



Handbook on Observing and Promoting the Participation of Roma and Sinti in Electoral Processes



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Roma and Sinti in Electoral Processes*

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ABBREVIATIONS

ACFC	Advisory Committee on the Framework Convention
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CIS	Commonwealth of Independent States
CPRSI	Contact Point for Roma and Sinti Issues
CRPD	Convention on the Rights of Persons with Disabilities
CSCE	Conference on Security and Co-operation in Europe
CSOs	Civil society organizations
EAM	Election assessment mission
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECtHR	European Court of Human Rights
EDR	Election dispute resolution
EET	Election expert team
EMB	Election management body
EOA	Election observation activity
EOM	Election observation mission
EU	European Union
FCNM	Framework Convention for the Protection of National Minorities
FRA	European Union Agency for Fundamental Rights
HCNM	OSCE High Commissioner on National Minorities
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination

ICESCR	International Covenant on Economic, Social and Cultural Rights
IDPs	Internally displaced persons
LTO	Long-term Observer
NAM	Needs assessment mission
NGOs	Non-governmental organizations
NRIS	National Roma inclusion strategies
OAS	Organization of American States
ODIHR	OSCE Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
PR	Proportional representation
STO	Short-term Observer
STV	Single transferable vote
UDHR	Universal Declaration of Human Rights
UN	United Nations
UN HRC	Human Rights Committee
Venice Commission	European Commission for Democracy through Law

FOREWORD

The right and the opportunity for all citizens to take part in public and political life are fundamental components of OSCE election-related commitments. The 1990 Copenhagen Document commits OSCE participating States to ensuring that the will of the people is expressed freely and fairly through periodic and genuine elections. The commitments require that every citizen can exercise their right to vote, stand for election and participate in public affairs without discrimination.

Roma and Sinti have long formed an integral part of the societies of the OSCE region. Yet, despite important progress in many participating States, significant obstacles continue to affect their effective participation in electoral processes. The OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area recognizes that participation is essential and calls upon participating States to promote the full and equal participation of Roma and Sinti in public and political life.

The findings presented in ODIHR's *Fourth Status Report on the Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area* demonstrate both encouraging developments and continuing challenges. While a growing number of Roma representatives have been elected to public office, and a range of initiatives have been undertaken to strengthen civic engagement, the report highlights the persistent under-representation of Roma and Sinti in elected institutions and the barriers they continue to face. The report further highlights that Roma and Sinti women remain under-represented at all levels of decision-making and continue to be marginalized in political and public life. These findings reaffirm that equal participation cannot be achieved solely through legal guarantees, but also requires sustained efforts to address practical, structural and societal barriers.

Election observation plays an important role in assessing the extent to which electoral processes provide genuine opportunities for all citizens to participate on an equal basis. The methodology followed by ODIHR is widely recognized for its systematic and comprehensive approach. While the participation of national minorities has long been covered by ODIHR's election observation methodology, this handbook aims to provide a more systematic framework for observing Roma and Sinti participation and supporting efforts to remove barriers to their meaningful participation.

We hope that this handbook will also serve as a useful reference for electoral management bodies, public authorities, political parties, Roma and Sinti organizations, civil society organizations, international organizations and all those committed to strengthening

democratic participation and implementing OSCE commitments. Through promoting inclusive electoral processes that enable the effective participation of Roma and Sinti, participating States strengthen not only the protection of human rights and equality, but also the inclusiveness and resilience of democratic institutions throughout the OSCE region. We would like to thank the many experts and organizations that have provided valuable input and feedback during the development of this handbook, which would not have been possible without their support and co-operation.

Maria Telalian

ODIHR Director

INTRODUCTION

A. The purpose of the handbook

The participation of national minorities, including Roma and Sinti, in public and political life, and in electoral processes specifically, has been a key component of ODIHR's election observation methodology and practice for over three decades.¹ This handbook builds on ODIHR's experience and methodology. In light of ongoing challenges to participation, it also reflects the evolving electoral laws and policies across the OSCE region, as well as the priority areas and recommendations identified in ODIHR's *Fourth Status Report* and its election observation activity (EOA) reports.² The handbook aims to encourage a more comprehensive, systematic and consistent approach to observing the participation of Roma and Sinti in electoral processes and supporting efforts to remove barriers to their meaningful participation.

This handbook brings together the challenges related to national minority participation, on the one hand, and the positive efforts towards equality and non-discrimination on the other, with a specific focus on Roma and Sinti. It aims to inform members of ODIHR EOAs and assistance activities, as well as civil society organizations (CSOs) invested in observing or advancing the participation of Roma and Sinti, including through the observation of election processes. It sets out a methodology for assessing the electoral participation of Roma and Sinti, which may also be useful for stakeholders tasked with or interested in promoting minority group participation, including national authorities, election management bodies, political parties and the media. The handbook's referenced treatment of ODIHR commitments and other international and regional standards and good practice for Roma and Sinti political and electoral participation can also be used to review and guide reforms of the legislative and policy processes designed to enhance it.

Although it expands upon the existing knowledge accumulated through ODIHR EOAs, the handbook highlights some additional emerging issues, including those related to new technologies in political communication. It also discusses intersectional concerns, highlighting how individuals within Roma and Sinti communities, including women, youth, persons with disabilities, internally displaced persons (IDPs) and migrants, can experience

¹ See the [Handbook on Observing and Promoting the Participation of National Minorities in Electoral Processes](#), OSCE/ODIHR, 22 September 2014.

² [Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area – Fourth Status Report](#), (Fourth Status Report), OSCE/ODIHR, 8 December 2023. See also ODIHR [Electoral Recommendations Database](#).

unique challenges to participation, which require further attention.

B. How to use the handbook

This handbook was designed to help ODIHR EOAs effectively and consistently assess the participation of Roma and Sinti in electoral processes, develop thematic recommendations and promote inclusion. It offers guidance on how to identify and document barriers to participation, assess compliance with OSCE commitments and international standards, and develop recommendations to advance equality and inclusion. Structured around key phases of the electoral cycle, it includes thematic sections and examples of good practice, and references international standards throughout. The handbook aims to support informed, consistent and rights-based approaches to observing and enhancing political participation and countering systemic exclusion. Apart from setting out the challenges, suggestions are made for ways in which these can be addressed to put Roma and Sinti participation on a more positive trajectory.

Users of the handbook are encouraged to consult the chapters relevant to their role and context, whether preparing for election observation, designing inclusive policies or engaging with Roma and Sinti communities more broadly. Efforts have been made to maximize accessibility to a broad audience, including experts and newcomers to the field. Linkages between some key issues are highlighted, underscoring the value of a comprehensive approach to the observation and promotion of Roma and Sinti participation.

Chapter 1 provides an overview of international instruments, including OSCE commitments, other universal and regional obligations and standards for democratic elections, the representation of national minorities and, specifically, commitments made to promote the participation of Roma and Sinti.

Chapter 2 focuses on the core principles necessary for democratic elections and the full participation of under-represented groups, including political and civic rights (franchise rights and fundamental freedoms), as well as the tenets of equality, inclusion and non-discrimination.

Chapter 3 outlines the primary challenges to the fuller participation of Roma and Sinti, as identified in the 2003 Action Plan on Improving the Situation of Roma and Sinti (Action Plan)³ within the OSCE area, including racism and discrimination, socio-economic exclusion, educational challenges and post-crisis effects.

3 [OSCE Ministerial Council Decision No. 3/03](#), Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, (Action Plan), OSCE, Maastricht, 2 December 2003.

Chapter 4 examines the electoral cycle to identify key issues, good practices and remedial policies pertaining to Roma and Sinti participation at different stages of the pre-election, election and post-election periods, including as regards the legal framework, election administration, voter and candidate registration, campaign, media, election day procedures and dispute resolution. Each section includes points of inquiry for election observers to consider. The lists of questions are indicative and should be applied selectively according to the context. They are not exhaustive, and EOAs should consider examining other relevant issues.

Finally, **Chapter 5** addresses intersectional concerns, focusing on the additional challenges to Roma and Sinti participation faced by women, youth and persons with disabilities, as well as IDPs and migrants. The two annexes contain excerpts from select international instruments and other resources.



1. OSCE commitments and other international obligations and standards

This chapter examines the leading international obligations, standards and commitments for democratic elections, which form a baseline for evaluating the full extent of participation of Roma and Sinti individuals in electoral processes, as well as specific instruments that reflect the role of OSCE participating States in facilitating that participation. Public international law includes obligations for democratic elections that are codified in treaties such as the International Covenant on Civil and Political Rights (ICCPR),⁴ which legally bind signatories that ratify them. Declarations and political commitments, including the

4 [International Covenant on Civil and Political Rights \(ICCPR\)](#), UN OHCHR, Resolution 2200A (XXI), 16 December 1966.

Universal Declaration of Human Rights (UDHR)⁵ or the 1990 OSCE Copenhagen Document,⁶ are politically rather than legally binding mechanisms. Interpretive documents issued by treaty monitoring bodies — including those global in character, such as the United Nations Human Rights Committee (UN HRC), or regional, such as the judgments of the European Court of Human Rights (ECtHR) — clarify treaty obligations and have an authoritative character with a legal basis, even if they are not strictly binding for states other than those directly involved in specific cases. These documents are supplemented by other sources of what is referred to as ‘soft law’ and good practice that include compendiums of codes and legal opinions, as well as handbooks and manuals.

Several landmark OSCE documents call upon the participating States to accede to international human rights instruments. In the 1975 Helsinki Final Act,⁷ the participating States committed to “act in conformity with the 1948 Universal Declaration of Human Rights” and to “fulfil their obligations set forth in the international declarations and agreements in the field, including *inter alia* the International Covenants on Human Rights”. The 1983 Madrid Document invited “those participating States, which have not yet done so, to consider the possibility of acceding to the Covenants”.⁸ Other OSCE documents reiterate the importance of also joining regional instruments and related optional protocols, such as the 1950 Council of Europe European Convention on Human Rights (ECHR).⁹

A. OSCE commitments

Over the past three decades, the OSCE and its participating States have developed a robust body of political commitments aimed at protecting and promoting the rights of national minorities, with particular attention to Roma and Sinti communities. Grounded in core principles of democracy, equality and non-discrimination, these commitments emphasize the need for inclusive and participatory democratic systems that ensure minorities can effectively engage in public and political life. From the foundational Copenhagen Document to the landmark Action Plan and subsequent decisions, the OSCE framework has evolved to address key barriers such as under-representation, discrimination and lack of access to civil documentation. Together, these instruments form a comprehensive approach to fostering minority participation and building more inclusive, tolerant and democratic societies.

5 [Universal Declaration of Human Rights](#), United Nations, Resolution 217/A, 10 December 1948.

6 [Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE](#) (Copenhagen Document), CSCE, Copenhagen, 29 June 1990.

7 [Helsinki Final Act](#), CSCE, Helsinki, 1 August 1975.

8 [Concluding Document of the Madrid Meeting](#), CSCE, Madrid, 9 September 1983.

9 [European Convention on Human Rights](#) (ECHR), Council of Europe, Rome, 4 November 1950.

The participating States recognized in the 1990 Charter of Paris for a New Europe that “democracy is the best safeguard of [...] tolerance of all groups of society, and equality of opportunity for each person”.¹⁰ The Copenhagen Document states, “pluralistic democracy and the rule of law are essential for ensuring respect for all human rights and fundamental freedoms”. In the Document, the participating States reaffirmed that “respect for the rights of persons belonging to national minorities as part of universally recognized human rights is an essential factor for peace, justice, stability and democracy in the participating States”.¹¹ They committed to respecting “the right of persons belonging to national minorities to effective participation in public affairs, including participation in the affairs relating to the protection and promotion of the identity of such minorities”.¹²

In the Copenhagen Document, the participating States expressly committed themselves to upholding the principles of equality and non-discrimination. Paragraph 7.3 commits parties to “guarantee universal and equal suffrage to adult citizens”. Paragraph 7.5 requires them to “respect the right of citizens to seek political or public office, individually or as representatives of political parties and organizations, without discrimination”. Paragraph 5.9 states: “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law”. The participating States undertook to “prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground”. In paragraph 40, they “clearly and unequivocally condemn [...] discrimination against anyone” and “recognize the right of the individual to effective remedies and endeavour to recognize, in conformity with national legislation, the right of interested persons and groups to initiate and support complaints against acts of discrimination”.

More general provisions were included in the 1991 Report of the CSCE Meeting of Experts on National Minorities (Geneva Report) in which the participating States committed to creating the conditions for “persons belonging to national minorities to have equal opportunity to be effectively involved in public life”. The Geneva Report holds that “democratic participation in decision-making or consultative bodies constitutes an important element of effective participation in public affairs”.¹³ Further, it established a direct connection between the Copenhagen Document commitment to invite election observers and the participation of national minorities, by requiring parties to “consider favourably, to the extent permitted by law, the presence of observers at elections held below the national level, including in areas inhabited by national minorities”.¹⁴ It also recommended that national minorities be represented in advisory and decision-making bodies within some constitutional systems.¹⁵

10 [Charter of Paris for a New Europe](#), CSCE, 21 November 1990.

11 CSCE, [Copenhagen Document](#), para. 31.

12 *Ibid.*, para. 35.

13 [Report of the CSCE Meeting of Experts on National Minorities](#), Geneva, 19 July 1991, Chapter III, para. 1.

14 *Ibid.*, Chapter III, para. 5.

15 *Ibid.*, Chapter IV, para. 7.

In the 1992 “Challenges of Change” Helsinki Document, the participating States vowed to intensify “efforts to ensure the free exercise by persons belonging to national minorities, individually or in community with others, of their human rights and fundamental freedoms, including the right to participate fully, in accordance with the democratic decision-making procedures of each State, in the political, economic, social and cultural life of their countries including through democratic participation in decision-making and consultative bodies at the national, regional and local level, *inter alia*, through political parties and associations”.¹⁶ The document established the office of the CSCE High Commissioner on National Minorities (HCNM) as a conflict prevention instrument specifically dedicated to national minority issues. The HCNM receives and collects information, reports on the situation of national minorities, and makes specific recommendations regarding measures that can be taken towards resolution. In 1996, the HCNM began to formulate thematic recommendations and guidelines, informed by experts and addressed to all participating States. Their purpose was not to create new international standards, but rather to “interpret and elaborate the existing international rules regarding [the] subjects [in question]”,¹⁷ thereby providing parties with guidance and policy options on how to implement them.

The 1994 CSCE Budapest Summit marked a significant step forward that created the Contact Point for Roma and Sinti Issues (CPRSI) in ODIHR. The decision to establish CPRSI stemmed from the recognition of the “particular problems of Roma” in respect of racial and ethnic hatred, xenophobia and discrimination, as outlined in the Copenhagen Document. This was a ground-breaking development, as the first such office created by an intergovernmental organization to specifically address Roma and Sinti issues. Initially, the aim was to assist participating States in finding solutions to problems encountered by members of their Roma and Sinti communities. The mandate was further expanded at the 1998 OSCE Ministerial Council in Oslo, which created the post of OSCE Adviser on Roma and Sinti to head the CPRSI.

The 1999 *Lund Recommendations* stand out as a notable HCNM milestone thanks to their comprehensive treatment of issues related to the participation of national minorities in public life. They set out that parties “should ensure that opportunities exist for minorities to have an effective voice at the level of the central government, including through special arrangements as necessary”.¹⁸ While the choice of the electoral system remains in the purview of the participating State, it is important to note that the *Lund Recommendations* promote inclusive electoral systems that enable equitable representation of minorities, including through:

16 [The Challenges of Change](#), (Helsinki Document), CSCE, Helsinki, 9 July 1992.

17 Max van der Stoep, “The Hague, Oslo and Lund Recommendations Regarding Minority Questions” in Morten Bergsmo (ed.), *Human Rights and Criminal Justice for the Downtrodden: Essays in Honour of Asbjørn Eide* (Leiden/Boston: Martinus Nijhoff Publishers, 2003), p. 505.

18 [The Lund Recommendations on the Effective Participation of National Minorities in Public Life](#), OSCE/HCNM, 1 September 1999, Part II, Section A, para. 6.

- Single-member districts, where minorities are concentrated in specific geographic areas;
- Proportional representation systems to better reflect minority votes in legislative seats, where they are more dispersed;
- Preference voting systems that allow voters to rank candidates, which can support inter-communal co-operation;
- Lower numerical thresholds for legislative representation to enhance minority inclusion;
- Fair drawing of district boundaries to ensure the equitable representation of minorities; and
- Respect for the freedom of association, including the right to form political parties based on communal identities, provided they operate peacefully and respect the rights of others.¹⁹

The 2001 ODIHR *Guidelines to Assist National Minority Participation in the Electoral Process*, commissioned by the OSCE HCNM to advise on the implementation of the *Lund Recommendations* and later expanded in ODIHR's *Handbook on Observing and Promoting the Participation of National Minorities in Election Processes*, provide additional detailed guidance on inclusive practices and minority language rights in electoral processes.²⁰

The Action Plan is often cited as a key document for efforts to enhance the integration and rights of Roma and Sinti communities across Europe. It is the first comprehensive policy document to address Roma and Sinti issues at international level, covering areas such as racism and discrimination, socio-economic issues, access to education and participation in public and political life, as well as pertinent issues in crisis and post-crisis situations. Section VI places a particular focus on enhancing participation in public and political life and emphasizes the need to ensure the equal, effective and inclusive political participation of Roma and Sinti in electoral processes. It highlights barriers such as lack of documentation, discrimination and low representation, and recommends that OSCE participating States advance measures in areas such as voter education and registration, as well as candidate support. It stresses early involvement, transparency and ownership by Roma and Sinti communities, and promotes gender equality and collaboration with civil society. OSCE institutions are called upon to support these goals through programmes and election monitoring.

The Action Plan continues to serve as a comprehensive roadmap for participating States, providing guidance on developing national policy frameworks that ensure the integration and participation of Roma and Sinti. Framed as a set of political commitments rather than legally binding responsibilities, the document provides reference points for governments,

¹⁹ *Ibid.*, Part II, Section B, paras. 7-10.

²⁰ [Guidelines to Assist National Minority Participation in the Electoral Process](#), OSCE/ODIHR, 1 January 2001; OSCE/ODIHR, [Handbook on Observing and Promoting the Participation of National Minorities in Electoral Processes](#).

civil society and international institutions in addressing systemic barriers to greater participation in public and political life.

The Action Plan's relevance lies in emphasizing participation, empowerment and partnership. The document encourages the participating States to address racism and discrimination against Roma and Sinti, with their meaningful involvement in the design and evaluation of policies that affect them. Given the challenges that Roma and Sinti face in participating in electoral processes, the Action Plan's commitments and emphasis on transparency, early engagement and inclusive governance processes are especially resonant.

The Status Reports²¹

ODIHR has produced regular updates on the implementation of the Action Plan. These reports assess progress, identify challenges and provide recommendations for further action. They also reiterate findings from ODIHR EOAs and issue overarching recommendations related to the electoral participation of Roma and Sinti. While the *First Status Report* (2008) highlighted serious implementation challenges, including funding and political will issues, the *Second* (2013) and *Third* (2018) *Status Reports* noted visible progress in policy standardization and funding, but also emphasized ongoing disparities and discrimination. The *Fourth Status Report* (2023), which marked the twentieth anniversary of the Action Plan, underscored the continued relevance and need for sustained efforts to address persistent challenges. It found that, while some progress has been made in fostering public participation, many challenges remain, including the normalization of anti-Roma rhetoric and continued under-representation in politics. Racist rhetoric and attitudes discourage engagement and, although there have been efforts to build political capacity, especially for women and youth, these remain insufficient. Good practices exist, such as voter education and citizen election observation, but need broader implementation. Representation within mandated structures has improved only marginally and remains limited. Overall, there is a continued need for greater participation of Roma and Sinti in public and political life, including in electoral processes.

In the 2003 Maastricht Document, the participating States reaffirmed the “importance of the recommendations of the High Commissioner on National Minorities on [...] public participation”.²² The document recommends that participating States organize election-awareness campaigns to increase the participation of the Roma electorate, ensure that Roma voters can make free and informed choices in elections, and “take measures to

²¹ See the ODIHR, [Implementation of the OSCE Action Plan for Roma and Sinti: Status Reports](#) document collection.

²² [Final Document of the Eleventh Meeting of the OSCE Ministerial Council](#), OSCE, Maastricht, 2 December 2003.

guarantee the equal voting rights of women, including by enforcing prohibitions on so-called ‘family voting’”.

The 2012 *Ljubljana Guidelines* underlined the significance of inclusive and equitable electoral processes in diverse societies as a prerequisite for integration.²³ They advocate for:

- Mechanisms that allow minority groups to participate effectively in political life, including through inclusive electoral systems;
- Safeguards against discrimination, exclusion and inter-ethnic hostility in political life; and
- Respect for linguistic and cultural diversity.

Other milestone publications which support the evaluation of electoral participation include the following:

- The 1998 *Oslo Recommendations Regarding the Linguistic Rights of National Minorities* establish a comprehensive framework for protecting the linguistic rights of national minorities.²⁴ The document provides practical guidelines for participating States to ensure minority language use in education, public administration and the media.
- The 2003 *Guidelines on the Use of Minority Languages in the Broadcast Media* (Media Guidelines) promote “effective equality” for minority-language broadcasters. This is achieved through comprehensive recommendations for participating States to support minority-language media via financial assistance, capacity-building and regulatory frameworks.²⁵
- The 2006 *Recommendations on Policing in Multi-Ethnic Societies* (Policing Recommendations) promote confidence between police services and minority groups, aiming to ensure that policing practices are sensitive to the needs of vulnerable groups.²⁶

Furthermore, the OSCE Ministerial Council adopted several decisions tailored to Roma and Sinti communities, which complement the more general efforts focused on national minorities:

- Decision No. 6/08 on Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area recalibrates commitments to prevent marginalization by fostering Roma and Sinti involvement in public and political life, including voter education and representation in decision-making. It underlines the value of efforts to implement the Action Plan with a focus on advancing equal access to education for Roma and Sinti communities.²⁷

23 See the *Ljubljana Guidelines on Integration of Diverse Societies*, OSCE/HCNM, 7 November 2012, guidelines 9 (on inclusion and effective participation as part of integration), 38 (on effective participation as a key policy area) and 39 (on participation in public affairs).

24 *The Oslo Recommendations Regarding the Linguistic Rights of National Minorities*, OSCE/HCNM, 1 February 1998.

25 *Guidelines on the Use of Minority Languages in the Broadcast Media*, OSCE/HCNM, 10 October 2003.

26 *Recommendations on Policing in Multi-Ethnic Societies*, OSCE/HCNM, 9 February 2006.

27 *OSCE Ministerial Council Decision No. 6/08 on Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, Helsinki, 5 December 2008.

- Decision No. 8/09 on Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration reinforces commitments to combat racism, discrimination and violence against Roma and Sinti communities.²⁸ It emphasizes the need for participating States to implement measures that ensure access to effective remedies and promote tolerance, while addressing socio-economic challenges to political participation.
- Decision No. 4/13 on Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, with a Particular Focus on Roma and Sinti Women, Youth and Children reinforces commitments to address intersectional vulnerabilities faced by these groups, particularly Roma and Sinti women, who are disproportionately affected by discrimination, violence and socio-economic exclusion.²⁹ It emphasizes measures such as ensuring equal rights in voting, banning practices such as ‘family voting’ and supporting women’s access to public office and decision-making positions. Additionally, the decision encouraged states to develop voter education programmes and eliminate barriers to civil documentation.

B. International obligations and standards

International human rights instruments establish a comprehensive legal foundation for the right to participate in public and political life, reinforcing the principles of equality and non-discrimination, including for national minorities such as Roma and Sinti.

The UDHR states, “all human beings are born free and equal in dignity and rights”. Article 21(1) proclaims the universal right “to take part in the government of [their] country, directly or through freely chosen representatives”. The document further proclaims that the “will of the people shall be the basis of the authority of government”.³⁰ These declared principles underpin the right to participation in government and public affairs and have been transposed in several binding international treaties, including the ICCPR.³¹

Article 25 of the ICCPR states, “every citizen shall have the right and the opportunity, without [...] unreasonable restrictions:

- a. To take part in the conduct of public affairs, directly or through freely chosen representatives;
- b. To vote and be elected at genuine periodic elections, which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

28 [OSCE Ministerial Council Decision No. 8/09](#) on Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration, Athens, 2 December 2009.

