



**OSCE SUPPLEMENTARY HUMAN DIMENSION
MEETING ON ROMA AND SINTI**

REPORT

VIENNA, 10.-11. APRIL 2003

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1. Introduction

The OSCE participating States have expressed their commitment to recognise the particular problems faced by Roma and Sinti as a Human Dimension issue since adopting the 1990 Copenhagen Document, and, in particular, its Article 40. The nature of this challenge and the range of initiatives currently being taken have been reviewed regularly and thoroughly in the decade of 1990-2000 during Human Dimension Implementation Meetings. A joint OSCE ODIHR and Council of Europe seminar in 1994 and the Supplementary Human Dimension Meeting in 1999 were entirely devoted to Roma and Sinti. The OSCE High Commissioner on National Minorities commissioned two reports on the situation of Roma and Sinti in the OSCE area in 1993 and in March 2000. A Contact Point on Roma and Sinti Issues was established within the ODIHR in 1994. Its capacity has been strengthened by subsequent decisions of the OSCE Ministerial Council and of the Permanent Council in 1998 and 2002.

Meanwhile, a number of participating States have begun to develop strategies at the national level and many reports, resolutions, specific initiatives, projects and programmes were adopted by major intergovernmental organisations such as the United Nations (UN), Council of Europe (CoE) and European Union (EU), as well as by local, national and international NGOs.

Despite these developments, the OSCE participating States, in their Istanbul OSCE Summit Declaration, noted and deplored “the continued violence and other manifestations of racism and discrimination against minorities, including Roma and Sinti”; they recommended that the ODIHR Contact Point for Roma and Sinti Issues elaborate an action plan of targeted activities, drawn up in co-operation with the High Commissioner on National Minorities and others active in this field, notably the Council of Europe. As a follow-up to this guidance, Romania, as the OSCE Chair-in-Office during 2001, hosted an OSCE Conference on Equality of Opportunity for Roma and Sinti in Bucharest, September 2001. The OSCE Ministerial Council Meeting in Bucharest, December 2001 decided that an OSCE Action Plan of Targeted Activities for Roma and Sinti should be adopted. The Ministry of Foreign Affairs of the Czech Republic seconded a senior officer to the ODIHR in order to assist the Contact Point for Roma and Sinti Issues in drafting its input to the Action Plan for Roma and Sinti in November 2001- April 2002.

Building on the existing OSCE decisions and the Human Dimension priorities of action announced by the Netherlands as the OSCE Chair-in-Office in 2003, the OSCE Permanent Council agreed that an OSCE Supplementary Human Dimension Meeting on Roma and Sinti will be held in Vienna, 10-11 April 2003. A Working Group will elaborate a high-quality document to be discussed by the OSCE Ministerial Council in Maastricht in December 2003 and, eventually, the plan will be adopted as the OSCE Action Plan on Roma and Sinti.

2. Executive Summary

Ambassador Strohal opened the event, emphasizing the OSCE’s added value in addressing Roma and Sinti issues. In regard to the Action Plan on Roma and Sinti Issues (APRS or Action Plan), Ambassador Strohal highlighted that the Supplementary Human Dimension Meeting (SHDM) provides an important opportunity for the Roma NGOs to provide input to the Action Plan and make their views heard at the outset of the process. The Action Plan should be a document that will have a concrete impact on the situation of Roma and Sinti.

Philanthropist George Soros informed the participants of the plan to announce a “Decade of Roma Inclusion” from 2005 through 2015. OSCE institutions are encouraged to be a part of discussions on the development of this effort. OSI and the World Bank will hold a conference in Budapest in the summer, bringing together Roma activists and policy-makers, including several heads of state to discuss the Decade of Roma Inclusion and regional issues, which the Decade might address. The ODIHR Contact Point for Roma and Sinti Issues will take part in that conference as well as its preparatory meeting, to be held in July.

Throughout the SHDM, Roma and Sinti emphasized the gap between policies developed at the national or supra-national level and implementation at the local level, and stressed that it is the “action” more than a new plan, which is necessary. They highlighted the importance to fully involve Roma and Sinti organisations in the development of Roma-related projects and policy.

The four Working Sessions, aimed at producing advice for the APRS, were dedicated to:

1. Combating Discrimination Against Roma and Sinti in the OSCE Participating States: Democratic Institutions
2. Combating Discrimination: Conflict and Migration
3. Implementing Policies of Equal Opportunities for Roma and Sinti at the Local Level
4. Role of and Co-operation between OSCE Institutions, Governments, Intergovernmental and Nongovernmental Organisations.

Concerning the vision and shape of the Action Plan, the participants recommended the elaboration of a well-focused document, containing few and carefully targeted actions, with a clear added value on Roma-related policy affairs, rather than a document which may duplicate existing Roma-related policies at the national and international levels.

The Action Plan should elaborate a common framework of guidelines on Roma-related policies for OSCE participating States, OSCE institutions, such as the ODIHR, and, in particular, its Contact Point for Roma and Sinti Issues, its Elections and Anti-Trafficking Units, the High Commissioner for National Minorities, the Representative of Freedom of Media, the Senior Police Advisor, and for OSCE field missions. The Action Plan for Roma and Sinti Working Group should make use of existing recommendations of the OSCE and the Council of Europe.

With the development and envisaged implementation of the Action Plan, the OSCE fosters its position as a main driving force addressing the needs of Roma and Sinti in an international context. Participants therefore urged the Action Plan on Roma and Sinti Working Group that the method of developing the Action Plan should constitute a “best practice” of Roma-related inclusive policy-making.

The discussions revealed several issues, which cut across the four Working Sessions and may receive priority attention by the Action Plan on Roma and Sinti Working Group.

Thematic Priorities

1. Participation of Roma and Sinti in policy-formulation
2. The importance of the local level for the implementation of any Roma-related policy
3. The situation of Romani refugees and Internally Displaced Persons from Kosovo
4. Cross-border movements of Roma within OSCE space
5. Anti-discrimination legislation

6. Political and administrative measures to ensure equal opportunities and to combat ethnic profiling by officials in public administration
7. Co-operation between Roma and Sinti and intergovernmental organisations, and
8. The role of the media in combat of ethnic hate, of anti-Gypsy practices and in promoting confidence in relations between majority populations and minorities, including minorities “of colour”.

Regional Priorities

Prepared and signed by representatives of Roma NGOs and Romani individuals, the *Collective declaration of Romani Associations*, which was distributed at the SHDM, demonstrates that Roma face, irrespective of the region or country where they reside, many common problems. These include discriminatory practices of officials, being subject to hate speech and lack of full access to essential institutions and services (education system, health system, social service, labour market). However, each region or country shows different characteristics which should be considered by the APRS.

Countries in the EU accession process made considerable political progress when addressing the situation of Roma and Sinti, but the above-mentioned problems still exist, and, in particular at the local level, political decisions are not always implemented (see a detailed presentation in the annexed speech of Mr. Franz Cermak, EC, Working Session 4).

With regard to the **Newly Independent States (NIS)**, the participants recommended that the OSCE ODIHR and the ODIHR Contact Point on Roma and Sinti Issues should give additional attention to the promotion of political participation and the reviewing the role of the ombudsperson in connection to Roma.

Although the Action Plan on Roma and Sinti (APRS) should focus on thematic priorities, the discussions demonstrated that the APRS should put a major focus on the situation of the Roma in Southeast Europe (SEE), and especially in **post-conflict States**, due to the unsolved crisis of the Roma refugees and internally displaced persons (IDPs) and the necessity of preventing further migration.

The added value of the OSCE could be to have a sub-regional approach with regard to the consideration of Roma in ongoing or necessary institutional reforms of the respective countries, such as the situation of Kosovar Roma refugees, legalisation of Roma settlements, the problem of personal documents, the profound analysis of the effects of the Balkan crisis on Roma and the establishment of a database of Romani war victims, or a Truth Commission for Kosovo.

The APRS should foresee provision of expertise to the relevant OSCE participating States and to the Roma communities, and should facilitate the exchange of good practices.

The APRS should make full use of the OSCE institutions and in particular of the experiences and capacities of the OSCE Field Missions in the SEE countries.

The OSCE participating States which are also member states of the European Union should advocate that EU institutions such as the European Agency for Reconstruction and the Stability Pact for Southeast Europe, address the situation of the Roma in SEE.

Division of Responsibilities

Participants of the SHDM underlined that the main responsibility for the implementation of the APRS remains with the OSCE participating States. The role of local administration was given strong attention at the meeting.

In comparison with the debates of the mid-1990s, there is now more common understanding that a “European approach” on Roma and Sinti issues does not mean less responsibility for states toward their citizens and residents of Roma and Sinti ethnicity, but instead requires greater compliance of each state, including its regional and local authorities to international legal standards and national and supra-national commitments.

At a different level, the APRS should also define clear tasks for OSCE institutions and field missions.

Also, the APRS should create an institution for the active participation of Roma and Sinti -- in particular, elected Roma and Sinti, but also Roma and Sinti NGO representatives -- in policy development and implementation.

Formalised participation of Roma and Sinti should ensure that the voice of Roma and Sinti is heard in the development and implementation of the APRS. This is, in part, a tool to reduce mistrust between Roma and Sinti, on the one side, and intergovernmental organisations, on the other.

The APRS should contain clear benchmarks with regular monitoring and evaluation, including a regular review by the OSCE Permanent Council, which allows for amendments and for the introduction of incentives and disincentives for states and their municipalities.

Recommendations Drawn from the Above

OSCE Participating States

The main responsibility for the implementation of the APRS remains with the OSCE participating States. The OSCE participating States should fully adhere to the commitments laid down in the APRS. OSCE participating States should provide the necessary legal framework, political/administrative measures and finances to implement the APRS at the national and local levels.

States should ensure that civil rights activists in the OSCE region are guaranteed freedom of expression, to enable the reporting of violations of civil rights. One state was called upon to refrain from prosecuting the authors or publishers of reports on human rights violations.

Participating States should consider that the mandate of the ODIHR Contact Point on Roma and Sinti Issues must include tools for a more pro-active role, including the monitoring of implementation of OSCE commitments, on-site inquiries and training of human rights monitors.

OSCE Institutions and Field Missions

The ODIHR CRPSI should establish a Romani “Working Group” which assumes the role of a “think tank” for the development of the APRS and on Roma-related policies.

OSCE institutions such as the CPRSI, the High Commissioner for National Minorities, the Representative for the Freedom of Media, the Advisor on Police Issues and the Election and Anti-Trafficking Units in the ODIHR should establish a co-ordination mechanism.

OSCE ODIHR should regularly review practices of the OSCE participating States and establish a manual of “best practices” which should be available to all OSCE participating States.

OSCE ODIHR should provide for expertise and facilitate training initiatives for Roma and Sinti and for state and municipal officials.

The ODIHR Contact Point on Roma and Sinti Issues should play a crucial role with regard to the promotion of democracy within Roma and Sinti communities, facilitating democracy-building.

The expansion of the mandate of ODIHR CPRSI in the framework of the Action Plan for Roma and Sinti would make it indispensable to empower ODIHR CPRSI and to increase its staff.

The OSCE field missions should increase their activities with regard to Roma, which, however, requires the assignment of qualified personnel, in particular Roma and Sinti, the development of relevant action plans and coherent responsibilities in the field missions.

Roma and Sinti

The participants emphasised in particular the importance of elected Roma and Sinti representatives. The APRS should therefore aim to foster the co-operation between the OSCE participating States and intergovernmental organisations with elected Roma and Sinti representatives.

At the same time, OSCE participating States should understand the limitations and mandates of installed “official” Roma and Sinti who work as civil servants. Non-elected officials may serve as experts but cannot speak on behalf of a community. When appointed officials claim to be the voice of all Roma, they often generate distrust within the broader Roma community.

Elected Roma and Sinti representatives, Roma and Sinti NGOs, appointed officials and experts from the Roma and Sinti communities were called upon to closely co-operate and adhere to democratic principles.

Roma and Sinti organisations participating in the implementation of the APRS have to adhere to a regular monitoring and evaluation mechanism.

The proposal of one Romani NGO to establish a “Fund for Self-Help” of Roma and Sinti was very welcomed. This fund should demonstrate the readiness of Roma and Sinti to take over more responsibility for the empowerment of Roma and Sinti and to ensure better access to available opportunities.

3. Consolidated Recommendations¹

¹ The detailed recommendations of the four Working Sessions are given in the respective chapters of the Working Sessions.

1. Participation of Roma and Sinti in policy-making

Roma-related policies and legislation

The APRS Working Group should consider the concerns and requests of Roma and Sinti in the development and implementation of APRS. A Romani Co-operation Committee for Study of the Action Plan should be consulted at all phases of the APRS development.

The OSCE participating States should develop, in close co-operation with elected Roma and Sinti representatives, Roma and Sinti NGOs and experts from the Roma and Sinti communities, policies and legislation aiming at the improvement of the situation of Roma and Sinti, such as National Strategies and Action Plans.

