

Roma in the Process of European Integration

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ABSTRACT. The article deals with the position of Roma in the process of European integration, as unique challenge that offers possibilities for the greater visibility of the Roma in the public sphere in Europe. New Roma movement emerged in Europe to get, for the first time, self organised Roma leadership in a structural manner for further empowerment of Roma as a community. In Slovenia the status of Roma is regulated by special legal stipulations. The focus of the article is on those elements that are common to all Roma in the states of Central and Eastern Europe. At the moment, there are a number of projects aimed at the protection and improvement of Roma status within the framework of the Council of Europe, the European Union, the Open Society Institute and other international institutions. The article presents results of the regional project “RWCDI/Romany Women Can Do it” as an example of a good practice.

Key words: ROMA, LEGAL STATUS, EXCLUSION, MINORITY RIGHTS, EMPOWERMENT,
EUROPEAN INTEGRATION

European perspective

Although Roma have lived in Europe for at least six or seven centuries, they were until recently systematically excluded from the decision making process concerning politics, economics, or culture at the international, national, and local level¹. “Discrimination and exclusion are fundamental features of the Roma experience”, – concludes the OSCE High Commissionaire for National Minorities in the “Report on the Situation of Roma and Sinti in the OSCE area” (2000).

After the year 1989, along with political changes in the eastern and central European countries and positive developments at the European level in the field of human rights protection, anti-discrimination, respect of cultural diversity, and protection of national minorities, some international documents addressed also the specific position of the Roma as a vulnerable group. The

¹ In the article we use term “Roma” as the most common term for Roma and Sinti in the region.

issue was for the first time dealt “as the particular problem of Roma (Gypsies)” in the OSCE Copenhagen Document². Unfortunately, stereotypes and prejudices still generate conflicts, rejection by the majority population, and even violent racist attacks against Roma in almost all European states. Two specialised bodies for the fight against racism and intolerance – ECRI (European Commission against intolerance and racism) and CERD (UN Committee on the Elimination of Racial Discrimination) – have already adopted special recommendations on Roma.

In the last decade, the issue of self determination of Roma as Europeans and as a nation without territory has emerged as a completely new phenomena. For the first time in the political history of Europe, the request for adequate political representation of Roma was extensively discussed as a priority at the institutional level and at numerous international conferences and meetings.

The proposal to establish the “European Roma Forum” as a permanent consultative body within the Council of Europe was submitted by Tarja Hallonen, the president of Finland, in 2001. In January 2002, the Parliament of the International Romany Union adopted a Resolution, where they

call for an adequate representation of the Roma and of the Roma strategy in the work of the European Convention and other international fora as representatives of the Roma Nation, as a Nation which does not want to become a State and is in search for a representation in the frame of the supra-national European institutions. The Roma are, in Europe, the only Europeans only, and are fully engaged in the process of transformation of the existing European institutions (IRU Resolution, Skopje, January 2002).

Legal protection of Roma

The issue of the legal position of the Roma as a community is always under discussion within the frame of elimination and prevention of discrimination on the basis of ethnic, racial, or social grounds. Although this topic is so frequently discussed in the ongoing political discussions about the “New Europe” at different international fora, Roma in Europe still live on the margins of social life.

Parliamentary Assembly of the Council of Europe adopted Recommendation 1557 (2002) on the legal situation of the Roma in Europe, where spe-

² The OSCE Copenhagen Document (1990) states: “The participating States clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds. In this context they also recognize the particular problem of Roma (Gypsies)” (OSCE Copenhagen Concluding Document, para 40).

cific features of the position of Roma are underlined³. The recommendation *inter alia* calls upon the states to regulate the legal status of the Roma; to elaborate and implement specific programmes to improve the integration of Roma as individuals and Romany communities as minority groups into society and to ensure their participation in decision-making processes at local, regional, national, and European levels; to strengthen the systematic and regular monitoring process of the implementation of recommendations and specific programmes aimed to improve the legal situation and the living conditions of Romany individuals and communities.

