

CODE '11 Budapest Conference on Democracy and Human Rights

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Remarks by Mr. Andrzej Mirga

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Ms Chair,
Distinguish Ladies and Gentlemen,

On behalf of the OSCE ODIHR head, Ambassador Janez Lenarcic, let me greet you all at this conference. Ambassador Lenarcic asks me to pass his apologies to organizers: due to other tasks he was not able to join you all here. He believes it is an important meeting and wishes fruitful discussion.

1. I am Senior Adviser on Roma and Sinti Issues at ODIHR. In my presentation I would like to focus briefly on outlining the current stage of Roma and Sinti policies in Europe as it is complex and evolving, but also to look at challenges, including the emerging ones which will impact the situation of Roma and Sinti in the nearest future in a profound way.
2. Allow me at the beginning to say a few words about the ODIHR CPRSI. The office was established 17 years ago. It has been the first ever office within the intergovernmental organization established to specifically address Roma and Sinti issues. The ODIHR CPRSI is tasked to assist participating States with implementation of commitments related to the Roma and Sinti, mostly contained in the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area in 2003 MC Decision at Maastricht. The Action Plan provided the most comprehensive set of recommendations in this area. In 2008, nearly half a decade since the adoption of the Action Plan, our Office issued the assessment of the status of implementation of provisions of it. The Status report's analysis and conclusions provided the solid basis for each state to identify shortcomings in implementation of the Action Plan. All member States of the EU are also participating States of the OSCE. The last few years have brought in a new dynamics regarding the Roma and Sinti field, both as regards the context and initiatives that re-define related policies and initiatives in the OSCE area.
3. The Roma and Sinti issue is becoming more salient in present days in Europe. Governments face urgency in having Roma and Sinti better integrated in their respective societies, though it is being realized in bad times of economic hardship and financial crisis.
4. With European Union enlargement and accession process the center of gravity for Roma and Sinti issues has quite understandably shifted to the European Union and its institutions. The "minority

conditionality” for EU accession placed inclusion of Roma and Sinti among the political criteria and spelled out requests for improvement in their social and economic standing as well as for better integration within their respective societies. The pre-accession PHARE support program for Roma and Sinti communities was also a determining factor in developing national strategies and action plans for this population.

5. On 5 April 2011 the Commission issued a communication on an “EU Framework for National Roma Integration Strategies”, which was endorsed by the European Council last week on 24th June. The Framework commits all 27 member states to developing targeted policies which systematically tackle the socio-economic exclusion of and discrimination against Roma people throughout the EU. The Member States have to finalise, update and improve, by the end of 2011, their respective national Roma integration strategies or their integrated political actions, aimed to improve the situation of Roma within the broader framework of social inclusion policies. The national approach must focus on four priority areas: education, employment, healthcare and housing; and it must set out attainable goals. The Framework Strategy built in a robust monitoring mechanism on the progress on the integration of Roma by the Member States.
6. The EU is expanding also on the Roma in Western Balkans. It happened that we are part of this effort led by the DG Enlargement; a series of high level seminars are organized in each accessing country to push for more concerted action in pre-accession time.
7. No doubt, the EU and its institutions is becoming a major stakeholder in Roma policy in Europe now. What all of these bring as a new into Roma policy? Would these profound changes generate desired change in the situation of Roma?
8. At Brussels first EU Roma Summit of 2008 Mr. Barosso included reference to the OSCE and CoE, as he stated: *“Many recommendations (including work of others, such as CoE, OSCE) were put forward, since long time, but they were not followed; focus should be paid on implementation of these recommendations”*. His assessment was in line with the ODIHR so-called Status Report published the same year that outlines progress made and major challenges with regard implementing OSCE commitments towards Roma and Sinti.
9. Since then and on numerous occasions, like OSCE Review Conference in Warsaw last year or High Level Conference organized by the Secretary General of the CoE in Strasbourg also last year Ambassador Lenarcic was calling upon participating States for stepping up their efforts in realizing these commitments as ‘neglect is not an option’.
10. What is very obvious but also disturbing is that the key findings of the 2008 assessment report are still valid today: While governments did make some progress in adopting programs and strategies to tackle Roma and Sinti problems many integrative efforts failed because of lack of proactive approaches at the national, regional and local levels. Often implementation suffered because of political will and means to ensuring sustainability of policies, by providing adequate financial, institutional and human resources. Although there are good recommendations, and good practices piloted at the local level, these are not translated into a country-wide practice. Government Roma-related programmes are not focused enough and do not prioritize Roma issues, especially on areas which can be rendered as strategic, and which can ensure sustainable change- such as the access to quality education at all levels.
11. In light of these findings it has been much welcomed the efforts to come up with renewed commitments and measures at the EU level that would push for more action-oriented policy that will ensure also tangible outcomes.