Any Roma-related policy such as the Action Plan for Roma and Sinti, National Strategies or Action Plans should contain short-, medium- and long-term measures with clearly defined benchmarks, which are to be agreed upon between Roma and Sinti and the respective national officials.

The OSCE participating States are encouraged to provide for incentives for local authorities complying with Roma-related policies and for disincentives for local authorities not complying with Roma-related policies.

The participating States should mainstream Roma-related policies in general policies and programmes. In addition, OSCE participating States should introduce affirmative action in order to accelerate the integration and empowerment of the Roma communities.

States, having previously objected to the creation of the European Roma Forum (ERF) are called upon to re-examine their positions in this respect. Steps must be taken towards the creation of this forum, which would enable Roma to speak with a coherent voice.

Roma should be included in the work of all tables of the Stability Pact for South Eastern Europe, in order to contribute to developing a secure environment for Roma.

Participation in State Institutions

The OSCE participating States should create relevant institutions at the national and local level which ensure the permanent participation of Roma and Sinti in the decision-making process with regard to the development and implementation of any Roma-related policy and legislation.

The OSCE participating States should ensure that Roma and Sinti participate in monitoring and accountability mechanisms, which regularly assess the implementation of any Roma-related policy and legislation at the national and local level.

The OSCE participating States should ensure that Roma and Sinti are adequately represented in all mainstream political and administrative institutions at the national and local level.

Participation in Electoral Processes

The OSCE participating States should ensure the citizenship status of all Roma in order to enable them to register as voters.

The OSCE ODIHR should design programmes that would promote Roma and Sinti

representatives into elected bodies, including the establishment of a permanent institution aiming at improving the participation of Roma in elections.

The OSCE ODHIR should continue efforts to facilitate participation of Roma and Sinti in elections, identifying possible loopholes in electoral legislation, institutional practices or other obstacles that hamper the participation of Roma and Sinti in electoral processes.

International organisations should encourage political parties to include Roma and Sinti on their electoral lists on eligible positions.

Training

The OSCE participating States should consider financial and technical support for such activities as electoral training of Roma voters and of Roma candidates, follow-up training of elected representatives, including elected Roma officials, and the participation of Roma in election-observation missions.

The OSCE participating States should support the development of skills and capacity among Roma and Sinti communities **in politics** in order to enable them to better advocate their own agenda.

International organisations should implement training programmes for Roma in order to enable them to obtain professional positions in governments and intergovernmental organisations. They should also allocate funds for Roma-to-Roma training for wider Romani communities on democratic institutions, and voter education and registration.

2. Importance of the local level in implementation of Roma and Sinti-related policy

The OSCE participating States should involve the local authorities already at the outset of designing any national Roma and Sinti-related policy and legislation.

The OSCE participating States should ensure that its local authorities create a permanent dialogue between elected officials and Roma and Sinti at the local level.

3. The situation of Romani refugees and Internally Displaced Persons (IDPs)

The OSCE participating States should refrain from returning Roma refugees to Kosovo as long as the situation in Kosovo does not allow for mass-scale return. OSCE participating States should ensure that real equality, including adequate housing, the education system, health care, social services and the labour market, exists, before Roma return to Kosovo.

Returns should be embedded in re-integration programmes allowing for a re-integration of the returning Roma into the social, public and economic life. Roma who remained should be included in these programmes in order to avoid tensions.

Roma from post-conflict areas (including IDPs) must be integrated as decision-makers in all institutions and bodies which develop plans and take activities regarding the situation of Roma refugees and IDPs.

Special emphasis should be laid on issues like property return, access to essential services and the labour market, and inter-ethnic dialogue. In particular, the authorities in post-conflict

settings should address property and housing issues in a serious negotiation process with relevant Roma representatives.

International organisations should in co-operation with Romani NGOs establish a profound analysis of the effects of Balkan crisis on Roma. A database of Romani war victims should be established in co-operation with the Government of Serbia and Montenegro and the Provisional Interim Self-Government in Kosovo.

4. Cross-border movements of Roma within Europe

Readmission agreements and returns

The OSCE participating States should refrain from returning Roma refugees to Serbia-Montenegro proper as long as the situation in Serbia-Montenegro does not allow for mass-scale return.

The OSCE participating States, when designing readmission agreements, should consider specific characteristics of Romani migrants, such as statelessness among some Roma. Readmission agreements should be regarded as a part of a long-term process, which should include re-integration programmes. Re-integration programmes should be developed in consultation with relevant Roma representatives and the national and local authorities of the home countries.

The OSCE ODIHR is encouraged to make continuous analysis of interstate readmission agreements and the effect of their implementation on Roma in order to avoid agreements that affect Roma in a discriminatory way.

Migration Policy

When fighting illegal migration, the OSCE participating States should take into consideration the situation of Roma and Sinti communities.

The OSCE participating States should open the possibility for Roma and Sinti to migrate legally and to find work via interstate agreements for labour exchange. The OSCE participating States should explore innovative ways granting certain groups of Roma and Sinti migrants and/or refugees temporary or permanent residence.

Early Warning and Prevention

The OSCE participating States should make use of the important role of OSCE ODIHR in addressing conflict prevention and identifying areas of early intervention. They should include Roma and Sinti input when defining crisis areas or crisis situations, in order to find adequate solutions and to ensure that the concerns of the Roma refugees are taken seriously.

The OSCE participating States should acknowledge that economic migration is often deriving from discriminatory practices in the home countries. OSCE participating States should address the discrimination against Roma and Sinti at an early stage, in particular, at the local level, in order to avoid further migration of Roma and Sinti.

The OSCE ODIHR should address the issue of increased evictions of Roma and Sinti in a number of countries, as this is a key factor forcing inter-state and intra-state movements.

The ODIHR Contact Point on Roma and Sinti Issues should address sensitive issues among vulnerable groups, such as trafficking in children, develop appropriate actions to tackle the root causes of the phenomenon of trafficking and raise awareness of the consequences.

5. Anti-discrimination legislation

The OSCE participating States should ensure that legal measures to prevent discrimination are in compliance with international standards and they should ratify relevant international treaties at their earliest convenience, if they have not already done so. The implementation of comprehensive anti-discrimination legislation should be one of the main focuses of the EU candidate and accession countries to be carried out with the co-operation of the EU.

Anti-discrimination laws adopted by the OSCE participating States should include immediate creation of relevant government institutions tasked to ensure implementation of such laws and foresee provisions of effective remedies for the victims of discrimination and establishment of properly functioning implementation systems. The ODIHR Contact Point on Roma and Sinti Issues should assist the OSCE participating States in developing anti-discrimination laws.

The OSCE participating States should initiate legal and institutional action to give legal status to existing settlements of Roma, in order to facilitate their access to public facilities and services. Low-income Roma should be enabled to register free of charge.

Monitoring

The OSCE ODIHR should actively exercise its monitoring function and monitor trials in Romani court cases, especially in post-conflict countries, to ensure that the right to a fair trial is guaranteed.

The ODIHR Contact Point on Roma and Sinti Issues should monitor laws on anti-discrimination and services offered by specifically established government bodies, as well as judiciary systems and Ombudsmen officers, to ensure that they are accessible to Roma and Sinti communities.

6. Political decisions and administrative measures ensuring equal opportunities

The OSCE participating States should ensure that services of state and municipal institutions, such as justice system, law enforcement, health care, social welfare, education and municipal services, are available to Roma and Sinti without any discrimination.

The OSCE participating States should consider an impartial internal audit to regularly assess progress in ensuring equal access of Roma and Sinti to these institutions. Clear measures and indicators of progress must be identified.

The OSCE participating States should formulate strategies to address the problems that may be identified as a result of the audit. Such strategies should be an integral part of the States' national strategies on Roma and Sinti issues.

Policy statements, codes of conduct, guidance manuals and training programmes on anti-discrimination should be developed in order to ensure the equal access of Roma and Sinti to state institutions.

The OSCE participating States should develop funding programmes which would allow Romani NGOs to provide free legal advice in cases of alleged discrimination or ethnic bias.

Police

The OSCE participating States should undertake strategic reforms of their police institutions and practice, with a view to preventing police abuse and ethnic profiling in policing multi-ethnic communities.

The OSCE participating States should make a clear commitment at the political level, and require one by senior police officials, to uphold professional and human rights standards in relations between police and Roma and Sinti communities.

The ODIHR should set up or provide assistance to the participating States for large-scale, in-country training programmes for public institutions, in particular for judges, prosecutors and police officers, to introduce Roma rights issues and to raise awareness of existing anti-discrimination laws.

Networking and Training

The ODIHR Contact Point on Roma and Sinti Issues should facilitate constructive dialogues between Roma and Sinti and the participating States.

7. Co-operation between Roma and intergovernmental organisations

Intergovernmental organisations and nongovernmental organisations should closely cooperate with Roma and Sinti elected officials and NGOs in their efforts addressing the situation of Roma and Sinti and integrate the proposals of the latter in these efforts.

In order to improve the dialogue between Roma and Sinti and IGOs, the IGOs, on the one hand, should strengthen their co-operation in order to avoid duplication and identify their respective tasks. On the other hand, Romani organisations should develop a consolidated approach addressing the situation of their people and create networks in order to convey their joint suggestions.

Funding and Donor Institutions

Donor institutions are called upon to make grants to Roma rather than non-Roma organisations for rights-monitoring projects.

Measures should be taken in order to ensure that IGO funding on Roma and Sinti issues be more transparent. Local Roma civil rights NGOs should have independent sources of funding.

NGOs should be invited to participate in reviewing the efficiency of funds allocated for Roma-related projects by IGOs and other donors.

8. The role of the media

Mainstream Media

The OSCE participating States should integrate professional Romani journalists into main media outlets.

The OSCE participating States should include the prohibition of hate speech in their national legislation. States should work to reduce the incidence of negative stereotypes of Roma.

Media has an important role in combating the root causes of discrimination of Roma, which contribute to forced movement, Romani refugees and asylum seekers. The media is encouraged to show positive aspects and a balanced portrayal of Romani life, to refrain from stereotyping Roma and transmitting prejudices, as well as to avoid inciting tension between various ethnic groups. Media representatives should consult with Roma representatives in order to come to a common understanding on the way of portraying Roma in mass media without jeopardising the freedom and independence of media.

Supervisory bodies and ethical codes should be established and the media should commit themselves to adhere to the ethical codes and to not reporting in a derogatory way on Roma and Sinti.

Romani Media

The OSCE participating States should develop policies of support for Romani media, both print and broadcast. Existing Romani press centres should be considered for “franchising” and replication.

The right to broadcast in the Romani language by Romani and other media should be provided without restriction.

A European Roma Radio should be established which could broadcast throughout Europe, including the NIS. Radio Free Europe could be used as a model.

The OSCE participating States are encouraged to publish books and support print media in the Romani language.

4 . R e p o r t s o f t h e W o r k i n g S e s s i o n s

Session 1: Combating Discrimination against Roma and Sinti in the OSCE Participating States: Democratic Institutions

10 April 2003, 16:00 – 18.00

Moderator: Mr. Steven Wagenseil, First Deputy Director of the ODIHR

Introducers:

- **Mr. Nicolae Gheorghe, ODIHR Adviser on Roma and Sinti Issues**
- **Mr. Andrzej Mirga, Poland; Chair, Council of Europe Specialist Group on Roma/Gypsies; Chair, Romani Advisory Council Project on Ethnic Relations (PER)**

Working Session 1 focused on a wide range of issues related to discrimination against Roma and Sinti in the OSCE participating States and on how democratic institutions in these countries can help address these problems. It also discussed what role Roma and Sinti representatives play in public administration and how this role could be enhanced through a set of measures aimed at improving the national legislation and ensuring better access for Roma and Sinti to the political and administrative processes. Roma and Sinti elected officials, when possible, but also Romani NGOs, should be included in the decision-making process when Roma-oriented programmes are developed.

The OSCE participating States should ensure equal rights and equal opportunities for all their citizens. Roma and Sinti citizens, as equal citizens of the countries in which they reside, must be given due attention from elected officials. Elected officials should establish close partnerships with Romani communities. The OSCE participating States should mainstream Roma-related policies in general policies and reform programmes, such as employment, education, housing, and health programmes.

It was noted that networks between local authorities and Roma NGOs or Roma elected officials can be important in combating discrimination and building understanding.

OSCE participating States and local authorities should recall in development of any policy that the number of Roma in national censuses does not reflect the true number of Roma, which is generally higher.

The issue of equal treatment by police in particular was raised. OSCE participating States should undertake strategic reform of their police institutions and practice, with a view to preventing police abuse, violence against Roma and ethnic profiling in policing multi-ethnic communities.

Furthermore, it was mentioned that OSCE participating States should ensure that services of specialized government bodies dealing with anti-discrimination are accessible to the public, that the work of such bodies is effective and that training and education provided by such bodies reaches relevant target groups. Within this discussion, there was attention given to the need for Roma women's rights to be taken into account in work of the ODIHR Contact Point on Roma and Sinti Issues.