29 [OSCE Ministerial Council Decision No. 4/13](#), Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area, with a Particular Focus on Roma and Sinti Women, Youth and Children, Kyiv, 5-6 December 2013.

30 UN, [Universal Declaration of Human Rights](#).

31 UN OHCHR, [ICCPR](#).

c. To have access, on general terms of equality, to public service in [their] country”.

Article 2 provides that rights recognized under the ICCPR belong to all individuals, irrespective of “national or social origin”. Article 26 guarantees equality before the law and entitlement, without any discrimination, to the equal protection of the law.

Article 27 was the first to enshrine minority rights to participate, providing, “in those States, in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language”.

The ICCPR’s treaty-based body, the Human Rights Committee, in its General Comment 25, interprets national minorities’ right to participate as “the right to participate in public affairs, voting rights and the right to equal access to public service” and requests parties to introduce positive measures to overcome various obstacles that hamper the right to participate in public affairs. The latter include language barriers, i.e., prescribing that access to voter information be available in minority languages”.³²

The United Nations General Assembly’s 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities reaffirmed the rights of members of national minorities “to participate effectively in cultural, religious, social, economic and public life”, including in “decisions on the national, and where appropriate, regional level concerning the minority to which they belong or the regions in which they live,” including to establish and maintain their own associations, and to exercise fully and effectively all their human rights and fundamental freedoms without discrimination and in full equality before the law.³³

Several specialized UN human rights documents contain a range of guarantees for specific groups, including national minorities and further vulnerable sectors, that may require additional consideration in an electoral process.³⁴ They include:

- The 1965 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)³⁵ commits States Parties to eliminating racial discrimination and guarantees the enjoyment of political rights and fundamental freedoms on equal terms. It requires

32 [General Comment 25, The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service](#) (Article 25), UN Human Rights Committee, CCPR/C/21/Rev.1/Add.7, 12 July 1996.

33 [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities](#), United Nations, GA Res. 47/135, 18 December 1992, Articles 2 and 3. On other good practices, see also [Commentary of the Working Group on Minorities to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities](#), UNHCR, E/CN.4/Sub.2/AC.5/2005/2, 4 April 2005.

34 Of the four documents listed below, one (ICERD) has been ratified by all OSCE participating States except the Holy See, while the remaining three (CEDAW, CRPD and ICESCR) have been ratified by all participating States except the Holy See and the United States.

35 [International Convention on the Elimination of All Forms of Racial Discrimination](#) (ICERD), United Nations, Resolution 2106 (XX), adopted 21 December 1965, entered into force 4 January 1969.

states to outlaw speech and propaganda that is based on racial superiority or hatred, or incites racial discrimination, and to criminalize membership in racist organizations. It commits them to guarantee the right of everyone to equality before the law regardless of 'race',³⁶ colour or national or ethnic origin. This equality must apply to the treatment by courts and tribunals, security of the person and freedom from violence, and the civil and political rights affirmed in the ICCPR.

- The 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)³⁷ requires signatories to take all appropriate measures to eliminate discrimination against women in political and public life and invites them to adopt temporary special measures to accelerate equality in practice. The CEDAW Committee's General Recommendation No. 40³⁸ identifies equal and inclusive representation, understood as 50:50 parity, as the objective for decision-making systems, reflecting a shift toward substantive equality and structural reform.
- The 2007 Convention on the Rights of Persons with Disabilities (CRPD)³⁹ requires States Parties to guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, including by protecting their right to vote without intimidation. The CRPD acknowledges the intersectional challenges faced by individuals with disabilities who are members of minority groups.
- While the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)⁴⁰ does not explicitly mention national minorities, it promotes their political participation by ensuring equal access to rights such as education, work, health and cultural life. These rights enable minority groups to overcome systemic barriers and engage fully in society. By protecting cultural identity and addressing inequality, the ICESCR fosters meaningful public participation.

C. Regional obligations and standards

Several regional intergovernmental bodies and instruments across the OSCE area provide additional frameworks for ensuring participation and safeguarding equality and non-discrimination for Roma and Sinti stakeholders.

36 The use of the term 'race' in this guide shall not imply endorsement by OSCE/ODIHR of any theory based on the existence of different races. It is a term widely used in international human rights standards, as well as in national legislation.

37 [Convention on the Elimination of All Forms of Discrimination against Women \(CEDAW\)](#), UN OHCHR, 18 December 1979.

38 [General Recommendation No 40](#) on the equal and inclusive representation of women in decision-making systems, UN OHCHR, 25 October 2024.

39 [Convention on the Rights of Persons with Disabilities \(CRPD\)](#), UN OHCHR, Resolution A/RES/61/106, 12 December 2006.

40 [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#), UN OHCHR, Resolution 2200A (XXI), 16 December 1966.

The Council of Europe was founded on the principles of representative democracy, rule of law and respect for human rights and fundamental freedoms. The flagship treaty, the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms⁴¹ (ECHR), connects electoral rights and the prohibition of discrimination. In Article 3 of Protocol No. 1, the “High Contracting parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature”.⁴² Article 14 establishes that the “enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status”.

Article 14 prohibits discrimination, including with respect to electoral rights, on the basis of an “association with a national minority”. The application of the non-discrimination principle was originally limited, as Article 14 could be invoked only in conjunction with a violation of a substantive right under the ECHR, e.g., an allegation of discrimination that impinges on specific freedoms or rights, such as association and franchise rights. Following the adoption of Protocol No. 12 to the ECHR, discrimination has been established as a general, independent and autonomous ground for a complaint.

A key aspect of the human rights framework within the Council of Europe is the judicial protection of the European Court of Human Rights (ECtHR), which examines individual and interstate complaints. For instance, in *Sejdić and Finci v. Bosnia and Herzegovina*⁴³ (2009), the ECtHR found that constitutional provisions excluding Roma and other minorities from running for the presidency and upper house of parliament violated the right to non-discrimination and free elections. The Court emphasized that such ethnic-based restrictions are incompatible with democratic principles. In *Vona v. Hungary*⁴⁴ (2013), the European Court of Human Rights upheld the dissolution of a far-right association whose activities intimidated the Roma community, affirming that such measures were necessary to protect minority rights and democratic values. In *Budinova and Chaprazov v. Bulgaria*⁴⁵ (2021), the Court held that the failure of national authorities to respond to speech by a politician, which had negatively stereotyped Roma with the intention of inciting hatred, constituted a failure of the state’s obligations to respond to discrimination and a breach

41 Council of Europe, [European Convention on Human Rights](#), treaty and protocols.

42 Initially, Article 3 of Protocol No. 1 to the ECHR was framed as part of a set of state obligations. However, in 1987, the European Commission of Human Rights shifted this interpretation by recognizing it as conferring individual rights to participate in public affairs, specifically the right to vote and stand for election. Consequently, the right to participate in elections has come to be understood as a fully-fledged human right under the Convention system. See *Mathieu-Mohin and Clerfayt v. Belgium*, Application Nos. 9267/81 and 9268/81, European Court of Human Rights, 2 March 1987.

43 *Sejdić and Finci v. Bosnia and Herzegovina*, Applications Nos. 27996/06 and 34836/06, European Court of Human Rights, Judgment of 22 December 2009.

44 *Vona v. Hungary*, Application No. 35943/10, European Court of Human Rights, Judgment of 9 July 2013.

45 *Budinova and Chaprazov v. Bulgaria*, Application No. 12567/13, European Court of Human Rights, Judgment of 4 March 2021.

of the applicants' right to respect for private life; this judgment reinforced the state's duty to protect minorities from harmful rhetoric in the public sphere.

The Council of Europe's 1995 Framework Convention for the Protection of National Minorities (FCNM) is the first legally binding international treaty exclusively devoted to the protection of national minorities.⁴⁶ The supervisory mechanism is based on the assessment of regular country reports by the Committee of Ministers with the contribution of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC).

Article 15 of the FCNM states, "the Parties shall create the conditions necessary for effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them".⁴⁷ There is a wide consensus that effective participation extends to decision-making processes and elected bodies at the national and local levels.⁴⁸ The ACFC has publicized a list of special measures that states can introduce to advance equal rights for national minorities and help overcome discrimination. The Committee has developed a catalogue of good practices that affect the interpretation and application of the *Lund Recommendations*, including with regard to the protection of national minorities under constitutional law; drawing electoral district boundaries; introducing lower electoral thresholds and reserved seats; protecting numerically small minorities; facilitating access to citizenship and protecting the rights of non-citizens; setting up special institutions or committees in parliaments and executive branches; and representation that yields genuine influence in elected bodies.

The ACFC's 2008 Commentary on Effective Participation outlines the Committee's interpretation of provisions within the FCNM that pertain to the effective participation of persons belonging to national minorities, as stipulated in Article 15.⁴⁹ This interpretation draws on the ACFC's Opinions adopted between 1999 and 2007. The Commentary remains a useful tool for state authorities and decision-makers, public officials and civil society, including non-governmental organizations (NGOs) that represent Roma and Sinti communities, as well as other stakeholders.

The 2009 Commentary on the Language Rights of Persons Belonging to National Minorities addresses the relationship between language rights and effective participation in public affairs, and also relates to Roma and Sinti communities in certain contexts.⁵⁰

46 [Framework Convention for the Protection of National Minorities \(FCNM\)](#), Council of Europe, 1 February 1995.

47 *Ibid.*, Article 15.

48 [Commentary on Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs](#) (Commentary on Effective Participation), Council of Europe, ACFC/31 DOC(2008)001, Strasbourg, 5 May 2008, paras. 90-93.

49 *Ibid.*, Article 15.

50 [Thematic Commentary on the Language Rights of Persons Belonging to National Minorities](#), Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC), 15 October 2012.

The Council of Europe's European Commission for Democracy Through Law (the Venice Commission) is another source of guidelines and thematic recommendations in the area of national minority protection. The Venice Commission has published several general and thematic reports, as well as other documents pertaining to minority participation across the Council of Europe area or in specific states.⁵¹ They reflect the "common European electoral heritage", enumerate good practices and sometimes make recommendations for possible improvements. The leading document is the 2002 *Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report*⁵² (Code of Good Practice in Electoral Matters) and, later, the 2022 *Code of Good Practice on Referendums*,⁵³ which also address practices relating to the participation of national minorities, including:

- Political parties representing minorities must be permitted;
- Special rules or measures, including reserved seats or exemptions from normal seat-allocation provisions for parties representing minorities (e.g., electoral thresholds), are not incompatible with the principle of equal suffrage; and
- Classification as a member of a national minority may be by self-identification only.⁵⁴

The Council of Europe has also developed a framework focused specifically on Roma and Sinti. Its 2020 Strategic Action Plan for Roma and Traveller Inclusion (2020-2025) focuses on several key areas to promote and protect the human rights of Roma and Travellers.⁵⁵ The plan's components include combating 'antigypsyism' and discrimination, supporting democratic participation and facilitating access to inclusive education and training.⁵⁶ It addresses key cross-cutting issues such as intersectionality, the inclusion of Roma and Traveller civil society, oversight by a committee of experts, support for local government collaboration and tackling the ongoing discrimination and exclusion faced by Roma and Travellers in Europe.

51 See *Electoral Law and National Minorities*, Venice Commission, CDL-INF (2000)004, 25 January 2000; *Report on Electoral Rules and Affirmative Action for National Minorities' Participation in Decision-Making Process in European Countries*, Venice Commission, Study No. 307/2004, Document CDL-AD(2005)009, 15 March 2005; *Report on Non-Citizens and Minority Rights*, Venice Commission, Document CDL-AD(2007)001, 18 January 2007; and *Report on Dual Voting for Persons Belonging to National Minorities*, Venice Commission, Document CDL-AD(2008)013, 16 June 2008.

52 *Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report*, Venice Commission, adopted 5-6 July and 18-19 October 2002.

53 *Revised Code of Good Practice on Referendums*, Venice Commission, CDL-AD(2022)015, 20 June 2022.

54 Venice Commission, *Code of Good Practice in Electoral Matters*, point 2.4 and the corresponding part of the Explanatory Report.

55 *Strategic Action Plan for Roma and Traveller Inclusion (2020-2025)*, Council of Europe, CM(2020)17, 27 January 2020.

56 The Council of Europe defines 'antigypsyism' as a "specific form of racism, an ideology founded on racial superiority, a form of dehumanisation and institutional racism nurtured by historical discrimination, which is expressed, among others, by violence, hate speech, exploitation, stigmatization and the most blatant kind of discrimination". The International Holocaust Remembrance Alliance (IHRA) has also adopted a working definition of 'antigypsyism', highlighting its persistent and systemic nature.

Several other intergovernmental bodies have developed provisions focused on national minority rights; however, these do not specifically address the needs of Roma and Sinti communities.

The Commonwealth of Independent States (CIS) adopted the 1995 Convention on Ensuring the Rights of Persons Belonging to National Minorities, which guarantees civil, political, social, economic and cultural rights and freedoms to persons belonging to ethnic minorities, aiming to protect their rights to culture, religion and language. It outlines several key protections:

- Guaranteeing minorities' rights and prohibiting discrimination based on minority status;
- Ensuring that minorities can freely express, preserve and develop their ethnic, linguistic, cultural or religious identity;
- Providing minorities the right to participate, especially in deciding issues related to the protection of interests at the regional level; and
- Requiring signatories to prevent discrimination against individuals belonging to minorities.

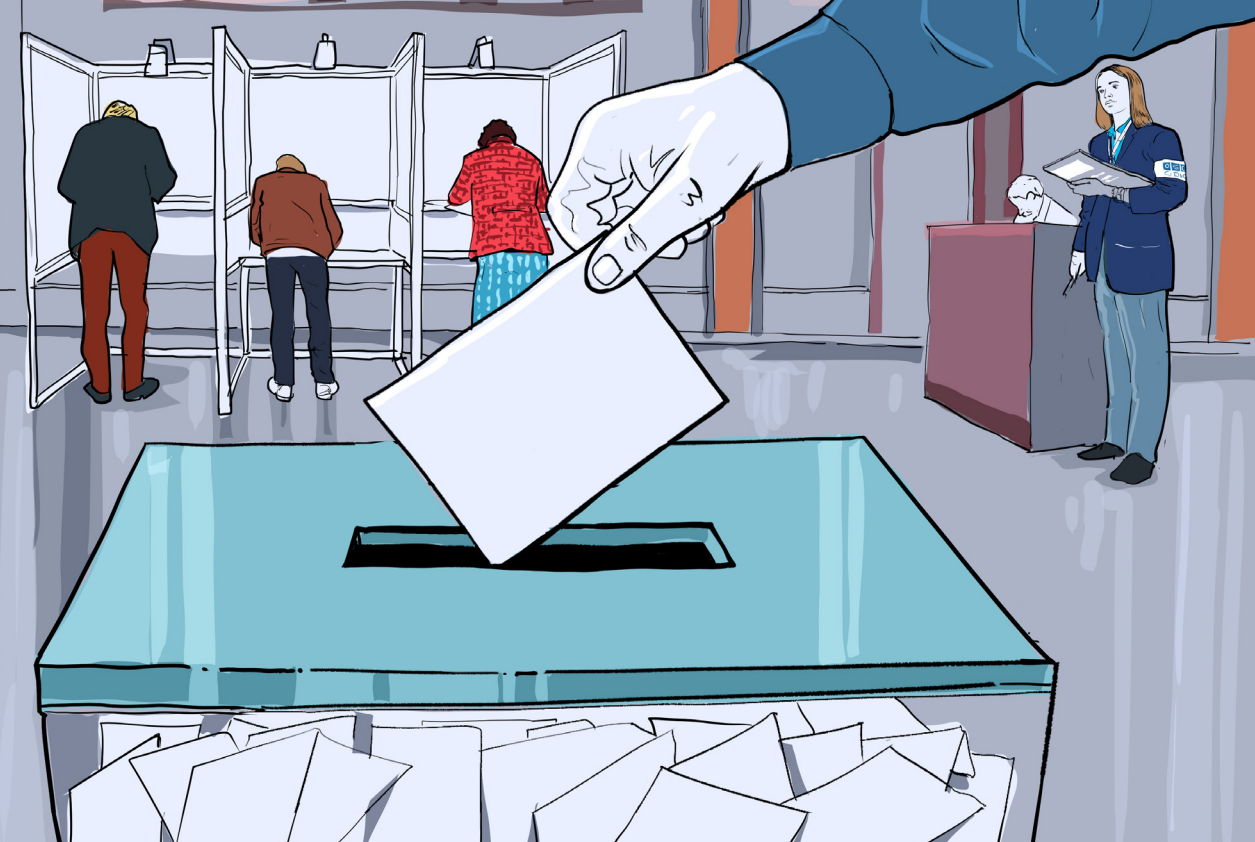
The Organization of American States (OAS) promotes political participation by protecting the rights of minority groups through legal tools such as the American Convention on Human Rights⁵⁷ and the Inter-American Court of Human Rights. The 2013 Inter-American Convention against Racism⁵⁸ strengthens this by prohibiting discrimination based on 'race' or ethnic origin, enabling national minorities to seek protection. Additionally, the Inter-American Commission on Human Rights allows individuals and groups, such as Roma and Sinti, to petition against discrimination, supporting their inclusion in political life.

The international and regional documents above are supplemented by other sources of what is often referred to as 'soft law' and good practice. This includes compendiums of codes, legal opinions, handbooks and manuals.⁵⁹ They constitute a growing body of guidance that can be used, including by state and civil society actors, to observe and promote the participation of Roma and Sinti in electoral processes.

57 [American Convention on Human Rights](#), Organization of American States, 22 November 1969.

58 [Inter-American Convention against Racism, Racial Discrimination and related forms of Intolerance](#), Organization of American States, 5 June 2013.

59 See the ODIHR website for relevant [election handbooks](#).



2. Key principles

A genuine democracy — with the meaningful and effective participation of all citizens, including under-represented groups, “freely and fairly [...] through periodic and genuine elections”⁶⁰ — is predicated on access to a set of political and civic rights (e.g., franchise rights, such as the right to vote and to stand as a candidate), as well as fundamental freedoms, including the freedoms of association, assembly and expression. The full exercise of these rights and freedoms requires guarantees of equality and non-discrimination.

Restrictions on fundamental freedoms are recognized in international human rights law and are generally only permitted under specific conditions to balance individual rights with public interests. These restrictions must be lawful, necessary and proportionate,

60 CSCE, Copenhagen Document.

and must be aimed at a legitimate end, such as the protection of public order, national security, public health or the rights and freedoms of others. Restrictions must therefore be interpreted and applied cautiously to ensure that they do not violate human rights and freedoms, including the rights of minority groups to participate in public life.⁶¹ Individuals affected by restrictions must have access to an independent and effective remedy through which they can challenge the lawfulness, necessity and proportionality of those restrictions, including access to judicial review where appropriate.

General principles for access to rights and freedoms

- Fundamental freedoms are rights to which individuals are entitled without government interference; however, their exercise can be limited when necessary to protect public order, national security, public health or the rights of others.
- Restrictions must be prescribed by law; i.e., they must have a clear legal basis and be accessible and foreseeable.
- Limitations must be necessary in a democratic society and proportionate to the legitimate aim pursued, ensuring no excessive or arbitrary restrictions.
- It must be possible to contest any interference before independent and impartial courts.

A. Political and civic rights

Franchise rights

Right to vote: Paragraphs 7.3 and 7.4 of the Copenhagen Document, respectively, oblige the participating States to “guarantee universal and equal suffrage to adult citizens” and commit them to ensure that “votes are cast by a secret ballot or by equivalent free voting procedure”.⁶² These commitments are indispensable to a genuinely democratic election, especially for groups such as Roma and Sinti, who are often among the most vulnerable stakeholders in electoral processes. It is important that participating States take all necessary steps to ensure that Roma and Sinti voters enjoy universal suffrage and their right to a secret ballot is respected.

61 This is known as the ‘three-part test’ of legality, legitimacy (of aim), as well as necessity and proportionality. The ICCPR provides that any restriction on fundamental freedoms (1) must be clearly established in the law, with possibility of redress; (2) must be clearly justifiable for exceptional circumstances, such as in the interest of national security or public order, public health or morals, protection of the rights and freedoms of others, prevention of a crime; and (3) must be necessary and proportionate to the interests it intends to protect. On derogations from international human rights obligations, see also [OSCE Human Dimension Commitments and State Responses to the Covid-19 Pandemic: Inequality, Discrimination and Marginalization](#), OSCE/ODIHR, 17 July 2020.

62 CSCE, [Copenhagen Document](#), paras. 7.3 and 7.4.

Paragraph 34 of the Copenhagen Document requires participating States to “endeavour to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the State concerned, have adequate opportunities for instruction of their mother tongue or in their mother tongue, as well as, whenever possible and necessary, for its use before public authorities, in conformity with the applicable legislation”.⁶³ As such, participating States could facilitate participation by citizens who belong to national minorities to exercise their right to vote by introducing measures to overcome difficulties such as language barriers. Information could be made more accessible, including both in minority languages and in formats that do not require a high degree of literacy.

General Comment 25 prescribes that “positive measures [...] be taken to overcome specific difficulties, such as illiteracy, language barriers, poverty or impediments to freedom of movement which prevent persons entitled to vote from exercising their rights effectively. Information and materials about voting should be available in minority languages. Specific methods, such as photographs and symbols, should be adopted to ensure that illiterate voters have adequate information on which to base their choice”.⁶⁴ The comment also stresses that residency requirements must not be imposed or applied in a manner that excludes people without a permanent address or those housed in irregular dwellings from voting. States are urged to ensure that everyone entitled to vote can effectively exercise that right without discrimination or unreasonable restrictions.

Based on the above, further barriers to voting should be removed, including for Roma and Sinti, who may be significantly affected. These include limited access to polling stations that may be far away from community settlements or dwellings; lack of satellite voter registration facilities (temporary or mobile sites aimed to make the process more accessible); restrictive identification requirements; and the relative difficulty of obtaining identity documents (e.g., due to geographic or socio-economic factors).

Right to stand: The participating States committed, in paragraph 7.5 of the Copenhagen Document, to “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”.⁶⁵ The right to stand should be constitutionally guaranteed, with any restrictions interpreted and applied in such a way that people belonging to national minorities, including Roma and Sinti, are not unreasonably and disproportionately affected.⁶⁶

63 *Ibid.*, para. 34.

64 UN HRC, [General Comment 25](#). Similarly, states should guarantee the right of people belonging to national minorities to participate in public life, including voting, without discrimination. See also Council of Europe, [Commentary on Effective Participation](#), para. 17.

65 CSCE, [Copenhagen Document](#), para. 7.5.

66 For instance, in *Sejdić and Finci v. Bosnia and Herzegovina*, the ECtHR found that constitutional limitations preventing individuals from standing for elected office on the basis of their ethnic origin were discriminatory. By emphasizing that restrictions on political rights must not unreasonably or disproportionately affect persons belonging to national minorities, the Court affirmed that the right to stand must be interpreted in a way that safeguards inclusive participation.

General Comment 25 emphasizes that the right to stand must be accessible without unreasonable restrictions. It underscores that states must adopt measures ensuring citizens' equitable access to public office and public service. It stresses that rights protected under Article 25 are specific to citizens, and States Parties should ensure non-discrimination based on 'race', gender or other status when implementing them. Language requirements for registration as a candidate in legislative or local elections may be incompatible with Article 25 of the ICCPR, Article 15 of the FCNM and other international standards, and may exclude individuals belonging to minority groups such as Roma and Sinti.

In some contexts, special measures to promote the election of Roma and Sinti candidates may be encouraged. For instance, lowering the number of signatures required for registration can help increase interest in standing for an election. Similarly, monetary deposits can constitute a comparatively higher barrier to entering the electoral contest for members of disadvantaged groups: lowering the amount, or doing away with the requirement, can be an effective way to encourage Roma and Sinti candidates to stand. Such steps work best alongside other positive measures, such as exemptions from the requirement to surpass a certain threshold in proportional representation systems.

Other eligibility barriers, e.g., education requirements, while discriminatory, can be particularly detrimental to contestants from minority communities, including Roma and Sinti. The same is true of other parameters of some electoral frameworks: for example, the absence of donation or spending limits can have a disproportionate effect on candidates from socio-economically disadvantaged groups, including Roma and Sinti, who compete against better-resourced opponents. Accordingly, participating States should consider the impact of regulations on the participation of Roma and Sinti candidates and take measures to remove barriers, ensuring the right to effective participation in practice.