Despite the universal and general agreement on the importance of the respect of human rights, legal protection, and evolution of the international monitoring systems, the existence and enjoyment of basic human rights in every day life of Roma are still affected by a huge amount of racial prejudice, intolerance, and violent attacks. Experts and governmental institutions are of the opinion that additional measures for ensuring “equal opportunities” for Roma are necessary within the scope of “positive action”. At a high level meeting in June 2003 in Budapest, the international “Decade for the inclusion of Roma” was proclaimed and additional funds were allocated for programmes and projects, particularly in the field of education and elimination of prejudice and discrimination.

Until recently, the bad socio-economic situation was treated as the main problem. In fact, the majority of Roma families in central and eastern Europe live in poverty. In some cases, their living conditions are not suitable; their huts are dark, damp, non-hygienic, and without running water, toilets, or bathrooms. Lots of measures at the governmental and local level were taken to overcome this gap. Unfortunately there has been only limited success.

Lack of an adequate data base about the structure and numbers of Roma is a common European problem. According to the principles of the contemporary protection of national minorities each individual has the freedom of choice to declare or not to declare himself as a member of a minority. Due to various historical reasons, the official data collected via population censuses in particular states usually do not give the actual picture of the Roma position or settlements.

³ “Today Roma are still subjected to discrimination, marginalisation and segregation. Discrimination is widespread in every field of public and personal life, including access to public places, education, employment, health services and housing, as well as crossing borders and access to asylum procedures. Marginalisation and the economic and social segregation of Roma are turning into ethnic discrimination, which usually affects the weakest social groups” (Recommendation 1557 (2002) on the legal situation of Roma in Europe, para 3).

Positive actions

International organisations promote the exchange of good practices and experiences about the existing programmes and measures. The OSCE recently adopted the Action plan for Roma and Sinti as a planned systemic approach for dealing with the specific situation of Roma in Europe. It is subtitled “For Roma-with Roma,” as a common challenge for Roma and non-Roma.

The aim of the Roma international organisations in the process of European integration is improvement of the level of protection of Roma human rights, recognition of Roma as an European nation without a state, promotion of partnership between Roma and non-Roma, and the elimination of the paternalistic approach.

Lots of international reports primarily refer to the fact that the social position of the Roma is still marginalised and that in general living and housing conditions of the Roma are extremely poor⁴. Due to the low level of education and lack of professional skills, the majority of the Roma in central and eastern Europe are unemployed and depend on social benefits⁵. Governments in central and eastern European States adopted special programs for improving the situation of the Roma as a “vulnerable” or “socially disadvantaged” group and international organisations seem to be ready to financially support these activities⁶. Limited success of such programs reflects that, obviously, the existing problems could not be solved only through the paternalistic prospective of the non-Roma majority population towards the social integration and inclusion process.

Nowadays, the concept of partnership is introduced as a model of co-existence in multi-ethnic societies. There is a consensus among NGOs and experts that special programs, projects, and training courses about cultural diversity, different identities, and cultures to raise awareness among non-Roma, particularly public officials, are necessary.

Roma in central and eastern Europe

General remarks

The number of Roma in eastern and central Europe is estimated at about nine million. In all of the countries in the region, there are some common prob-

⁴ For example of living conditions see “Shame” of the Continent”. *The Guardian*. January 8, 2003.

⁵ In Slovenia only 13 per cent of Roma are regularly employed (See: South East Europe Regional Project to Promote Employment Opportunities for Roma, Final Report: Training workshop for the staff of local employment services working with Roma jobseekers, Workshop I – Slovenia, Strasbourg, 2001).

⁶ See: Klopčič, V. (2001) “The legal status of the Roma in Eastern and Central Europe”. *Donauraum*. No.1–2. P.71–83.

lems concerning the living conditions in Roma settlements, high unemployment, and low educational level among Roma.

According to the reports of international organisations, incidents concerning Roma and non-Roma relations occur in all countries in eastern and central Europe, in particular since the local population opposes the settlements of the Roma in some villages. The majority of Roma in eastern and central Europe still live in isolated settlements located at the borders of villages or towns. Until now, their social position was marginalised by the wider social community in all fields of social and political life. As there is no sufficient intercultural communication between Roma and non-Roma, attitudes and estimations are still mostly based on general impressions and prejudice.