Voices from the nongovernmental sector warned that governments must take care to develop policies that engage a wider plurality of constituents in policy-making discussions. In many national systems, one Romani person or a small panel of appointed Roma are expected to represent an entire community; this is an approach which often results in a very unpopular appointed official and does not really reflect an inclusive approach.

The related questions of Romani women's access to health care and of discrimination by health care professionals were raised repeatedly. These concerns were framed within a wider concern of how to assure that national and local authorities assume responsibility for the behaviour of public functionaries and service-providers locally. Moreover, various interlocutors reminded that one state in particular should take care to allow NGOs and human rights advocates to express and disseminate their views and findings without fear of repercussions. The practice of threatening accusers of human rights violations, whether expert reporters or victims of alleged abuses, with legal action brought by the state, can have a detrimental impact on minorities' trust in a state's will to address grievances.

The following recommendations were made in Working Session 1:

Recommendations to the OSCE participating States:

Public administration:

- The OSCE participating States should carry out a systematic review of the measures they have adopted to implement their commitments to eliminate discrimination against Roma and Sinti and to assess their effectiveness.

- The OSCE participating States, when adopting anti-discrimination laws, should include immediate creation of relevant government institutions tasked to ensure implementation of such laws, or should clearly define which existing state organ(s) are responsible.
- The OSCE participating States should ensure that services of state and municipal institutions such as health care, social welfare, education and municipal services, are available to Roma without any discrimination. Policy statements, codes of conduct, guidance manuals and training programmes on anti-discrimination should be developed, in order to ensure the equal access of Roma to these institutions.
- The OSCE participating States should consider establishing relevant institutions on national and local levels in order to facilitate participation of Roma in decision-making processes concerning Roma-related policies.
- The OSCE participating States should review their registration and citizenship laws and bring them into accord with international standards to avoid the issue of stateless persons. The legislative Internet database *LegislatiOnline.org*, run by the ODIHR, should be considered as a useful tool by the participating States in this regard.
- The OSCE participating States should initiate legal and institutional action to give legal status to existing settlements of Roma, in order to facilitate their access to public facilities and services. Registration of residence should be facilitated, so that the de facto residences of low-income families can become their legal residences.
- The OSCE participating States should agree on the establishment of an international committee in order to study the issue of forced sterilizations and unequal treatment of Roma by health care professionals.

Legislation, judicial systems and police:

- All OSCE participating States should consider ratifying the relevant international treaties at their earliest convenience, if they have not already done so.
- The OSCE participating States should include the prohibition of hate speech in national legislation.
- The OSCE participating States should initiate a political dialogue between representatives of Roma political parties and/or NGOs with relevant government bodies to guarantee access to justice for Roma communities.
- The OSCE participating States should ensure that legal measures to prevent discrimination are in compliance with international standards, in particular with the UN Convention on the Elimination of all Forms of Racial Discrimination; the European Union's Race Equality Directive 43/2000/EC, "implementing the principle of equal treatment between persons irrespective of racial or ethnic origin" adopted by the Council of the EU on June 29, 2000; and ECRI General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.

- The OSCE participating States should make a clear commitment at the political level, and require one by senior police officials, to uphold professional and human rights standards in relations between police and Roma. This commitment should be incorporated into policy statements, codes of conduct, guidance manuals and training programmes, which could be elaborated in close partnership with international organisations and Roma NGOs.
- The OSCE participating States should initiate an impartial audit to assess the gap between international standards on policing and currently existing national practice. This audit should be undertaken in consultation with local police, NGOs and (where possible) elected representatives of Roma communities. Regional roundtables could be seen as one of the ways to facilitate consultations.

Elections and political participation:

- The OSCE participating States should support the process of Roma and Sinti candidates running for elections.
- The OSCE participating States should support the development of skills and capacity among Roma and Sinti communities in politics in order to enable them to better advocate their own agenda, in particular for those Roma and Sinti involved in all stages of Roma-related policies and legislation who should also receive proper information beforehand.
- International organisations should encourage political parties to include Roma and Sinti on their electoral lists on eligible positions.

Other recommendations to states:

- The OSCE participating States should address the problem of school segregation and foresee full integration of Roma children into the normal schooling process. States should develop plans and timetables for eventual full integration in schooling.
- The OSCE participating States should develop scholarship programmes for Romani students to help build up a fully engaged Romani intelligentsia. They should also review the possibility of offering several places in various universities across Europe for Romani and Sinti students.

Recommendations to the OSCE, its institutions and field missions:

- The ODIHR, and the OSCE at large, should reiterate the importance of creating coherent legal frameworks for the implementation of anti-discrimination laws.
- The OSCE ODIHR should review the possibility of setting up large-scale, in-country training programmes for judges and prosecutors, in co-operation with relevant government bodies and Roma NGOs, to introduce Roma rights issues on ethnic discrimination and to raise awareness of existing anti-discrimination laws.

- The OSCE ODIHR should provide assistance to the participating States in organising training programmes for public institutions, including police, to raise awareness and understanding among police and local bodies of Roma related issues.
- The OSCE ODIHR should support establishment of local networks to combat discrimination and should encourage development of confidence-building measures between the local authorities and Roma communities, leading to equal opportunities for Roma, as well as preventing and combating discrimination.
- The OSCE ODIHR and the CPRSI should start activities directly targeting the situation of Roma in the Newly Independent States, including the promotion of political participation and reviewing the role of the ombudsperson in connection to Roma.
- The ODIHR CPRSI should encourage the participating States to assess and report periodically on progress in implementing their OSCE Commitments.
- The ODIHR CPRSI should urge governments to adopt a comprehensive body of legislation consistent with the principles of relevant documents of the UN, EU and CoE, which foresee provision of effective remedies for the victims of discrimination and establishment of properly functioning implementation systems.
- The ODIHR CPRSI should assist the OSCE participating States in developing anti-discrimination laws.
- The ODIHR CPRSI should monitor laws on anti-discrimination and services offered by specifically established government bodies, as well as judiciary systems and Ombudsmen officers, to ensure that they are accessible to the public, especially to Roma communities.
- The ODIHR CPRSI should play the role of a catalyst in relations and constructive dialogue between Roma NGOs and the participating States. ODIHR-CPRSI should develop projects targeting the grassroots level, for example *mahalas*, and local authorities. A dialogue could be established through public debates, anti-discrimination campaigns or joint training programmes.
- The ODIHR CPRSI should design programmes that would promote Roma representatives into elected bodies or identify creative solutions that would ensure the participation of Roma representatives in national and local decision-making processes.
- In case of massive human rights violations in one of the OSCE participating States, the ODIHR CPRSI could consider creating guidelines on dealing with such issues. The Action Plan should foresee grassroots projects, such as establishment of Victims Support Centres, which could, for example, assist female victims of discrimination and harassment during the rehabilitation process.

Recommendations to other intergovernmental and nongovernmental organisations:

- Funding should be allocated by IGOs to organise training by Romani NGOs for wider Romani communities on issues such as democratic processes and participation, and voter education and registration.

- The Council of Europe should review the possibility of establishing a European Roma Forum.
- All IGOs should put the issue of school segregation of Roma children high on their agendas.
- NGOs should create networks in order to convey their joint suggestions as to the content of EU recommendations.
- NGOs should be invited to participate in reviewing the efficiency of funds allocated for Roma protection projects by the IGOs and other donors.
- IGOs and NGOs should review the proposal to set up "remembrance days" of the Kosovo Roma's exodus on 16-17 June.
- Mass media should refrain from stereotyping when reporting on Roma officials and NGOs and should avoid inciting tension between various ethnic groups in the countries.

Recommendations to the APRS Working Group:

- The elaboration of the Action Plan should be a participatory process and include the views of Roma and Sinti. Roma and Sinti, in particular elected officials from OSCE participating States, should be invited to join the APRS Working Group.
- The Action Plan should be a comprehensive document, which foresees concrete, targeted actions. It should also envisage thorough analysis of national policies of the OSCE participating States and provide that the report prepared as a result of such analysis be delivered at the Permanent Council or the HDIM.
- The Action Plan should highlight the level of transparency that the participating States allow in reviewing their existing policies and any problems in implementation.

Session 2: Combating Discrimination: Conflict and Migration

11 April 2003, 09.00-11.00

Moderator: Mr. Andrzej Mirga, Poland; Chair, Council of Europe Specialist Group on Roma/Gypsies; Chair, Romani Advisory Council Project on Ethnic Relations (PER)

Introducers:

Mr. Nicolae Gheorghe, ODIHR Adviser on Roma and Sinti Issues
Mr. Nezdet Mustafa, MP, former Yugoslav Republic of Macedonia

Working Session 2 addressed the issues of inter-ethnic armed conflict and post-conflict situations that contribute to forced population displacement and migration. These issues have an impact on internal affairs of states and on bilateral relations between states.

While the effects of the armed conflicts on Romani communities are widely known, appropriate remedies have not been undertaken yet, either by international organisations, or by respective states. A significant number of affected Romani IDPs and refugees remain in a limbo situation or face expulsion from host countries. In this context, there was a note of the

European Parliamentary Assembly motion from 4 of March 2003 on Forced Returns of Roma from former Federal Republic of Yugoslavia including Kosovo to Serbia and Montenegro from Council of Europe member states, in particular, points 4-6.

Introducers to this session brought up complementary issues: firstly, the current efforts of Western governments to repatriate Romani refugees to former Yugoslav countries and to limit or prevent Romani migration. Secondly, they raised the issue of Romani inclusion into society and politics in order to prevent forced migration and displacement of Roma. The first introducer pointed out that while the return of Roma from the Western countries is realized according to readmission agreements, the over-representation of Roma among those forcefully returned may indicate discrimination. It was also underlined that Romani refugees and migrants should not be returned to some post-conflict areas, since secure conditions do not exist.

The second introducer underlined the fact that, in conflict and post-conflict areas, Romani communities face discrimination and insecurity, as they are hardly integrated into the society or participate in political processes. Roma need to feel safe and to be integrated into society and politics. States should develop policies that encourage Roma to become active political subjects, making use of political organisations or parties and mobilizing the Romani constituency.

It has been argued that states should devote more attention and undertake action to address root-causes of Romani migration (insecurity, discrimination, lack of opportunities for decent life) and act more vigorously at early stages of crisis situation. Finding solutions for Romani refugees and migration is primarily the competence of states whereas international organisations should advocate, facilitate and monitor proper solutions.

The following recommendations were made in Working Session 2:

Recommendations to the OSCE participating States:

- The OSCE participating States, before any decision to return Roma back to Kosovo is taken, should assure themselves and returning Roma that they will be provided with a secure environment, equality, adequate housing and access to social services.
- The OSCE participating States should foster a dialogue between all ethnic groups in Kosovo, between the Romani ethnic community and Albanians.
- The OSCE participating States should ensure that Roma with refugee status living within their country have the access to adequate schooling.
- The OSCE participating States, when signing readmission agreements, are encouraged to see those agreements as contributing to full integration of returnees to their respective societies Adequate funds facilitating that process should be asserted.
- OSCE participating States should determine whether those who currently stay in Western Europe would be stateless, before readmission takes place. Some Roma may be in such situation.
- The OSCE participating States should open the possibility and facilitate the option for Roma to migrate legally and to find work via interstate agreements for labour exchange.

- The OSCE participating States should address and deal with root-causes of Roma migration and asylum at an early stage, and especially at the local level, in order to avoid the consequence of a Romani exodus or migrations. The OSCE participating States should focus on mitigating discriminatory practices, providing economic opportunities and eliminating conditions for conflict or crisis situations. In particular, the States should urgently address the problems of police discrimination against Roma with particular focus on arbitrary apprehensions of Roma.
- The OSCE participating States should be encouraged to co-operate closely with Romani NGOs or officials when instances of conflict or crisis situations emerge, in order to better identify their causes, work out adequate solutions and address concerns of those in question, be they migrants, asylum seekers or refugees.
- The OSCE participating States should facilitate the participation of Romani representatives at all levels in the implementation of policies concerning migration of Roma.
- The OSCE participating States should be reminded that they are responsible for issues relating to migration, asylum and refugees and minority protection, while the role of international organisations is to assist the States.

Recommendations to the OSCE, its institutions and field missions:

- The OSCE should assist in setting up a group of domicile Roma representatives and representatives of the Roma refugees and IDPs from the former Yugoslav Republic of (FYRo) Macedonia, Serbia and Montenegro proper, Bosnia and Herzegovina in order to come up with solutions for the repatriation of refugees and IDPs.
- The OSCE ODIHR is encouraged to make an analysis of interstate readmission agreements and of how they are implemented in order to address and eliminate eventual discriminatory practices or effects they may have on Romani persons in question.
- The OSCE ODIHR should use the opportunity of the Economic Forum, to hold discussions with Ministries of Labour of the OSCE participating States on possibilities of interstate agreements for labour exchange from which Romani communities may benefit.
- The OSCE ODIHR should address Romani migrants and asylum seekers in the context of international migration and is encouraged to bring added value to the OSCE approach on Roma. Further, the OSCE should use its important role to define crises and find areas of early intervention.
- The OSCE ODIHR should bring attention to and address the increased evictions of Roma in a number of countries. The OSCE ODIHR should address the issue of illegal Romani settlements, urging states to find adequate solutions to this issue. Legalised settlements are the condition for enjoyment of a number of social rights, e.g. access to public services.
- The ODIHR Contact Point on Roma and Sinti Issues should address sensitive aspects related to migration, like trafficking in children, and develop actions to deal with these issues among Romani communities.