Where they exist, special measures aimed at facilitating the participation of minorities can be misused by individuals with no genuine connection to the minority. This may necessitate the implementation of some restrictions or criteria for the special measures, as well as effective and independent oversight of their implementation by stakeholders. While they may be justifiable in some cases, such restrictions must remain proportional and thus prevent abuses.

Fundamental freedoms

Freedom to associate: Freedom of association is an indispensable part of the democratic process, including for the participation of minorities such as Roma and Sinti in elections. Paragraph 7.6 of the Copenhagen Document requires participating States to "respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on the basis

of equal treatment before the law and by the authorities". In paragraphs 10.3 and 10.4, participating States vowed to guarantee the right to found and participate in the activities of non-governmental organizations and to co-operate and exchange with other such organizations, both domestic and foreign.⁶⁷

Freedom to associate is broadly established in other international instruments, including both binding international treaties and politically binding documents. This includes Article 22 of the ICCPR and Article 2 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, which states, "persons belonging to minorities have the right to establish and maintain their own associations".⁶⁸ The right to associate is also provided for in Article 11 of the ECHR⁶⁹ and Article 7 of the FCNM.⁷⁰ The latter has further established that individuals and organizations are free to:

- Associate with any person, whether a citizen, resident, refugee or foreigner;
- Form an association;
- Determine its purpose, defining characteristics and internal rules; and
- Decide, without discrimination, who may join or not join.

Any limitations imposed on the freedom of association should meet a burden of necessity, and their implementation should not create undue obstacles to the legitimate exercise of this freedom. Limitations which merit scrutiny include requirements for maintaining specific party structures (e.g., an established presence in all or a certain number of districts); the mandatory holding of regular party events such as annual congresses; requiring the submission of a high number of support signatures or maintaining a certain level of membership dues; or requiring unduly detailed or intrusive private data on party founders and/or its members. While these or similar requirements may be permissible, their inflexible or punitive application could be challenged as an undue limitation on political rights, and their implementation should be assessed in context.

While participating States may encourage parties and associations to diversify, they must respect the right of national minorities, including Roma and Sinti, to establish associations, including political parties, that are based on a minority or communal identity. Paragraph 33 of the UN General Assembly recommendations of the Second Session of the Forum on Minority Issues on Minorities and Effective Participation states, "political parties based primarily on minority or regional affiliation should not be prohibited solely for this reason".⁷¹

67 CSCE, [Copenhagen Document](#), paras. 7.6, 10.3 and 10.4.

68 UN, [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities](#).

69 Council of Europe, [European Convention on Human Rights](#), treaty and protocols.

70 Council of Europe, [FCNM](#), Article 7.

71 See the recommendations from the second session in the United Nations Office of the High Commissioner for Human Rights (OHCHR) [Compilation of Recommendations of the First Four Sessions of the UN Forum on Minority Issues, 20082011](#), CORE/MIN/5, (Geneva: OHCHR, 2012).

Roma and Sinti political parties

The OSCE recognizes the right of national minorities to form their own political parties as an essential component of pluralistic democracy and effective participation. The Copenhagen Document affirms that persons belonging to national minorities have the right to establish and maintain their own organizations, including political parties, provided they operate peacefully and respect democratic principles.⁷² The *Lund Recommendations* further underscore that legal and electoral frameworks should enable minorities to organize politically, including along communal or identity-based lines.

A general prohibition on minority-based political parties challenges OSCE commitments, especially if it undermines the principles of freedom of association, political pluralism and minority inclusion. Such a restriction may also disproportionately affect Roma and Sinti communities, limiting their ability to advocate for their interests and fully participate in public life.

In practice, some participating States maintain legal or constitutional barriers that restrict the formation of parties based on ethnic or minority identity. These provisions can disproportionately affect Roma and Sinti communities, limiting their ability to organize politically and effectively advocate for their rights, despite OSCE commitments to pluralism and minority participation.

Self-identification is key: Article 3 of the FCNM states, “every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice”.⁷³ Guideline 6 of the *Ljubljana Guidelines* states: “Identities are subject to the primacy of individual choice through the principle of voluntary self-identification. Minority rights include the right of individual members of minority communities to choose to be treated or not to be treated as such. No disadvantage shall result from such a choice or the refusal to choose. No restrictions should be placed on this freedom of choice. [...]”⁷⁴

The practice of denying the existence or recognition of minority groups or imposing an ethnic affiliation on persons self-identifying as national minorities runs counter to international standards, including the jurisprudence of the ECtHR.⁷⁵ While states have a

72 CSCE, *Copenhagen Document*, paras. 7.6, 30 and 32.6.

73 Council of Europe, *FCNM*, Article 3.

74 OSCE/HCNM, *Ljubljana Guidelines*.

75 See *Ciubotaru v. Moldova*, Application No. 27138/04, European Court of Human Rights, Judgment of 27 April 2010; and *Sidiropoulos and Others v. Greece*, Application No. 57/1997/841/1047, European Court of Human Rights, Judgment of 10 July 1998.

margin of appreciation in the way they address their internal diversity and the diversity of citizen interests, they must fully respect the freedom to associate, as long as activities of individuals and groups mobilizing along identity lines refrain from calling for or resorting to violence.⁷⁶

Universal respect for equal rights and non-discrimination may, over time, reduce or even eliminate the demand for political parties or associations to be formed based on cultural or community ties. In many contexts, however, such parties and associations remain legitimate vehicles for effective participation. At the same time, all entities should ideally be open to and actively seek to address and attract members of Roma and Sinti communities; conversely, community-based parties are also bound by prohibitions on discrimination. States have positive obligations to prohibit certain activities, which may necessitate measures against organizations that promote and/or incite racial discrimination.⁷⁷ Creating inclusive platforms and fostering dialogue between communities can play a crucial role in integrating Roma and Sinti stakeholders into society and the political sphere, while also encouraging broader participation.⁷⁸

Self-identification

Self-identification is a fundamental principle recognized by international standards, including OSCE commitments, as essential for the protection and promotion of minority rights. It affirms that individuals have the right to identify themselves as members of a national minority without external imposition or discrimination. This principle ensures respect for personal and group identity, enabling minorities to claim their rights, participate meaningfully in public life and access targeted protections and services. For Roma and Sinti communities, who may face marginalization, upholding self-identification is crucial to combating exclusion and fostering inclusion.

While self-identification is a cornerstone of minority rights, it can sometimes be seen as problematic or misused in certain contexts:

⁷⁶ As per paragraph 33 of the UN Human Rights Committee [General Comment 34](#) (2011) on the freedom of opinion and expression, only “narrowly drawn restrictions may be placed on the advocacy of violence to achieve political goals or on political platforms that incite hatred or discrimination”.

⁷⁷ Article 4 of the [ICERD](#) requires states to adopt positive measures, such as prohibiting organizations that promote and incite racial discrimination. See also ECtHR judgment [Vona v. Hungary](#), Application No. 35943/10, ECtHR, Judgment of 9 July 2013, where the ECtHR ruled that an association can be banned lawfully if its activities amount to widespread racist intimidation of a group. See also, [Refah Partisi \(The Welfare Party\) and others v. Turkey](#), Application Nos. 41340/98 and 41342/98, ECtHR, Judgment of 13 February 2003, in which the Court ruled that the restriction may be justified for a state, under its positive obligations under Article 1 of the ECHR, to impose on political parties the duty to respect and safeguard the rights guaranteed by the ECHR and the obligation not to put forward a political programme that contradicts the fundamental principles of democracy.

⁷⁸ See OSCE/HCNM, [Ljubljana Guidelines](#), explanatory note to Guideline 39.

- **Concerns about reliability:** Some authorities or actors question the accuracy of self-identification, fearing people might claim minority status for political or economic gain, such as accessing special rights or resources.
- **Risk of misuse:** In some cases, self-identification can be manipulated or politicized, leading to tensions or accusations of 'ethnic inflation'.
- **Balancing act:** International standards emphasize that, while self-identification must be respected, states can also require an objective, proportionate and non-discriminatory verification process to ensure genuine affiliation without undermining individual rights.

However, any restrictions or verification must never become a barrier that discourages or denies minority status, as this would violate the principles of equality and inclusion, particularly for groups such as Roma and Sinti who may face stigmatization.

Freedom of expression: Freedom of expression is often described as a cornerstone of democracy. It is also crucial for national minorities, including Roma and Sinti, to participate effectively. According to Paragraph 9.1 of the Copenhagen Document, the right to freedom of expression includes the “freedom [...] to receive and impart information and ideas without interference by public authority and regardless of frontiers,” with the latter being key to upholding cultural identity.⁷⁹

The universal right to free expression is enshrined in Article 19 of the ICCPR, which states, everyone has the right to hold opinions without interference and the right to freedom of expression, which is closely linked to the right to form opinions. This includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the person's choice.⁸⁰ As stipulated by the UN Human Rights Committee in General Comment 25, “voters should be able to form opinions independently, free from violence or the threat of violence, compulsion, inducement or manipulative interference of any kind”.⁸¹

As an aspect of the freedom of expression, international standards provide for the participation of national minorities in elections in their own language. The FCNM provides that “the Parties undertake to recognize that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language”.⁸² Paragraph 32.1 of the

⁷⁹ CSCE, [Copenhagen Document](#), para. 9.1.

⁸⁰ UN OHCHR, [ICCPR](#).

⁸¹ UN HRC, [General Comment 25](#).

⁸² Council of Europe, [FCNM](#).

Copenhagen Document requires the participating States to grant national minorities the right to “use freely their mother tongue in private as well as in public”, while paragraph 32.5 states, national minorities have the right to “disseminate, have access to and exchange information in their mother tongue”.⁸³ It is also the state’s responsibility to ensure that national minorities have reasonable access to public media to express their view, including using their own language in election campaigns.⁸⁴

A broadly recognized limitation on the freedom of speech includes prohibitions on incitement to violence and hatred. In this context, the ICCPR stipulates, “any advocacy of national, racial and religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”. In paragraph 6 of the Copenhagen Document, participating States vowed to “recognize their responsibility to defend and protect, in accordance with their laws, their international human rights obligations and their international commitments, the democratic order freely established through the will of the people against the activities of persons, groups or organizations that engage in or refuse to renounce terrorism or violence aimed at the overthrow of that order or of that of another participating State”.⁸⁵ Article 20.2 of the ICCPR requires that “any advocacy of national, racial and religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”.⁸⁶

Addressing prohibitions on speech

There is no universally accepted definition of ‘hate speech’. Not all speech that contains negative or offensive elements addressed to individuals or groups constitutes ‘hate speech’ as understood under Article 20 of the ICCPR. As noted in the 2006 Joint Declaration of the international special mandates on freedom of expression, including the OSCE Representative on Freedom of the Media, “Governments should refrain from introducing legislation which makes it an offence simply to exacerbate social tensions. Although it is legitimate to sanction advocacy that constitutes incitement to hatred, it is not legitimate to prohibit merely offensive speech. Most countries already have excessive or at least sufficient ‘hate speech’ legislation. In many countries, overbroad rules in this area are abused by the powerful to limit non-traditional, dissenting, critical, or minority voices, or discussion about

83 CSCE, [Copenhagen Document](#), para. 32.1.

84 See the ECtHR position in [Şükran Aydın and Others v. Turkey](#), Application No. 49197/06, ECtHR, Judgment of 22 January, in which the ECtHR recognized the states’ role in regulating the use of languages in campaigns, but noted that prohibition on the use of language and criminal sanctions are not compatible with the freedom of expression. The OSCE’s 2001 [Guidelines to Assist National Minority Participation in the Electoral Process](#) on implementation of the OSCE/HCNM, [Lund Recommendations](#), stipulate, “states should not prescribe or proscribe the use of any language in electoral campaigns”.

85 CSCE, [Copenhagen Document](#), para. 6.

86 See Article 4 of the [ICERD](#), which mandates strict measures against racial discrimination and racist organizations, including criminalization of propaganda and dissemination of ideas intended to incite racial superiority or hatred. The article balances these obligations with a ‘due regard’ clause, requiring states to align measures with principles of the UDHR (e.g., freedom of expression).

challenging social issues. Furthermore, resolution of tensions based on genuine cultural or religious differences cannot be achieved by suppressing the expression of differences but rather by debating them openly. Free speech is therefore a requirement for, and not an impediment to, tolerance.”⁸⁷ With the emerging reliance of political campaigns on social networking platforms and other online media, derogatory or offensive political rhetoric is on the rise across the OSCE area and can be especially prevalent in election campaigns. It is therefore particularly important that EOAs remain vigilant and ensure that their assessments reflect a careful consideration of the balance between the fundamental right to freedom of expression and the right to a non-discriminatory environment that enables voters to make an informed and free choice.

Freedom to assemble: The right to assemble freely is another fundamental component of democracy.⁸⁸ Paragraph 9.2 of the Copenhagen Document states, everyone has the right to peaceful assembly and demonstration. Article 20(1) of the UDHR and Article 21 of the ICCPR both recognize and protect the right to freedom of peaceful assembly.⁸⁹

Freedom of assembly provides for the right to gather in public for the purpose of holding peaceful assemblies, protests and political meetings, both during and outside an election period. Any regulation of the freedom to assemble should be limited to a requirement for the notification of relevant authorities, and the notification procedure should be as simple and expeditious as possible. As stipulated by General Comment 37, “having to apply for permission from the authorities undercuts the idea that peaceful assembly is a basic right,” and “this requirement must not be misused to stifle peaceful assemblies”.⁹⁰

Freedom of assembly must be accessible to all stakeholders equally. Unequal or discriminatory practices can serve to curtail the right to freedom of assembly; for example, when political parties or associations representing minority groups such as Roma and Sinti are not permitted to use facilities available to other actors for the purpose of conducting campaign events or protests.

Freedom to assemble should be guaranteed constitutionally and be subject to limitation only in accordance with the three-part test of legality, legitimacy (of aim), as well as

87 Joint Declaration by the UN Special Rapporteur on Freedom of Opinion and Expression, OSCE Representative on Freedom of the Media, OAS Special Rapporteur on Freedom of Expression and ACHPR Special Rapporteur on Freedom of Expression, section on [Freedom of Expression and Cultural/Religious Tensions](#), adopted 19 December 2006.

88 For more on this topic, see [Guidelines on Freedom of Peaceful Assembly](#), 2nd edition, OSCE/ODIHR and Venice Commission, 25 October 2010.

89 CSCE, [Copenhagen Document](#), para. 9.2; Article 12 of the [Charter of Fundamental Rights of the European Union](#), European Union, 26 October 2012 and Article 11 of the OAS [American Convention on Human Rights](#) also establish the freedom to assemble.

90 [General Comment 37 on the Right of Peaceful Assembly \(Article 21\)](#), UN Human Rights Committee (HRC), CCPR/C/GC/37, 17 September 2020.

necessity and proportionality. Any restrictions should be limited in time. Undue limitations on freedom to assemble can include outright bans on assemblies, often those organized by critics of the authorities or their policies; placing undue burdens on assembly organizers or restrictions on the time, place and type of assemblies; refusal to adequately protect participants of peaceful assemblies; requiring the organizers to bear an unreasonable share of the cost of police protection or other administrative fees; and an unduly repressive attitude towards spontaneous assemblies. Any existing restrictions should be subject to review by independent courts in a timely manner.

B. Equality, inclusion and non-discrimination

Equality, inclusion and non-discrimination are cross-cutting principles that underpin the exercise of any human right, including the right to meaningful and effective participation by under-represented groups, such as Roma and Sinti. In paragraph 5.9 of the Copenhagen Document, participating States agreed that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground”. Moreover, paragraph 7.5 requires participating States to “respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”. Paragraph 7.6 stipulates that political parties and organizations be provided “with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities”.⁹¹

Several key international human rights instruments explicitly provide for the principles of equality and non-discrimination. Article 2 of the UDHR states, “everyone is entitled to all rights and freedoms without distinction of any kind [...]”. Similar provisions can be found in Article 2 of the ICCPR, Article 2(2) of the ICESCR, Article 5 of the CERD and Article 28 of the CRPD.⁹² Article 14 of the ECHR “prohibits discrimination in the enjoyment of the rights and freedoms set forth in the Convention” and Protocol No. 12 provides a general non-discrimination clause extending beyond the rights in the Convention.⁹³ These instruments collectively establish a comprehensive international legal framework that mandates equality and non-discrimination on grounds of ‘race’, sex, language, religion, national or social origin, disability and more, ensuring equal protection and enjoyment of human rights under the law.⁹⁴

91 CSCE, [Copenhagen Document](#), paras. 5.9, 7.5 and 7.6. While the 1990 OSCE Copenhagen Document contains most of the specific commitments relating to elections and non-discrimination, the principal OSCE standards on equality and non-discrimination are included in the OSCE’s foundational documents, such as the 1975 [Helsinki Final Act](#) and the 1983 [Madrid Concluding Document](#), as well as [Ministerial Council decisions](#).

92 ICCPR, Article 2; ICESCR, Article 2(2); ICERD, Article 5; CRPD, Article 28.

93 Council of Europe, [European Convention on Human Rights](#), treaty and protocols.

94 The 1992 UN [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities](#) states that individuals belonging to minorities have the right to exercise fully and effectively all their human rights and fundamental freedoms without discrimination and in full equality before the law.

Consequently, the right to participate in public life, including as voters and candidates in elections, extends to *all* citizens. The right must be applied equally, without discrimination in law and in practice. This includes direct and indirect discrimination, including seemingly neutral measures that have an unjustified disproportionate impact on particular groups. While the right to participate must be enshrined in legislation, states are also obligated to ensure that no administrative barriers prevent members of national minorities, including Roma and Sinti, from effectively exercising their rights. Any barriers must be subject to judicial review before an independent and impartial court that is accessible to all on equal grounds, as also provided for by Article 26 of the ICCPR, which states, “All persons are equal before the law and entitled without any discrimination to equal protection of the law.”⁹⁵

In some circumstances, seemingly objective criteria may result in indirect discrimination. For example, registration of residence is a common requirement for an individual to be eligible to register to vote. Such a requirement can, however, lead to discrimination against some groups, including but not limited to those inhabiting irregular settlements or dwellings, nomadic or semi-nomadic peoples, and IDPs or other minorities, including Roma and Sinti. Participating States should be mindful of such specific circumstances and ensure that administrative requirements do not constitute unreasonable or discriminatory barriers.

95 See also Article 7 of the [UDHR](#), which states, “all are equal before the law and entitled without discrimination to equal protection of the law”.



3. Roma and Sinti participation: considerations and challenges

Roma and Sinti are among the largest ethnic minority groups in the OSCE region. Estimated to number between 10 and 12 million across the participating States, they are not a homogeneous population, but rather a richly diverse set of communities with distinct languages, cultures and histories. Despite their long-standing presence in Europe, Roma and Sinti often face persistent discrimination, social exclusion and barriers to full political participation. Reliable, disaggregated data on their involvement in electoral processes is scarce; in part because of under-reporting, legal and social obstacles to self-identification and limited official recognition in some countries. These challenges make it all the more essential for election observation efforts to pay specific attention to Roma and Sinti participation, ensuring their rights are respected in line with OSCE commitments and broader human rights standards.

Roma and Sinti communities continue to face substantial barriers to full participation in public and political life, including in electoral processes throughout the OSCE area. The participating States have long recognized this gap as a shortcoming in the democratic inclusion of national minorities, particularly Roma and Sinti.⁹⁶ These concerns are addressed in numerous OSCE documents, including the Action Plan, as well as subsequent Ministerial decisions.⁹⁷ These documents collectively affirm the importance of ensuring equal rights and opportunities for Roma and Sinti to participate in public life, including in elections.

Effective and meaningful participation hinges on respect for human rights and fundamental freedoms, as well as principles such as equal opportunity and non-discrimination. Yet, achieving this in practice has proven complex. The issue of participation intersects with many other challenges faced by Roma and Sinti, making it a multifaceted and enduring concern.

For a more grounded understanding, the following sections explore the challenges faced by Roma and Sinti, grouped under five key areas as defined in the Action Plan. They also examine how such challenges can be assessed by election observers and addressed to promote inclusion, offering forward-looking recommendations aimed at enhancing participation.

A. Racism and discrimination

Despite the existence of robust international legal frameworks prohibiting discrimination and promoting equality across the OSCE region, Roma and Sinti communities continue to face widespread racism and exclusion.

Institutional shortcomings and weak enforcement of anti-discrimination laws exacerbate exclusion and restrict access to rights for many Roma and Sinti. Media and social media platforms can perpetuate harmful stereotypes and misinformation, potentially stirring anti-Roma sentiments and normalizing discriminatory discourse in the public domain.⁹⁸

In the criminal justice system, Roma and Sinti often face discriminatory practices such as ethnic profiling, inadequate legal representation and disproportionate custodial sentences.⁹⁹ Hate crimes, propaganda intending to incite racial hatred or violence, undue use of force in

96 Including the 1990 [Copenhagen Document](#), 1991 [Geneva Report](#), 1992 [Helsinki Document](#) and the 1999 [Lund Recommendations](#).

97 See OSCE, [Ministerial Council Decision No. 4/13](#); OSCE, [Ministerial Council Decision No. 8/09](#); and OSCE, [Ministerial Council Decision No. 6/08](#).

98 [A Synthesis of Civil Society's Reports on the Implementation of National Roma Integration Strategies in the European Union: Identifying Blind Spots in Roma Inclusion Policy](#), Centre for Policy Studies, Central European University, March 2020.

99 [Justice Denied: Roma in the Criminal Justice System](#), European Roma Rights Centre, December 2021.

policing, political scapegoating and common harassment are all part of the lived experience for many Roma and Sinti.¹⁰⁰

The effective participation of Roma and Sinti in public and political life is a longstanding OSCE commitment. Continued efforts by participating States, in co-operation with Roma and Sinti civil society, are essential to the fuller implementation of existing frameworks. Combating racism and discrimination remains a shared responsibility for all stakeholders.

B. Socio-economic exclusion

The participating States of the OSCE have committed to ensuring equal access to social and economic rights for Roma and Sinti, in line with international frameworks that prohibit discrimination and protect minority rights. Despite these commitments, the vast majority of Roma and Sinti continue to face deep-rooted socio-economic exclusion. This exclusion is evident in poor housing conditions, overcrowding and forced evictions, often driven by systemic discrimination. One key barrier is the lack of personal identification documents, which prevents many from accessing basic services or registering to vote. Compounding the problem is the limited availability of reliable, disaggregated data, making it difficult to assess the full extent of the exclusion and barriers to participation.

The EU Agency for Fundamental Rights (FRA) reports that a significant portion of Roma live in poverty or are at risk of it.¹⁰¹ This affects all key areas of life — education, employment, health and housing — and severely limits opportunities for equal participation in public life, including elections. Socio-economic dependency increases vulnerability to pressure, intimidation and manipulation, which can undermine a voter's freedom to choose.

It is widely recognized that socio-economic stability supports greater civic engagement and political participation.¹⁰² In contrast, those struggling to meet their daily needs are often less motivated or equipped to engage in public affairs. To address this, the OSCE has urged participating States to advance the socio-economic inclusion of Roma and Sinti as a means to combat isolation, reduce poverty and strengthen democratic participation.

100 See [Brutal and Bigoted: Policing Roma in the EU](#), European Roma Rights Centre, June 2022; [Written Comments by the European Roma Rights Centre Concerning the Post-2020 Roadmap for Roma Inclusion](#), European Roma Rights Centre, March 2020; and OSCE/ODIHR, [Fourth Status Report](#).

101 [80% of Roma live in poverty](#), EU Agency for Fundamental Rights press release, 25 October 2022.

102 For instance, UN Human Development Reports demonstrate that countries with higher [Human Development Index \(HDI\)](#) scores, which reflect socio-economic progress, also note significantly higher voter turnout and civic involvement, underscoring the link between socio-economic stability and political participation. The UNDP demonstrates that strong socio-economic inclusion is key to boosting civic and electoral participation. It emphasizes how improved official statistics on income, education and ethnicity help identify and address inequalities in political engagement, supporting more inclusive democracy. See Geir Axelsen and Arvin Gadgil, [Beyond the ballot: The case for rigorous statistics on political participation](#), United Nations Development Programme (UNDP) Global Policy Centre for Governance, blog, 23 October 2023.

