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OSCE HUMAN DIMENSION IMPLEMENTATION MEETING 2007

EU Statement for the Working Sessions 6 & 7:

OSCE Action Plan on Roma and Sinti: **participation in political life, overcoming discrimination**

27th September, Warsaw

Mr Chairman,

Addressing the situation of Roma and Sinti in two specific working sessions of this annual Human Dimension Implementation Meeting fully reflects the appropriate understanding, at OSCE level, of the scale and seriousness of problems faced by the Roma population, as well as of the urgency required in answering these challenges through comprehensive and efficient policies.

As the EU had already acknowledged last year, Roma and Sinti represent a population of around ten million people, larger or smaller communities of which are spread across all European countries. The enlargement of the EU and the freedom of movement across the Union for citizens of the new member states, with higher percentage of Roma, increased visibility of the consequences of centuries-old discrimination of this ethnic group. Resulting social, economic and educational disparities could not have been realistically overcome in less than two decades. As the European Commission's Decision on the Year of Equal Opportunities underlines, Roma and Sinti are "the most disadvantaged ethnic minority group in Europe". The European Commission against Racism and Intolerance also deplored, in its latest yearly report, "the human rights violations suffered by Roma/Gypsies/Travellers, who are singled out as a particular target for racism throughout Europe". Overall, tackling the problem of discrimination against Roma and the growing

phenomenon of anti-gypsyism is broadly linked to the incipient follow-up of the Durban World Conference on racism at the UN fora.

It is thus logical to approach the specific problems of the Roma and Sinti communities with coherent, integrated inclusion policies at European scale. This should be a task not only for the European Commission and European Union members but for all OSCE participating states.

EU developed, alongside other international relevant actors like the OSCE or the Council or Europe, its own anti-discrimination framework, that includes normative documents and mechanisms particularly relevant for disadvantaged groups such as Roma and Sinti. The EU Directives 78/2000EC and the Directive 43/2000EC on implementing the principle of equal treatment between persons, irrespective of racial or ethnic origin, require member states to introduce legislation against discrimination on all grounds and have already produced significant legislative evolutions. Moreover, Article 13 of the TEC allows the Council to take further appropriate action to combat discrimination based on racial or ethnic origin. The European Parliament Resolutions of 2005 and 2006 focused on the “Situation of Roma in Europe” and respectively Roma women. Both resolutions call on the Commission to seek “ways to better coordinate and promote efforts to improve the situation of Roma” and to adopt an action plan with clear recommendations to member states as well as a more active involvement of the EU in the Decade for Roma Inclusion. At the European Commission level, an Inter-Service Group was set up to coordinate activities of 14 General Directorates into a coherent, multidimensional approach towards policies targeting Roma inclusion, and a High-level experts Group for the improvement of social and labour market integration of ethnic minorities was established in January 2006.

To this existing framework, two valuable new instruments have been added recently: in April 2007, the EU Justice and Home Affairs Council agreed upon a Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, thus creating EU-wide common standards to outlaw racism. The European Monitoring Centre on Racism and Xenophobia has been strengthened to serve as a full-fledged Fundamental Rights Agency of the European Union.

Yet, several events of the past summer, involving groups of Roma and Sinti ethnics in various EU member states, have clearly shown that documents and mechanisms are not enough in themselves to curb down discrimination and to discourage racist and

discriminatory public discourse regarding Roma and Sinti, including at higher political level. The EU deeply deplores that tragedies had to happen in order to call the alarm bell about increasing manifestations of racism and discrimination in Europe and to arouse renewed political interest of EU decision makers and institutions in approaching the Roma and Sinti issues. Concerns about intensification of racism and intolerance had already been voiced at the Bucharest OSCE Conference on combating discrimination last June, as well as by the European Commission against Racism and Intolerance in its Yearly Report for 2006. Unfortunately, political action to counter these dangerous trends came not quickly enough to prevent the recent outbursts of violence and the worrisome phenomenon of forced and illegal evictions.

Racist attitudes against Roma and Sinti are questioning the very core values enshrined in the founding documents of the European Union. As the EU Presidency was pointing out in its statement at the Bucharest OSCE Conference on combating discrimination (7-8 June 2007), “there is no difference in importance between the various forms of discrimination. There is no hierarchy of evil, they are all in opposition to our basic ethical norms and political creed”. Apparently, this truth still needs to be reaffirmed as ground for any serious political debate about how to improve living conditions and social inclusion of the Roma and Sinti population, according to European standards valid for all citizens of the Union.