Recommendations for the Working Group on the OSCE Action Plan on Roma and Sinti:

- The Working Group should place the issue of the situation of Kosovar Roma refugees currently living in the former Yugoslav Republic of Macedonia, including the closing of the centre in Suto Orizari at the top of its agenda. Further, the Working Group is encouraged to organise a special meeting on Kosovo Roma refugees and IDPs that will include all of those affected.
- The Working Group is encouraged to consult existing policy and strategy documents, such as two recent motions of the Parliamentary Assembly of the Council of Europe on a common policy of migration and asylum.

Recommendations to other intergovernmental and nongovernmental organisations:

- Intergovernmental and nongovernmental organisations should closely co-operate with Roma in their efforts of addressing the situation of Roma refugees, IDPs and asylum seekers. Recommendations by Roma NGOs should be seriously considered in these efforts.
- Romani NGOs should take part in the discussions of sensitive issues and give suggestions, as they can give a valuable contribution in addressing human rights and sensitive issues.
- All tables of the Stability Pact for Southeast Europe should seriously address the situation of the Romani communities of the region, in order to prevent further migration and facilitate returns.
- Romani representatives should be part of all decision-making processes related to Romani refugees and IDPs from Kosovo.
- The relevant UN specialised agencies and institutions, such as the UN Mission in Kosovo, and, in particular, the Housing and Property Directorate, should be in contact with Romani individuals who fled Kosovo and whose property has been lost or remains illegally occupied, in order to find adequate solutions to their legitimate concerns.
- Documentation on the Romani victims of Kosovo war should be gathered. The international organisations present in Kosovo are encouraged to develop a database of Romani war victims in close co-operation with the Government of Serbia and Montenegro and the Provisional Interim Self-Government in Kosovo. This database should include all relevant information on killed or disappeared Roma and should be made available to all relevant institutions.

Session 3: Implementing of Equal Opportunity for Roma and Sinti at the Local Level

11 April 2003, 11:30 - 13.00

Moderator: Jos Douma, Ministry of Foreign Affairs, the Netherlands

Introducers:

- **Deborah Harding, Open Society Institute**
- **Amalia Pompova, NGO “ZOR”, Slovakia**

The introducers, as well as the participants in the discussion, emphasized the importance of the local level for the successful implementation of any Roma-related policy. They pointed out failures and weaknesses of existing policies, and referred to reasons for national policies often not having been effectively translated into practice at the local level. Several proposals were brought forward with regard to mechanisms or methods, which should be included in the Action Plan in order to have the plan, as well as existing policies, efficiently implemented at the local level.

The OSCE participating States were urged to ensure that information on national policies with regard to Roma is transmitted to the local level. It was noted repeatedly that OSCE participating States and local authorities should involve Roma and Sinti, both elected representatives and NGOs, or experts from the Roma and Sinti communities, in the design and implementation of programmes in order to attain greater efficiency. Members of beneficiary communities should also be engaged by authorities in the process of monitoring.

It was noted, by both governmental representatives and NGOs, that clear benchmarks for judging states' progress in implementation of commitments and policies must be developed.

The following recommendations were made in Working Session 3:

Recommendations to the OSCE participating States:

- The OSCE participating States and their local authorities should closely monitor access of Roma to integrated schools and must ensure the abolition of any segregation in the education system.
- In regard to the above, and to all national policies, OSCE participating States and local authorities should establish clearly-defined benchmarks for progress and allow for a procedure to monitor if the benchmarks are met.
- The OSCE participating States and local authorities should closely monitor access of Roma to all essential services and public facilities.
- The OSCE participating States should identify ways to allow Roma to establish their de facto residence as legal residence. Registration of residence ought to be facilitated for low-income families and States should consider allowing residents of Romani settlements or communities to register free of charge.
- The OSCE participating States are encouraged to provide incentives for local authorities complying with any Roma-related policies and for disincentives for local authorities not complying with these policies.
- The OSCE participating States and their local authorities should support the further development of the skills and capacity among Roma communities in politics in order to enable them to better advocate their own agenda.
- The OSCE participating States and local authorities should ensure that Romani NGOs and Romani officials involved in the monitoring and evaluation process of any Roma-related policy receive proper training and information beforehand.

- The OSCE participating States and local authorities should be encouraged to have Romani language lessons at school.

Recommendations to the OSCE, its institutions and field missions:

- The OSCE ODIHR should provide for personnel and develop projects, aiming at improving the participation of Roma in elections.
- The OSCE ODIHR should consider ways to offer awards for good practices of functioning co-operation between local authorities and Roma NGOs.
- The OSCE ODIHR should particularly study the situation of Romani women with regard to access to health care.
- The OSCE ODIHR should advise participating States on establishing benchmarks for measuring progress at the local level in the implementation of any Roma-related policy.
- The ODIHR CPRSI should establish a Roma Policy Monitoring Mechanism, reaching out to the local level which, *inter alia*, should monitor the implementation of any Roma-related policy in the OSCE participating States, advise on future policies, establish a database of best practices and stimulate debates between governments and Romani NGOs.
- The ODIHR CPRSI should develop a questionnaire or standard tool to assess the needs of the Roma in each of the OSCE participating States, which should contribute to developing priorities.

Recommendations to other intergovernmental and nongovernmental organisations:

- International organizations, such as the World Bank, the UNDP, and Council of Europe should support local authorities in a co-ordinated way in the tasks of assessing their capacities, setting priorities and measuring progress in Roma-related policies.
- The European Union and its member states should create exchange programmes and scholarship funds for Roma students with the aim of fostering a cadre of Roma prepared to serve within governmental and intergovernmental institutions.
- International organisations should develop high-level anti-discrimination training programmes for civil servants.
- International organisations should review national implementations of anti-discrimination laws with regard to hiring practices concerning Roma.
- International organisations and other potential donors should cease to support educational systems which allow segregated schools.
- International unions of political parties should encourage the national parties to train Romani candidates for all levels of office.

- Romani NGOs and human rights NGOs should closely monitor the access of Roma to integrated schools, as well as other essential services and public facilities. This form of research and analysis should be supported by donor institutions.

The Council of Europe, through its CLRAE, should establish a European-wide network of cities and towns interested and involved in implementing policies for Roma and Sinti residents.

Session 4: Role of and Co-operation between OSCE Institutions, Governments, Intergovernmental Organisations and Nongovernmental Organisations

11 April, 15.00-17.00

Moderator: Mr. John Packer, Director of OSCE HCNM

Introducers:

Ms. Josephine Verspaget, the Netherlands

Mr Henry Scicluna, Co-ordinator for Roma/Gypsies, Council of Europe

Mr. Stanislaw Stankiewicz, Poland, International Romani Union

Mr. Rudolf Kawczynski, Germany, Roma National Congress

Mr. Franz Cermak, European Commission, DG ELARG

Interlocutors emphasised that the OSCE participating States should develop stronger communication at all levels, especially between the state and city, or local level. Action should be taken to ensure 'real' participation of Roma on an equal basis. In particular, relations at the local level with Roma should be consolidated and further programmes focusing on vulnerable Roma communities should be developed and implemented.

Awareness-raising is required, one speaker offered, and the administration itself needs education. Roma and Sinti need education on how to assert their rights, since discrimination will otherwise continue. Another speaker argued there is not a need for further training, but for representation and participation of Roma and Sinti. International agencies and organisations cannot delay engaging in partnership with Roma, always waiting for Roma to achieve some undetermined level of training. There is no real co-operation without full participation. Power and authority is being exercised over a group, rather than encouraging participation. Monitoring of how money is spent and what effect these initiatives had, the speaker added, can only be valuable if Romani-led.

With regard to the envisaged creation of a European Roma Forum, its limited capacities were mentioned, as well as that it constitutes a valuable tool. The ERF may allow for the exchange of ideas between officials at European level and Roma who are also given some mandate with an international focus.

The OSCE member states should recall that they are responsible for issues relating to refugees and minority protection and that the role of the international organisations is to assist the states to this end.

Participants repeatedly called for a greater transparency among IGOs that serve as donors and called for more independent funding to Romani civil rights organisations.

One introducer shared the view that there is, today, more awareness and willingness to improve the human rights conditions of Roma at the international level. Further, there has been an enormous growth in talented, well-educated Roma activists and leaders. The EU has been especially influential during the process of enlargement in pressuring new member states to improve policies for Roma. On the other hand, de facto, the situation has not improved for Roma and Sinti with regard to poverty, lack of education, poor life expectancy and equal treatment by local civil servants, including police and medical practitioners. There is a lack of concrete, measurable results. Indirect discrimination affects the Roma population in all areas of life and is especially a problem in relation to the right to vote, attaining work permits, health insurance, etc. thus creating social problems and triggering illegal migration.

Another introducer saw the main role of IGOs as listening to Roma and Sinti and providing them with tools to take their destiny into their own hands. Roma should fully involve themselves in discussions about their own future. Any Roma-related policy must have at its core the self-initiative and the participation of Roma in decision-making processes. While co-operation already exists, it must be expanded upon.

It is likely, one speaker commented, we will see an explosive socio-political situation among Roma. A concerted effort is needed from all relevant organisations such as the European Union, Council of Europe and United Nations agencies in co-operation with Roma and Sinti.

With regard to the situation of Roma and Sinti in the EU accession and candidate countries, the speaker described the lack of full implementation of national strategies and proper funding, but also identified improvements since these countries applied for accession. He attributed success partly to the pre-accession Regular Reports, Accession Partnerships and PHARE financing.

National authorities were strongly encouraged to earmark support to Roma communities and to consult Roma organisations in the planning process.

The responsibility to improve the situation of the Roma lies with national authorities of the accession and candidate countries, and referred, in particular, to the adoption and *due implementation* of comprehensive anti-discrimination legislation that, in many cases, is missing.

The following recommendations were made in Working Session 4:

Recommendations to the OSCE participating States:

- Meetings should be organised at the state level to plan how to implement the recommendations emerging from the Action Plan for Roma and Sinti.
- The OSCE participating States should ensure the establishment of monitoring and accountability mechanisms with a strong participation of elected Roma and Sinti representatives, Romani and Sinti NGOs and experts from the Roma and Sinti communities. These mechanisms should examine the implementation of any Roma-related policy such as relevant National Strategies and Action Plans, as well as of the OSCE Action Plan at the national and local level.

States, having previously objected to the creation of the European Roma Forum are called upon to re-examine their positions in this respect. Steps should be taken towards the creation of this forum, which would enable Roma to speak with a coherent voice.

Recommendations to the OSCE, its institutions and field missions:

- The OSCE should appoint a Romani person as a mediator to monitor the way in which human rights are implemented in all the participating States.

Recommendations to other intergovernmental and nongovernmental organisations:

- NGOs could create networks in order to convey their joint suggestions as to the content of EU recommendations.
- Donor institutions are called upon to make grants to Roma rather than non-Roma organisations for Roma-related rights monitoring projects.
- Elected Roma and Sinti representatives, or Roma and Sinti NGOs or experts from the Roma and Sinti communities should be included in the work of all tables of the Stability Pact for Southeast Europe.

Recommendations to the APRS Working Group:

- The Working Group should take care to study and make full use of the forthcoming report “Roma in an Enlarged EU”, to be commissioned later this year by the European Commission.
- It has been suggested that the drafters of the APRS review and analyse existing documents and expertise elaborated by other organisations.

5. Listening to Roma and Sinti Voices at the SDHM

Throughout the day, there were reminders by both Roma and Sinti and others of the need to listen to Roma and Sinti voices. Since 1989, Europe has seen a remarkable growth in quality and quantity of Roma and Sinti who take part in policy discussions. They include representatives of NGOs, elected officials and professional civil servants at local, national and international levels. Participants of this meeting recognised and heard them all.

Interested in direct involvement of Roma in the planning processes of international institutions, a number of Romani associations passed a *Collective Statement of Romani associations on April 10th* and distributed it at the SDHM. Signatories declared, among the statement's points, that the European Roma Forum be formed according to the conception of it put forth by Roma themselves. The text also gives confidence to the OSCE ODIHR Contact Point on Roma and Sinti Issues (CPRSI) to carry forward discussions on the OSCE Plan of Action and asks the CPRSI to co-operate closely with a "Romani Cooperation Committee for Study of the Plan of Action".