C. Challenges in education

Despite international and national legal protections, Roma and Sinti communities face persistent educational disadvantages. Widespread segregation not only physically divides Roma and Sinti children from their non-Roma and Sinti peers, but also reinforces negative stereotypes and fosters exclusion. It deprives children of equal educational opportunities and undermines social cohesion, deepening prejudice against Roma and Sinti communities.

International organizations have documented the negative effects of educational disadvantage on political and civic participation.¹⁰³ These are exacerbated by relative poverty or the absence of economic opportunities. Varying levels of access to quality education can influence the opportunities individuals have to develop their skills and knowledge about political systems, electoral processes and democratic engagement. Without access to adequate civic education in particular, many Roma and Sinti individuals are not equipped to fully exercise their political rights or engage with political discourse.

Disinformation targeting Roma and Sinti communities, especially on online platforms, can further undermine participation by spreading harmful narratives, reinforcing stereotypes and discouraging engagement with political or electoral processes. In environments of educational gaps and limited access to credible information, such disinformation can be particularly damaging, fuelling distrust in institutions and weakening democratic resilience. Addressing these challenges requires a focused effort to monitor disinformation, improve access to accurate information and strengthen media literacy and civic education initiatives.

D. Challenges to public and political participation

The right to participate in political and public life is a foundational element of democracy, as also spelled out in several key international and regional instruments, which guarantee every citizen the right and opportunity, without unreasonable restrictions, to take part in public affairs, vote, stand for elected office and access public service on equal terms.¹⁰⁴ The *Lund Recommendations* further emphasize the importance of ensuring that minorities have meaningful opportunities for representation and influence in governance.

Participation is not just a democratic right; it is a vehicle for social inclusion, good governance and the full enjoyment of rights. For Roma and Sinti communities, political engagement is critical for voicing their concerns, influencing public policy and challenging prevalent prejudice and exclusion. Yet, Roma and Sinti remain among the most under-represented

¹⁰³ For example, UNESCO found, in 106 countries, that individuals with tertiary education were more likely to request information from the government than those with only primary education, and were significantly more likely to participate in community meetings or contact elected officials. See [Global Education Monitoring Report 2020: Inclusion and Education – All Means All](#), UNESCO, 2020.

¹⁰⁴ See UDHR, Article 21; ICCPR, Article 25; and [Participation in Public and Political Life](#), UN DSPD and DESA, (no date).

groups in public institutions, particularly in elected positions.¹⁰⁵ Fifteen years after the adoption of the Action Plan, the *Third Status Report* confirmed that this gap remains largely unaddressed, citing ongoing structural barriers and discrimination that continue to hinder their effective participation in political and public life.¹⁰⁶ This gap is in part a function of the absence of sustained programmes that encourage Roma and Sinti to run for office and support their political empowerment.¹⁰⁷

The political representation of Roma and Sinti has often been confined to the local level and to segregated Roma and Sinti communities.¹⁰⁸ Electoral systems, political party structures and institutional factors frequently fail to support or promote minority representation. Minority political parties may lack the resources, experience and networks necessary to succeed in electoral processes. Electoral thresholds and other institutional barriers have prevented Roma and Sinti candidates from securing seats in legislatures in some OSCE participating States.

When Roma representatives are elected through mainstream political parties, they are typically bound by party discipline and expected to prioritize party agendas, which may not align with the interests of Roma and Sinti communities. This can create a tension between the objectives of the political majority and the need for genuine minority representation. Moreover, many mainstream parties show little interest in advancing Roma and Sinti inclusion. In some cases, political actors use anti-Roma rhetoric to mobilize electoral support, contributing to increased discrimination and deepening social divides.¹⁰⁹ During election campaigns, Roma and Sinti often face political intimidation, vote buying, coercion and exclusion from the electoral process — especially when individuals lack valid identification documents.¹¹⁰

Civil society plays a vital role in bridging the gap between Roma and Sinti communities and public institutions. It often serves as an advocate for inclusion, human rights and fundamental freedoms, as well as political participation. However, many CSOs face

105 A study in 2016 by the EU Agency for Fundamental Rights found significant Roma and Sinti under-representation. See, [Second European Union Minorities and Discrimination Survey – Roma: Selected findings](#), EU Agency for Fundamental Rights, 29 November 2016; see also [A synthesis of civil society's reports on the implementation of national Roma integration strategies in the European Union focusing on structural and horizontal preconditions for successful implementation](#), Centre for Policy Studies Central European University, August 2018.

106 *Third Status Report on the Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*, OSCE/ODIHR, 11 December 2018.

107 Additional factors include unsupportive institutional arrangements, persistent anti-Roma discrimination that discourages individual participation and the reluctance of some state authorities and political parties to actively promote Roma and Sinti engagement in political and public life. OSCE/ODIHR, [Fourth Status Report](#).

108 Centre for Policy Studies, Central European University, [Synthesis of civil society's reports on national Roma integration strategies](#).

109 OSCE/ODIHR, [Fourth Status Report](#).

110 [Expert Paper, Mapping the Electoral Participation of Roma in South-Eastern Europe](#), OSCE/ODIHR and European Commission joint project "Roma Use Your Ballot Wisely!", 27 September 2007; see also OSCE/ODIHR, [Fourth Status Report](#).

obstacles, including shrinking operational space, limited capacity and insufficient funding.¹¹¹ These challenges significantly hinder their ability to support Roma and Sinti participation.

The *Lund Recommendations* call on participating States to ensure that minorities are meaningfully represented in national legislatures and, where appropriate, to introduce special measures to achieve full participation. They also include concrete proposals for facilitating participation, such as safeguarding the rights to vote and run for office without discrimination, and supporting inclusive public institutions.

Election observers should carefully assess the role played by persistent obstacles in limiting the participation of Roma and Sinti in public and political life and electoral processes. The framework above can also be used by a wide range of actors to support targeted measures that foster inclusive participation of Roma and Sinti in elections.

E. Post-crisis effects in public and political life

The OSCE participating States have made specific commitments to uphold the rights of Roma and Sinti who are refugees or internally displaced, emphasizing non-discrimination and alignment with international legal standards. Many Roma and Sinti displaced by conflict face long-term barriers to equal rights, particularly due to a lack of documentation and unresolved legal status.

Without personal documents, such as birth certificates or identification (ID) cards, or being unable to register a permanent physical address, individuals can be denied access to basic services and may be excluded from public and political life. This includes being unable to vote or stand for election — fundamental aspects of democratic participation and inclusion.

Statelessness, in particular, results in legal invisibility; individuals are not recognized as citizens of any country, neither their country of origin nor their country of residence. This severely restricts their ability to exercise their fundamental rights and engage in civic processes. Participating States have committed to ensuring that displaced Roma and Sinti are granted the opportunity for civil registration and provided with the necessary documentation to secure a legal status and enable their access to public life. Fulfilling this commitment is critical to ensuring that displacement does not result in long-term exclusion and effective denial of political rights.

¹¹¹ *Ibid.*

Citizenship and statelessness

Statelessness violates the UDHR, which guarantees the right to nationality. Statelessness has severe consequences for affected individuals and communities, often limiting access to birth registration, identity documentation, education, health care, legal employment, property ownership, political participation and freedom of movement. Yet, across several OSCE participating States, Roma and Sinti communities are affected by the absence of citizenship and/or identity documents necessary for the exercise of their basic rights, including the right to vote, which perpetuates exclusion. Statelessness may arise at birth or later in life and can persist across generations, resulting from factors such as discrimination based on ethnicity, religion, or gender, as well as state succession following the dissolution or creation of states. Several factors contribute to this: lack of birth registration, statelessness of parents, discrimination by state officials, restrictive citizenship rules, arduous administrative procedures and excessive fees. The Council of Europe has emphasized that host states should employ all possible means to end the statelessness of Roma and provide them with nationality, in accordance with the standards of the 1997 European Convention on Nationality¹¹² and the 2006 Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession.¹¹³ Displacement and migration resulting from armed conflicts have compounded existing challenges relating to citizenship rights for Roma and Sinti in parts of the OSCE area.

¹¹² [European Convention on Nationality](#), Council of Europe, Strasbourg, 6 November 1997.

¹¹³ [Convention on the Avoidance of Statelessness in relation to State Succession](#), Council of Europe, Strasbourg, 19 May 2006.



4. Observing the electoral cycle

This chapter examines all aspects of the electoral cycle, encompassing pre-election, election day and post-election elements, to identify some of the key barriers and, importantly, enabling factors for Roma and Sinti participation. These core elements follow the structure of a standard ODIHR EOA report, with subchapters that can be read as a whole or consulted individually for targeted insight into specific phases of the election process. Each section includes points of inquiry for international and citizen observers, including Core Team analysts as well as Long- and Short-term Observers (LTOs and STOs). The chapter can also be a useful resource during both the pre-deployment phase — specifically the Needs Assessment Mission (NAM) — and the post-election period, which includes the issuance of recommendations and ODIHR support to the participating States with follow-up and implementation. References are drawn from NAMs, Final Reports and other ODIHR EOA documents to illustrate key findings, reinforce the guidance provided and promote a consistent focus on Roma and Sinti participation throughout the entire EOA cycle.

When a decision is made to deploy an EOA, the Core Team assumes a central role in guiding the overall monitoring process. Each Core Team analyst is tasked with observing and analysing specific dimensions of the electoral environment. While the Head of Mission provides overarching leadership, responsibility for assessing the participation of Roma and Sinti is shared among all Core Team members. As they engage with electoral stakeholders and conduct field assessments, team members are expected to remain alert to challenges and developments that impact any segment of the electorate, including issues concerning Roma and Sinti inclusion. Findings are integrated into the EOA's outputs, which may include interim reports, statements of preliminary findings and conclusions, and a final report, which will generally offer recommendations to strengthen inclusive participation.

In contexts where issues related to minorities require significant attention, ODIHR may recommend the deployment of a dedicated National Minorities Analyst. In settings where the OSCE HCNM is actively engaged, a staff member from the HCNM may be seconded to the mission. This collaboration enables the EOA to draw on additional in-depth expertise and context-specific knowledge, improving the quality of engagement with minority CSOs and community leaders.

Core Team members should identify and reach out to a range of stakeholders relevant to Roma and Sinti participation. These may include Roma and Sinti advocacy groups, community leaders, media professionals, election officials responsible for inclusion policies and institutions overseeing voter registration and constituency boundary delimitation. Coordinating these engagements among the Core Team is essential, as issues concerning Roma and Sinti participation will likely cut across legal, election administration, political and media portfolios. Such an approach ensures that Roma and Sinti participation is integrated into all levels of electoral observation, promoting a comprehensive and inclusive assessment process.

Observers always base their findings on direct observations, verified evidence, and contextual assessment against international standards and OSCE commitments.

ODIHR Election Observation Activities at a glance

ODIHR conducts various Election Observation Activities (EOAs) tailored to the needs and context of each election. An **Election Observation Mission (EOM)** is a full-scale deployment that includes a Core Team, Long-term (LTOs) and Short-term Observers (STOs) to provide comprehensive monitoring of the entire election process. A **Limited Election Observation Mission (LEOM)** includes the Core Team and LTOs, but no STOs. An **Election Assessment Mission (EAM)** is a smaller, shorter-term deployment focused on assessing the election without a full field presence. An **Election Expert Team (EET)** consists of a limited number of

experts who provide specialized technical advice and analysis on particular election issues, usually through a targeted assessment.

The **Core Team** serves as the central leadership body of any ODIHR EOA. It is responsible for planning and co-ordinating all mission activities and providing expert analysis across key electoral areas. The Core Team guides and supports LTOs and STOs in the field. Through its strategic oversight and detailed assessments, it shapes the mission's overall assessment of the election process.

The **Core Team** produces detailed reports and leads expertise across specialized portfolios:

- **Legal Analyst** — evaluates the electoral legal framework and the system of election dispute resolution.
- **Election Analyst** — assesses the election administration, voter registration and education, and procedural integrity throughout the election cycle.
- **Political Analyst** — analyses the campaign, including in traditional and online formats, and the broader political environment.
- **Media Analyst** — monitors media pluralism, access, the impartiality and freedom of the press, and media coverage of the elections.

All Core Team analysts bear responsibility for mainstreaming the assessment of the electoral participation of national minorities and other under-represented groups, including Roma and Sinti. Occasionally, further analyst positions are deployed in order to allocate additional resources and attention to specific thematic areas, such as voter registration, campaign finance and new technologies. In some contexts, a dedicated **National Minority Analyst** is deployed, often as a seconded expert in co-operation with the HCNM, to assess the participation and challenges faced by national minorities, as a dedicated portfolio.

LTOs serve as the EOA's field presence, replicating the Core Team's analytical focus at the subnational level. They maintain ongoing contact with stakeholders, monitor the pre-election environment and provide continuous, region-specific analysis feeding into the mission's overall assessment.

STOs conduct systematic, statistical observation of election day processes including voting, counting and tabulation. Their role is to observe procedural compliance and transparency, providing quantitative data critical to assessing election day proceedings.

A. Background conditions

The extent to which members of Roma and Sinti communities can participate in elections is contingent on their broader political participation. The latter, in turn, requires enabling conditions such as inclusive laws and institutions, social and cultural norms, and political will. The background section of a standard ODIHR EOA report examines the context within which electoral contests take place, including reference to the availability of data on Roma and Sinti participation and representation, as well as the prevalence of thematic action plans. It also stresses the importance of analysing the overall political environment, including trends and events that preceded the election.

The availability of data concerning Roma and Sinti communities is critical for a reasoned assessment; this includes overall population figures and the number of voters, their geographic location (level of concentration or dispersal), the status of representation at all levels of government, and other pertinent information. This data lays the groundwork for more sound public policymaking to address the needs of Roma and Sinti communities, and allows the Core Team analysts to better understand the integration and position of minority groups within a society.

Obtaining reliable data on Roma and Sinti populations can be a significant challenge; such data is often scarce, outdated or inconsistent across different regions. Concerns about data protection and privacy rights can hinder efforts to collect detailed demographic and electoral information, especially when individuals are reluctant to self-identify due to discrimination or a mistrust of authorities. These obstacles limit the scope of analysis and policy formulation, underscoring the need for careful, ethical and transparent data collection that respects individual rights while supporting inclusive governance.

The low level of current Roma and Sinti representation in elected positions in most OSCE participating States is indicative of a structural problem that requires public policy attention. It may highlight a need for special measures to help increase representation. Similarly, disproportionately low numbers of elected Roma and Sinti representatives at the subnational level can also be an indicator, as the route to elected national or regional office often runs through political representation at the local level.

If special measures are in place, they should be examined for their effectiveness. It may be necessary for Core Team analysts to examine how any special measures could be improved to make them more effective; specifically, whether the measures are satisfactorily implemented and enforced; whether Roma and Sinti elected representatives remain in office over time or experience a high turnover; and what the representation status quo reveals about the participation of women and other under-represented groups among Roma and Sinti communities.

The salience of Roma and Sinti participation in the wider political discourse should also be considered, including whether the needs of minority groups are addressed in political discourse, or if there are indications that minorities face alienation and discrimination. This analysis may uncover whether there is a history of intolerant speech or other forms of political violence against Roma and Sinti. It may be important to establish what role Roma and Sinti elected representatives play in this environment. There may be regional variation, and the contributions of LTOs, where present, are valuable in assessing these issues.

It is equally important to gauge the level of existing commitment by national stakeholders to addressing issues relevant to the Roma and Sinti communities. The Political Analyst should identify the main stakeholders, including both state and private entities. It is advisable to assess the existence of national efforts to improve the level of Roma and Sinti participation, identifying both the leading barriers and any attempts to address deficits, whilst also highlighting the successes. Some participating States may have national action plans in place to tackle deficits in political participation. The degree to which these plans are implemented may indicate the authorities' commitment to supporting Roma and Sinti communities. There may also be monitoring mechanisms in place, overseen by specific institutions or actors, which, in some instances, are accompanied by reporting and reflected in public discourse on the issues. Where no such plans or monitoring mechanisms exist, the underlying reasons for this absence should be examined. Finally, the extent to which civil society plays a role in evaluating and promoting Roma and Sinti participation should be considered.

Points of inquiry

- How many people identify as Roma and Sinti? Do official and unofficial figures differ?
- How many individuals who identify as Roma and Sinti hold elected office at any level of government? Are any Roma and Sinti incumbents standing for re-election?
- Is data available on Roma and Sinti participation? What can be gleaned from it?
- Are policy frameworks in place to address Roma and Sinti inclusion issues? Are they implemented effectively?
- Has there been any recent improvement in Roma and Sinti participation? Conversely, is there any indication that the situation has worsened?
- Are there any reports of intolerant rhetoric, violence or intimidation against members of the Roma and Sinti community?
- What CSOs are actively supporting Roma and Sinti inclusion and participation? Are they free to conduct their activities, and do they have the resources to support them? Do the authorities engage civil society actors in devising their policy frameworks and actions?

B. Legal framework

When assessing election integrity, the Legal Analyst considers the implementation of the national legal and regulatory framework, as well as compliance with international standards for democratic elections. The latter test is key when it comes to analysing the legal framework itself; does it comply with the precepts of the international and regional instruments listed in Chapter 1? The Legal Analyst must assess the legal framework to establish whether and how it guarantees access to fundamental freedoms and safeguards equality and non-discrimination for Roma and Sinti. The laws and regulations should be examined to identify any special measures, or conversely, impediments or barriers to participation.

As part of their initial assessment, the Legal Analyst should determine whether the participating State is a party to all relevant international and regional instruments. Additionally, the potential direct applicability or persuasive value of case law from international courts, such as the ECtHR, should be considered, especially in systems where such jurisprudence may not be automatically binding. Finally, reports from treaty monitoring bodies, international organizations and civil society should be reviewed.

The Copenhagen Document, the ICCPR and the CERD all require states to ensure access to freedoms and to safeguard equality and non-discrimination. The legislation and all supporting regulations must be assessed for the extent to which they support or facilitate Roma and Sinti participation, including through special measures. Positive features include those that address potential barriers that Roma and Sinti voters and candidates may encounter when exercising their franchise rights, as well as inclusive lawmaking that is preceded by consultations with all stakeholders, especially minority groups. Provisions should be carefully analysed for how they may directly or indirectly impact Roma and Sinti, as well as the election process more broadly.

ODIHR EOAs sometimes find that anti-discrimination provisions exist outside the electoral framework, and these too should be analysed for how they address the needs of Roma and Sinti communities. Their implementation should be assessed, especially, but not exclusively, with a view to the electoral process and Roma and Sinti participation. The Legal Analyst should devote attention to how provisions are interpreted in case law. The existence of statutory bodies tasked with supporting minority communities and individuals should also be established and analysed.¹¹⁴

The assessment should seek to map legal and regulatory framework developments over time. The Legal Analyst should identify and examine any gaps and inconsistencies in the law or its interpretation, including with a view to potential reforms. Recommendations should

¹¹⁴ In some participating States, this may be the prerogative of bodies mandated more broadly with human rights protection, e.g., the office of an ombudsperson.

focus on reviewing elements that may negatively affect Roma and Sinti participation. They should also encourage consideration of measures to improve participation, with particular emphasis on the inclusion of and ownership by Roma and Sinti.

Points of inquiry

- Has the participating State signed and ratified the CERD and other relevant instruments? What reports have been issued by monitoring bodies?
- What is the place of international treaties and other binding documents in the national legal order and national courts?
- Is there equality or non-discrimination legislation in place? How effectively is it implemented? Is there a body that oversees such legislation and its implementation? How effective is it?
- What are some of the direct and indirect barriers to Roma and Sinti participation stemming from the legal framework for elections?
- Are there special measures in place to support Roma and Sinti participation? Are they effective?
- Are there gaps or inconsistencies in the legislation that could affect implementation and result in unequal treatment or constitute barriers to Roma and Sinti participation?
- Have Roma and Sinti community organizations been consulted when developing any frameworks related to their members' participation?
- Is there case law that interprets the provisions affecting Roma and Sinti participation?

C. Electoral system

There are no international standards governing the choice of electoral system, and the decision lies with the participating States, as reflected in the 2002 OSCE Porto Ministerial Declaration and ECtHR rulings.¹¹⁵ At the same time, the differential impacts of electoral

¹¹⁵ The participating States noted that “democratic elections can be conducted under a variety of electoral systems”. See [OSCE Ministerial Council Decision No. 7/02](#), Porto, 7 December 2002. According to the ECtHR, the choice of electoral system — whether based on proportional representation, the ‘first-past-the-post’ system, or another arrangement — is a matter in which the state enjoys a wide margin of appreciation. See [Matthews v. United Kingdom](#), Application No. 24833/94, ECtHR, Judgment of 18 February 1999; and [Saccomanno and Others v. Italy](#), Application No. 11583/08, Judgment of 13 March 2012. According to the Venice Commission, a country’s choice of electoral system is a matter of national determination and depends on its distinct peculiarities, political landscape and historical context (see Venice Commission, [Code of Good Practice in Electoral Matters](#), Section II.4). However, paragraph 21 of General Comment No. 25 states, “Although the Covenant does not impose any particular electoral system, any system operating in a State party must be compatible with the rights protected by Article 25 and must guarantee and give effect to the free expression of the will of the electors.” See UN HRC, [General Comment 25](#), Article 25, para. 21.

systems on the political participation of under-represented groups and their representation in elected bodies are widely acknowledged.¹¹⁶ Because the choice of the electoral system is an outcome of a political process with considerable consequences for how democratic institutions such as parliaments are structured, it is important that the decision be part of an open and inclusive process. It should include consultations with representatives of national minorities. As also found by many ODIHR EOAs, the legitimacy of, and citizen trust in the system rests on its broad acceptance by all stakeholders. Accordingly, Legal or Election Analysts should analyse whether the electoral system was reviewed from the perspective of its impact on communities at risk of exclusion or under-representation, and whether CSOs representing Roma and Sinti were part of the process.

The impact that the electoral system may have on Roma and Sinti participation and representation is context specific and will be influenced by several factors. In addition, Roma and Sinti communities may adopt different strategies; while some may seek positive measures to assure their place at the table, others may aim for more seamless integration that transcends community lines. Ideally, the electoral system should facilitate the representation of all social groups in an open competition, especially over time. Sometimes, however, this goal can only be achieved incrementally.

Electoral systems

Electoral systems can be divided into three types, with distinct impacts on minority representation:

Majoritarian systems

There are two types of majoritarian systems. In plurality or first-past-the-post systems, the candidate with the most votes wins. In the majority system, the candidate must win 50 per cent of valid votes — otherwise a run-off between the top two contestants is held.

¹¹⁶ The importance of the electoral system on the participation of under-represented groups is recognized in a 2011 UN General Assembly Resolution, which calls on states to “review the differential impact of their electoral systems on the political participation of women and their representation in elected bodies, and to adjust or reform those systems where appropriate”. See UN General Assembly, [Resolution on Women's Political Participation](#), A/RES/65/1, 2011, 22 September 2010. The OSCE/HCNM, [Lund Recommendations](#) emphasize that the electoral process is crucial for facilitating minority participation in the political sphere. The Council of Europe's Committee of Experts on Issues Relating to the Protection of National Minorities (DH-MIN) examined various electoral systems and their impact on minority representation, noting that the effectiveness of different systems depends on factors such as the geographical concentration of minority populations. See David Hine, [Electoral Systems, Party Law, and the Protection of Minorities](#), Council of Europe Committee of Experts on Issues Relating to the Protection of National Minorities (DH-MIN), Strasbourg, 2009. These documents collectively emphasize the importance of carefully designing electoral systems to ensure fair representation of national minorities in the political process.

Majoritarian systems are simple and easy to understand; they are thought to foster accountability and more stable majorities. However, they marginalize smaller parties and encourage bipolarity, which can undermine minority positions, raising concerns about inclusivity and representativeness.

Majoritarian systems can be advantageous for minority representation where communities are concentrated territorially, as long as district boundaries do not divide the minority among different districts. Where they are dispersed, majoritarian systems are detrimental to minority representation. In such cases, introducing special measures — such as minority-specific districts, relaxed nomination requirements or candidate support mechanisms — can help mitigate exclusion.

In some cases, winning a single district may yield lower representation than could be achieved by Roma and Sinti voters in a proportional system. Also, more concentrated minorities that vote for their own communal representative may render elections uncompetitive. In some circumstances, this could also lead to political ‘compartmentalization’ and even spur inter-community tensions. Where the minority vote is split, single-member districts could be carried by other candidates, thus diminishing minority representation. Positively, in diverse environments where a minority community is the largest but does not constitute a majority, majoritarian systems create an incentive for minority candidates to seek votes from other groups, thus promoting integration. This incentive is absent in first-past-the-post systems, where dominant demographics can ensure electoral victory.