More than 90 percent of Roma are unemployed, in some places even 100 percent. Thus, the majority of Roma is more or less dependent upon state social welfare benefits.

In the past decade, almost all governments in eastern and central Europe have adopted special programmes in order to improve the position of the Roma and to provide adequate conditions for integration of the Roma. Suitable housing and regulation of existing Roma settlements are sought as a precondition for effectiveness of the activities in the fields of employment, education, and participation of Roma. Measures provided within these programmes for the Roma community primarily encompass efforts for the integration of Roma into society and comprise activities of various governmental bodies and local authorities in this area. Recently, the main interest is the issue of the appropriate and effective political participation of Roma in the decision making process.

Education

Government strategies in eastern and central European states are primarily oriented to the socialisation and integration of Roma pupils. Only some recent developments in the past decade have taken into account cultural, linguistic, and historical features of Roma in the field of their education.

The key issue is how to establish the best methods to enable Romany children to be included in the educational programmes in kindergartens and how to carry out forms of education that promote their socialisation. Regulations in some countries in the fields of education and training take into account the specific needs of Romany children in different organisational types of education: only Romany classes or classes in which Romany children are included within the mixed ethnic population. It is especially important for Romany pupils in the first four grades of the primary school to have adequate support and help when needed. The main problem is the lack of qualified teaching personnel with a good command of the Romany language.

The basic problem in eastern and central European states is that a great number of Roma children are still excluded from regular forms of education. They attend schools providing special curricula for children with special needs or attend courses organised within programmes for the illiterate adult population.

Media

Romany communities publish magazines and newspapers and broadcast radio and TV programmes. The main problem remains the role of the media of the majority population in the region. It repeats and fosters negative stereotypes about the Roma via “hate speech,” especially in the cases when the Roma face a huge amount of rejection from the neighbouring non-Roma population or violent racist attacks.

Many international projects in the region have already been launched to overcome this situation. A majority of the projects are intended to foster tolerance and coexistence among Roma and non-Roma, to educate and inform the majority about the Roma, to present the culture, history, and language of the Roma, and to inform the wider society about the problems of the Roma, thereby fostering awareness about the need for cooperation.

Employment of Roma

Both Roma and non-Roma are conscious of the fact that the high unemployment rate among the Roma is one of the major problems and obstacles in the integration process. Due to the low educational level of Roma, regularly employed Roma work mostly as non-skilled workers, and motivation for further education is missing. Regulation regarding equality in access to work and jobs are not sufficient, and projects in this field should include preparatory training and learning skills for jobs and new professions for Roma.

The central aim of the ongoing projects and programmes is increasing the number of regularly employed Roma. Some of the projects propose that the traditional professions and occupations of Roma e.g. collecting garbage and gathering medical herbs and mushrooms should be included in the frame of regular employment classification in a particular state⁷.

Roma in Slovenia: recent developments

The Constitution of the Republic of Slovenia stipulates that the status and special rights of the Romany community living in Slovenia are determined by a

⁷ See: Final report: Training workshop for the staff of local employment services working with Roma jobseekers, Workshop I – Slovenia, Strasbourg, 2001

statute (Article 65)⁸. This constitutional provision has been implemented through provisions of different laws. Representation in local authorities is regulated by the Law on the Local Self-Management and by the Law on the Local Elections, and several provisions are included in the Laws on Education (Law on Organisation and Financing, Law on Kindergartens, and Law on Elementary Schools).

As in other countries, the major problems of Roma in Slovenia are unemployment, housing and living conditions, and their low level of education. In 1995, the Government of the Republic of Slovenia adopted a "Program of measures for helping the Roma"⁹ as a special governmental programme for promotion of the position of Roma in different fields of social life. In May 2000, the "Equal Opportunities" programme for the employment of Roma was adopted by the Slovenian government. The aims of the employment programmes for Roma are the acquisition of practical knowledge and work experience by the method of learning at work; the inclusion in public works or subsidised employment; the formation of cooperatives or integration companies; and the provision of advice or assistance in the self-employment of Roma.

Legal regulations for special conditions of the education of Romany children were included in legislation in 1996: the Law on the Organisation and Financing Education (Official Gazette RS, No.12/96), the Law on Kindergartens (Official Gazette RS, No.12/96) and the Law on Elementary Schools (Official Gazette RS, No.12/96).