Also along the lines of ways for Roma to be more active in addressing their own problems, one Roma NGO proposed a Fund for Self-Help, aimed primarily at allowing Roma to provide support for Roma who have been uprooted by conflict. The Fund should demonstrate the readiness of Roma and Sinti to take more responsibility. Other donors are encouraged to match this Fund with additional contributions.

Intergovernmental organisations (IGOs) may learn from our past and take care to avoid a habit of imposing views upon the Roma. IGOs need to form a common strategy toward allowing Roma to bring their ideas and voices into discussions of policy and its implementation. All concerned IGOs should meet to study how to best help Roma to play a stronger, more proactive role.

One of the event's main speakers warned against the attempt of some states to superficially address the need for Romani input into political discourse through creation of Roma-oriented positions for one appointed Romani or a small appointed committee. While specialists are necessary, they cannot take the place of wide civic participation. Efforts to involve Roma as citizens into democratic and pluralistic processes are crucial.

The issue of whose voice or representation is appropriate in different contexts was a key theme among Roma at the meeting. While there were statements about the important role of Roma NGOs and the need to support their growth, one Romani elected official warned that NGOs are often asked for expertise in cases where they lack impartiality. He suggested that Roma should enter a time of greater focus on political integration, aiming to have more Roma candidates in elections at all levels.

Both governmental representatives and Roma NGOs noted that clear criteria or benchmarks for judging states' progress in implementation of commitments and policies must be developed. New policies or commitments only add to Roma frustration and pessimism if there is not an adequate plan for tracking compliance at the local level.

Potential for an "explosive social situation" it was noted by more than one speaker, should the lack of confidence not be broken. On the side of non-Roma, Roma said, there is a lack of confidence that Roma can directly engage as partners with European and national institutions

in planning policy. On the Roma side, there is a lack of confidence in the sincerity of authorities that put forward new policies but cannot assure implementation.

Roma from the NGO sector, as well as a Roma elected official, mentioned that Roma are not given any role in defining crisis. States define a crisis, and often the views of Roma concerning what constitutes the need to flee are not taken into account. The role of the OSCE, it was said, is crucial in defining potential crises and in early intervention.

Questions of Romani women's access to health care and of discrimination by health care professionals were raised in all sessions. These concerns were often framed within the above-noted theme of how both national- and local-level authorities handle their responsibility for local public functionaries and service-providers. One Roma participant proposed an international committee of enquiry on the issue of forced sterilizations and discriminatory treatment by health care professionals. Roma also raised police abuse as a matter of how to track local authorities' application of national commitments.

One Romani voice noted there remains a need to examine national legislation; does it enable Roma to stand for election, participate and vote in elections? Also, in order to create an open society, society needs to be educated. The administration itself needs education and awareness-raising, the speaker said. The regional level should be focused upon, as this is where we see discrimination and racism. Roma, in the meanwhile, need education on how to assert their own rights, in order for Roma to be accepted.

Other Roma disagreed with this continued emphasis on training. International organisations cannot delay engaging in partnership with Roma, always waiting for Roma to achieve some undetermined level of training, they said. There is no real co-operation without full participation. Power and authority are exercised over a group, rather than encouraging participation. Roma hear that they need training and interpret the comment as meaning that Roma are not deemed ready to participate. Roma should participate actively, and have the opportunity to vote for those who speak in their name.

Roma from the NGO sector noted the trend of viewing Roma issues in socio-economic terms rather than as a question of how to combat discrimination and to develop civic/political participation. One speaker urged for a shift away from the socio-economic view.

Roma who are displaced and now live in camps reminded us of the actual crisis and the status of displaced or refugee Roma in several countries. In one participating States, of 100 internally displaced Roma children, only two attend school.

A Romani official proposed that states and IGOs should study and address in particular the issues of Roma living in "mahalas", or large-population Roma neighbourhoods. While these are not the only places where Roma face difficulties, all the usual problems are amplified and the potential for "social explosions" is highest there.

Annexes



SUPPLEMENTARY
MEETING

SUPPLEMENTARY HUMAN DIMENSION MEETING ON ROMA AND SINTI

10-11 APRIL 2003
HOFBURG, VIENNA

AGENDA

DAY 1 10 APRIL 2003

15.00-16.00 OPENING SESSION:

MODERATOR:

- *AMBASSADOR JUSTUS DE VISSER, PERMANENT REPRESENTATIVE OF THE NETHERLANDS TO THE OSCE*

OPENING REMARKS:

- *MR. GEORGE SOROS*
- *AMBASSADOR CHRISTIAN STROHAL, DIRECTOR OF ODIHR*

KEY-NOTE SPEECH:

- *MS. LALA WEISS, THE NETHERLANDS*

TECHNICAL INFORMATION BY THE OSCE/ODIHR

16.00 - 18.00 SESSION 1: COMBATING DISCRIMINATION AGAINST ROMA AND SINTI IN THE OSCE PARTICIPATING STATES: DEMOCRATIC INSTITUTIONS

MODERATOR:

- *MR. STEVEN WAGENSEIL, FIRST DEPUTY DIRECTOR OF ODIHR*

INTRODUCERS:

- *MR. NICOLAE GHEORGHE, ODIHR ADVISER ON ROMA AND SINTI ISSUES*
- *MR. ANDRZEJ MIRGA, POLAND, CHAIR, COUNCIL OF EUROPE SPECIALIST GROUP ON ROMA/GYPSIES, CHAIR, ROMANI ADVISORY COUNCIL PROJECT ON ETHNIC RELATIONS (PER)*

- THE ROLE OF PUBLIC ADMINISTRATION AND ACTIVITIES OF INSTITUTIONS
- LEGISLATION AND JUDICIAL SYSTEMS
- ELECTIONS AND POLITICAL PARTICIPATION

18.00 CLOSE OF DAY ONE

18.30 RECEPTION OFFERED BY CHAIRMANSHIP

DAY 2 11 APRIL 2003

09.00 – 11.00 SESSION 2: COMBATING DISCRIMINATION: CONFLICT AND MIGRATION

MODERATOR:

- *MR. ANDRZEJ MIRGA, POLAND, CHAIR, COUNCIL OF EUROPE SPECIALIST GROUP ON ROMA/GYPSIES, CHAIR, ROMANI ADVISORY COUNCIL PROJECT ON ETHNIC RELATIONS (PER)*

INTRODUCERS:

- *MR. NICOLAE GHEORGHE, ODIHR ADVISER ON ROMA AND SINTI ISSUES*
- *MR. NEZDET MUSTAFA, THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, MP*

- INTERNAL AND INTER-STATE MIGRATION
- CRISIS AND POST-CRISIS SITUATIONS; THE SITUATION AND FUTURE PROSPECTS OF ROMA IN THE SOUTH EASTERN EUROPE

11.00 – 11.30 BREAK

11.30 – 13.00 SESSION 3: IMPLEMENTING POLICIES OF EQUAL OPPORTUNITIES FOR ROMA AND SINTI AT THE LOCAL LEVEL

MODERATOR:

- *MR. JOS DOUMA, NETHERLANDS MINISTRY OF FOREIGN AFFAIRS*

INTRODUCERS:

- *MS. DEBORAH HARDING, OPEN SOCIETY INSTITUTE*
- *MS. AMALIA POMPOVA, SLOVAKIA, NGO "ZOR"*

13.00 – 15.00 LUNCH

15.00 – 17.00 SESSION 4: ROLE OF AND CO-OPERATION BETWEEN OSCE INSTITUTIONS, GOVERNMENTS, INTERGOVERNMENTAL AND NONGOVERNMENTAL ORGANISATIONS

MODERATOR:

- *MR. JOHN PACKER, DIRECTOR OF HCNM*

INTRODUCERS:

- *MS. JOSEPHINE VERSPAGET, THE NETHERLANDS*
- *MR. HENRY SCICLUNA, COUNCIL OF EUROPE'S CO-ORDINATOR FOR ROMA/GYPSIES*
- *MR. STANISLAW STANKIEWICZ, POLAND, INTERNATIONAL ROMANI UNION*
- *MR. RUDOLF KAWCZYNSKI, GERMANY, ROMA NATIONAL ACONGRESS*
- *MR. FRANZ CERMAK, EUROPEAN COMMISSION, DG ELARG*

17.00 – 18.00 CLOSING PLENARY

MODERATOR:

- *AMBASSADOR JUSTUS DE VISSER, PERMANENT REPRESENTATIVE OF THE NETHERLANDS TO THE OSCE*

REPORTS BY THE WORKING SESSION MODERATORS; PROPOSALS FOR THE OSCE ACTION PLAN

COMMENTS FROM THE FLOOR

CLOSING REMARKS:

- *AMBASSADOR LIVIU BOTA, HEAD OF THE PERMANENT MISSION OF ROMANIA TO THE OSCE*

INFORMATION ON THE FOLLOWING STEPS IN PROCEEDING WITH THE ACTION PLAN

CLOSE

SUPPLEMENTARY HUMAN DIMENSION MEETING
ON
ROMA AND SINTI
Vienna, 10-11 April, 2003

Annotated Agenda

SESSION 1: Combating Discrimination against Roma and Sinti in the OSCE Region: Democratic Institutions

Moderator: Mr. Steven Wagenseil, First Deputy Director of ODIHR

Introducers:

- Mr. Nicolae Gheorghe, Adviser on Roma and Sinti Issues
- Mr. Andrzej Mirga, Poland, Chair, Council of Europe Specialist Group on Roma/Gypsies Chair, Project on Ethnic Relations (PER) Romani Advisory Council

OSCE participating States have expressed their commitment to tackle issues affecting Roma and Sinti since the adoption of the Copenhagen Document in 1990. The Report of the High Commissioner on National Minorities on 'The Situation of Roma and Sinti in the OSCE Area', published in March 2000, reviewed the nature of this challenge and the range of initiatives currently being taken. A number of states had begun to develop strategies at the national level. Also, many examples of specific initiatives at the local level were noted.

Building on this acquired, although limited, expertise on Roma-related affairs, this session of the SHDM aims to focus on the strategy orientation and the profile of the OSCE Action Plan, its edge and added value in comparison to the work carried out by States, other intergovernmental or international organisations.

The participants are encouraged not to concentrate primarily on issues of concern (such as lack of employment, poor schooling, health issues etc.) or cases of human rights violations of Roma and Sinti in particular countries which may be brought into the attention of the OSCE via existing channels and raised during the OSCE human dimension events throughout the year, in particular in the Human Dimension Implementation Meeting on 6-17 October 2003.

This session will encourage to debate and produce recommendations for future-oriented actions, targeting Roma and Sinti groups as actors and citizens in the variety of countries, in contexts falling under the mandate of the OSCE: managing crises and post-crisis situations, improving elections, building democratic institutions, combating discrimination, promoting equal opportunities and practice of basic freedoms and human rights for everybody.

Increased *participation in elections and better electoral success of Romani candidates* provides an important means in pursuing inter-ethnic reconciliation and for improving the living conditions of Roma as part of regular reconstruction and development programmes of

the localities, regions and countries with large Romani populations, in particular in the south-eastern Europe.

Some particular questions to be addressed when defining and designing the targeted actions of OSCE future actions:

- The role of public administration/institutions: How to balance the actions a) via specific projects in grass-roots communities with b) actions targeting legal and institutional reform which may alter practices denounced as generating institutional discrimination and systemic inequality of opportunities for Roma and Sinti
- What are most urgent institutional reforms to be enacted (including via OSCE Action Plan) in order to ensure non-discriminatory access of Roma and Sinti persons and communities to legal residence and decent housing, health and other services?
- How to change institutionalized practices within the educational systems which maintain and reinforce the exclusion, under representation and segregation of Roma and Sinti children and youth from the mainstream, high quality schooling?
- Tackling the tensional elements in the relations of Roma and Sinti populations with the local majority populations and/or with particular segments of public administration (such as Police, employment agencies, land funds and housing agencies etc), in view of preventing the escalation of the tensions into crises (local or regional).
- How to assess and monitor the practical implementation of suggested actions for different actors? What OSCE mechanism to use?

SESSION 2: Combating Discrimination: Conflict and Migration

Moderator: Mr. Andrzej Mirga, Poland, Chair, Council of Europe Specialist Group on Roma/Gypsies, Chair, Project on Ethnic Relations (PER) Romani Advisory Council

Introducers:

- *Mr. Nicolae Gheorghe, Adviser on Roma and Sinti Issues*
- *Mr. Nezet Mustafa, the Former Yugoslav republic of Macedonia, MP*

How do Roma refugees and IDPs, currently living under various forms of temporary protection in the Balkan countries and in some Western countries (EU countries, Northern America), perceive the available options regarding their status and viable prospects as part of the stabilization processes of the countries emerging from the crises in the south-eastern Europe?

The debate will also build on the relevant ODIHR background documentation produced in the joint programme "Roma and the Stability Pact for the SEE" jointly implemented by the OSCE ODIHR-Council of Europe-EC, in the period February 2001-February 2003.

