



A quarter century after

Regional conference on Roma and discrimination

Cluj Napoca, September 29th -30th, 2015

Summary of the conclusions

"Many of the estimated 10-12 million Roma in Europe face prejudice, intolerance, discrimination and social exclusion in their daily lives. They are marginalised and live in very poor socio-economic conditions. This is not acceptable in the European Union (EU) at the beginning of the 21st century.

The EU's Europe 2020 strategy for a new growth path – smart, sustainable and inclusive growth – leaves no room for the persistent economic and social marginalisation of what constitutes Europe's largest minority. Determined action, in active dialogue with the Roma, is needed both at national and at EU level. While primary responsibility for that action rests with public authorities, it remains a challenge given that the social and economic integration of the Roma is a two-way process which requires a change of mind-sets of the majority of the people as well as of members of the Roma communities." (EU Framework for National Roma Integration Strategies up to 2020)

The **Regional conference on Roma and discrimination** took place between 29-30 September 2015 in Cluj Napoca, Romania, within the general framework of the NGO Fund in Romania, a programme funded through EEA and Norway grants. The Conference was organized by the Resource Center for Roma Communities in Cluj-Napoca, Romania, with financial support from the NGO Fund of the EEA Grants and Norway Grants.

The last 25 years of Roma public policy and programming and to the challenges for the future of Roma brought together a diversity of actors involved in the area - civil society organizations implementing projects in the Roma field, NGO Fund Programme Operators, representatives of European institutions and national government, experts and researchers, activists.

The conference offered a unique opportunity for exchanging of views and good practices of Roma and non-Roma organisations which are active in the policy influencing and in addressing community problems, as well as to identify areas towards which policy makers and donors should direct their actions in the upcoming years. Please find below some of the conference conclusions.

Improving the NGO approaches to policy formulation - from the local, regional and national level to the European level:

- The reality of the last two decades is that the current policies at all levels, local, national, European, did not reach the expectations regarding the improvement of the Roma situation – they are the first step for moving forward.
- A coherent and systematic approach to public policies should be in place in order to avoid the current addressing of Roma social and economic exclusion through a project based approach.
- The Roma population should no longer be treated as passive recipients of public interventions but rather work on creatively developing active measures by enabling the currently socially excluded Roma population as active partners in their own development process.
- The interventions in the Roma communities specifically, and the work with the disadvantaged groups in general, should be made only by in-depth knowledge of the target group specifics, while making sure the private initiatives are accompanied by transferring the responsibility on the authorities/decision makers for achieving a long term change at the local level.
- The civil society and the public opinion need to pay a constant attention to the tendency of the public administration and the decision makers at all levels in shifting their responsibilities regarding the poverty alleviation of the vulnerable groups to the NGO sector.
- The financial support received by the nongovernmental organizations from private donors, companies, individuals, is essential in order to maintain the independence of the NGOs from the governments, contributing to a critical voice and thus fostering the progress of the society.
- When speaking and acting for the Roma integration, the actions should be equally focused on the society/public opinion also.

The effective engagement of the Roma in multi-ethnic communities:

- The highest level of participation is defined by the community members' capacity, including that of the Roma, to jointly generate decisions and transform them into actions for the benefit of the entire community.
- An approach that works in a certain community may not be useful in another one. Therefore, it is important to understand what works and how it works in a large variety of communities in order to be able to transfer and adapt the approach to other communities.
- There are several types of community workers that proved their utility in the life of the Roma communities, among them the school mediators and health mediators. These professionals are still needed in a large and diverse number of Roma communities and a system of hiring and keeping them with the local authorities is needed.
- The participation of Roma women in education needs the continuous attention of all the relevant actors, with specific policies and programs that will reduce the educational gap.
- There are several success models of Roma women that need to be presented to the public. Especially, these women must become models inside the Roma community.
- The ethnic identity elements should be present in all educational formative levels, exposing the Roma young generations from early years to their cultural and identity values. In this way, one can avoid the stigma and the reluctance of the young and adult Roma population to develop a low self-esteem and self confidence in its own Roma nature.

Empowerment of Roma women:

- Violence against Roma women is still an invisible problem, and a subject insufficiently researched and debated within the academia or the public space. It needs to be brought to the attention of policy makers, especially in terms of prevention and combatting of violence against women.
- Roma women continue to confront both patriarchal values of the majority society and the cultural norms, but at the same time experience the effects of institutionalized racism.

- There is a tendency to privilege culture over gender - in majority communities, violence against women is conceived of as a deviant act, and the behavior of perpetrators is analyzed on an individual basis, as exceptions from normality, while in minority communities it is conceived of as a specific cultural feature.
- A web portal with information and case studies about various types of information relevant for the Roma women, including information on early marriages needs to be developed and information made available by the active NGOs to disadvantaged Roma communities.

Antidiscrimination, Anti-Gypsyism:

- Anti-Gypsyism, racist or stigmatising anti-Roma rhetoric has been on the rise both in public and political discourse, at central and local level, including accusations that Roma as an ethnic group are engaged in criminal behaviour, Roma have been generally scapegoated and politicians have been using inflammatory and dehumanising language with regard to the Roma communities.
- Despite growing policy and programming undertakings aimed at combatting the social exclusion of Roma in numerous European countries, Roma in Europe continue to face very high levels of discrimination and social exclusion while systemic improvement is hard to demonstrate.
- Segregation of Roma children into separate and/or substandard education continued to be the most widespread violation with respect to the right to education.
- Residential segregation accompanied by hazardous living conditions for Roma is yet evident in many European countries. The social exclusion of Roma is impacted in many cases by the lack of identity documents that may lead to a denial of access to basic rights such as education, health care, social assistance, housing, etc.
- Despite significant jurisprudence identifying the state responsibility to end school segregation, and to observe fundamental due process norms concerning evictions, these problems remain endemic, necessitating continued intervention. The EU initiated infringement procedures against Czech Republic and Slovakia but much depends on the outcomes of these initiatives.

Issues still pending following 14 years of implementing the EU Race Directive:

- Awareness of rights - Minority populations including the Roma tend to lack awareness of their rights (According to the EU-MIDIS, only 25 % of the minority members respondents said that they were aware of anti-discrimination legislation).
- Lack of equality data makes it more difficult to assess situations and prove the existence of discrimination. This concerns, in particular, indirect discrimination where statistical evidence often plays a crucial role in proving the adverse effects of a seemingly neutral measure for a specific group. The first report on the application of Directive 2000/43/EC raised concerns that 'the scarcity of ethnic data in most Member States might hinder proper monitoring of the application of Community legislation.
- Underreporting - All available information confirms low levels of reporting incidents of discrimination. Recent data show that across all ethnic and migrant groups surveyed, 82 % of those who were discriminated against did not report their experience. The most common reasons given were the belief that nothing would happen as a result of reporting, lack of knowledge on how and to whom to complain, and negative experiences due to inconvenience, bureaucracy or length of the process.
- Access to justice- The barriers to access to justice include short time limits for initiating a discrimination claim, the length and cost of proceedings, including the potentially discouraging effect on victims of the 'loser pays' principle, and limited availability of legal aid.
- Sanctions and remedies - There are still potential grounds for concern as regards the availability of remedies in practice and whether sanctions that are imposed in concrete cases comply fully with the requirements of the Directives. The national courts appear to have a tendency to apply the lower scale of sanctions provided for by law as well as in terms of the level and amount of compensation awarded.