In conformity with the Roma Aid Program and the aforementioned legislation concerning education, the Ministry of Education, Science, and Sport allows schools extra pedagogical hours for group classes outside regular classes. As the insufficient knowledge of the Slovene language was considered one of the reasons for the poor success of Roma pupils, additional help is organised by persons who are capable communicating with the Romany children (in Roma and in the Slovene language). Romany children participate in afternoon classes in conformity with the norms and standards for elementary schools and kindergartens.

With the introduction of nine-year elementary school, new curricula were adopted that include minimum standards for class graduation. That is why in 2000 the Council of Experts for General Education adopted instructions for

⁸ From 7,000 to 10,000 Roma live in Slovenia. Most Roma are traditionally settled in the region Prekmurje in the area of the Murska Sobota municipality (Pušča settlement) and in the surroundings of Novo mesto in the Dolenjska region. The largest number of Roma who immigrated from other places of the former Yugoslavia predominantly live in the industrial centres Maribor and Velenje.

⁹ The Government of the Republic of Slovenia established a steering committee for Roma issues, which involve representatives of Ministries and government services, representatives of municipalities and Roma associations.

the practice of the program of nine-year elementary schools for Romany pupils. The National Education Institute monitors the reform and promotes new working methods, adapted to the nine-year schooling of Romany children.

In December 2002 the Ministry of Education, Science, and Sport established a special working group for the preparation of the strategy of education for Roma. The group includes experts of pre-school to adult education, as well as members of the Ministry of Education, Science, and Sport, the Roma Association, and representatives of the National Education Institute. The strategy of education for the Roma was adopted in June 2004.

Since the year 1996, the Ministry of Education, Science, and Sport has been monthly providing schools with some small amounts of money for Roma pupils, aimed for the purchase of study materials and certain costs related to activities and excursions.¹⁰ Textbooks for Roma pupils are provided by schools with the help of special textbook funds. The Ministry of Education, Science and Sport provides additional funds for subsidising school meals for Romany pupils.¹¹

The main challenge is how to help the Roma and improve their integration, taking into account differences that are based upon different ways of life, traditions, and culture, and how to avoid forced assimilation in the sense of forced acceptance of foreign values, patterns of behaviour, and life style.

Political participation of the Romany community at the local level

In a review of constitutionality and legality procedure in March 2001, which was initiated by Rajko Šajnovič of Novo Mesto, the Constitutional Court of the Republic of Slovenia established that the Statute of the Novo Mesto Municipality (Official Gazette RS, No. 47/99) does not conform to the Local Self-Government Act since it lacks a provision stipulating that the Romany community, which is autochthonous in the area of Novo Mesto, has the right to representation in the city council¹². The municipality of Novo Mesto must remedy this non-conformity to the law within six months after the publication of the court's ruling in the Official Gazette of the Republic of Slovenia¹³.

¹⁰ Since January 2003, it has been 1,200 SIT (about 6 Euros) monthly.

¹¹ In the school year 2001/2002, 613 additional subsidies were approved.

¹² Ruling No. U-I-416/98-38 of 22 March 2001.

¹³ Rajko Šajnovič is a Roma from Novo Mesto, an activist who has been fighting for the rights of the Roma for many years, and a member of the ROM Inter-Municipal Association. In response to his initiative, the mayor of Novo Mesto pointed out the ambiguity of the term autochthonous, such as how many members must a Romany community have to be regarded as autochthonous; what percentage should it represent in the total population of a municipality; and whether a representative of a Romany community who in the public census defined himself as a Slovene has the right to vote in the elections for a representative of the Romany community.

In his initiative for the procedure, Rajko Šajnovič stated that in the local elections in 1998 he had not been allowed to run as a representative of the Romany community in the Novo Mesto Municipal Council and that in his opinion, the Statute of the municipality of Novo Mesto, which lacks a provision to give the Roma the right to elect a representative to the municipal council, did not conform to the Constitution and Article 39 of the Local Self-Government Act.