SESSION 3: Implementing Policies of Equal Opportunities for Roma and Sinti at the Local Level

Moderator: Mr. Jos Douma, the Netherlands Ministry of Foreign Affairs

Introducers:

- *Ms. Deborah Harding, Open Society Institute*
- *Ms. Amalia Pompova, NGO "ZOR", Kezmarok, Slovakia*

Implementation of national strategy at the local level is important for a number of reasons. Without effective local mechanisms, national-level policy may have little impact. This is primarily because the local level, especially that of the municipality, is the level at which the actual delivery of most public services is administered. Moreover, the situation of Roma, like other minorities, varies from locality to locality, so that it is important that national-level policies are implemented flexibly, to meet local needs.

How can states ensure that local-level strategies are developed and implemented effectively? A variety of mechanisms are potentially available. However, the situation is often complicated by the fact that municipalities have a substantial degree of constitutional autonomy, and have their own elected mayors and councils who are responsible for the provision of local services. Where central government has direct responsibility for local affairs, e.g. at the county or prefecture level, or through control over particular services such as the police, it can formulate and implement policy for local-level action itself. Where municipalities are autonomous, governments need to use different methods to secure cooperation. Leadership, vision, and practical guidance are important. However, resources are also an essential factor. Pilot projects, to establish good practice, could be set up. Some funds could be made available generally for Roma-specific activities, but the amount may be limited (although international donors might help). In addition, provision of funding to municipalities for mainstream activities could perhaps be made conditional on Roma issues being addressed. Legal duties could be placed on municipalities to develop strategies to promote equality. Finally, governments will need to support the development of the NGO sector, as a local agent to promote equality for Roma, and to monitor the response by the authorities (including breaches of the law and human rights).

This session will explore the above issues both in general terms, and through the consideration of examples.

Possible discussion topics for this session could be:

- How can the commitment of local political leaders be secured?
- How can effective partnerships between Roma and municipal authorities be built?
- How can the various local agencies work together in an integrated manner?
- What methods can be used for increasing Roma participation?
- How can states provide leadership, vision and practical guidance for local-level work and ensure that national strategy will be implemented effectively at the local level?
- What resource allocations are needed to implement the Action Plan?
 - Work done by the other agents?

SESSION 4: Role of and Co-operation between the OSCE Institutions, Governments, Intergovernmental and Nongovernmental Organisations

Moderator: Mr. John Packer, Director of HCNM

Introducers:

- *Ms. Josephine Verspaget, the Netherlands*
- *Mr. Henry Scicluna, Council of Europe's Co-ordinator for Roma/Gypsies*
- *A representative of Roma National Congress and/or International Romani Union (to be confirmed)*
- *Mr. Franz Cermak, European Commission, DG ELARG*

Possible discussion topics for this session could be:

- Involvement of Roma and Sinti in Europe in ongoing processes of integration and security (European Roma Forum/ERF, European Roma Information Office etc.)
- How to strengthen and smoothen the co-operation between the IOs to reach synergy and avoid duplication? (e.g. in view of further co-operation in elaborating and implementing the OSCE Action Plan on Roma and Sinti)
- What opportunities and challenges are foreseen for Roma and Sinti in the enlarged European Union, in particular in connection with the change of status of new member states as per May 2004
- What can OSCE/ODIHR do to help states carry out these tasks?

Opening Statements

Speech by Ms. Lalla Weiss, Landelijke Sinti Organisation

I am Lalla Weiss, Sinti-woman and co-ordinator of the national Sinti-organisation in the Netherlands. Approximately 3000 Sinti live in the Netherlands and some hundreds Roma. Our organisation started as a self-organisation of Sinti, but in the meantime also Roma became involved in our organisation.

For instance we collaborated on the recognition of Sinti and Roma as victims of Hitler-Germany. Later on I will elaborate more about our work.

But first I would like to thank the organisers of this meeting for asking me to hold this keynote speech.

The subject of this meeting is the Action-plan. Frankly speaking I have to say that I do not believe in again an action plan.

And I would like to explain why:

What is not feasible country-wise, at a national level, how could that be ever possible at a European level.

In the countries itself it doesn't work because you depend on institutions and persons and their motivation, and that often lacks. They want a job; they are not sincerely committed to improve the situation of Sinti and Roma.

I will give an example: a minister, of Education or Public Welfare, sends a letter to the municipalities regarding extra attention to be given to Sinti and Roma: attention to education, housing, health and related issues, and to basic provisions. Knowing such a letter is sent I go and talk with the municipality and then it turns out that they don't know anything about that letter and therefore did not give any extra attention to Sinti and Roma.

Another example: there is a group working on education for Sinti-children. A group of experts, persons of the Ministry of Education, aldermen, civil servants in the field of compulsory education, mayors and Sinti and Roma. Problems are discussed, solutions thought up, a plan is written. And then the plan stays in the drawer, because there is no money.

Most of the time money is the problem. We have a Foundation Sinti-work (Stichting Sinti-werk) for youngsters who have little or no school education and who are therefore difficult to place at the labour market. We try to get them placed as yet on the labour market through intensive coaching and mediating. That was successful. We had tens of youngsters under our wings who received education, who gained work-experience, we had employment projects. But because of lack of money we had to close our doors. Resulting in discouraged youngsters and disappointed parents. This way youngsters and parents lost faith to believe that sometimes some things could be possible for them.

One does not see how much this damaged. First you receive funding for a project, you achieve that youngsters dare to come, that they and their parents get a little confidence, and then through a change in policy or because of changing the civil servant all of a sudden you don't receive funding any more. Project gone, confidence gone. These youngsters will not come a second time. Now they even don't trust their own organisations any more.

Often subsidisers are not aware of the problems Sinti and Roma face. For instance we received ESF (European Social Fund) subsidy for “guidance to the labour market”. This money we spent on learning a number of youngsters to read and write. This was seen as “incorrect spending of money”. But how can someone be employed when he can’t read the sticker on the machine? At the ESF they probably cannot imagine that some youngsters in the Netherlands do not learn reading and writing at the primary school.

Therefore I am so happy with the European Roma Information Office in Brussels. This represents our people; there we can find good explanation about international organisations, what they can and what they do. And non-Sinti and Roma can receive information given by Sinti and Roma.

What happened as well is that money goes to institutions that subsequently don’t do anything for Sinti and Roma. When we need someone to research something for us then we have to appeal to people who are not paid for that, but do so because they think they have to support us; it’s for love we call that in the Netherlands (liefdewerk, old paper). Of course this is very generous of these people, but it is not professional, and it is slightly sour that others who do not do anything do receive money.

In the Netherlands also housing is a problem. In the Netherlands Sinti and a couple of Roma live traditionally in a caravan, but you are not allowed to move around any more, thus more and more people are still living in a caravan camp, but in a little chalet. These little chalets come in one size only, regardless if you have 2 or 10 children.

The fact that Sinti and Roma now live in little chalets in stead of caravans by the way doesn’t help against the prejudices. For instance in a municipality the alderman of Town and Country Planning had a house built during his term of office. When after his term of office he started living there he lodged a complaint and received compensation. His complaint was that out of his beautiful house he had a view on playing gypsy children (who lived there already when he had his house built and of which fact he was aware of at that time).

But to go back to the action plan:

If we cannot resolve things at a national level with short lines, how could it be resolved at a bigger scale? When all the ministers of all European countries sit around the table and say all kind of beautiful things about Sinti and Roma, then it will never trickle down to a municipal level. Let us work at this meeting on feasible goals. For instance that the OSCE should use it’s influence, that it puts political pressure there where it is needed and that it as an exception to the rule mediates in crisis situations. That it tackles the most poignant issues: people who don’t have access to healthcare, or no housing, discrimination by building walls around Roma and Sinti neighbourhoods.

Also education is and stays important for Sinti and Roma; and training of young Roma and Sinti leaders and exchange between active Sinti and Roma youngsters in Europe. And practical improvements; access to healthcare, to housing, to education.

But above all not more conferences and reports.

I thank you for your attention.

Speech of Mr. Andrzej Mirga, Project on Ethnic Relations
Chair, Project On Ethnic Relations Romani Advisory Council
Chair, Council of Europe Specialist Group on Roma/Gypsies

Session 1: Combating Discrimination against Roma and Sinti in the OSCE Participating States: OSCE Action Plan in Area of Democratic Institutions

[Note from the OSCE High Commissioner on National Minorities “Report on the Situation of Roma and Sinti in the OSCE Area”, 10 of March, 2000:

On the role of the ODIHR/Contact Point for Roma and Sinti as outlined on pp. 12-17, one can read the following: “(...) the Contact Point can be most effective if the office establishes targeted priorities in implementing the broad mandate(...)” or otherwise “develop [a work programme]”, p. 13. Among these priorities he mentions “Combating racism and discrimination within public administration: The Contact Point may also be particularly well-placed to monitor anti-Roma discrimination by public officials and institutions, including police, and to advise governments about effective means of combating such discrimination”, pp.14-15.

In the Report’s Chapter VI Recommendations he listed 13 measures to be adopted in order to effectively counter discrimination against the Roma and Sinti, pp. 160-161. While this rather exhaustive list might still be valid and offer useful guidelines for future OSCE Action Plan, especially points: 1-7, and 10, it has to be underlined that significant developments occurred since then in this area. The Council of the European Union adopted Directive 2000/42/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The Council of Europe European Commission against Racism and Intolerance adopted its General Policy Recommendation No.7 on National Legislation to Combat Racism and Racial Discrimination on 13 December 2002]

The High Commissioner made yet another important recommendation regarding increased attention and action undertaken by the intergovernmental organisations toward Roma and Sinti. He notes that: “While co-ordination is desirable to avoid replication of effort, it is also desirable as a means of fostering mutually-reinforcing contributions by various organisations. There may be times when the programmes of the Contact Point should be shaped, at least in part, by the possibility of enhancing the contributions of important initiatives undertaken by other organisations”, p. 16-17.

Taking into consideration the above-mentioned developments in the European Union and the Council of Europe and the aims of any future Action Plan there is an obvious need to assess what the Action Plan should target in order to avoid replication. Have the Contact Point and the Adviser on Roma and Sinti assumed, or may assume, such a coordinating role especially in the above-mentioned area?

Differing views on discrimination against Roma and Sinti: the position of Romani and non-Romani human rights organisations, compared to that of states and specialized IGO agencies dealing with human rights

The position of human rights organisations both Romani and non-Romani in this regard is well known and clear: Roma and Sinti are victims of systemic discrimination and abuse of power. They are subjected to unequal treatment and are not protected against such abuses by

adequate legislation and effective legal measures. There is no need here to quote numerous reports in this regard; I will rest only with recent examples provided by the ERRC written comments submitted to the United Nations Committee on Elimination of Racial Discrimination or CERD on;

1) Poland: "In the run-up to the CERD review, the ERRC sent "The Limits of Solidarity: Roma in Poland After 1989", as well as an outline overview of the concerns detailed in the report, to the members of CERD for consideration during the review of Poland's record on racial discrimination, March 14-17, 2003. (...) The Government of Poland has thus far failed to act to guarantee Roma equal rights and to take effective measures to overcome widespread discrimination against Roma. In particular, the Polish Government has failed to date to:

- Adopt comprehensive anti-discrimination legislation;
- Combat racial segregation in education and housing;
- Take adequate action against a dramatic outbreak of racially motivated crime in Poland after 1989";

2) Russian Federation, March 10, 2003: "Russia is in the throes of an extreme outbreak of racism. Roma in Russia today are in a state of raw exposure to the abuse of their fundamental rights. Reports of anti-Romani violence we receive from Russia are, in magnitude and kind, of a different and greater order than those we have seen elsewhere. And yet to date there has been for the most part silence about Roma rights issues in Russia. We hope CERD will today begin to change that".

The state or government view on discrimination against the Roma and Sinti in general counters such opinions. It claims the state obeys the principle of non-discrimination that is inscribed in its Constitution and in particular laws. It also denies that Roma and Sinti are systematically mistreated or that existing laws allow for such differential treatment. Eventually it recognises that cases of discrimination and abuse of power against them may occur but that is nothing pertaining to a systemic phenomenon. As a rule the state authorities object to, or reject human rights organisations' way of reporting, pointing to its methodological deficiencies and unjust generalization.

The specialized agencies of IGOs take as a rule a rather balanced position, especially as they are subjected to scrutiny and a right to object to assertions made in reports by a state in question. The ECRI country reports may serve here as example, along the CERD reviews; it can be mentioned here that the Council of Europe High Commissioner for Human Rights is about to conclude his own report on Roma in Europe soon. The ECRI reports as a rule recognise progress made by a given country but also pinpoint areas where further action is needed. To say the least, the situation of Roma and Sinti as a common topic is addressed in nearly all ECRI reports either in reference to particular issues or in separate chapters devoted to them. The U.S. State Department's annual human-rights-practices reports might be placed here as well, at least, because of the pressure it can exert on states under scrutiny. In recently released reports on Czech Republic, Romania and Slovakia the issues of 'societal discrimination', 'deficiencies of judicial system', 'police violence' or police 'abuse of power' and, 'skinheads' violence' against the Roma are mentioned.