12. The Commission is taking more pro-active approach and it should be welcomed. The High Level visits by the commissions in Member States to review use of Structural Fund to improve the situation of the Roma and Sinti is such a new effort. A series of high level seminars organized by the DG Enlargement on Roma in Pre-accession in Western Balkan represents another such new and positive development.
13. Our office has been involved in many consultations and has been actively co-operating with the EU institutions shaping its policies on Roma.
14. As the adoption of the Framework for National Roma Strategies by the EU Council testifies governments seems to ready to take more serious steps and devote more financial resources to the integration policies of Roma and Sinti. Currently, the economic hardship and financials crisis are not helpful. We notice that governments' policies are still more reactive to momentary, emerging issues rather than focused on sustainable and long-term integration ones.
15. I wish to outline the following issues and developments which I consider particularly concerning and what is a core for the OSCE Human Dimension:
- increase in racist-motivated deadly attacks against Roma and Sinti. We see this trend as essentially different from what we saw in the past, where cases were mostly spontaneous, circumstantial, mob or community violence. The recent ones seem to be motivated by racist ideologies, premeditated and planned.
 - open anti-Roma ideology and rhetoric of the extreme right parties and movements which are emerging. The surge in political power and public support for such ideologies are new and worrying developments. This has been fuelled by fear of globalization and by present crisis, but also by undergoing changes in parties' politics – populism is becoming acceptable now, even for mainstream parties. In these circumstances Roma or rather the image of Roma becomes a tool for seeking votes and mobilizing electorate during elections.
 - Migration of Roma and Sinti communities has become a key challenge in Europe today. The push and pull factors are still not adequately understood, while the risks of multiple forms of discrimination and ill-treatment against Roma and Sinti migrants continues.
 - public discourse on Roma migrants who are increasingly categorized as a concern for 'public security'. The issue of 'securitization' of Roma migrants, efforts to penalize begging or making begging as cultural characteristic or Roma – all of these reinforce sometimes old stereotypes and prejudices and backs increasingly intolerant views of majority.
 - local level politics and attitudes against Roma and Sinti which have become more radical and negative. We witness the local authorities and mayors actively pursuing policies of disposing of Roma and Sinti in the communities. We see the new walls being built just recently in some localities to separate Roma settlements from their mainstream neighbors.
 - little progress in challenging segregation in education and overrepresentation of Roma and Sinti children in education.
 - Media portrayal of Roma migrants and political use of the image of Roma migrants by politicians remains of concern, along with some measures which may infringe human rights.
 - There is one thing that makes it often difficult for governments for putting effective policies in place. Data collection. We recognize the sensitivity of the issue of collecting ethnic data in several countries. But non-detailed, lacking data on different issues affecting Roma population does not

make it possible for identifying and analyzing the roots, the stage or the scope of the problem. It also does not allow monitoring and evaluating the success or failure of any on-going policy. We encounter the issue of significant information gaps in the data provided every time we compile our reports – hate crime report; when we were compiling data on our early education of Roma children mapping report – where we heavily rely on accurate data.

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All these are complex issues, and not easy to address. These issues affect Roma and Sinti also in the EU member States. These issues are part of Human Dimension. Any policy design and implementation should take them into account; its like a ‘reality check’ against which objectives and goals should be measured. We all learned already that

any policy needs political commitment and leadership at the central level, its has to be followed with budgetary allocations for implementation;

need to distinguish what are general provisions by laws for all citizens, from which Roma, are entitle to benefit, and what is specific to improve the situation of these communities as inscribed in the Strategy; those suppose to be in addition to or affirmative in nature to compensate disadvantage or social exclusion and discrimination faced by these communities;

any sound policy should be based on data, monitoring and evaluation as well;

need for reality check; often recommendations are rather wish list build irrespective of that reality;

Prioritizing the efforts; fewer objectives but sustained; financing more strategic areas; monitoring;

Implementation can be as strong and as effective as the government wish to; the core is the political will.

Ensuring effective mechanism for implementation, also at the regions and local level (incentives for local authorities) by building in a monitoring mechanisms by independent audits (focus on outcomes);

Stronger transparency mechanism re: awarded projects or programs;

Passing from the right rhetoric to action, the future EU Roma Policy shall take account also of the Roma community capacity and representation. The challenge here is how to make the Roma an equal partner, the community which is socially and politically the weakest. One needs to assume that’s a long-term objective which can be achieved with progress and rise in overall level of education of this community.

To conclude: We need to better harmonize our activities with those of the EU, seek to strengthen partnerships with the EU; offer our expertise and assist the EU in areas in which we can provide added value; inform better the EU institutions on how they can benefit from our accumulated expertise and presence on the ground, including of Field Operations in accessing countries. In all of these we may seek also to benefit from funding opportunities for activities which we carry out.