The Constitutional Court concluded that the Local Self-Government Act did not conform to the Constitution and that the National Assembly had to remedy this unconstitutionality within one year after the publication of the court's ruling in the Official Gazette of the Republic of Slovenia.

In the explanatory note to the decision of the Constitutional Court of the Republic of Slovenia (B.-II, Item 7) it is stated, *inter alia*, that the constitutional provisions of Article 65 of the Constitution of the Republic of Slovenia:

provide the legislator with the authority to guarantee, by law, to the Romany community as a special ethnic community living in Slovenia not only universal rights to which everybody is entitled but also special rights. In regulating the special status and special rights of the Romany community, the legislator is not limited by the principle of equality – which, in regulating human rights and fundamental freedoms, forbids, under Article 14, paragraph 1 of the Constitution, any discrimination based on national origin, race or any other circumstance. The constitutional authority provided for in Article 65 permits the legislator to guarantee to the Romany community and its members special (additional) protection which is in legal theory known as positive discrimination or positive protection.

On the basis of a decision of the Constitutional Court, the Act Amending Local Government Act (Official Gazette of the Republic of Slovenia, No. 51/2002), which enumerates 20 municipalities in which the Romany community must be ensured the right to elect a municipal councillor by the time the local elections are held, was adopted in May 2002. Roma municipal counsellors have been elected in all listed municipalities except one.

Regional project “RWCDI / Romany women can do it”

The position of Romany women is also marginalised within Romany communities. The Parliamentary Assembly of the Council of Europe points in the Recommendation 1557 (2002) on the legal situation of the Roma in Europe, that:

The situation of Romany women needs to be improved, because they play a determinant role in improving the living conditions of Romany families. These women suffer

from a triple discrimination, as Roma, as women and also as persons belonging to a socially disadvantaged group (Parliamentary Assembly of the Council of Europe. *Recommendation 1557 (2002) on the legal situation of Roma in Europe*, para 11).

In all countries in the Stability Pact region, there are some common problems concerning bad living conditions in Romany settlements. The general focus of the regional gender equality programs is on increasing of motivation for participation of women in politics and combating violence against women within the family. For the first time, these programs were recently adapted to the specific position and needs of Romany women in the region. The manual was prepared and translated into national languages and into the Romany language.

One of the main goals of the regional project “RWCDI / Roma Women Can Do it” was political empowerment and awakening of Roma women in the region, as a part of a wider awareness-raising campaign in the field of gender equality, anti-discrimination, and the promotion of human rights¹⁴.

Until now, Romany women in the region were somehow neglected as a specific target group both within the political discussions about the possible ways for the improvement of the position of the Roma and within the activities and work of women’s movements. For example, training seminars within the project “RWCDI / Romany Women Can Do it” were the first seminars ever implemented particularly for Romany women in Bosnia and Hercegovina.

Project “Romany Women Can Do it / RCWDI” took place in the year 2003. Local training seminars (2–5 in each country) and national evaluation seminars (1–2 in each country) took place in 12 countries in the region. A preparatory regional seminar, training seminars for trainers and a regional evaluation seminar were held in Skopje, where the coordination team was settled. The work in each country was coordinated by national coordinators. The evaluation seminar was held in Skopje, Macedonia, on September 29, 2003. The external evaluation was conducted by two regional evaluators: Vera Klopčič from Slovenia and Nahida Zekirova from Macedonia. Results of the projects and the conclusions and recommendations of the external evaluation are available in English on the RCWDI website, in several informative booklets in the national and Romany languages and in the publication “Romany Women Can Do it /RCWDI/ E Romane Džuvlja šaj”.

According to interviews with Roma participants, the most important thing that Roma women learned at these training and evaluation seminars was that they understood that their human rights are equal to other women and equal to Roma men.

Roma women who worked as a trainers set an example of personal leadership development for other participants. The most important fact is that ma-

¹⁴ Head of the project: Sonja Lokar, Chair of the SP Gender Task Force /GTF/.

jority of the Roma women who participated in these seminars were open for dialogue in general, they came out with concrete proposals to improve their status, and they were ready to implement what they have learned at the seminars. A comparison between the answers of the participants to the questionnaires, received at the beginning and at the end of the training seminars proves that the Roma women, who participated in these seminars realised that they can use their new knowledge as a tool for solving concrete daily problems, e.g. in the family and private life, or at school, in the shops, and at the working place. Some Romany participants observed that the materials (manual, evaluation forms) were too difficult and written in a manner that was too abstract (since many Roma women are illiterate, more flexibility is needed for the agenda of local seminars in future).