Alternative vote is a third type of majoritarian electoral system. It allows voters to rank their preferences. If no candidate receives a majority of first choices, subsequent choices are added until a winner emerges. Here, candidates may be incentivized to seek a good tally of second-preferences; in minority contexts, they may be more likely to seek support across community lines.

Proportional representation

Proportional representation (PR) systems generally deliver more representative results, albeit at the cost of generally less stable majorities. Seats can be allocated in single or several constituencies. There is often a threshold of votes required to win seats. These can be detrimental to minority representation, where small parties fail to muster enough support to win seats. Where thresholds exist, it is good practice to have a lower threshold for entities representing minorities.

Special measures can be introduced to enhance minority representation. These include lowering or waiving electoral thresholds for parties representing recognized

minorities, reserving a certain number of seats in parliament or providing support for minority party registration and campaigning. Measures like these are already in use in several proportional systems worldwide and are particularly effective when minority populations are geographically dispersed.

A variation of the PR system is the single transferable vote (STV), used in multi-member districts. The system allows voters to rank their preferences, with a quota of first-preference votes required to be elected; candidates with more first-preference votes than the quota are elected. If no candidate is elected based on first preferences, the candidate with the lowest number of first-preferences is eliminated and their second-preference votes are distributed among the remaining candidates.

PR systems are thought to facilitate minority representation. Political parties have an incentive to field diverse candidates, therefore also raising the prospects for minorities. They foster co-operation, including among national minorities, which also encourages a move away from minority parties over time. They are less prone to district manipulation (gerrymandering). Negatively, they weaken the link between the voters and representatives, potentially reducing accountability and concentrating power within political parties and their leadership.

Mixed-member or parallel systems

Mixed systems combine elements of majoritarian and PR systems, requiring some proportionality in the results. Voters cast separate votes — one for the majoritarian and another for the PR election. Mixed systems are complex and can leave voters unsure of how their vote influences the results. However, they offer some advantages (e.g., the accountability that comes with majoritarian systems) whilst facilitating small party representation through the proportional system. Under some conditions, they can be advantageous to national minority groups. This potential can be enhanced by integrating special measures, such as exempting minority parties from vote thresholds on the proportional side or creating protected districts under the majoritarian element.

Two considerations stand out when it comes to assessing how an electoral system facilitates national minority representation:

1. Is the minority group large enough to win seats without recourse to special measures?
2. What is the level of territorial concentration or dispersal of the group?

While measures such as lowered thresholds and special constituencies can enhance representation for minorities living in compact, ethnically homogeneous areas, they may

be less effective — and even counterproductive — for more territorially dispersed groups such as Roma and Sinti communities. In such cases, these mechanisms risk reinforcing segregation or failing to adequately capture the dispersed nature of the population; consequently, caution is advised when considering their application.

Vote thresholds: Electoral systems often require a minimum share of votes earned in an election in order for a political party to obtain seats in the legislature. To facilitate the representation of national minorities, thresholds should be low enough for the parties that represent them to surpass.¹¹⁷ Even if there is no legal threshold in place, natural thresholds may prevent smaller minority communities from obtaining seats.¹¹⁸ However, it is important to consider safeguards to prevent misuse of these provisions, such as when ineligible parties falsely register as minority parties merely to gain access to lower thresholds or other related benefits.

Preferential voting: Systems such as Alternative Vote and STV require voters to name their preferences beyond their first choice — i.e., also indicate second, third and subsequent choices. They therefore create incentives to accommodate minority interests. To be elected, candidates may need to reach out to a broader range of voters, including minorities. They are thus more likely to feel compelled to include issues that are salient to minority voters in their platforms.

However, these systems also have their downsides. They are complex and not immediately transparent either for voters or administrators. In jurisdictions with limited trust in elections, they can erode confidence in the process and, consequently, the results.

District boundaries: The careful delimitation of constituencies is critical for minority representation, as consistently found by ODIHR EOAs. States have an obligation to facilitate the representation of national minorities and ensure that no adverse factors hinder it. These can include resettlement, stripping individuals or groups of their residence status or the redrawing of administrative or electoral district boundaries in ways that dilute the voting power of minority groups, including Roma and Sinti communities.¹¹⁹

Legal and Election Analysts will ordinarily determine whether delimitation procedures respect the demands of equal voting weight in accordance with specific apportionment criteria. For example, the sizes of districts should be comparable, with each elected

117 See [Comparative Report on Thresholds and Other Features of Electoral Systems Which Bar Parties from Access to Parliament](#), Venice Commission, CDL-AD(2008)037, Strasbourg, 15 December 2008, p. 8.

118 Any electoral system has a natural threshold — i.e., a minimum number of votes required to obtain a seat due to the fixed number of available seats. A legal threshold is a measure to counter excessive fragmentation in the elected assembly.

119 Venice Commission, [Code of Good Practice in Electoral Matters](#), Section 2.2, “Equal Voting Power”.

representative representing a similar number of inhabitants or voters.¹²⁰ Districts should also be compact and contiguous, respecting administrative divisions while preserving communities of interest. While there may be a margin of appreciation in delimitation that accommodates practical considerations, criteria should be clearly prescribed in the legislation, and the process should be conducted by an independent body in a transparent and inclusive manner. Where no independent institution is responsible for delimitation, the exercise should include a wide range of stakeholders, including smaller parties and minority representatives. The delimitation map should be reviewed regularly and well ahead of the next election.¹²¹

Consideration could be given to delimiting districts in a way that enhances minority representation. Although delimitation should not prejudice the representation of any group, it is acceptable to delimit in a way that ensures or enhances minority representation.

Two aspects of delimitation may have a strong bearing on Roma and Sinti representation:

1. *Territorial delimitation under majoritarian systems*: redistricting of constituencies for partisan purposes (gerrymandering) is illegitimate.
2. *The number of members to be elected from each district under proportional systems*: a low number of seats per district diminishes proportionality and can increase the 'lost vote', and a decrease in proportionality can negatively affect minority representation.

Special measures: Temporary special measures constitute an acceptable form of designing the electoral system to enhance national minority representation, as seen in a number of OSCE participating States. Concurrently, political parties should be encouraged to engage minority groups in their programming, including as candidates.

- **Dedicated threshold for national minorities:** Lund Recommendation No. 9 proposes a mechanism to increase national minority representation through the introduction of a favourable (lower) threshold for national minority parties in proportional systems.¹²² In some cases, national minorities can be exempt from the legal threshold altogether.
- **Dual voting:** Although the principle of 'one-person-one-vote' is the bedrock of modern democratic systems, under some conditions, a derogation in favour of dual vote by members of national minorities is permissible (generally only where other measures have failed to yield good results). For instance, ODIHR has observed cases in which Roma voters, who are registered as such, may cast a second vote for a seat reserved for minority representatives.

120 *Ibid.*, point 2.2.IV: The permissible departure from the norm should not be more than 10 percent, and should certainly not exceed 15 percent, except in special circumstances."

121 *Ibid.*, point 2.2.V: "In order to avoid passive electoral geometry, seats should be redistributed at least every ten years, preferably outside election periods, as this will limit the risks of political manipulation."

122 OSCE/HCNM, *The Lund Recommendations*, No. 9.

The Venice Commission deems dual voting permissible exceptionally if (1) it is not possible to reach the aim of minority representation through other means that do not derogate from voter equality; (2) it has a transitional character; and (3) it concerns a numerically small minority.¹²³

- **Reserved Seats:** In most OSCE participating States, Roma and Sinti communities face difficulties in obtaining representation under the established electoral system. ODIHR EOAs have noted that, in some cases, this may be more achievable through reserved seats, which are only contested by members of the community.¹²⁴ This can be combined with another positive measure, over-representation, where the number of reserved seats exceeds the share of the minority population. While reserved seats can boost minority representation, they can also lead to 'tokenism' or reinforce separate identities and even encourage prejudice, potentially fomenting discrimination. They also require Roma and Sinti voters to register as such, which may not be desirable for some, especially where data protection is not guaranteed and prejudice is present. Where registration is a prerequisite for participation in the reserved seat vote, it should be voluntary and respect the principle of self-identification. To prevent abuse, such as ineligible individuals falsely registering as minorities to influence electoral outcomes or benefit from the system, transparency in the registration process and a credible complaints procedure are essential to maintain integrity and trust.

Another way to fill reserved seats is by designating a special district with dedicated polling stations that only cover areas more densely populated by the community they seek to address. The area does not necessarily comply with the administrative or electoral map, but enables voting for reserved seats among the community's members.

Special measures for Roma and Sinti representation across the OSCE area

The Action Plan urges participating States to ensure Roma inclusion in public and political life. However, only a few have implemented legislative measures guaranteeing representation. In some cases, minorities can elect representatives through separate electoral constituencies or reserved seats in national or local bodies. While some systems allow for lower electoral thresholds or alternative voting mechanisms to support minority participation, these have not always resulted in effective Roma representation. Elsewhere, Roma candidates participate through mainstream parties or consultative mechanisms, but without formal guarantees or reserved seats.

¹²³ Venice Commission, [Code of Good Practice in Electoral Matters](#).

¹²⁴ It should be noted that only six OSCE participating States have reserved seats for national minority representation, and, of those, roughly half set aside specific seats for Roma and Sinti communities.

Points of inquiry

- Does the electoral system enable or constrain minority representation? Have any interlocutors expressed concerns about the electoral system and its potential impact on Roma and Sinti representation and participation?
- Are interlocutors aware of the potential importance of the electoral system for minority representation and participation? Have there been any assessments of the system's impact?
- Are there discussions about possible reform of the electoral system, particularly regarding minority representation and participation? Were Roma and Sinti representatives consulted?
- Does the law include any special measures to enhance minority participation? Are such mechanisms discussed? Are Roma and Sinti communities mentioned in this context?
- If special mechanisms are in the law, are they satisfactorily implemented or enforced?

D. Election administration

Election Analysts will ordinarily assess the independence, impartiality, integrity and performance of the election management body (EMB). The EMBs are important actors in enhancing the meaningful participation of Roma and Sinti in elections. The election administration may include members of Roma and Sinti communities across all levels. Roma and Sinti individuals should be included not only among the administration's rank-and-file members, but also in leadership positions. This representation is important both in polling stations, where there is a Roma majority, and at the district level in any districts with Roma communities, as well as at the national level, particularly in countries with a significant Roma population.

To better understand and serve the community's needs, ensure equality and safeguard non-discrimination, EMBs should maintain close working relationships with Roma and Sinti representatives. Some EMBs may have a focal point, department or staff members dedicated to national minority participation. Regardless, they should pay attention to issues relevant to minority participation, often through mainstreaming such considerations in their decisions and regulations. It may be necessary for the EMB to conduct awareness training to educate lower-level commissions as well on the participation of minority groups. They should also enforce all existing special measures to promote Roma and Sinti participation and representation. Qualification criteria for selecting election administration members, particularly in areas with notable Roma and Sinti populations, could be tailored to facilitate their engagement in administering elections.

Voter education: Another key component for the Election Analyst to consider is the electoral information and civic education available to voters, including those from under-represented groups. Effective voter education and information campaigns should include content tailored to Roma and Sinti communities and their specific needs. These may cover issues such as voter registration, including any specific procedures for voters living at irregular addresses or lacking standard identification documents necessary to vote. EMBs should also provide instruction on how best to address recurring procedural issues, such as cases of ‘family voting’ or secrecy of the ballot. ODIHR EOAs have found that minority communities, including Roma and Sinti, may be at greater risk of being subject to violations such as vote buying and selling. It is important for the Election and Political Analysts to examine whether the EMB addresses such matters with due care and attention.

At the same time, it is advisable for EMBs to be mindful of stigmas that may exist and ensure that their voter education and information campaigns do not perpetuate prejudice or stereotypes, but work to dispel them instead. Where necessary, voter education directed at minority groups should be available in their own language. Voter education and information materials should always use clear language and be easily accessible.

EMBs should pay attention to potential acts of discrimination, harassment or intolerant rhetoric targeting minority groups. Their training, voter education and other information outputs could advise on what to do when faced with adverse behaviour, whether in-person or online, and highlight the public resources available to address such cases.

EMBs may conduct research on national minority participation, which should inform their actions. They could collect information on Roma and Sinti inclusion in the election administration and among the candidates and voters. As explained above, this data should be based on self-identification. The Election Analyst should examine whether the regulations and policy decisions are based on sound data and developed through a process that involves consultations with all stakeholders, including CSOs. Despite tailored voter education and information campaigns, ODIHR EOAs have found that low voter turnout among Roma and Sinti communities remains a significant challenge. This is due, in part, to social exclusion, low trust in the process and barriers to identification and registration. EMBs should be obliged to assess periodically the effectiveness of voter education campaigns in mitigating these factors and improving turnout.

Points of inquiry

- Are any measures in place to encourage the inclusion of Roma and Sinti in the election administration? Are Roma and Sinti represented in election management bodies?
- Does the election administration consult with Roma and Sinti stakeholders (at any level, but especially in communities inhabited by Roma and Sinti)?

- Does the election administration produce any data and/or report on Roma and Sinti participation (including on voters, candidates, complaints, etc.)?
- Does the election administration conduct voter education and information campaigns, and are any campaigns or their elements targeted at Roma and Sinti voters (and in their language)?
- Are there indications that Roma and Sinti communities would benefit from more robust voter education and information campaigns?
- Does the election administration have a focal point or department for issues related to minority groups? Are such issues mainstreamed in its regulations, policies and decisions?

E. Voter registration

ODIHR EOAs have consistently found that the voter registration process can present uniquely challenging barriers to greater Roma and Sinti participation. Systems of voter registration can vary, but they are generally categorized as 'passive' or 'active'. In passive systems, the list of eligible voters is drawn from existing population registers or other comprehensive databases, with voters generally not required to register proactively or confirm their eligibility to participate, although it is often advisable for voters to verify their entries. In active registration systems, voters must apply, whether nationally or sub-nationally, to be included on the voter list.

Where registration is passive, Election Analysts should establish both how the list is sourced and how the data is maintained and updated.¹²⁵ They should assess the integrity, comprehensiveness and inclusiveness of the list. In some cases, Roma and Sinti citizens are less likely to be included in population or other databases used to generate the voter list. Some individuals may not have a formal address at their place of residence or may be registered at another address, which could exclude them. Contrary to good practice, in several OSCE participating States, the absence of a permanent address leads to automatic exclusion from the voter register. In other cases, the absence of valid ID documents results in exclusion from the register. If a minority language is involved, transliteration can cause mismatches or omissions. Verifying or updating the voter list should be as accessible as possible, with procedures clearly communicated to the public through EMB voter education and information efforts.

In active systems, requirements to demonstrate eligibility should be reasonable and the registration process accessible. Burdensome conditions or fees to obtain or update the

¹²⁵ Even where the voter registration system is passive overall, it may include some active elements, such as registration for alternative voting mechanisms, e.g., early or mobile voting.

necessary documents can discourage the registration of voters from minority groups, including potential Roma and Sinti voters. Although safeguards to ensure the integrity of the voter register are prudent and recommended, they should not be used as barriers to registration. Numerous required visits and long distances can be obstacles for some voters. Special efforts or registration drives may be necessary to include eligible Roma and Sinti electors.

In the OSCE region, very few countries require active registration. However, many countries maintain an active component for the registration of voters residing abroad who seek to participate from outside the country or for those who wish to cast a ballot outside their place of residence. These provisions may impact Roma and Sinti voters, including those who have left their country of nationality or place of usual residence for any reason, including because of discrimination or exclusion. The registration requirements for these citizens must also be considered. The Election Analyst should note any focused outreach by EMBs, civil registration authorities or political parties to these potential voters. Electoral and civil registration authorities should undertake special registration efforts in areas with low registration rates, including those inhabited by Roma and Sinti communities.

Voter education and information by EMBs should be tailored to the needs of minority communities, including Roma and Sinti, with consideration for language and other potential barriers. Access to clear and understandable voter information, including instructions on verifying and updating individual voter records, can significantly impact the voter registration rate in some communities. The absence of special accommodation measures from the EMBs or other institutions, such as information provided in easily accessible formats, can exacerbate this problem. All voter education and information campaigns should include content targeted at under-represented minority groups, specifically including Roma and Sinti.

Points of inquiry

- Do members of Roma and Sinti communities face any issues with registering to vote?
- Are specific efforts made to facilitate the registration of Roma and Sinti voters, including among voters residing abroad?
- What is the source of voter register data? How is the register updated and maintained? How are requests for changes made and executed?
- Is obtaining civil registration or ID a barrier for members of Roma and Sinti communities? Are there opportunities to register to vote without a permanent or physical address and/or ID? If so, how would you assess the accessibility of such procedures?

- Is voter education and information about voter registration easily accessible for minority groups? Is it specifically directed at Roma and Sinti?
- In the case of electoral systems with designated minority constituencies, where ethnicity is declared on voter lists, is self-identification voluntary? Are stakeholders satisfied with the use and implementation of such lists? Is there any reported misuse of designated voter lists?
- Are there any concerns about data protection, especially with regard to self-identification by voters? Are adequate safeguards in place to protect personal data?

F. Political party and candidate registration

The right to stand as a candidate in elections must be upheld without discrimination. This principle is fundamental to democratic participation and applies equally to all citizens. ODIHR EOAs have often observed that candidate registration procedures can impact the participation of individuals from minority groups. Requirements for a high number of nomination signatures, financial deposits, education level or other qualification requirements can disproportionately disadvantage Roma and Sinti candidates. Such disadvantages may be of particular concern given the continued socio-economic and educational disparities experienced by Roma and Sinti communities across the OSCE area.

The UN Human Rights Committee has reaffirmed that individuals who are otherwise eligible should not be excluded from running for office by unreasonable or discriminatory requirements, such as ethnicity, education level, residency status or political affiliation.¹²⁶ Accordingly, special measures, such as reduced signature thresholds or lower deposit amounts, may be introduced to facilitate the participation of Roma and Sinti candidates. However, EOAs must carefully evaluate such measures to determine whether they are effective in enabling access. In this context, Core Team analysts and LTOs should monitor the rate of candidate nominations among Roma and Sinti and establish whether they face a disproportionately high rate of rejection.

Internal party democracy and the representation of minority groups

The *OSCE and Venice Commission Joint Guidelines on Political Party Regulations*¹²⁷ highlight that, as a matter of good practice, political parties should uphold the principles of non-discrimination and equality in their internal operations. Internal party democracy, transparency in decision-making and inclusive candidate-selection

¹²⁶ UN HRC, *General Comment 25*, Article 25. Para. 10.

¹²⁷ *Guidelines on Political Party Regulation*, 2nd Edition, OSCE/ODIHR and Council of Europe's Venice Commission, 6 April 2023.

procedures are important considerations when assessing opportunities for the participation and advancement of candidates from under-represented groups. Internal party structures, such as caucuses or wings representing minority groups, may also help ensure that minority perspectives are reflected in party platforms and campaign priorities. While international guidelines do not explicitly prescribe such practices, the Political Analyst should evaluate whether political parties have democratic internal structures that effectively support the representation and advancement of Roma and Sinti. These structures can play a vital role in ensuring that Roma and Sinti voices are adequately represented within political party agendas.

ODIHR EOAs have often found that, in practice, political parties act as gatekeepers to political participation, holding considerable influence over who stands for election. This makes it essential to examine whether they are creating genuine pathways for Roma and Sinti individuals to engage within party ranks and compete meaningfully as candidates. In party list systems, it is important for EOAs to determine whether the inclusion of Roma and Sinti candidates is substantive or merely symbolic. 'Tokenistic' practices, such as placing Roma and Sinti candidates in unwinnable list positions or excluding them from leadership roles within the party, undermine the goal of genuine representation. Candidates from under-represented groups often receive less visibility, fewer resources and weaker institutional backing, all of which can further diminish their prospects at the polls. The responsible analyst should carefully assess the overall impact of such imbalances.

Across the OSCE region, Roma and Sinti political participation takes various forms; several countries host Roma-based political parties or platforms, while others emphasize inclusion through mainstream parties or minority self-government systems. All political parties should have concrete policies in place to support diversity and inclusion in the recruitment of members and candidates, including from minority communities. At the same time, minority-led political associations hold great value by representing community interests and fostering political empowerment. Within the OSCE region, Roma parties have sometimes gained parliamentary representation or hold reserved seats, while in other cases, constitutional or political barriers have limited their impact.

EOAs should assess the internal procedures of political parties for identifying prospective candidates and compiling candidate lists. Observers can also note the level and quality of support that political parties offer to Roma and Sinti candidates. This includes examining whether parties assist with the practical aspects of candidacy, such as collecting signatures or covering deposit costs, and the training of candidates and their staff. Ultimately, a comprehensive and inclusive approach is needed to ensure that Roma and Sinti individuals can fully exercise their right to stand for election on an equal footing with others.

While international standards emphasize that individuals should have the freedom to run as independents, ODIHR EOAs have reported that this is not universally the case. Even in systems in which independent candidacies are permitted, various systemic barriers, including the design of the electoral system, the absence of representation in election administration or the right to nominate observers, and the lack of resources required for campaigning, can significantly reduce the likelihood of their electoral success. ODIHR has consistently found that Roma and Sinti individuals who wish to run for office rely on political parties for nomination and support.

Enabling Roma and Sinti candidacies

Improving Roma and Sinti representation requires going beyond voting rights to actively support the ability of community members to stand as candidates. Persistent under-representation is driven by a mix of the legal, structural and political barriers described throughout this chapter. Addressing these challenges requires a co-ordinated approach that may include legal reform, inclusive party practices, targeted support and a safer and more equitable campaign environment.

Legal and administrative hurdles, such as a lack of permanent residence or identity document, can prevent Roma and Sinti individuals from registering as candidates. Electoral frameworks should be reviewed to remove indirect discrimination, including excessive nomination requirements or financial burdens that disproportionately affect marginalized groups. At the same time, political parties play a critical role. They should be encouraged to adopt inclusive recruitment policies, set internal goals for diversity and support Roma and Sinti candidates through mentorship and fair access to internal structures.

Capacity-building initiatives are equally essential. Leadership training, campaign support and civic education, especially when delivered in co-operation with Roma-led organizations, can empower prospective candidates and build political confidence. Ensuring that Roma and Sinti candidates have equitable access to the media and effective protection from intolerant rhetoric and intimidation is equally important for enabling full participation.

Election observation can help spotlight under-representation, and this monitoring can be facilitated by access to reliable data. To support evidence-based reforms, election management bodies could enable voluntary self-identification and publish anonymized aggregate data in line with privacy and human rights standards.

Increasing Roma and Sinti candidacy requires a multi-layered strategy: removing legal barriers; supporting leadership; promoting inclusive party practices; and improving data transparency. More inclusive and representative elections are achievable

through sustained efforts from all stakeholders, including state authorities, political parties, civil society and the media.

Points of inquiry

- Are political parties obliged or incentivized to field Roma and Sinti candidates? Do parties have internal policies to include Roma and Sinti or other minorities?
- If applicable, are there sanctions for parties that fail to implement any legally-mandated positive measures? Are they enforced?
- How do political parties select their candidates? Do their procedures and practices advantage or disadvantage Roma and Sinti candidates?
- Do parties have wings or caucuses focused on under-represented groups? What is their role and are they successful? Do they affect policy platforms and campaign manifestos?
- To what extent are Roma and Sinti women proportionally represented on candidate lists of both Roma and majority political parties?
- Do candidate nomination requirements disproportionately affect Roma and Sinti? Do they deter members of the Roma and Sinti community from standing?
- Are prospective Roma and Sinti candidates rejected by political parties and EMBs more often than other groups? Why?
- Is data on the registration of Roma and Sinti nominees and candidates (and the rejection rate) collected and publicly available?
- How many members of the Roma and Sinti community are standing, and are they in 'winnable' constituencies or positions on the lists?
- Are there any Roma and Sinti among independent candidates?
- Are any capacity-building or training programmes in place for Roma and Sinti candidates? Do these candidates have sufficient resources to run their campaigns? Are there any other measures to support Roma and Sinti candidates?
- Is information on how to register as a candidate easily accessible to Roma and Sinti?
- Have any Roma and Sinti candidates withdrawn from the elections? If so, why?