A question: Is there a role for the ODIHR/Contact Point and Adviser on Roma and Sinti to play as a clearing house and as the Adviser in the area of reporting on human rights violations of Roma minority? To what extent and way have human rights organisations' reports on Roma and Sinti been productive or counterproductive as regard to state responses

to it? To what extent does the defensive position of the government – to keep positive image of the country as democratic- counter constructive dialog with human rights organisations? Can it work to join the views of the state and especially Romani human rights organisations?

The OSCE Action Plan: independent expertise and ‘pro-active role’ towards government and state institutions

The state executes its governing powers through setting forth legislation, including the Constitution and established bodies of institutions and administration that implement or follow the said rule of law. Taking as a point of departure the above noticed difference in views or in fact a profound divide between human rights organisations and the state on whether there is systemic or casual discrimination of Roma and Sinti, one can try to look at and analyze:

- a) Whether existing legislation provide adequate means to address and counter the phenomena of discrimination, including against vulnerable groups, i.e., the Roma and Sinti?
- b) Whether the state and local institutions and administration reveal deficiencies, both legal and related to their conduct that permits discriminatory practices?

It seems that the Directive 2000/42/EC and the ECRI General policy Recommendation No. 7 provide a positive answer to the point a); member states and accession countries are invited to adopt comprehensive anti-discrimination legislation. The same is true for the Council of Europe member states. The question is therefore whether and in what way there is a need for the OSCE/ODIHR to focus on this issue as well.

Leaving aside the controversy of whether discrimination against Roma and Sinti is systemic, we still face point b). As numerous reports aptly evidence, major deficiencies in this area that are either structural, legal, or human, that is, related to the conduct of human personnel while carrying out its tasks (unbiased attitude or colour-blindness, respect, efficacy, transparency, competence, knowledge, personal culture, etc.). Altering practices denounced as generating institutional discrimination at the state and public administration institutions are therefore rightly identified as an area where the ODIHR/Contact Point Action Plan can contribute the most, especially as regards the justice, police, and ombudsmen office. To this aim however and along the Contact Point ‘pro-active role’ should be upheld vis-à-vis these targeted institutions. It requires, therefore, that the Action Plan should devote more attention and interest to work with those state agencies offering to them both independent expertise on Roma and Sinti and fully realizing what has been recommended already in the High Commissioner Report in points 6, 7, 9 and 10, p. 160 (see in the end). The above mentioned recommendations do not include the ombudsmen office, therefore establishing closer cooperation with this institution should be added to Action Plan priorities. In general it would be advisable to have an Action Plan focused more on executing the ‘pro-active role’ of the Contact Point and the Adviser on Roma and Sinti in relation to government and state institutions and administration. Accumulated expertise and specific recommendations that have been worked out over time by the Project on Ethnic Relations activities may offer a useful contribution to this aim (especially related to police). It should be also remembered here that the ECRI Recommendation No. 3 on ‘Combating racism and intolerance against Roma/Gypsies as well as ECRI’s country reports provide specific references as regards what should be done in order to eliminate denounced discriminatory practices.

Targeted action at grass-roots level

The need to complement above mentioned priorities with a targeted action at grass-roots level seems to be obvious. Targeted action may refer to both localities and to a set of action-oriented projects, thus it implies selection and focus. It might be advisable to opt for localities and in this regard the large urban Romani mahalas can be targeted. The Romani mahalas reflect like a mirror all the acute problems and dangers that this community faces nation-wide regarding discrimination but exemplified in the concrete setting of local communal life. Believing states will adopt comprehensive anti-discrimination legislation and will start to implement it the real improvement in this regard will be felt by Roma once it will reach the local communities. Eradicating however discriminatory practices that refer to institutions' conduct or demise in 'democratic culture' can start now. There are yet other important factors that can be listed here to justify such option and those are falling under the mandate of the OSCE, namely security. The Project on Ethnic Relations has carried out a number of activities related to the Romani mahalas and potential for eruption of conflict or crisis situation there (several reports on this subject are available on PER website). We suggest for a greater input from ODIHR/Contact Point in the mahalas projects which an urgent issue and can be follow up in continuing partnership with PER.

The Romani mahalas as residentially segregated municipal or urban units can hardly be dissolved. They will remain and pose a challenge both to state and local authorities and to their Romani dwellers as to how to integrate mahalas within the fabrics of municipality and provide their dwellers with better living conditions. *Concerted action is needed in order to prevent any escalation of tensions, the condition for which exists there now.* The urgent need to tackle mahalas' issues are also strongly justified by the demographic factor; in many of region's states the Romani community there is highly urbanized and congregated in compact neighborhoods or mahalas. Roma's under-representation in elected bodies and local administration, as well as a resulting demise of channels of communication and cooperation with local authorities were yet another characteristic of many Romani mahalas. Such a situation resembles mahalas' marginalization and poses a risk that its dwellers in a crisis situation might turn to other ways of expressing their frustrations, anger or dissatisfaction, namely rioting.

Targeting selected mahalas can offer a range of activities that can be included into an OSCE Action Plan (working with state and self-government authorities and administration, with local police and judges and clerks. It can include trainings, site visits, public or communal debates, local anti-discrimination campaigns, etc.). It would require as well *a change in the ODIHR/Contact Point strategic partnership with Roma: to work, invest in and promote more local Romani elected representatives and bodies.*

In conclusion the following can be recommended:

I. Related to the mandate of ODIHR/Contact point and Adviser on Roma and Sinti:

The role for the ODIHR/Contact Point and Adviser on Roma and Sinti shall be consolidated as the clearing house and as the Adviser in area of reporting on human rights violations of Roma minority;

The ODIHR/Contact Point is particularly well-placed to monitor anti-Roma discrimination by public officials and institutions, including police and to advise governments about effective means of combating such discrimination;

Executing the ODIHR/Contact Point and the Adviser on Roma and Sinti 'pro-active role' should be therefore upheld vis-à-vis government and state institutions and administration;

The ODIHR/Contact Point and the Adviser on Roma and Sinti should devote more attention and interest to work with specific targeted state institutions like the justice, police, and ombudsmen offices offering to them independent expertise on Roma and Sinti;

In its expert and guiding roles the ODIHR/Contact Point and the Adviser on Roma and Sinti should promote democracy and democratic culture values within those institutions like unbiased attitude or colour-blindness, respect, efficacy, transparency, competence, knowledge, personal culture, etc.

The policy of the ODIHR/Contact Point should be to put in motion or activate existing institutional mechanisms for control and self-correcting denounced practices or to trigger such positive changes from within the institutions themselves to eliminate denounced discriminatory practices;

II. Related to the OSCE Action Plan:

The OSCE Action Plan should be guided by two principles: of targeted action to avoid duplication with activities carried out by other organisations and of cooperation and complementarities to foster mutually-reinforcing contributions by various organisations. Knowledge and analysis of what others are doing, including in particular state's own policies and programme towards Romani communities should be a constant reference point in drafting the OSCE Action Plan;

The OSCE Action Plan should be guided as well by acknowledgement that there might be institutions or mechanisms in other organisations that are more able to execute and reinforce positive changes in some areas, i.e. anti-discrimination legislation, therefore it should not make it a priority in Action Plan (as it is the case with The Council of the European Union adopted Directive 2000/42/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial origin or the Council of Europe European Commission against Racism and Intolerance General Policy Recommendation No.7 On National Legislation to Combat Racism and Racial Discrimination adopted on 13 December 2002);

The OSCE Action Plan should therefore target activities that are related to OSCE/ODIHR mission and mandate in this area; altering practices denounced as generating institutional discrimination at the state and public administration institutions are those to which the ODIHR/Contact Point Action Plan can contribute the most, especially as regards the justice, police, and ombudsmen offices;

III. Related to targeted action at grass roots level:

Targeted action may refer to both to set of action-oriented projects (topical or thematic) or to communities;

It might be advisable to opt for communities or localities and in this regard the large urban Romani mahalas can be targeted; greater input from ODIHR/Contact Point in addressing the mahalas issues seems to be a matter of urgency;

A concerted action is needed in order to prevent any escalation of tensions the condition for which exists there now;

Targeting selected mahalas can offer a range of activities that can be included into OSCE Action Plan (working with state and self-government authorities and administration, with local police and judges and clerks. It can include trainings, site visits, public or communal debates, local anti-discrimination campaigns, etc.);

It would require as well a change in the ODIHR/Contact Point strategic partnership with Roma: to work, invest in and promote more local Romani elected representatives and bodies.

High Commissioner on National Minorities “Report on the Situation of Roma and Sinti in the OSCE Area, March 2000.

Excerpts from Recommendations on Discrimination and Racial Violence (p. 160)

6. Effective enforcement of the above legal norms through promulgation and enforcement of internal disciplinary standards to ensure that public officials who discriminate, including police, are sanctioned swiftly and meaningfully.

7. Establishment of a government office staffed with qualified personnel with responsibility for publicizing anti-discrimination norms, and with the power to investigate and prosecute violations.

9. Pursuant to Article 14 of the UN Convention on the Elimination of Racial Discrimination, declaration of recognition of the competence of the supervisory committee to receive and consider communications from individuals or groups alleging violations of the Convention (NB many OSCE countries have not so declared).

Speech of Mr. Nezdet Mustafa, Former Yugoslav Republic of Macedonia, Member of Parliament

Session 2: Combating Discrimination: Conflict and Migration

I would like to speak about the discrimination of Roma and the rampant discrimination during the current situation of post-conflict mentioned by Mr. Soros and representatives of the ODIHR.

Mr. Gheorghe showed a strong commitment to people in post-conflict areas and we can all tell that it is a new moment in our history from all points of view. Discrimination of Roma happens not only on the streets, but is also visible in politics; political discrimination. The possibility of Roma to be involved in politics is very limited and we cannot reach political representation and democratic commitments unless we can develop our skills in politics at all levels. The commitments of Nicolae Gheorghe during the last few years show that we can be organised on an international level by using the ballot. I also have my own experience to share with you. I was the mayor in the commune of Suto Orizari. This was a great achievement for us in the [fY] Republic of Macedonia.

One aim is to create adequate life conditions for Romani people, so that they are not forced to leave our country. From countries where there is most migration of Roma, we also see that Roma experience the most discrimination and we have to get Roma out of their ghettos. The basic need is to consolidate political light of the Roma including leadership and integration into political parties.

I believe that Romani NGOs should change their direction of working, to become less subjective and concerned with their own institutional needs. We are in a moment when the OSCE should define better plans to help Roma to be integrated in mainstream organisations, especially in countries where we do not have equal rights.

Of course, there is a need for campaigns to give Roma an opportunity to play real roles in elections. If we calculate the minimum percentage that a Roma Member of Parliament (MP) needs in order to be elected, it is very difficult for the Roma community to elect their own

MPs. Thus, there should exist a specific system for Roma to elect their own representatives. Now is a moment when we can give Roma a chance to get out of isolation. Some non-Roma are trying to kidnap the voice of Roma, but Roma should speak with their own voice. We should not be isolated from non-Roma, but we have to speak for ourselves. Our discussion is useless if we do not mention integration. Roma have to get their own position for the improvement of the situation, however, this means co-operation and integration into existing institutions.

We have to attain our own position to get the improvement of quality of life of Roma. Roma need a chance to play important roles in creating an educated leadership and a Roma middle class. If not, there will be no end of discrimination and isolation. Within the educational system a context of tolerance has to be created as a basis for giving real opportunities to Roma.

The Contact Point for Roma and Sinti Issues of the ODIHR is too small with only 2-3 people, as it has to cover all OSCE countries with Roma populations.

Let me speak about the conflicts in former Yugoslavia in Bosnia, Croatia and Kosovo. I saw the reality, the great exodus from conflict areas. The OSCE was not able to help efficiently during this exodus. The Romani exodus was carried out in isolation and the international presence cannot tell how many people were killed and murdered, because it was also a matter of discrimination and isolation of Roma in former Yugoslavia. Regarding UNHCR activities, Roma were, and are also isolated. Today the situation is one of misery. Roma are first human beings and after that a minority and have to be treated as such. In order to change the situation, the OSCE has to reinforce its cooperation with UNHCR.

The migration of Roma has to be scrutinized in a political dimension, if this is not achieved, we cannot give a political response. Roma are expecting real aid from the International Roma Union and Roma National Congress. In co-operation between all these actions we can find a real road to compromise for a solution.

The ODIHR brought a real position of force to Roma and Nicolae Gheorghe is the first real Roma diplomat.

Another problem thrown upon Roma is the one of the designation of the classification Roma. Why are we going to loose the Egyptians and Askhalie if we call this a Roma conference?

