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on behalf of the **Freundenberg Foundation and European Pakiv Reflexion Gro**

Restoring Violated Rights and Involving Roma activists and NGOs in the confidence building programmes at the level of the local communities, in a Rule of Law framework.

Speech at the session nr. 9, "Education and awareness –raising in promotion of human rights(continued)"

Part I. Human Rights education of the whole society is done also and most effectively, by the defenders of the Human Rights in particular situations, , sometimes involving high personal risks of the defenders, as human beings.

Education of Human Rights values and norms must to be forged in current practices, institutional and cultural, in the national environment, at all levels of the overall society.

I will comment on a specific issue in this debate: how we implement the compensations for the victims of human rights violations committed either by State authorities , or/and by non-State actors? How compensations- moral, legal, material, etc- are paid out? How "reparations" for the abuse of HR are put in practice and the rights are restored to individual and/or collective victims of abuses and violences?

In connection to these questions, I have been asked by the community of Human Rights activists from Romania who have attended the HDIM 2008 for the debates on Roma and Sinti (session nr.6) to bring into the attention of the Session nr. 9 of the HDIM the case of Mr. Istvan Haller, Romanian citizen, ethnic Hungarian, who has started a hunger strike in Bucuresti, Romania , on the morning of 2d October. This is the day when we have debated the item :*Tolerance and Non-Discrimination :Roma and Sinti* on the Agenda of the 2008 OSCE HDIM , in Warsaw.

Mr. Haller explains the reasons of his action in a document "*For immediate press release: **Hunger strike caused by non-observance of the ECHR judgments***". The document has been posted on the OSCE 2008 HDIM documentation system , with the reference number : *HDIM/NGO/211/08, 3 October 2008*

With your permission, Miss Moderator, and , I repeat, at the request of the group of Romanian Human Rights, activists I will read Istvan Haller's Appeal.

... Reading Mr. Haller's Statement

Personal Comments to this case

To situate the action of Mr. Istvan Haller in its context, I will briefly inform you that the quoted *Decisions* of the Council of Europe's ECHR -which are referred in details in the document I just read- are pertaining to events of inter-ethnic tension and violence, occurred in early 1990s, in particular villages and neighbourhoods of local communities in Romania, with mixed ethnic population, including Roma.

I know Istvan Haller since 1990, when both of us have attended the CSCE Human Dimension Conference in Copenhagen, June-July, as well as a number of other follow up OSCE Human Dimension events.

At that time, Istvan Haller has been advocating for the rights of Hungarian minority in Romania and I advocated for the rights of Roma minority in Romania and Europe-wide. Since those years, the Hungarian minority in Romania and the Romanian society as a whole made impressive progresses in implementing the rights of national minorities at all levels of Governance. The Hungarian Party/the UDMR is constantly and effectively re-elected in the Parliament of Romania, on special provisions of the Romanian Electoral laws assuring the representation of the national minorities in local and national elected bodies. The UDMR is currently a junior Party in the coalition Government of Romania, since December 2004.

Meanwhile, Mr. Istvan Haller became one of the most dedicated defenders of the rights of the Roma persons and groups who have been victims of inter-ethnic tension and mob violence attacks in Romania which occurred in early 1990s across the country, I repeat, including in those regions/counties of Romania where the majority population are the Hungarian ethnics.

With a remarkable single-mindedness and effectiveness Istvan Haller, my Hungarian friend, has assisted the victims of these violence, acting consistently (even, I may say, stubbornly) to guarantee the restoration of their rights and for the recompensation of the abuses suffered by them; he encouraged and empowered them to go throughout all the levels and the stages of the administration of justice in Romania, reaching, finally, the level of the Council of Europe ECHR., in Strasbourg. It took 12-14 years to conclude the friendly Agreements negotiated by the Romanian authorities and the Roma defendants before the CoE ECHR.

Currently, Mr. Istvan Haller is a senior member of the Decision making Board of the National Council to Combat Discrimination/ CNCD, an autonomous institution which reports directly to the Parliament of Romania.

This evolution of Istvan Haller's "trajectory" as a Human Rights defender is an illustration, indeed, an epitome, of the tremendous changes which had occurred in Romania, in particular at the level of the institution-building in the combat of discrimination on all grounds.

But the case which Istvan Haller is bringing today in front of us by his recent (and somehow desperate) action illustrates also the depths and the intensity of the obstacles

in implementing the standards and a culture of Human Rights at various levels of the public administration and, in particular, at the levels of the local authorities and of local societies. We may discuss at length about such obstacles and how to overcome them. In the case of Roma and Sinti-related affairs and policy making we have debated intensively this level, the role of the local authorities of policy elaboration and policy implementation, at the SHDM in Vienna, 10-11 July.

On very short term- as I care for the health of my friend and co-citizen- Istvan Haller, I appeal to the Romanian Delegation at this OSCE HDIM to do their best in approaching the relevant authorities in the Romanian Government which could find a quick solution to deblock the specific, detailed financial and institutional obstacles which are mentioned in the Statement of Istvan Haller.

I also strongly suggest that the Roma NGOs with relevant expertise and, indeed, the Roma communities which have been affected by the Human Rights abuses to be directly and responsibly involved in the implementation of the funds and of the plans for comprehensive local development in the affected local communities, as it is recommended by the Council of Europe's ECHR Decisions and as committed by the Romanian authorities. I think that we should do our best to avoid some current practices (as in case of reconstruction of houses and improving inter-ethnic relations) in Hadareni, Mures county-mentioned in Mr. Haller's statement- where the main implementing, operational agency are either some national, centrally based agencies or even the IGOs as for example, the UNDP-branch's Roma related programme in Romania. The moral and the political meanings of the Council of Europe ECHR is to make the local authorities and the local communities the main actors of the processes of restoration of the violations of the abused Human Rights, as well as the main owners of the long-term, confidence building actions and processes which have been triggered by the unfortunate events of destructive violence. I will suggest to my friend Istvan Haller to direct his energy and imagination in building up such coalitions of Roma and non-Roma NGOs able to implement the plan for infrastructure building and for confidence-building in the local communities traumatized by inter-ethnic violence and post-conflict tensions.

Part II.

Now in connection with the other topics suggested in the Annotated Agenda of this HDIM Agenda issue (session nr 9) and aware of the time constraints of my intervention, I mention that the Roma are explicitly indicated as beneficiaries of activities in the area of Human Rights Education, among others, in the CSCE Moscow Document, 1991.

A remarkable work has been accomplished in the related areas, by the ODIHR CPRSI and the ODIHR Tolerance and non-Discrimination Unit as well by the Council of Europe. I recommend that this work to be forwarded, among others, to the EU Institutions

which barfe currently involved in the preparation of an ambitious, long term and comprehensive European Platform for Roma .

In this context , I submitt to this OSCE HDIM (and its Documents Distribution System) a contribution of a group of NGOs and experts in Roma-relatd affairs, convened by the Freundeberg Foundation (Germany). The paper “EU POLICY ON ROMA”, issued on 10th September, has been been, also disseminated during the *European Roma summit*, Brusses, 16 September.

Thank you Missis Moderator!.