G. Campaign

The observation of the election campaign should establish whether fundamental freedoms, including of association, expression and assembly, are upheld, including for Roma and Sinti. Through the assessments of the Political Analyst and LTOs, the EOA should determine whether the conduct and oversight of the campaign is conducive to a level playing field for all contestants, and to voters making an informed choice.

The ability of Roma and Sinti candidates to campaign is often contingent on their access to resources and support from their nominating political parties. This access depends on the moral backing they enjoy from the party and its leadership. Independent candidates and party nominees who are expected to cover their own campaign costs and support the overall party campaign efforts may be less successful in reaching audiences. The Political Analyst should gather information and feedback from Roma and Sinti candidates first-hand to understand the nature of the challenges they face.

Although rare in practice, Roma and Sinti candidates in some jurisdictions may be offered special support measures, including additional resources, such as dedicated airtime or space in broadcast and print media. There could also be additional outreach specifically dedicated to Roma and Sinti voters, allowing contestants representing the Roma and Sinti community to address their potential voters more effectively. The Political Analyst and LTOs should pay attention to whether political parties that nominated Roma and Sinti candidates also offer them opportunities to campaign, including through direct meetings with the electorate, media interviews and other channels.

The extent to which prominent political parties engage with Roma and Sinti communities and CSOs can be an indicator of their commitment to the welfare of vulnerable groups. Political Analysts and LTOs should assess whether and which contestants are addressing the needs of Roma and Sinti voters in their platforms and discourse, either indirectly, by tackling topics of interest to minority communities, or directly, by appealing for their support. It is important to note, however, that explicit references to particular 'Roma and Sinti interests' could sometimes stigmatize the community and its members. While candidates targeting the Roma and Sinti vote can help popularize policy issues that the community cares about, excessive compartmentalization can be detrimental.

In assessing the campaign environment, particular attention should be paid to whether Roma and Sinti voters receive the information they need to make an informed choice on election day. Language barriers may limit access to campaign materials. Easy-to-read formats may be required in some contexts. In communities housed in informal settlements, it may be more difficult for contestants to campaign door-to-door. These barriers must be analysed alongside the broader context to determine the inclusiveness of the electoral process.

ODIHR EOAs have, in some cases, noted that Roma and Sinti voters are disproportionately deterred from attending campaign events, sometimes to avoid a hostile environment. Roma and Sinti women and individuals with disabilities may be especially at risk of exclusion. The general environment should be assessed for any possible threats, intimidation, pressure and fear of retribution, but, conversely, also for inducements, such as quid pro quos or more diffuse offers of reciprocity through money, employment opportunities or other material benefits and promises. In some participating States, vote buying and selling may be criminalized, but enforcement can be undermined by difficulties in gathering evidence, or by prejudice and discrimination. ODIHR has observed that an overly heavy-handed police response can have a stigmatizing effect on Roma and Sinti participation. Media narratives sometimes exacerbate this issue by reinforcing existing stereotypes.

Observing and promoting the meaningful participation of Roma and Sinti in the digital campaign environment

ODIHR's comprehensive methodology for observing elections — including online campaigning — provides valuable opportunities to assess and enhance the inclusion of minorities such as Roma and Sinti. By evaluating how digital campaign spaces are used and regulated, EOAs can spotlight both the barriers and potential for meaningful Roma and Sinti electoral participation.

Online campaigning and representation: The EOAs' observation of online campaigning on social networking platforms enables a close look at how Roma and Sinti candidates, issues or interests are represented — or ignored — by political actors. This includes following the tone, rhetoric and visibility of Roma and Sinti voices in online political discourse, as well as identifying cases of intolerant rhetoric, exclusion or manipulation targeting these communities.

Disinformation and manipulative content: Given that Roma and Sinti communities are often the target of disinformation or scapegoating during campaigns, it is crucial for EOAs to focus on how state authorities detect and respond to manipulative content. Evaluating their preparedness and responsiveness in addressing disinformation should enable recommendations to be made to protect minority groups and ensure that they are not silenced or ostracized during campaigns. EOAs must also consider whether the government is the source of any disinformation narratives or the spread of manipulative content about or impacting Roma and Sinti communities.

Legal and structural protections: By assessing the legal framework and institutional mechanisms that govern online campaigning, EOAs should determine whether Roma and Sinti have equitable access to participate in digital political spaces. This

assessment includes whether online campaigns and their financing are sufficiently regulated, whether the applicable rules are fair and enforceable, and whether state institutions monitor and counter discriminatory content effectively.

Media literacy and voter education: Roma and Sinti communities are often underserved by voter education and media campaigns. During their assessment of media literacy efforts in election contexts, EOAs should examine whether such programmes are accessible and inclusive of minority voters, including Roma and Sinti, helping them to recognize disinformation and engage more confidently in democratic processes.

Campaign finance and transparency: Monitoring online campaign finance also has implications for Roma and Sinti participation. The transparency of political advertisement spending can reveal whether discriminatory narratives about Roma and Sinti are being shaped through opaque or targeted campaigns, and whether candidates from these communities have equitable access to campaign resources.

Co-operation with social networking platforms: EOAs should also assess the extent to which stakeholders, including state authorities, are able to work with major platforms to address and remove harmful content, including incitement to discrimination or violence and intolerant rhetoric. This is especially important when Roma and Sinti communities are targeted online, ensuring that there are mechanisms for redress and protection.

Local involvement and monitoring: While ODIHR EOAs do not quantify every case of disinformation or intolerant rhetoric, they can and often do routinely draw on the work of local civil society, including organizations representing minorities, and offer systematic assessments of state responses. These observations can inform specific recommendations aimed at increasing inclusivity and protecting the rights of Roma and Sinti in elections.

In summary: EOAs can offer a critical lens for understanding and enabling Roma and Sinti participation in digital political spaces. By assessing how inclusive, fair and safe the online campaign environment is, observer findings can support policies and practices that empower Roma and Sinti communities to participate more fully and safely in elections.

Political Analysts nationally, and LTOs at the regional level, must pay attention to cases of negative or discriminatory rhetoric used by contestants or featured in public discourse, including in traditional media and on social networking platforms. The national legislation may also define categories of intolerant speech, such as 'hate speech', which commonly

refers to a form of expression that is motivated by, demonstrates or encourages hostility towards a group or an individual because of their membership in the group.¹²⁸ In responding to any type of negative speech, authorities must balance freedom of expression with the protection of other rights. This may mean that, under the legal framework, certain objectionable content is allowed, even when it creates a more hostile environment. Establishing systematic restrictions on free expression is generally inconsistent with democratic principles; however, proportional responses may be appropriate under certain conditions and against specific types of speech — this is especially true ahead of elections, where particularly provocative statements could and, in some cases, may even aim to incite. EOAs should note how the legal framework defines and addresses certain categories of speech, including potential criminal sanctions. Core Team analysts and LTOs should monitor how stakeholders respond to instances of intolerant rhetoric, including state institutions and actors, political parties, the media and civil society.

To address the persistent challenges in public discourse faced by Roma and Sinti communities, some promising practices have emerged in a number of OSCE participating States. These include co-operation agreements between political parties and civil society, committing the parties to support inclusive policies and positive engagement with Roma and Sinti communities. Such approaches can sensitize parties to the challenges that Roma face and also provide a platform for countering negative messaging and generating positive examples of collaboration. Public messaging and symbolic acts of political solidarity can help dismantle stereotypes and encourage broader democratic participation.

Online harassment during campaigns

Negative campaigning can, in some cases, specifically target Roma and Sinti communities. Stereotyping and scapegoating can degrade the overall environment for minority groups and affect the participation of minority women in particular. Social networking platforms and other online tools reduce the cost of campaigns, but they also provide more opportunities for intimidation, threats or intolerant rhetoric; they can even be conduits for incitement. Cyberviolence against minority groups, including harassment, bullying, mobbing and violent content, as well as, more recently, 'deep fakes' containing altered images or videos, can present a significant risk to vulnerable groups and, in some contexts, may even increase the likelihood of election-related violence. They can ostracize and alienate Roma and

128 There is no international definition of 'hate speech'. However, some elements can be found in universal instruments, such as, ICCPR art. 19 on freedom of opinion and expression and art. 20, which states, "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". Article 4 of the ICERD stipulates that States Parties to the treaty "shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof".

Sinti candidates and voters. It is important for observers to identify and reference such phenomena and events; but it is also crucial to observe and assess the response of state institutions, including the EMB, law enforcement and others, such as the social networking platforms themselves. In this context, observers will need to establish whether victims of cyberaggression file formal complaints and assess their adjudication.

Points of inquiry

- Is the exercise of fundamental freedoms respected in areas inhabited by Roma and Sinti?
- Do Roma and Sinti contestants face equal opportunities? Are any instances of unequal treatment or discrimination observed or reported?
- Are Roma and Sinti contestants able to use their preferred language in campaigns?
- How visible were Roma and Sinti candidates in the elections?
- Are any measures taken by the state to support campaigning by Roma and Sinti candidates?
- To what extent do political parties provide support to Roma and Sinti candidates, and is this comparable to the support granted to other candidates?
- To what extent do political parties address the issue of Roma and Sinti participation? Do they address themes of special interest to Roma and Sinti voters?
- Are Roma and Sinti voters able to access campaign information and activities without hindrance, to make an informed choice?
- Are Roma and Sinti voters able to participate fully in campaign events?
- How do Roma and Sinti candidates campaign? How do contestants reach minority voters?
- What is the content and tone of campaign rhetoric surrounding national minorities and Roma and Sinti? Are there instances of intolerant rhetoric? Is there any state response? Are there legal protections to prevent and sanction such rhetoric?
- Does the legal and regulatory framework address online harassment? Are Roma and Sinti candidates subject to online harassment? Are state institutions and private actors taking proactive measures to curb abusive behaviour online?

H. Campaign finance

Campaign finance can be analysed by a dedicated Campaign Finance Analyst, or be a shared endeavour of the Legal and Political Analysts, with support from other Core Team analysts. They will ordinarily assess whether the legal and regulatory framework

on political party and campaign finance and its implementation promotes transparency, integrity and a level playing field for all candidates, including Roma and Sinti.¹²⁹ Analysts also consider the capacity of oversight authorities to monitor adherence to regulations and issue dissuasive sanctions for violations.

Among OSCE participating States, it is uncommon for financial incentives to be used specifically to promote the participation of candidates from minority groups. Similarly, political parties are generally not sanctioned for failing to nominate candidates from under-represented communities. ODIHR EOAs have observed in some participating States that public funds can be used to support broader inclusion, such as through regular party subsidies, campaign financing or targeted voter education and outreach programmes.

Political parties often serve as key gatekeepers to the financing of their candidates' individual campaigns. Their decisions on resource allocation significantly affect the visibility and viability of Roma and Sinti candidates. In practice, parties rarely invest specifically in candidates from minority communities, despite the potential impact of such support. Training in fundraising, particularly for first-time candidates, is one example of how parties could enhance the participation of minority group contestants. Transparent party financing enables EOAs to assess whether resource distribution was equitable and whether it contributed to a more inclusive electoral environment.

In the absence of significant financial support, Roma and Sinti candidates often rely on personal or community resources and informal fundraising networks to fund their campaigns. This can pose a significant barrier, given their economic disadvantages and limited access to donor networks. Additional obstacles, including lower levels of formal education, language barriers, cultural norms and societal prejudice, may further restrict Roma and Sinti contestants' ability to raise donations. Women and other under-represented groups who are also members of Roma and Sinti communities may face particular financial deterrents in standing for office, as discussed in more detail in [Chapter 5](#).

Campaign spending limits can help level the playing field by limiting the advantage of wealthier candidates, which may benefit Roma and Sinti candidates with fewer financial resources.¹³⁰ The effective enforcement of such limits is essential. Broader campaign finance regulations, such as restrictions on political advertising on television, may also reduce overall campaign costs and thus benefit candidates with more limited funding, as found by some ODIHR EOAs.

129 [Handbook for the Observation of Campaign Finance](#), OSCE/ODIHR, 21 January 2015.

130 General Comment No. 25 provides for reasonable limitations on campaign expenditures "where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by disproportionate expenditure on behalf of any candidate or party". See UN HRC, [General Comment 25](#), para. 19. See also [Guidelines on Political Party Regulation](#), 1st Edition, OSCE/ODIHR and Venice Commission, para. 196.

Disaggregated financial reporting and publicly available data from political parties and oversight institutions are critical. Such transparency enables EOAs to evaluate the fairness of campaign finance practices and identify measures needed to enhance the participation of Roma and Sinti in political life and specifically in elections. The proper enforcement and oversight of campaign financing rules are essential to ensure their effectiveness, including for the benefit of Roma and Sinti candidates.

Points of inquiry

- If public financing is provided, does it benefit Roma and Sinti candidates? What mechanisms are in place, and how do they advantage or disadvantage Roma and Sinti candidates?
- Do Roma and Sinti candidates benefit from any indirect support? Is this on a par with that provided to other contestants? Are measures in place to support Roma and Sinti candidates?
- Do eligibility requirements make it more difficult for Roma and Sinti contestants to obtain public funding?
- Do political parties have fair procedures in place to allocate campaign funding? Do they support the financing of Roma and Sinti candidates?
- Do Roma and Sinti contestants have the resources necessary to conduct their campaigns? Do they face greater difficulties in financing their campaigns?
- Is there a ceiling on campaign expenditure? Is it effectively enforced? How does it affect Roma and Sinti candidates?
- If candidates and parties are permitted to take out loans to fund electoral campaigns, are these given out to Roma and Sinti candidates on a par with that given to other contestants?
- Are campaign finance reporting requirements reasonable or overly burdensome? Could they disproportionately deter Roma and Sinti contestants?
- Is information about campaign financing available to voters in advance of election day, allowing them to learn about differences between the candidates' income and expenses, and about the main supporters of the different contestants?

I. Media

Paragraph 7.8 of the Copenhagen Document stipulates that all political groups and individuals participating in the election process should have non-discriminatory access to the media. International instruments further emphasize that public media have a duty to cover candidates and their programmes on equal and impartial terms. Under certain circumstances, special measures, such as additional airtime or space for contestants representing minority groups, are compatible with the principle of equality.¹³¹

¹³¹ CSCE, [Copenhagen Document](#), para. 7.8.

Equitable media access is a critical prerequisite for democratic elections. The amount and tone of media coverage of Roma and Sinti, as well as other national minority candidates, are key indicators. During elections, media outlets should provide fair access to candidates and parties from under-represented groups and cover issues relevant to minority communities. Public media, in particular, bear the responsibility to promote inclusiveness by reflecting a plurality of views without favouring any political party or social group. Private media must also refrain from discrimination based on national minority identity. No media outlet should stereotype or exclude minority voices; instead, they should foster an inclusive environment for all. State regulatory bodies, such as national media councils or broadcasting authorities, play a key role in ensuring that legal frameworks guaranteeing equitable access are enforced, and that both public and private media outlets adhere to standards of fairness, impartiality and non-discrimination.

Assessment of media coverage and Roma and Sinti participation is the responsibility of the Media Analyst. The process involves multiple stages and includes identifying any legal or regulatory obligations to promote minority participation and access to media, assessing the availability of content in minority languages, monitoring the proportion and tone of coverage of Roma and Sinti candidates, political actors and commentators, and evaluating the inclusion of issues relevant to these communities in political programming.

Media monitoring by the EOA's team of media monitors enables the Media Analyst to assess quantitatively the extent and tone of coverage of Roma and Sinti parties, candidates and related issues. Observers can use this data to conduct comparative analyses, identify gaps and explore reasons behind the under-representation of issues raised by Roma and Sinti contestants or other minority groups. Monitoring may also include evaluating voter education and information efforts directed at Roma and Sinti communities, as well as identifying instances of negative, intimidating or otherwise harmful rhetoric.

Persistent challenges continue to hinder Roma and Sinti visibility in the media across the OSCE region. Candidates often receive limited or narrowly framed coverage, focusing primarily on the so-called 'Roma and Sinti issues' at the expense of their broader political platforms and potentially wider appeal. Stereotypes and biased portrayals further marginalize their participation. While political parties share the responsibility for minority representation, media outlets should also take the initiative to amplify the voices of under-represented groups. The Media Analyst must assess whether the media contribute to a genuinely inclusive political environment for Roma and Sinti.

Roma and Sinti voters must have access to information through the media, ideally also in their own language, as needed. The Media Analyst should evaluate whether electoral information effectively reaches the Roma and Sinti electorate. More broadly, the media should help foster dialogue between Roma and Sinti communities and the majority population, actively countering discrimination and reducing stereotypes that hinder integration and participation.

Online media, such as news websites and digital editions of print publications, form a vital component of the contemporary information landscape. These platforms are often a primary source of political information for many voters and can play a significant role in shaping perceptions of Roma and Sinti candidates. The Media Analyst should include online media when examining whether the media provide balanced and inclusive coverage, and reflect the diversity of political voices, including from minority communities. This assessment should consider the accessibility of online content for Roma and Sinti audiences, the presence of minority-language materials and the extent to which digital reporting avoids stereotypes and discriminatory narratives. As public consumption of news increasingly shifts online, equitable representation in these sources is essential for ensuring fair and democratic participation in the electoral process.

Points of inquiry

- Are any special measures in place to facilitate the participation of national minorities (and Roma and Sinti stakeholders specifically), such as additional airtime? Are effective enforcement mechanisms in place?
- Do public and private outlets have policies to promote Roma and Sinti participation?
- Do the public or private media participate in voter education and information campaigns? Are any efforts directed specifically at Roma and Sinti communities and in their language?
- Do Roma and Sinti candidates receive a similar quantity and quality of coverage as other contestants of similar standing?
- What is the role of the media regulator in ensuring equitable access to media, including for Roma and Sinti?
- Is there an effort to monitor Roma and Sinti stakeholders' access to and coverage in the media? Is this data publicly available? Are there attempts to level the media playing field?
- Is any political advertising in the media directed specifically at Roma and Sinti voters? What issues are addressed? How would you assess such efforts and their effectiveness?
- Is election-specific programming directed at Roma and Sinti voters? How would you assess the integrity (e.g., impartiality) of such programming? Is language a barrier, and if so, how is it addressed?
- Do the media perpetuate stereotypes of the Roma and Sinti communities?
- How do the public and private media react to instances of negative speech or harassment of Roma and Sinti stakeholders?

- Are any Roma and Sinti representatives included in the national debate, such as analysts, journalists or panellists? Are they visible in broadcast or print media?
- How do Roma and Sinti stakeholders assess the coverage of Roma and Sinti candidates and issues of special interest to the community? What efforts are undertaken to improve this situation overall?

J. Election day

Barriers to participation in elections can disproportionately affect Roma and Sinti communities and should be a specific focus of any EOA, including during observation of election day. Structural disadvantages such as poverty, residential segregation and discrimination often combine to limit access to polling stations, especially when they are located far from Roma and Sinti settlements or are difficult to reach because of inadequate transport infrastructure. Procedural obstacles, such as long queues or complex voting instructions, can further discourage participation, particularly for individuals who may face language barriers or prior exclusion from public processes and institutions. The Core Team and Long-term Observers should brief all election day observers participating in the EOA, including Short-term Observers, giving them adequate context to understand and identify practices that Roma and Sinti and minority voters may experience differently from other voters.

As noted above, lack of civil registration or identity documents could present a significant barrier to electoral participation for many Roma and Sinti voters, and observers should note instances of voters being turned away from polling stations, the reasons for being denied a ballot and whether they were directed to another polling station or any administrative avenue to resolve their exclusion. Observers should note whether voters from minority communities, including Roma and Sinti, are more frequently turned away because of the lack of required ID.

Another important issue to monitor is the integrity and secrecy of the vote. The principle of vote secrecy is sometimes undermined by practices such as group or family voting, where more than one person enters the voting booth, or where a single individual casts ballots on behalf of others, which tends to disproportionately and negatively impact women's participation. Such dynamics are not exclusive to Roma and Sinti communities, but observers should be aware that this can occur and result in the reduced autonomy of some voters. Proxy voting and open voting — where ballots are marked in public view — should also be closely examined, as both can compromise the ability of Roma and Sinti individuals to express their preferences freely and without pressure. For instance, an unusually high number of requests for voting assistance from Roma and Sinti voters may signal underlying issues such as inaccessible procedures or a lack of trust in the

voting system. These practices may, in some cases, also be the result of undue pressure, potentially in conjunction with vote buying. Observers should always track instances of group, proxy and assisted voting, and should pay special attention to how such practices impact Roma and Sinti participation.

Environments that feel intimidating, discriminatory or chaotic can deter Roma and Sinti voters from approaching polling stations, especially in areas where hostility and/or stereotyping are common. Election observers should pay close attention to the atmosphere around polling stations and any signs of targeted discrimination or unequal treatment. Observers may be instructed to spend additional time in front of polling stations or locations where multiple polling stations are clustered, to assess for signs of pressure, intimidation or any attempts at vote buying that negatively affect Roma voters.

The tracking of voters, whether formal (such as voter lists being checked in a non-confidential manner) or informal (such as people monitoring who arrives to vote), or even the appearance that such tracking could be taking place, can further discourage participation. While occasionally the tracking of voters outside polling stations might be anonymous and used for verifying turnout, the tracking of individual voters is often a form of pressure and is illegal in many OSCE participating States. ODIHR routinely asks observers to note whether voter tracking mechanisms are present inside or outside polling stations; if so, observers should take time to understand the nature of the tracking and whether it is used to exert pressure on Roma and Sinti voters.

An additional source of intimidation may sometimes be the presence of unauthorized individuals in polling stations. Rules on who is authorized to be present in a polling station during voting will vary, but, in some cases, the presence of people who are not direct administrators or stakeholders in the election process can create an intimidating environment, particularly for voters from under-represented groups. Unauthorized individuals, including public or private security providers, may be complicit in electoral malfeasance that amounts to pressure on voters or vote buying, especially in areas inhabited by Roma and Sinti. Observers should take time to identify everyone present in the polling station, establish if there are any unauthorized people and understand whether they are interfering with the process or potentially discouraging participation by their presence. They must also take note of whether such people are engaged in any type of electoral malfeasance.

Alternative voting methods, such as postal, electronic or mobile voting, are often introduced to maximize the accessibility and convenience of the election process for all eligible voters. While these additional voting methods have the potential to facilitate Roma and Sinti participation, their success depends on inclusive implementation. Without adequate information campaigns, trust-building efforts and safeguards against misuse, alternative

voting methods may not reach minority voters. Their implementation also comes with certain administrative risks, as voting is conducted in uncontrolled environments, often with limited or no observation. Election management bodies are responsible for ensuring that alternative voting methods are accessible and inclusive, including for Roma and Sinti voters, by conducting targeted assessments to identify and address specific barriers. Election observers should evaluate, before and during election day, whether these efforts are effective and whether Roma and Sinti communities are able to use alternative voting methods equally and without disadvantage.

Voter engagement and turnout

Distrust toward political parties and politics more broadly can negatively shape the engagement of Roma and Sinti communities. Political parties and candidates may sometimes only approach minority communities during election periods, making promises that rarely materialize into concrete action. This cycle of unfulfilled commitments can contribute to disillusionment and, in some cases, foster abstention or transactional behaviours such as vote buying. In some cases, parties may include Roma candidates on their lists primarily as a symbolic gesture to appear inclusive or attract votes. However, these candidates are often not selected in consultation with local communities and may lack legitimacy or real influence once elected, further eroding trust in democratic institutions.

Mainstream political parties sometimes lack the will or understanding to address the real needs of Roma and Sinti communities. Even when informed, parties may avoid Roma-related issues for fear of losing broader voter support. In some contexts, there are lingering misconceptions that Roma and Sinti form a single, unified voting bloc, when, in fact, political diversity exists within these communities. This diversity is sometimes misread as internal division, weakening their perceived legitimacy. Structural barriers, including discrimination and social exclusion, continue to negatively impact engagement. More inclusive and collaborative approaches are needed to ensure meaningful Roma and Sinti participation.

Points of inquiry

- Is the polling process accessible to Roma and Sinti voters? Are there any measures in place to facilitate their participation, including with a view to the languages used?
- Are any voters turned away from polling stations due to lack of a valid ID? Does this disproportionately impact Roma and Sinti voters?
- Do violations of ballot secrecy disproportionately impact Roma and Sinti voters? Are prohibitions on family voting and proxy voting enforced?

- Are there complaints or other indications of any irregularities, including voter tracking and vote buying, that negatively impact the participation of Roma and Sinti voters? What efforts are made to curb such problems?
- Where available, do alternative voting methods pose any challenges for Roma and Sinti voters? Are there appropriate safeguards in place?