The EU believes that the experience of the last years allows us to draw some recommendations that can serve to design more effective policies in the field of combating discrimination against Roma and improving their social inclusion. Here are some of the possible ways to follow:

first of all, reinforcing interaction between European and national governmental institutions on one side, and the representatives of the Roma and Sinti community on the other side, at all stages - from the elaboration of relevant public policies, throughout the process of adoption, implementation and evaluation. The guiding principle chosen to inspire the Decade of Roma Inclusion – “nothing for Roma without Roma” – should provide not only for a genuine and constructive partnership between state bodies and Roma NGOs, but should result in increased participation of Roma and Sinti in decision making bodies at EU and national level, including in Parliaments, and in implementation institutions alike. A European Roma Policy based on the framework of the Decade of

Roma Inclusion would be a solution. In this regard, the work of the European Roma and Travellers' Forum, based on the principle of representative democracy, needs to be taken into account.

at the present stage, as the European Commission assessed in its Decision on the Year of Equal Opportunities, *"disadvantages experienced by /.../ Roma and Sinti are so wide-scale and embedded in the structure of society, that positive action might be necessary to remedy the nature of their exclusion"*. This is also valid for the political and civic participation process. We, therefore, may have to consider positive action in order to promote Roma representation in mainstream political parties, as a means of increasing their chances to be represented in elected bodies at all levels. That is why we welcome the topics selected for the 6th and 7th Working Sessions of this Annual Human Dimension Meeting and look forward for a constructive outcome;

participation of Roma should be seen as a guarantee of success for the development of truly inclusive societies, in a spirit of shared values and objectives, able to draw maximum of benefits from the ethnic and cultural diversity and, at the same time, to cut the grass under newly emerging racist and intolerant trends and movements. The European Year of Intercultural Dialogue in 2008 provides fertile ground in this respect;

recalling, in the political debate - at EU, national, regional and local level - the relevant provisions, documents, institutions and mechanisms of the EU for a comprehensive approach of Roma and Sinti issues. This is particularly important at the present stage of the debates on the future Reform Treaty of the European Union, which provides the opportunity for a strong re-confirmation of member states' commitments to promote the basic values of the Union;

awareness raising campaigns in order to gain public opinion support should be organized to this effect, including publication of "inventories" of such instruments and widespread distribution among politicians and civil servants;

refining and enforcing the monitoring and sanctioning mechanisms regarding compliance of EU Member states with the provisions of the Council Directive 43/2000EC on equal treatment between persons irrespective of racial or ethnic origin and with other relevant norms and recommendations of the EU, such as those pertaining to the Lisbon Strategy and detailed in the National Action Plans on Social Inclusion;

strengthening horizontal cooperation with international bodies that have particular expertise in the field - the newly established Agency for Fundamental Rights, the Contact Point for Roma and Sinti Issues within ODIHR/OSCE, the European Commission against Racism and Intolerance, the Council of Europe - especially the Commissioner for Human Rights and the European Roma and Travellers' Forum, as well as relevant organizations in the UN system, as the UNDP or UNICEF. Cooperation with other international actors – such as the World Bank and the Open Society Institute in the case of the Decade for Roma Inclusion, the European Roma Information Office, the European Roma Grassroots Organization and European Roma Rights Centre – is equally important;

developing adequate mechanisms to coordinate the policies targeting the Roma populations at OSCE, national and local level, by drawing all possible benefits from a synergic and integrated approach.

Mr Chairman,

The European Union aims to be a model and to share with all OSCE participating states its standards and best practices in combating discrimination against Roma and Sinti and in promoting social inclusion at all levels. We are confident in the pertinence of the general framework that the EU has developed in this respect, yet we acknowledge that a lot is still to be done in order to achieve implementation of our commitments. To this effect, we are looking forward to open and constructive dialogue in the broader, generous framework provided for by the OSCE Human Dimension implementation Meetings, as well as to the valuable input brought by the activity of the Contact Point for Roma and Sinti Issues and the evaluation mechanisms of the OSCE Action Plan on Roma and Sinti.

The Candidate Countries Turkey and Croatia*, the Countries of the Stabilisation and Association Process Albania, Bosnia and Herzegovina, Montenegro, and Serbia, as well as Ukraine and the Republic of Moldova align themselves with this statement.

* Croatia continues to be part of the Stabilisation and Association Process.