembourg, 8 June 2008, pp. 4-6, at: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lssa/108377.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lssa/108377.pdf).

early stages in many states, with discussions and debates still focusing on planning and policy design, and these often subject to change and redesign as new governments come into office. The ongoing efforts by international organizations and civil society to spur participating States into implementing their commitments and launching programmes to help improve the situation of Roma and Sinti have demonstrated the difficulties in moving the agenda from one of saying the right things to one of concrete and sustained action.

It also seems that, even with greater involvement on the part of the EU and the financial resources it has to offer, progress on this front may remain slow because major obstacles remain. Some of the problems are deeply entrenched, and there are no quick fixes for achieving goals like raising the level of education among Roma to a level comparable to national averages, reducing levels of Roma unemployment, or fighting the discrimination faced by Roma effectively in all areas of life. With few social or economic indicators showing improvement in the situation of Roma, and evidence of increasing hostility towards their communities among non-Roma in some states, these disturbing trends related to Roma and Sinti might not just continue, but could very well worsen.

The last few years have been especially troubling, and the global economic and financial crisis has certainly exacerbated some of these negative trends. However, surprisingly little attention appears to be being paid to the impact of reductions in public spending triggered by recent economic conditions and concerns over debt levels, including on the most economically disadvantaged groups in society, such as Roma and Sinti.

Prospects in the short term appear bleak even in areas where there has been some constant, if minor, improvement in the situation of Roma and Sinti in the past, such as in education, housing, political participation, and Roma representation in public media. In a number of participating States, there appear to have been setbacks in the areas mentioned above, as the gap between standards for Roma and Sinti and majority have not been closed. Lack of leadership, the revocation of previous policies or measures, and inaction and neglect – especially in the face of the need to cut spending in areas like welfare and social benefits – are only likely to exacerbate negative trends. These developments have the potential to erupt into open conflicts, as examples from a number of participating States in recent years demonstrate.

In the past, ODIHR has been more focused on providing assistance to newer democracies and states in crisis or post-crisis situations. Today and probably over the next decade, however, consolidated and young democratic societies will be challenged with human rights violation faced by Roma and Sinti. Tackling hate crime against the Roma and Sinti may become a recurrent issue over the decade to come. In this process the OSCE commitments will need to be reiterated and followed up.

ODIHR and specifically the CPRSI will have an important role to play in assisting participating States in defusing these dangers and in promoting

good practices, particularly by working closely with other international actors and civil society, including representatives from Roma and Sinti communities.