K. Election dispute resolution (EDR)

Equality before the law is enshrined in legislation across the OSCE region. However, equal access to justice is not always available in practice, especially for minority groups. Roma and Sinti stakeholders may lack access to clear information about their rights or how to pursue redress. Language barriers and high costs associated with filing complaints can deter vulnerable or economically disadvantaged groups and individuals from pursuing their claims. Moreover, ODIHR EOAs have found that stakeholders are sometimes hesitant or unwilling to file complaints for fear of retribution. Some may lack sufficient confidence in the effectiveness of the system to take their grievances forward.

The Legal Analyst should assess whether the accessibility and effectiveness of the redress process are the same for Roma and Sinti as for others. The nature of filed complaints should be examined. Examples may include concerns about unequal treatment or discrimination, as well as intimidation or media bias. It may be necessary to determine whether any state or civil society initiatives are in place to aid minority groups in accessing electoral justice. Importantly, institutional responses should be examined to establish whether alleged irregularities are investigated and, when confirmed, whether they are adjudicated fairly and expeditiously.

Ultimately, the Legal Analyst must conclude whether the dispute resolution mechanisms in place provide effective remedy and apply corrective actions in an efficient and equitable manner. Ensuring equal access to electoral justice is not only a legal obligation but an important part of the democratic process. Inclusive and effective redress can strengthen stakeholder confidence and encourage greater participation of minorities, including Roma and Sinti.

Points of inquiry

- Is information about complaints and appeals easily accessible to Roma and Sinti stakeholders?
- What legal or practical obstacles do minority stakeholders face in seeking redress?
- Have Roma and Sinti stakeholders made any complaints to the election administration or judicial institutions? What are their main concerns?

- Have any complaints been addressed to other bodies, such as the Ombudsperson's office or the Equality Commissioner? What specific issues were raised?
- Have Roma and Sinti voters raised any complaints about the election day?
- Within the broader election context, have any recent complaints involved Roma and Sinti stakeholders? How were they processed and adjudicated?
- Are EDR processes equally responsive to all stakeholders?
- Do any Roma and Sinti stakeholders opt not to file formal complaints? If so, why?
- Do election officials, court staff and other complaint-hearing bodies receive awareness training on minority groups including Roma and Sinti?

L. Civil society organizations and citizen observation

The value of election observation by both international and citizen observers is affirmed in paragraph 8 of the Copenhagen Document, which underscores the importance of transparency and accountability in democratic processes.¹³² This principle is further reinforced by the authoritative interpretation of Article 25 of the ICCPR. In General Comment No. 25, the UN Human Rights Committee highlights the critical need for “independent scrutiny of the voting and counting process” to ensure genuine and credible elections.¹³³

Citizen observer groups that have endorsed the Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations¹³⁴ play a pivotal role in safeguarding electoral integrity. These groups are committed not only to the impartial monitoring of electoral processes but also to documenting the participation of women, youth, indigenous peoples, national minorities and other under-represented populations, such as persons with disabilities, IDPs and migrants. They also evaluate measures taken by authorities and other actors to promote inclusive participation, including initiatives that address structural and procedural barriers in voter registration, candidate eligibility, polling accessibility and the dissemination of electoral information in minority languages.

Such observation efforts are especially impactful for Roma and Sinti communities, including those that extend beyond technical aspects. CSOs act as enablers, raising civic awareness, strengthening local capacity and boosting the credibility of electoral processes. By fostering trust and ownership, CSO-led observation adds critical layers of transparency

¹³² CSCE, [Copenhagen Document](#), para. 8.

¹³³ [General Comment 25](#), para. 20.

¹³⁴ See [Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations](#), Global Network of Domestic Election Monitors (GNDEM), 2012.

and accountability while offering a platform for civic engagement and advocacy around democratic values. Citizen-led initiatives, including training and empowerment programmes, help community members become observers and leaders, reinforcing inclusivity and advancing commitments to “foster the participation of all segments of the population, including indigenous peoples, national minorities, youth and the equal participation of women, as observers, monitors and leaders of their organizations”.¹³⁵ These efforts also support evidence-based advocacy, enhance transparency and safeguard against election irregularities.

Citizen election observation involves a range of procedural and legal requirements, including accreditation processes and regulations governing access to various stages of the electoral cycle. Observer groups must adopt tools and methodologies that are tailored to the specific national and local contexts in which they operate. In this regard, ODIHR’s *Handbook for Domestic Election Observers* provides practical guidance and methodological frameworks that, while not exhaustive or prescriptive, can support citizen observers in conducting more comprehensive, consistent and systematic observation efforts.¹³⁶

Notably, successful election observation initiatives led by Roma and Sinti organizations in several OSCE participating States illustrate the transformative potential of such engagement.¹³⁷ When observation is community-owned and inclusive, it not only bolsters the credibility of elections but also empowers minority groups to assert their rights and participate more meaningfully in the democratic process.

At the same time, the Election Analyst, who ordinarily covers issues related to citizen election observation, should verify whether accredited citizen organizations conduct genuine election observation, i.e., that observers focus on all stages of the process and issue non-partisan election observation reports and recommendations, as well as publish their own financial statements. ODIHR has observed instances of misuse of observer status by partisan groups, including CSOs and associations representing national minorities acting as informal proxies for contestants. Such activities run counter to genuine election observation.

¹³⁵ Declaration of Global Principles for Non-partisan Election Observation and Monitoring by Citizen Organizations and Code of Conduct for Non-partisan Citizen Election Observers and Monitors, commemorated at the United Nations on 3 April 2012, “Pledges and Commitments”.

¹³⁶ *Handbook for Domestic Election Observers*, OSCE/ODIHR, 1 October 2003.

¹³⁷ Roma civil society organizations in Bulgaria have actively engaged in election observation efforts to monitor and report on electoral processes, with a focus on preventing discrimination and ensuring the fair participation of Roma communities. See *Final Report on the Presidential and Early Parliamentary Elections in Bulgaria*, OSCE/ODIHR, 24 June 2022.

Points of inquiry

- Does the law provide for the observation of all stages of the election process by citizen observers?
- Are citizen observer groups observing the specific election(s) in question? Do they have the resources necessary to conduct their observation?
- Are citizen observer groups helping to promote Roma and Sinti participation?
- Do they have the expertise, gather appropriate data and report on inclusion?
- Do they advocate for the inclusion and participation of Roma and Sinti?
- Do they include members of Roma and Sinti communities among their ranks and leadership?
- Do Roma and Sinti CSOs conduct any election observation activities?
- Have there been any instances of citizen observer groups, including efforts by Roma and Sinti entities, misusing their observer status for partisan purposes?

M. Needs assessment

In the months leading up to an election in an OSCE participating State, ODIHR carries out a Needs Assessment Mission (NAM) to decide on the recommended scope of possible observation activities for the election. The NAM conducts meetings with various state bodies and other electoral stakeholders in order to assess the pre-election environment and the preparations for the election. The NAM also aims to identify any legal, administrative or practical barriers that may affect the participation of Roma and Sinti and other minority communities. These early findings can help shape the focus of any future election observation or assessment mission, including with regard to Roma and Sinti participation.

Before the NAM takes place, ODIHR compiles background materials on the political landscape, including a focus on national minorities. This often involves co-ordination within ODIHR and, where appropriate, the HCNM and OSCE field operations. Additional sources include reports by international and national organizations, such as the Council of Europe's assessments under the FCNM and reports of UN treaty monitoring bodies.

The NAM considers relevant national legislation, such as election laws, party regulations and any provisions concerning minority participation or language use. The NAM identifies possible legal and political issues related to Roma and Sinti participation during its meetings with national stakeholders and flags these matters for a potential EOA to examine during the election process.

The NAM typically meets with government officials, election authorities, minority and human rights institutions, political parties, the media, CSOs, OSCE field staff, diplomats

and international organizations — most of these interlocutors will later meet again with the members of the EOA. As a standard component of ODIHR methodology, the NAM should meet with the representatives of minority communities. Throughout these meetings, the NAM explores whether Roma and Sinti communities and other under-represented groups anticipate obstacles to their participation as voters, candidates or election officials. This includes revisiting any past concerns or recommendations issued by ODIHR related to Roma and Sinti inclusion in the electoral process.

When Roma and Sinti populations are concentrated in specific areas, the NAM may consider visiting those regions to speak directly with community representatives. If such visits cannot be arranged during the NAM, they should be prioritized early in any EOA. This helps ensure that Roma and Sinti perspectives are reflected in the overall assessment and that potential barriers to their participation are identified and addressed as early as possible.

Points of inquiry

- Are there organizations active in monitoring Roma and Sinti participation in public and political life? What are the views of these organizations on the electoral process in the country?
- Do the electoral laws and policies ensure the equal right of Roma and Sinti to vote and stand for election, in accordance with international standards on non-discrimination and political participation?
- Are Roma and Sinti individuals able to register to vote without discrimination or undue administrative barriers (e.g., due to lack of permanent address or personal identification)?
- Are Roma and Sinti candidates able to register and run for office freely, and are there provisions or practices in place that encourage or support their political participation?
- Does the election administration consider minority participation in its policies and outreach efforts, and do election management bodies include Roma and Sinti representatives?
- Are election materials — including ballots, instructions and voter information — available in languages spoken by Roma and Sinti communities and other minorities?
- Is there an enforceable regulation or code of conduct for political participants that prohibits intolerant speech, including discriminatory rhetoric against Roma and Sinti? Are violations monitored and sanctioned?
- Do Roma and Sinti communities have equal and meaningful access to the media, including public and private outlets, to express their views and receive campaign information?

- Is there a general perception among Roma and Sinti communities that the election administration is impartial, inclusive and responsive to their needs?

N. Developing and following up on recommendations on Roma and Sinti participation

Election observation plays a critical role in identifying and addressing barriers to the political participation of under-represented communities, including Roma and Sinti. Comprehensive observation efforts should ensure that findings on Roma and Sinti participation are not treated as peripheral, but are integrated into any broader assessment of the electoral process.

Where relevant, ODIHR EOAs share key findings and conclusions on the participation of Roma and Sinti in a Statement of Preliminary Findings and Conclusions released the day after election day. These initial assessments aim to draw attention to major challenges as well as any positive developments. A more thorough and contextualized analysis is provided in the Final Report, typically issued a few months after the election.

In an EOA, the assessment of electoral processes is not an end in itself but a foundation for improvement. One of the key outcomes of ODIHR's observation work is the formulation of concrete and actionable recommendations that help the participating States strengthen their electoral processes in line with international standards, OSCE commitments and good practice. These recommendations identify practical steps to be taken by state institutions, legislatures, political parties and other stakeholders in order to address challenges and promote greater inclusion, transparency and fairness. Examples of concrete and measurable recommendations regarding the electoral participation of Roma and Sinti include:

- Reviews of electoral legislation and systems to address structural barriers to Roma and Sinti participation;
- Measures to improve the collection, availability, and where appropriate, publication of disaggregated data on the electoral participation of Roma and Sinti, in accordance with applicable law, voluntary self-identification and data-protection and confidentiality safeguards;
- Policies to ensure voter registration procedures are not exclusionary on the basis of residency and ID requirements;
- Availability of electoral materials and information from election management bodies, political parties and the media in minority languages and targeted to under-represented communities such as Roma and Sinti;
- Measures to ensure equitable media coverage of Roma and Sinti candidates;

- Measures to address discrimination and forms of expression prohibited under international human rights law, including incitement to discrimination, hostility or violence, while safeguarding freedom of expression, as well as proportionate and effective responses to the effects of disinformation during election campaigns; and
- Capacity-building programmes to support Roma and Sinti participation in election administration and political life.

Recommendations should not be overly prescriptive, respecting the autonomy of states to determine appropriate measures. However, they should clearly note any disproportionate effects that electoral systems or laws may have on Roma and Sinti communities.

In the 1999 OSCE Istanbul Document, participating States committed to follow up promptly on ODIHR's election assessments and recommendations.¹³⁸ Supporting the implementation of electoral recommendations is a critical component of ODIHR's role in helping OSCE participating States enhance their electoral processes. After the deployment of an EOA and the publication of its the Final Report, ODIHR typically conducts visits to present its findings, discuss its recommendations for future electoral processes and engage with electoral stakeholders on possible strategies for implementing the recommendations.

When requested, ODIHR can support follow-up efforts through:

- Reviews of electoral legislation and expert consultations on policy matters;
- Targeted assessments of Roma and Sinti electoral participation;
- Technical advice on designing and implementing training for election officials and poll workers;
- Advice on designing and implementing voter education;
- Support for civil society initiatives, including Roma-led organizations; and
- Co-ordination with state bodies and minority affairs institutions.

ODIHR promotes political pluralism and the inclusion of minorities as a cornerstone of equal electoral participation. As part of its follow-up approach, it sets out to engage Roma and Sinti community leaders, activists and CSOs in consultations and programmatic activities. All stakeholders in participating States are encouraged to do the same to align with international commitments and good practices. Therefore, stakeholder efforts to strengthen and promote Roma and Sinti participation should include multi-pronged strategies such as:

- **Tailored outreach and mentorship programmes** for Roma and Sinti women, youth, persons with disabilities, IDPs and migrants to build civic skills, confidence and networks for political and electoral engagement.

¹³⁸ [Istanbul Document](#), OSCE, Istanbul, 19 November 1999.

- **Legal protections and proactive enforcement** against intolerant speech and discrimination targeting Roma and Sinti, especially gendered, age, disability, displacement and migration-based narratives that foster exclusion in political and electoral processes.
- **Support for grassroots and stakeholder-led CSOs** through funding, capacity-building and inclusive policy dialogue.
- **Targeted digital engagement strategies**, including online civic education, media literacy and campaigns co-created with Roma and Sinti influencers.
- **Institutional mechanisms for representation**, such as gender quotas, youth councils, accessibility drives, inclusion strategies and events and consultations that ensure Roma and Sinti voices are heard at all levels of government.

In conclusion, election observation and follow-up can contribute to more inclusive democratic processes by encouraging steps that support the meaningful participation of Roma and Sinti communities.



5. Cross-sectional challenges to participation

The challenges that Roma and Sinti communities face in public and political participation, including elections, are rarely uniform, but are shaped by intersecting forms of identity, discrimination and inequality. The often-overlooked subgroups within Roma and Sinti populations that are particularly at risk of exclusion include women, youth and persons with disabilities, as well as IDPs and migrants. These groups may experience compounded barriers to participation because of their Roma and Sinti identity and their gender, age, disability, displacement or migration status.

A. Roma and Sinti women

The 2004 OSCE Action Plan for Gender Issues, alongside a number of universal instruments such as the 1967 Declaration on the Elimination of Discrimination against Women and the CEDAW, all recognize the equal rights of women and underline the importance of eliminating discrimination in all spheres of life.¹³⁹ These principles are echoed in OSCE commitments, in which the participating States vowed to uphold internationally recognized human rights and promote the full participation of all women, including those representing national minorities, in public and political life.¹⁴⁰

However, Roma and Sinti women across the OSCE area continue to face multiple and intersecting barriers to participation. These are rooted in political, economic and social structures that perpetuate discrimination based both on their minority identity and their gender. Roma and Sinti women are disproportionately excluded from decision-making at both national and local levels, and their under-representation in political institutions further discourages engagement.¹⁴¹ State institutions and private actors, such as political parties, often fail to account for their specific needs, resulting in limited outreach, support and inclusion.

Economic and social barriers: Poverty, limited access to public services, poorer health outcomes and a persistent gender pay gap contribute to a situation in which political engagement becomes inaccessible or deprioritized.¹⁴² Many Roma and Sinti women also lack the financial independence and support necessary to participate meaningfully in political life.¹⁴³ Civic education, political engagement and electoral participation are all limited as a function of relative economic hardship.¹⁴⁴ The lack of employment opportunities, especially in the formal sector, reduces both the visibility and voice of Roma and Sinti women.¹⁴⁵

139 [A Synthesis of Civil Society's Reports on the Implementation of National Roma Integration Strategies in the European Union: Identifying Blind Spots in Roma Inclusion Policy](#), Centre for Policy Studies, Central European University, March 2020; see also [OSCE Ministerial Council Decision No. 14/04](#), Action Plan for the Promotion of Gender Equality, OSCE, 7 December 2004; [Declaration on the Elimination of Discrimination against Women](#), UN General Assembly, Twenty-second Session, 1967; and UN OHCHR, CEDAW.

140 See the OSCE Ministerial Council decisions; and OSCE, [Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area](#).

141 *Human Rights of Roma and Travellers in Europe*, (Strasbourg: Commissioner for Human Rights, Council of Europe, 2012).

142 Centre for Policy Studies, Central European University, [Synthesis of Civil Society's Reports on National Roma Integration Strategies](#).

143 [Roma in 10 European Countries – Main Results – Roma Survey 2021](#), EU Agency for Fundamental Rights, 2022.

144 See the [Second European Union Minorities and Discrimination Survey - Main Results](#), EU Agency for Fundamental Rights, 6 December 2017.

145 *Ibid.*

Cultural and structural challenges: Social stigmatization and discrimination isolate Roma and Sinti women from broader political networks. Violence against women in politics also impacts the participation of Roma and Sinti women, which, when coupled with systemic racism, creates a compounded barrier that discourages and often excludes them from engaging fully in public and political life, limiting their visibility, voice and influence in decision-making processes. Roma and Sinti women across the OSCE area continue to feel unsafe or unwelcome in political spaces, especially where intolerant speech and anti-Roma rhetoric prevail.¹⁴⁶ In some cases, Roma and Sinti women are specifically targeted in political discourse and are at a heightened risk of experiencing an unsafe campaign environment, including online.¹⁴⁷ Some of the narratives they encounter reflect deep structural prejudice and aim to delegitimize Roma presence in political life.¹⁴⁸

At the 2025 conference entitled “Roma and Sinti Women in the Public Sphere: Turning Voices into Change”, participants from across the OSCE region adopted a joint statement affirming the importance of the equal and meaningful participation of Roma and Sinti women throughout the electoral cycle. It recognizes that the under-representation of Roma and Sinti women in political decision-making remains a major gap and emphasizes that they should be able to participate effectively and equally at every stage of the electoral process — as voters, candidates, political party members, election observers, elected representatives and decision-makers. It highlights the intersecting barriers they face, including anti-Roma racism, gender discrimination, unequal access to political parties and campaign resources, discriminatory candidate selection practices, intimidation and political violence, and calls for targeted measures to ensure that Roma and Sinti women can participate freely, safely and meaningfully throughout the electoral cycle.”¹⁴⁹

Despite the above challenges, CSOs and their international networks play a pivotal role in advocating for the rights and political inclusion of Roma and Sinti women across the OSCE region. Further efforts to promote legal protections and address discrimination can gradually help create more inclusive and supportive environments for their fuller participation in political processes. In this context, it is important to embrace all opportunities for collaboration. Roma and Sinti women often face intersecting barriers, but women's organizations possess considerable experience in addressing structural inequality. Facilitating dialogue and partnerships between Roma and non-Roma women's groups can help amplify Roma and Sinti women's voices and improve their access to political processes.

146 European Commission against Racism and Intolerance (ECRI), [country reports](#) on Czechia, Hungary and Slovakia.

147 *Ibid.* Reports document racist rhetoric by public officials and political parties in electoral campaigns.

148 Sergio Carrera, Judit Toth, Ngo Chun Luk and Julia Guerin, [Political Participation of the Roma in the European Union](#), European Union, 2018.

149 [Roma and Sinti Women in Public Sphere: Turning Voices into Change](#), ODIHR conference statement, 3 December 2025.

Points of inquiry

- Are Roma and Sinti women represented as candidates or leaders in political parties, election administration and civil society?
- Are there outreach efforts or affirmative actions by authorities, parties, candidates or CSOs to engage Roma and Sinti women as voters, candidates, members of the election administration or observers?
- Do Roma and Sinti women candidates or voters face discrimination, intimidation or intolerant speech at any stage of the election process, including during campaigns?
- What measures have been put in place by state and other actors to monitor instances of discrimination, intimidation or intolerant speech against Roma and Sinti women? How are such instances addressed, including any concrete reactions by authorities and other actors?
- Where legally binding gender quotas exist, is the representation of Roma and Sinti women, and that of other minority women, ensured by elected bodies and political decision-making processes?

B. Roma and Sinti youth

Roma and Sinti youth face unique but not dissimilar challenges in their exclusion from political life.¹⁵⁰ Despite the potential of young people to become changemakers, they are often excluded from political dialogue, decision-making processes and policy consultation.¹⁵¹ Youth representation in political institutions remains minimal, and Roma and Sinti youth voices are frequently absent from political agendas.¹⁵²

Structural and social disconnection: As with women, Roma and Sinti youth experience systemic prejudice, social exclusion and poverty, which compound to diminish trust in political systems. Discrimination in educational institutions and disproportionate representation among NEET (Not in Education, Employment or Training) populations

¹⁵⁰ While OSCE documents do not make explicit reference to youth participation in elections, the participating States have committed to promote the role and inclusion of youth in their peace and security agenda in several documents, OSCE, [Ministerial Council Decision No. 4/13](#); CSCE, [Helsinki Final Act](#); [Final Document of the Twenty-First Meeting of the Ministerial Council, Basel, 4–5 December 2014](#), OSCE, 2014; the “Declaration on Youth and Security” in [Final Document of the Twenty-Second Meeting of the Ministerial Council, Belgrade, 3–4 December 2015](#), OSCE, 2015; and Document Nr. 3, [Declaration on the Role of Youth in Contributing to Peace and Security Efforts](#), OSCE, Milan, 12 December 2018. See also the UN and Council of Europe-adopted resolutions, [UN Security Council Resolution 2250 on Youth, Peace and Security](#), UNSC, 2015, and [Recommendation CM/Rec\(2016\)7 of the Committee of Ministers to Member States on Young People’s Access to Rights](#), Council of Europe, 28 September 2016, on young people’s access to rights and a call on Member States to remove barriers, which limit young people’s democratic and election participation.

¹⁵¹ Dr. Simona Torotcoi, [Youth Against Antigypsyism – Roma Youth Participation in Mainstream Youth Structures](#), Phiren Amenca, 2023.

¹⁵² Council of Europe, [Strategic Action Plan for Roma and Traveller Inclusion \(2020–2025\)](#).

further marginalize youth and limit their access to civic knowledge and engagement.¹⁵³ The Council of Europe has highlighted how structural racism erodes Roma and Sinti young people's sense of agency, self-esteem and identity.¹⁵⁴ This, in turn, affects their willingness to engage with formal institutions or embrace their cultural heritage, perpetuating cycles of political alienation and apathy.

Access to information and participation: Educational disadvantage often limits access to reliable information about political life, civic responsibilities and democratic processes, including elections. Younger members of the Roma and Sinti community who take a genuine interest in political participation often encounter logistical barriers and a lack of targeted programmes, leaving them without the tools or opportunities to engage.¹⁵⁵

Digital technology and social media offer a cautiously promising path forward. Such platforms provide a space where Roma and Sinti youth can organize, share experiences and raise awareness about their rights.¹⁵⁶ These spaces are often more accessible and less intimidating than traditional political forums. Digital engagement has the potential to foster civic empowerment, build online communities and provide spaces for advocacy, especially when supported by civil society and youth-led initiatives. However, cyberspace also presents significant risks, such as low-quality public discourse, and is rife with increasingly sophisticated disinformation and often hateful rhetoric.

Points of inquiry

- Are Roma and Sinti youth (above the required age) represented among candidates or in the election administration? Are there efforts to encourage their engagement?
- Do political platforms or civic education programmes address the specific needs and rights of Roma and Sinti youth?
- Is voter education (including digital content) accessible to Roma and Sinti youth? What are some of the obstacles, if any?
- Is there any voter education for first-time voters? If so, does it reach Roma and Sinti youth?
- Has the election administration made any efforts to reach out to Roma and Sinti youth?
- Are there instances of online intolerant rhetoric or disinformation discouraging the electoral participation of Roma and Sinti youth?

153 EU Agency for Fundamental Rights, *Roma in 10 European Countries*.

154 *Recommendation CM/Rec(2023)4 on Roma youth participation*, Council of Europe Committee of Ministers, adopted 5 April 2023.

155 Torotcoi, *Youth Against Antigypsyism* (2023).

156 *Activism, Participation and Security among Roma and Sinti Youth*, OSCE/ODIHR, 1 October 2015.