On the whole, the Project "RWCDI / Romany Women Can Do it" managed to open a direct dialogue between Romany women and non-Romany women at the local and national level, between Roma women and the local and national authorities, and between Roma women from different countries in the region. The position of Roma women was presented to the general public in respective countries in a very positive way by well attended press conferences, articles in news papers, and radio and TV broadcasts.

Within the project, a network for cooperation and exchange of experience of Roma women in the region was established. As all participants asked for the continuation of the project and proposed follow up activities, the project "RWCDI / Romany Women Can Do it" could be sought as successful and innovative example of good practice, worth transferring to other countries.

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ROMAI EUROPOS INTEGRACIJOS KONTEKSTE

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SANTRAUKA. Straipsnis skirtas romų situacijai Europos integracijos kontekste aptarti. Autorės nuomone, Europos integracija yra unikali galimybė romų bendruomenei tapti matomesnei Europos vietoje erdvėje, kadangi iki šiol jie neturėjo galimybės aktyviai dalyvauti sprendimų priėmimo procesuose ekonomikos, politikos ir kultūros srityse. Pirmą kartą yra suformuota romų bendruomenei atstovaujanti institucija prie Europos Tarybos (2001). Ši institucija turi savo struktūrą ir vadovybę, jos tikslas – stiprinti romų bendruomenę Europoje. Autorė teigia, jog tiek tarptautiniu, tiek konkrečios valstybės lygiu yra deklaruojama žmogaus teisių apsauga. Bet kasdieniame gyvenime romams tenka pajusti netolerantiškų nuostatų ir nesupratimo. Autorė aptaria socialines problemas, būdingas romų bendruomenėms Vidurio ir Rytų Europos valstybėse. Kaip vieną svarbiausių priežasčių, kodėl pagalba romų bendruomenei nėra efektyvi ir sisteminė, autorė nurodo tai, kad Europos valstybėse net nėra žinoma tikslaus romų skaičiaus. Šiuo metu yra įgyvendinamos Europos Tarybos, Europos Sąjungos bei Atviros Visuomenės instituto inicijuotos programos, kurių tikslas – pagerinti romų padėtį visuomenėse ir apsaugoti jų teises. Straipsnyje aptariami kai kurie gerų praktikų romų atžvilgiu pavyzdžiai.

Gauta 2004 metų rugsėjį
Įteikta spaudai 2004 metų gruodį

Roma populations have been part of European societies for centuries, yet they started to be perceived as a European "issue" in occasion of the 2004 and 2007 EU enlargement. In Eastern Europe several Roma, already struggling to cope with more. The difficulty of implementing the National Roma Integration Strategy and of investing integration funds at the local level is however heavily affected by the lack of administrative capacity, political will, and practical obstacles. This chapter describes the EU efforts made in this field, focusing on the need to involve the local level through the concrete case of the ROMACT programme. It evaluates the implementation, impact and outcomes of National Roma Integration Strategies in a selection of Member States (Bulgaria, France, Hungary, Italy, Romania, Slovakia, and Spain) in the broader context of the EU Framework for National Roma Integration Strategies. It concludes that these strategies suffer from severe implementation gaps and that Roma populations continue to live in significant socio-economic deprivation, suffer extensive discrimination and high levels of anti-Gypsyism. This study finds that, although EU Member States have elaborated more or less detailed policy frameworks for addressing problems of Roma inclusion across key areas, deficiencies remain in the processes of implementation of the NRIS. This article concerns the European Roma and the issues which engage them, the most salient being identity. It seeks to find congruence between the socioeconomic empowerment processes of Dalit (oppressed) communities in India with those of the Roma. There is a historical connection between the Romani language groups and north Indian languages – indeed it is from India where Roma communities are known to have originally migrated from. This article argues for the value of reviving these links by turning the argument around and advocating that aspects of the contemporary Indian experience of socio