

**United States Mission to the OSCE****Working Session 16
Tolerance and non-discrimination I (continued), including:
Roma and Sinti issues, including
Implementation of the OSCE Action Plan on Improving the
Situation of Roma and Sinti**

As prepared for delivery by Ambassador Daniel B. Baer,
U.S. Permanent Representative to the OSCE
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Moderator, earlier this year, the Vienna City Museum hosted an impressive exhibit on Romani history – I know some of our OSCE colleagues in Austria were able to see it. One of the striking objects on display was a 1655 legal codex that, in turn, renewed an even older decree on the expulsion of Roma. In fact, there have been many countries with similar anti-Roma laws. In the United States, the last state-level law that officially permitted municipal discrimination against Roma was repealed in 1998.

While the expulsion of Roma explicitly based on ethnic identity may be a thing of the past, forced evictions of Roma without adequate consultation or due process continue, as well as refusals to provide appropriate, alternative housing.

In the 25 years since the OSCE first drew attention to the situation of Roma in the Copenhagen Document, a myriad of factors have led to displacement of Roma. They have been displaced by conflicts from the Balkans to Ukraine. In recent years, intense floods ravaging wide swaths of Europe destroyed many historic Romani communities. Others have been forced to move by pogroms or other acts of brutal violence. Still others have been displaced by property privatizations, gentrification or other urban development. The multitude of disparate causes has helped mask two common features: the disproportionate number of Roma who are displaced from their homes and an inadequate response to tackle this problem. When it occurs, displacement cuts people off from social services; disrupts jobs and job training; prevents children from attending schools; and impedes the exercise of voting rights. The absence of personal identification documents may exacerbate the vulnerability of displaced persons and hamper prospects for remedies.

Evictions are often conducted in a manner inconsistent with a participating State's procedural safeguards and without the provision of alternative housing. When Roma are evicted from a camp or shanty town on the putative rationale that their housing is unsafe – only to be forced into the streets or the forests – one can reasonably conclude it is not the safety and well-being of Romani residents that is the real motive. As the most recent Office for Democratic Institutions and Human Rights (ODIHR) report on the implementation of the OSCE Action Plan for Roma and Sinti observed, "Evictions typically lead to even worse living conditions, as moving to other locations may place Roma even further away from utilities and services or in housing of even lower quality."

Roma forced out of their homes in **Romania** may turn up in a make-shift camp outside of Paris, only to be displaced again. The children of Roma displaced by the Balkan wars may be stateless adults today in **Italy**. Roma displaced from **Kosovo** may find themselves moved yet again in **Serbia**. The cycle of displacement magnifies the most profound forms of marginalization.

Moderator, not surprisingly, forced evictions are often accompanied by racist discourse that fuels bigotry and even violent acts against Roma. In July this year we expressed concern about anti-Roma rhetoric and violent protests in **Bulgaria** that sought the evictions of Romani communities. Various political forces, extremist and mainstream, have fanned the flames of anti-Roma prejudice before local elections in October. Government officials have a singular responsibility to counter – not contribute to – such prejudices.

We continue to closely monitor EU infringement proceedings against **Slovakia** for the continued segregation of Romani children in Slovak schools, and we urge the Slovak government to take advantage of this opportunity to finally develop a long-term, viable plan to begin the desegregation of Slovak schools. For example, our Embassy is currently working with the NGO EduRoma and the Slovak School Inspection Service to develop criteria to identify and rectify segregation in schools, and we hope the Slovak Ministry of Education will take into close consideration any recommendations that come out of this process.

In **Hungary**, the highest court reversed a lower court ruling in support of a case filed by an NGO opposed to unlawful segregation of Roma students at a religious school, citing the right of churches to found schools and the option of parents to send their children to other schools. But, as the lower court decision recognized, schools that are de facto Roma-only violate the principle of equal treatment under the law.

In closing, we commend ODIHR Director Link for speaking up on displacement and other issues relating to the human rights of Roma. We encourage other OSCE officials to continue to mainstream Romani issues into their work. We also encourage participating States to collect and learn from data to address issues identified to more fully implement OSCE commitments, whether related to Roma and Sinti, tolerance and non-discrimination, or other human dimension priorities.