C. Persons with disabilities

Persons with disabilities from national minority backgrounds — particularly Roma and Sinti — remain largely invisible and under-represented in political and public life throughout the OSCE region. Their participation is limited not only by physical or communication barriers, but also by institutional neglect, lack of inclusive practices and discrimination. Electoral processes observed in the OSCE participating States are often not fully accessible due to physical barriers and the absence of assistive tools and technologies.¹⁵⁷ When coupled with anti-Roma sentiments, this results in double exclusion for Roma and Sinti individuals with disabilities, who are often marginalized both within their communities and in wider society.

Roma and Sinti with disabilities are particularly vulnerable to social invisibility, facing intersecting forms of discrimination based on ethnicity, disability and socio-economic status. There is a lack of disaggregated data and targeted policy responses for this group, which contributes to their exclusion from policymaking, civic dialogue and electoral participation. Some may be entirely excluded from voting due to legal restrictions based on intellectual or psycho-social disability, legal capacity or guardianship status, which contradicts international human rights standards under the CRPD.¹⁵⁸ The absence of inclusive outreach and support mechanisms further limits their ability to engage in public life, vote independently or run for office. Addressing these issues requires not only legal reforms but also a shift in institutional culture and greater multi-stakeholder efforts toward inclusive political participation.

Despite the challenges, persons with disabilities have gradually gained greater visibility and voice in political arenas in some parts of the OSCE region. Grassroots initiatives and more inclusive policies can empower communities to advocate for their rights and impact decision-making processes. Civil society plays a crucial role in supporting these efforts by amplifying voices, building capacity and fostering wider policy dialogue. This marks a promising step and can yield lessons and inclusionary practices towards promoting the greater electoral participation of under-represented groups. However, such developments have yet to materialize for most Roma and Sinti with disabilities.

Points of inquiry

- Are voter registration and polling locations accessible to persons with disabilities?
- Are all election materials, information and procedures accessible to those with sensory disabilities?
- Is election-related information widely accessible in easy-to-read formats, including before, during and after election day?

¹⁵⁷ Handbook on Observing and Promoting the Electoral Participation of Persons with Disabilities, OSCE/ODIHR, 12 September 2017.

¹⁵⁸ See UN OHCHR, CRPD, Articles 12 and 29.

- Do legal or procedural barriers limit the right to vote or stand for office for Roma and Sinti persons with disabilities? Are there any Roma and Sinti individuals with disability standing or otherwise visible in the elections?
- Are there targeted civic education efforts for Roma and Sinti with disabilities?
- Has the election administration consulted any relevant groups on the participation of minorities, including Roma and Sinti with disabilities?
- Is appropriate disaggregated data available to inform inclusive electoral policies, subject to applicable legal and data-protection safeguards?

D. Internally displaced persons and migrants

Internally displaced persons (IDPs) and migrants, including those belonging to the Roma and Sinti communities, face layered challenges that hinder their full participation in public and political life. Their exclusion often stems from legal and bureaucratic barriers, such as lack of an address or civil registration, the absence of identity documents or unclear citizenship or residency status. In many participating States, these requirements are essential for voter registration, accessing public services or standing for elected office. As a result, Roma and Sinti individuals who are displaced or living in irregular situations may be entirely disenfranchised or prevented from participating meaningfully in political life and especially in elections. Statelessness poses a particularly challenging barrier to the effective exercise of rights and political engagement.

Beyond the institutional hurdles, social and cultural discrimination also plays a role in alienating displaced Roma and Sinti individuals. Socio-economic vulnerability and dependency on state/public assistance may increase the exposure of IDPs and migrants to patronage, clientelism, political coercion and vote buying and selling. A lack of confidence in public institutions — rooted in a lived experience of forced displacement, state neglect or persecution — further discourages political participation. Ensuring the inclusion of displaced and migrant Roma and Sinti stakeholders requires co-ordinated action to provide legal documentation, safeguard against exploitation and create mechanisms for meaningful and effective participation.

Since the adoption of the Copenhagen Document and the Action Plan, Roma and Sinti communities in the OSCE area have experienced major waves of displacement and migration. In the ensuing decades, many were displaced due to conflict, economic hardship and discrimination. Increased freedom of movement in the region has enabled many to seek better living conditions and services elsewhere. While this creates opportunities, it also presents challenges for integration and social inclusion. Experiences vary, highlighting progress but also ongoing barriers to the full inclusion and participation in public life.

Points of inquiry

- Can Roma and Sinti IDPs and migrants register and obtain necessary identity documents without barriers?
- Do electoral laws accommodate displaced or stateless Roma and Sinti individuals?
- Are there cases of vote buying or coercion among Roma and Sinti IDPs/migrants?
- What safeguards are in place to ensure the safe and voluntary participation of displaced Roma and Sinti?
- Does the election administration consult with IDPs or IDP organizations to address relevant concerns (e.g., on the local level)?
- Are IDPs required to return to their place of original registration as voters to participate, or are special arrangements in place to facilitate their voting?
- Is there any specialized voter information that explains IDP participation in languages used by the Roma and Sinti communities?

E. Cross-sectoral considerations and gaps

Although women, youth, persons with disabilities, IDPs and migrants are often addressed together in frameworks such as National Roma Inclusion Strategies (NRIS) or action plans, the cross-sectional approach can in some cases become superficial.¹⁵⁹ Amalgamating these categories of vulnerability into one group can overlook the distinct challenges and needs of each subgroup. Roma and Sinti women, youth, persons with disabilities, IDPs and migrants are not homogenous populations, and a one-size-fits-all approach fails to reflect the complexity and diversity within Roma and Sinti communities, such as differences in language, geography, religious affiliation or education levels. Intersectionality must be understood not just as a combination of labels but as a framework for tailored policies that reflect overlapping identities and lived experiences.¹⁶⁰

Accordingly, EOAs should integrate an intersectional approach by assessing how overlapping factors often compound barriers for Roma and Sinti women, youth, persons with disabilities, IDPs and migrants in accessing electoral processes. Whether they mainstream these concerns into their work or tackle them as separate points of analysis, observers should assess the differentiated impact of both direct and indirect impediments on Roma and Sinti participation.

¹⁵⁹ National Roma Inclusion Strategies (NRIS) are national policy frameworks adopted by EU Member States to promote the equality, social inclusion and participation of Roma people, aiming to address discrimination and improve their socio-economic conditions.

¹⁶⁰ See [Guidance Document on Strategies for Inclusion in the Fields under the Responsibility of the Steering Committee on Anti-Discrimination, Diversity and Inclusion \(CDADI\)](#), Council of Europe, CDADI(2025)15, 6 June 2025; and [Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities](#), ILO, 2023.



Annexes

Annexe 1 – Excerpts from select international standards

1. Extracts of OSCE commitments related to national-minority participation in elections

1990 OSCE Copenhagen Document¹⁶¹

(1) The participating States express their conviction that the protection and promotion of human rights and fundamental freedoms is one of the basic purposes of government, and reaffirm that the recognition of these rights and freedoms constitutes the foundation of freedom, justice and peace.

161 OSCE, Copenhagen Document.

(2) They are determined to support and advance those principles of justice which form the basis of the rule of law. They consider that the rule of law does not mean merely a formal legality which assures regularity and consistency in the achievement and enforcement of democratic order, but justice based on the recognition and full acceptance of the supreme value of the human personality and guaranteed by institutions providing a framework for its fullest expression.

(3) They reaffirm that democracy is an inherent element of the rule of law. They recognize the importance of pluralism with regard to political organizations.

(4) They confirm that they will respect each other's right freely to choose and develop, in accordance with international human rights standards, their political, social, economic and cultural systems. In exercising this right, they will ensure that their laws, regulations, practices and policies conform with their obligations under international law and are brought into harmony with the provisions of the Declaration on Principles and other CSCE commitments.

(5) They solemnly declare that among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings are the following:

(5.1) — free elections that will be held at reasonable intervals by secret ballot or by equivalent free voting procedure, under conditions which ensure in practice the free expression of the opinion of the electors in the choice of their representatives;

(5.2) — a form of government that is representative in character, in which the executive is accountable to the elected legislature or the electorate;

(5.3) — the duty of the government and public authorities to comply with the constitution and to act in a manner consistent with law;

(5.4) — a clear separation between the State and political parties; in particular, political parties will not be merged with the State;

(5.5) — the activity of the government and the administration as well as that of the judiciary will be exercised in accordance with the system established by law. Respect for that system must be ensured;

(5.6) — military forces and the police will be under the control of, and accountable to, the civil authorities;

(5.7) — human rights and fundamental freedoms will be guaranteed by law and in accordance with their obligations under international law;

(5.8) — legislation, adopted at the end of a public procedure, and regulations will be published, that being the condition for their applicability. Those texts will be accessible to everyone;

(5.9) — all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground;

(5.10) — everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity;

(5.11) — administrative decisions against a person must be fully justifiable and must as a rule indicate the usual remedies available;

(5.12) — the independence of judges and the impartial operation of the public judicial service will be ensured;

(5.13) — the independence of legal practitioners will be recognized and protected, in particular as regards conditions for recruitment and practice;

(5.14) — the rules relating to criminal procedure will contain a clear definition of powers in relation to prosecution and the measures preceding and accompanying prosecution;

(5.15) — any person arrested or detained on a criminal charge will have the right, so that the lawfulness of his arrest or detention can be decided, to be brought promptly before a judge or other officer authorized by law to exercise this function;

(5.16) — in the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone will be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law;

(5.17) — any person prosecuted will have the right to defend himself in person or through prompt legal assistance of his own choosing or, if he does not have sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;

(5.18) — no one will be charged with, tried for or convicted of any criminal offence unless the offence is provided for by a law which defines the elements of the offence with clarity and precision;

(5.19) — everyone will be presumed innocent until proved guilty according to law;

(5.20) — considering the important contribution of international instruments in the field of human rights to the rule of law at a national level, the participating States reaffirm that they will consider acceding to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments, if they have not yet done so;

(5.21) — in order to supplement domestic remedies and better to ensure that the participating States respect the international obligations they have undertaken, the participating States will consider acceding to a regional or global international convention concerning the protection of human rights, such as the European Convention on Human Rights or the Optional Protocol to the International Covenant on Civil and Political Rights, which provide for procedures of individual recourse to international bodies.

(6) The participating States declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government. The participating States will accordingly respect the right of their citizens to take part in the governing of their country, either directly or through representatives freely chosen by them through fair electoral processes. They recognize their responsibility to defend and protect, in accordance with their laws, their international human rights obligations and their international commitments, the democratic order freely established through the will of the people against the activities of persons, groups or organizations that engage in or refuse to renounce terrorism or violence aimed at the overthrow of that order or of that of another participating State.

(7) To ensure that the will of the people serves as the basis of the authority of government, the participating States will

(7.1) — hold free elections at reasonable intervals, as established by law;

(7.2) — permit all seats in at least one chamber of the national legislature to be freely contested in a popular vote;

(7.3) — guarantee universal and equal suffrage to adult citizens;

(7.4) — ensure that votes are cast by secret ballot or by equivalent free voting procedure, and that they are counted and reported honestly with the official results made public;

(7.5) — respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination;

(7.6) — respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities;

(7.7) — ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution;

(7.8) — provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process;

(7.9) — ensure that candidates who obtain the necessary number of votes required by law are duly installed in office and are permitted to remain in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional procedures.

(8) The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for states in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings.

(...)

(30) The participating States recognize that the questions relating to national minorities can only be satisfactorily resolved in a democratic political framework based on the rule of law, with a functioning independent judiciary. This framework guarantees full respect for human rights and fundamental freedoms, equal rights and status for all citizens, the free expression of all their legitimate interests and aspirations, political pluralism, social tolerance and the implementation of legal rules that place effective restraints on the abuse of governmental power. They also recognize the important role of non-governmental organizations, including political parties, trade unions, human rights organizations and religious groups, in the promotion of tolerance, cultural diversity and the resolution of questions relating to national minorities. They further reaffirm that respect for the rights of persons belonging to national minorities as part of universally recognized human rights is an essential factor for peace, justice, stability and democracy in the participating States.

(31) Persons belonging to national minorities have the right to exercise fully and effectively their human rights and fundamental freedoms without any discrimination and in full equality before the law. The participating States will adopt, where necessary, special measures for the purpose of ensuring to persons belonging to national minorities full equality with the other citizens in the exercise and enjoyment of human rights and fundamental freedoms.

(32) To belong to a national minority is a matter of a person's individual choice and no disadvantage may arise from the exercise of such choice. Persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will. In particular, they have the right

(32.1) — to use freely their mother tongue in private as well as in public;

(32.2) — to establish and maintain their own educational, cultural and religious institutions, organizations or associations, which can seek voluntary financial and other contributions as well as public assistance, in conformity with national legislation;

(32.3) — to profess and practise their religion, including the acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue;

(32.4) — to establish and maintain unimpeded contacts among themselves within their country as well as contacts across frontiers with citizens of other States with whom they share a common ethnic or national origin, cultural heritage or religious beliefs;

(32.5) — to disseminate, have access to and exchange information in their mother tongue;

(32.6) — to establish and maintain organizations or associations within their country and to participate in international non-governmental organizations. Persons belonging to national minorities can exercise and enjoy their rights individually as well as in community with other members of their group. No disadvantage may arise for a person belonging to a national minority on account of the exercise or non-exercise of any such rights.

(33) The participating States will protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity. They will take the necessary measures to that effect after due consultations, including contacts with organizations or associations of such minorities, in accordance with the decision-making procedures of each State. Any such measures will be in conformity with the principles of equality and non-discrimination with respect to the other citizens of the participating State concerned.

(34) The participating States will endeavour to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the State concerned, have adequate opportunities for instruction of their mother tongue or in their mother tongue, as well as, wherever possible and necessary, for its use before public authorities, in conformity with applicable national legislation. In the context of the teaching of history and culture in educational establishments, they will also take account of the history and culture of national minorities.

(35) The participating States will respect the right of persons belonging to national minorities to effective participation in public affairs, including participation in the affairs relating to the protection and promotion of the identity of such minorities. The participating States note the efforts undertaken to protect and create conditions for the promotion of the ethnic, cultural, linguistic and religious identity of certain national minorities by establishing, as one of the possible means to achieve these aims, appropriate local or autonomous administrations corresponding to the specific historical and territorial circumstances of such minorities and in accordance with the policies of the State concerned.

(36) The participating States recognize the particular importance of increasing constructive co-operation among themselves on questions relating to national minorities. Such co-operation seeks to promote mutual understanding and confidence, friendly and good-neighbourly relations, international peace, security and justice. Every participating State will promote a climate of mutual respect, understanding, co-operation and solidarity among all persons living on its territory, without distinction as to ethnic or national origin or religion, and will encourage the solution of problems through dialogue based on the principles of the rule of law.

(37) None of these commitments may be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes and principles of the Charter of the United Nations, other obligations under international law or the provisions of the Final Act, including the principle of territorial integrity of States.

(38) The participating States, in their efforts to protect and promote the rights of persons belonging to national minorities, will fully respect their undertakings under existing human rights conventions and other relevant international instruments and consider adhering to the relevant conventions, if they have not yet done so, including those providing for a right of complaint by individuals.

(39) The participating States will co-operate closely in the competent international organizations to which they belong, including the United Nations and, as appropriate, the Council of Europe, bearing in mind their on-going work with respect to questions relating to national minorities. They will consider convening a meeting of experts for a thorough discussion of the issue of national minorities.

2. The Lund Recommendations on the Effective Participation of National Minorities, 1999¹⁶² (extracts from Recommendations and Explanatory Note)

II. PARTICIPATION IN DECISION-MAKING

B. Elections

7) Experience in Europe and elsewhere demonstrates the importance of the electoral process for facilitating the participation of minorities in the political sphere. States shall guarantee the right of persons belonging to national minorities to take part in the conduct of public affairs, including through the rights to vote and stand for office without discrimination.

7) Representative government through free, fair and periodic elections is the hallmark of contemporary democracy. The fundamental objective is, in the words of Article 21(3) of the **Universal Declaration of Human Rights**, that “The will of the people shall be the basis of the authority of government”. This basic standard is articulated in universal and European treaties, namely Article 25 of the **International Covenant on Civil and Political Rights** and Article 3 of Protocol I additional to the **European Convention on Human Rights**. For OSCE participating States, paragraphs 5 and 6 of the **Copenhagen Document** specify that, “among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings”, “the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government”.

While States have considerable latitude in choosing the specific manner in which to comply with these obligations, they must do so without discrimination and should aim for as much representativeness as possible. Indeed, within the context of the United Nations, the Human Rights Committee has explained in paragraph 12 of its **General Comment 25** on Article 25 (57th Session 1996) that “Freedom of expression, assembly and association are essential conditions for the effective exercise of the right to vote and must be fully protected. ... Information and materials about voting should be available in minority languages.” Moreover, paragraph 5 of **General Comment 25** clarifies that “The conduct of public affairs ... is a broad concept which relates to the exercise of political power, in particular the exercise of legislative, executive and administrative powers. It covers all aspects of public administration, and the formulation and implementation of policy at international, national, regional and local levels.”

¹⁶² OSCE/HCNM, *The Lund Recommendations*.

Insofar as no electoral system is neutral from the perspective of varying views and interests, States should adopt the system which would result in the most representative government in their specific situation. This is especially important for persons belonging to national minorities who might otherwise not have adequate representation.

8) The regulation of the formation and activity of political parties shall comply with the international law principle of freedom of association. This principle includes the freedom to establish political parties based on communal identities as well as those not identified exclusively with the interests of a specific community.

8) In principle, democracies should not interfere with the way in which people organize themselves politically — as long as their means are peaceful and respectful of the rights of others. Essentially, this is a matter of freedom of association, as articulated in a wide variety of international instruments including: Article 20 of the **Universal Declaration of Human Rights**; Article 22 of the **International Covenant on Civil and Political Rights**; Article 11 of the **European Convention on Human Rights**; and paragraph 6 of the **Copenhagen Document**. Freedom of association has also been guaranteed specifically for persons belonging to national minorities under paragraph 32.6 of the **Copenhagen Document** and Article 7 of the **Framework Convention**. More specifically, paragraph 24 of Part VI of the **Helsinki Document** commits OSCE participating States “to ensure the free exercise by persons belonging to national minorities, individually or in community with others, of their human rights and fundamental freedoms, including the right to participate fully, ... in the political ... life of their countries including ... through political parties and associations.”

While full respect for equal rights and non-discrimination will reduce or eliminate the demand and need for political parties formed on the basis of ethnic ties, in some situations such communal parties may be the only hope for effective representation of specific interests and, thus, for effective participation. Of course, parties may be formed on other bases, e.g. regional interests. Ideally, parties should be open and should cut across narrow ethnic issues; thus, mainstream parties should seek to include members of minorities to reduce the need or desire for ethnic parties. The choice of electoral system may be important in this regard. In any event, no political party or other association may incite racial hatred, which is prohibited by Article 20 of the **International Covenant on Civil and Political Rights** and Article 4 of the **Convention on the Elimination of All Forms of Racial Discrimination**.

9) The electoral system should facilitate minority representation and influence.

- *Where minorities are concentrated territorially, single-member districts may provide sufficient minority representation.*
- *Proportional representation systems, where a political party's share in the national vote is reflected in its share of the legislative seats, may assist in the representation of minorities.*

- *Some forms of preference voting, where voters rank candidates in order of choice, may facilitate minority representation and promote inter-communal co-operation.*
- *Lower numerical thresholds for representation in the legislature may enhance the inclusion of national minorities in governance.*

9) The electoral system may provide for the selection of both the legislature and other bodies and institutions, including individual officials. While single member constituencies may provide sufficient representation for minorities, depending upon how the constituencies are drawn and the concentration of minority communities, proportional representation might help guarantee such minority representation. Various forms of proportional representation are practised in OSCE participating States, including the following: “preference voting”, whereby voters rank candidates in order of choice; “open list systems”, whereby electors can express a preference for a candidate within a party list, as well as voting for the party; “*panachage*”, whereby electors can vote for more than one candidate across different party lines; and “*cumulation*”, whereby voters can cast more than one vote for a preferred candidate. Thresholds should not be so high as to hamper minority representation.

10) The geographic boundaries of electoral districts should facilitate the equitable representation of national minorities.

10) In drawing the boundaries of electoral districts, the concerns and interests of national minorities should be taken into account with a view to assuring their representation in decision-making bodies. The notion of “equity” means that no one should be prejudiced by the chosen method and that all concerns and interests should be given fair consideration. Ideally, boundaries should be determined by an independent and impartial body to ensure, among other concerns, respect for minority rights. This is often accomplished in OSCE participating States by means of standing, professional electoral commissions.

In any event, States should not alter electoral boundaries, or otherwise alter the proportions of the population in a district, for the purpose of diluting or excluding minority representation. This is expressly prohibited by Article 16 of the **Framework Convention**, while Article 5 of the **European Charter of Local Self-Government** stipulates, “Changes in local authority boundaries shall not be made without prior consultation of the local communities concerned, possibly by means of a referendum where this is permitted by statute” (see recommendation 19 regarding territorial arrangements).

3. Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, 2003¹⁶³

VI. Enhancing participation in public and political life

Roma and Sinti people face special challenges in their efforts to participate in the public — and particularly the political — life of their respective countries. Low levels of education and, in certain cases, discrimination against them contribute substantially to the under-representation of Roma and Sinti people at all levels of government. Roma and Sinti people have an equal right to participate in public affairs. This includes the rights to vote, stand for election, participate in public affairs and form political parties without discrimination. Efforts made in recent years to foster Roma political participation should be encouraged, particularly those originating from the Roma groups themselves.

Recommended action by participating States:

(...)

92. Organize election-awareness campaigns so as to increase participation of the Roma electorate in elections.

93. Ensure that Roma voters can make free and informed choices in elections.

(...)

Recommended action by OSCE institutions and structures:

103. The ODIHR will continue and strengthen the practice of examining the involvement of Roma people in voting and election processes, and will continue the practice of including Roma and Sinti experts in its election observation missions in the OSCE area.

4. Council of Europe Framework Convention for the Protection of National Minorities¹⁶⁴

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

¹⁶³ OSCE, *Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*.

¹⁶⁴ *Framework Convention for the Protection of National Minorities*, Council of Europe, 10 November 1994.

Article 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.

Explanatory Report:¹⁶⁵

Article 15

80. This article requires Parties to create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them. It aims above all to encourage real equality between persons belonging to national minorities and those forming part of the majority. In order to create the necessary conditions for such participation by persons belonging to national minorities, Parties could promote – in the framework of their constitutional systems – inter alia the following measures:

- consultation with these persons, by means of appropriate procedures and, in particular, through their representative institutions, when Parties are contemplating legislation or administrative measures likely to affect them directly;
- involving these persons in the preparation, implementation and assessment of national and regional development plans and programmes likely to affect them directly;
- undertaking studies, in conjunction with these persons, to assess the possible impact on them of projected development activities;
- effective participation of persons belonging to national minorities in the decision-making processes and elected bodies both at national and local levels;
- decentralized or local forms of government.

Article 16

81. The purpose of this article is to protect against measures which change the proportion of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms which flow from the present framework Convention. Examples of such measures might be expropriation, evictions and expulsions or redrawing administrative borders with a view to restricting the enjoyment of such rights and freedoms ("gerrymandering").

¹⁶⁵ Explanatory Report to the Framework Convention for the Protection of National Minorities, Council of Europe, 1 February 1995.

82. The article prohibits only measures which are aimed at restricting the rights and freedoms flowing from the framework Convention. It was considered impossible to extend the prohibition to measures having the effect of restricting such rights and freedoms, since such measures may sometimes be entirely justified and legitimate. One example might be resettlement of inhabitants of a village in order to build a dam.

5. UN International Convention on the Elimination of All Forms of Racial Discrimination¹⁶⁶

Article 1

1. In this Convention, the term “racial discrimination” shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

(a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;

(b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;

(...)

(e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

Article 5

In compliance with the fundamental obligations laid down in Article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms

¹⁶⁶ United Nations, ICERD.

and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(...)

(c) Political rights, in particular the right to participate in elections - to vote and to stand for election - on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

(d) Other civil rights, in particular: (...)

(vii) The right to freedom of thought, conscience and religion;

(viii) The right to freedom of opinion and expression;

(ix) The right to freedom of peaceful assembly and association;

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