Speech of Ms. Deborah Harding, Open Society Institute

Session 3: Implementing of Equal Opportunity for Roma and Sinti at the Local Level

Mr. Douma, Ms. Pompova, ladies and gentlemen, I am pleased to offer some comments today on implementing policies to promote equal opportunities for Roma at the local level.

This is a subject of great concern to the Open Society Institute. OSI's Roma Participation Programme, its Local Government Initiative, and EU Monitoring Accession Project and our strategic partner, the European Roma Rights Center are all working on these issues, have contributed to these remarks and are present today.

There are three aspects to the issue of implementation which must be linked:

- 1) How can local policy development better ensure equal opportunity; and,
- 2) What can national governments do to ensure that national policies are effectively implemented by local governments.
- 3) What can international donors do to facilitate the process.

What might be done to improve local government capacity to design and deliver effective policies?

- First, is to include Roma (plural—many Roma representing a range of views) in the policy process and in project design. It is well known that to be effective programmes must involve the people they are intended to reach in the design and implementation process.

Unfortunately, in Central and Eastern Europe, this rarely happens.

Roma communities should be invited to select Roma men and women to represent the community. The current and more common practice of governments selecting one Rom who is usually politically allied with the ruling party to represent this diverse population must be discontinued. Such “official” Roma often bask in government recognition, do not dare to critique government policies, and generate distrust within the broader Roma community. At the same time, Roma communities ought to reach out to younger generation activists, students and NGOs, and be encouraged to choose a diverse group of representatives.

- Second, policy development is often made more intolerable by anti-Roma attitudes and lack of capacity of local public employees to develop policy options and innovative policy approaches. For example, equal quality education in integrated schools is unlikely to be an option developed by those who harbor anti-Roma sentiments.

International organisations can help local authorities assess their capabilities, measure progress, focus on priority areas and develop appropriate and inclusive policy responses and implementation plans.. International organisations can also link local governments directly to resources like the Network of Institutes of Schools of Public Administration in CEE; the European Network of Training Organisations; and LOG-IN, an international network of Local Government Information on the Internet, funded by OSI, the World Bank, UNDP, COE, to obtain policy development and implementation support.

- Third and most importantly, over the next decade, we must work to develop the capacity in all Roma communities to gain political skills to advocate their own agenda.

Progress in this area needs to be closely monitored and benchmarks ought to be set to increase the number of Roma candidates for local and national public office. Political parties in EU member states should do more to help the parties in develop Roma programmes and develop Roma candidates for their party lists. The internationals of these European political parties should apply pressure on the national parties in CEE to train Roma candidates for all levels of political office.

- A fourth way to improve governance is to promote the means for all citizens to hold the municipality accountable; this could be done by increasing public debate on draft legislative programmes and their costs through local media, face-to-face fora; open meetings

of local government commissions and bodies; publishing draft legislation in the local press or on the Internet and developing the means for citizens to question legislators on the drafts in open, public fora. Such mechanisms are critical in the smaller towns and villages where transparency may be less the norm.

- Fifth, equitable services in critical areas such as education, employment, health, housing, social protection, law must be closely monitored by national governments, NGOs, Roma, and international donors. For example, the continuation by local governments who generally have authority over primary schools to segregate Roma children in inferior schools or inferior classrooms must stop. It is against the law of every one of the countries in question; it is against international law; and it is most unfortunate when international donors put project money and resources into segregated schools instead of supporting Roma-led equal-access-to-quality-education initiatives which now exist, albeit in different stages, in Slovakia, Serbia, Macedonia, Bulgaria and Hungary. It is equally unfortunate to support programmes for normal Roma children who are placed in schools for the mentally disabled. We ought to be supporting systemic reform aimed at moving normal children out of these schools and preparing them to succeed in the mainstream system.

Working with local government and regional education authorities, local Roma NGOs in 7 cities in Bulgaria have achieved a great deal of success in integrating the schools. This model of Roma NGOs working with local government ought to be adopted elsewhere. Rumyan Russinov, who is here, can tell you more about this.

- Sixth, unfortunately, those hostile to Roma self-achievement are everywhere -- even local officers of international institutions have been known to block reform efforts. It is incumbent upon all of us to make sure that those charged with addressing or supporting Roma programmes are part of the solution and not part of the problem.

- Seventh, we need to encourage higher level officials to take public positions against discrimination and to communicate regularly with all local government employers and employees that direct and indirect discrimination is not tolerated and will be punished. Anti-bias training for all local government employers and employees should be made available.

- Eighth, access for Roma to all local government jobs to reflect the ethnic composition of the community ought to be the standard. The political leadership ought to monitor progress and provide independent bodies to review complaints. Government-run labor offices charged with equal employment services need to be reviewed and brought into compliance with equal employment laws.

- Ninth, mechanisms to increase all kinds of contact between Roma and non-Roma in public places, such as schools, clinics, workplaces need to be facilitated; and neutral institutions to address or prevent conflict developed. Roma assistants in schools seem to be promising in this regard.

- Tenth, Roma should be allowed to establish their de facto residency as their legal residency. Low income Roma should be provided with appropriate identification documents quickly and for no fee.

Progress or excellence in any of these areas could be awarded and shared in some appropriate way.

At the national level, many countries have elaborated strategies in response to EU concerns. These national strategies, by and large, have not been developed with the participation of Roma or with multidisciplinary teams of experts. Once approved, national strategies are most often simply sent to the local governments for implementation. Instead, to make them work, they require a national champion of the reform willing to commit sufficient time to publicly communicate the need for the reform and to build a broad consensus for the reform goals and then prepare the groundwork for it to be implemented effectively.

Communicating policy goals, providing detailed guidelines for policy implementation, and technical assistance are part of the answer. Regular review of existing policies to assure that they have the intended consequences are another part of it. Roma and NGO actors should be included in such reviews and should demand that such review takes place.

National governments must provide incentives for local fulfillment of policy and disincentives for failure to fulfill policy. Some well-meaning national governments have seemed unable to use policy levers around local government obstruction in the implementation of national policies on Roma. One powerful lever is withholding centrally controlled PHARE funding; post-accession structural funds may be another means.

Furthermore, a commitment to effective national Roma strategies must have the open, public support of the top national political actors and must be backed up with sufficient funding: domestic and international.

And, international aid must shift its current focus from project funding to policy development and system-wide reform. If the issue is housing reform, then the response can no longer be to build a dozen houses for Roma as a 1999 PHARE Bulgarian project did rather than address the root causes. Too many donors, including ourselves, have taken this approach.

Finally, and absolutely essential to this matter the adoption and implementation of comprehensive anti-discrimination laws, as required by the EU Race Directive, would facilitate solutions to many of the difficulties which have been mentioned in this brief talk. The implementation of such laws require training of many actors in the criminal justice system and in the courts. It will require the training of local and national government officials, of Roma communities and of NGOs and journalists to monitor and report on the implementation.

Thank you.

Speech of Ms. Amalia Pompova, the director of the NGO ZOR, in Kezmarok, Slovakia

Session 3: Implementing of Equal Opportunity for Roma and Sinti at the Local Level

Democracy and non-participatory of Roma is obviously absent in local decision-making. Discrimination is common among local decision-makers and Roma voters are often "bought for soup, beer and handshakers". An OSCE permanent activity and presence could be useful in countries where lack of political participants is source of growing tension.

Decisions about communities are often made in Slovakia from afar and local NGOs are not adequately consulted due to shortage of information from central state organs and even there is blockage of them.

Moreover, NGOs are economically dependent on a few large private donors and feel that their survival is now precarious.

The rise of NGO funds, where financial sources are used for administrative staff and external advisors. There is lack of monitoring and controlling mechanism of financial streams dedicated to Roma projects.

Roma NGOs, coping with both frustration about sources of continued support and about lack of interest among elected officials to co-operate with them, feel undervalued.

Roma organisations may be real proposal-drafters and participants in local policy thanks to a project supported by the ODIHR, the result today of the project is that many Roma voted in recent local elections and there are now several new Roma

mayors and town councillors. And we are optimistic to the future thanks to long-term working with such Roma like are in towns Strane pod Tatrami, where 15 Roma candidates, 8 gained post of local councillor and have majority of all votes Podhorany, Jaroovnice, Výborná, Jurské, Kežmarok etc.

Speech of Ms. Josephine Verspaget, Former chair of the Specialist group on Roma/Gypsies, Council of Europe

Session 4: Role of and Co-operation between OSCE Institutions, Governments, Intergovernmental and Nongovernmental organisations

Dear friends,

First of all I want to thank the OSCE and the Dutch chairmanship for the kind invitation to take part in this meeting and to inform you about my experiences over the past twelve years in the Council of Europe, first as the rapporteur of the Parliamentary Assembly on Roma, in 1993, and later, from 1996 until the end of 2002 as the Chair of the Specialist group on Roma/Gypsies.

The main questions are:

What are the changes, what are the results, what are the challenges now and how can the international organisations as OSCE, Council of Europe, European Union and the international NGO's better co-operate and co-ordinate their efforts to improve the Human Rights conditions of our Roma population in Europe.

Let me start with what I see as the major changes:

1. Compared with ten years ago there is much more awareness of and willingness to improve the Human Rights conditions of the Roma community in international organisations than before. Sometimes after a real debate, sometimes quite easily, sometimes bit by bit over the years, the international organisations as the Council of Europe, the OSCE, the EU, but also UNHCR, and the Worldbank became involved. In the Roma issue.

The Worldbank will even organise a conference in Budapest, together with the Open Society in June this year.

The Council of Europe developed a set of policy guidelines for governments in different areas of concern, as Human Rights and anti-racism (now ECRI Recommendation 3) ,education, housing , employment, health, soon followed by women, the role of local authorities and last but not least culture and language.

The Parliamentary Assembly showed recently again her involvement with a new report on Roma. And in many missions of the Council of Europe to member states, , as on the protocol of Minorities, the ECRI country reports, visits of the Human Rights Commissioner, the Roma issue gets special attention. If you look into these reports you will find serious comments on the Roma situation.

Special missions and visits took place ,as to Greece last year, fact finding missions with the OSCE took place to Bosnia and Kosovo, which helped a lot to get the Roma issue on the international agenda , lots of activities took place in many COE member states , especially in South Eastern Europe.

The OSCE played an important role in the whole area of conflict prevention and post conflict management and was successfully involved in creating a big and effective network of Roma organisations in Europe. A difficult task, with a great involvement of the representative of the Roma department of ODIHR in Warsaw.

2. This brings me to the second positive development:

The enormous growth of a young, talented, bright , well educated generation of Roma leaders, man and woman, who try to influence authorities at all levels, local, national, international, in order to change the difficult plight of their own people. This is exactly what makes me happy, when I visit a meeting like this: so many young, brilliant people!

The hope and the future of the Romani population is in your hands.

The debate about a European Roma Forum is only possible because of this new generation.

To get this enormous potential of young talented Roma seemed to be just a dream ,ten years ago. Now it is reality. It is also a reality now, not foreseeable ten years ago, that two Romany leaders, Nicolae Gheorghe and Andrzej Mirga, do have nowadays such an influential position in the OSCE and the Council of Europe. That is absolutely great.

We could even create a European Roma Information Office in Brussels, at the heart of the European Union, just a few weeks ago. Angela Kosce is appointed as director. This is a NGO office ,ERIO, created to serve as an information and connecting point both for the European Institutions in Brussels and the Roma community.

I am convinced that this small office can be a great help for you to put the Roma issue more effectively on the agenda of the European Commission and the European Parliament.

3. The involvement of the European Union, especially in the process of enlargement, is the third issue i want to mention. We all know that one of the mayor successes of the Romani movement has been the pressure of the EU on new member states to improve their policies for Roma .The Copenhagen criteria and the Helsinki guidelines ,based on recommendations of the COE and the OSCE, have proven to be a useful tool to create awareness and ,however often only on paper, willingness to develop a Roma policy .Most of the governments of the accession countries put such a policy on paper, but, mostly, without real funds and without effective implementation.

This is exactly where I have to stop my positive remarks.

Yes, it is true that we, in the international organisations, tried to do as much as we could, in this intergovernmental arena, where states do not wish to give up their authority, and even control what can be said or written in reports.

Who looks into the reality of nowadays has to admit that in general, for the majority of the Romani people, the situation is as bad, or even worse than before. The recent UNDP report is quite clear about this. Reality did not change. Most of our European Roma do live in great poverty, with lack of jobs, lack of education, with a poor life expectancy.

What we see is an international landscape, with a willing but in fact often powerless group of people, working in these international organisations, jointly with representatives of the Roma community, doing their utmost, but with a lack of concrete measurable results. The international community has no teeth, no coercive power to change law and practices in the member states.

The member states refused until now on one hand to implement the international recommendations and on the other hand they refused also to create a mediator or an ombudsman for Roma, with a greater power and responsibility to criticise governments and to urge them to change their policy.

Yes, ECRI plays a good role, the Human Rights Commissioner makes helpful remarks, The Specialist Group will start with monitoring missions but this is not enough.

We see also that old member states of the EU, that created the Copenhagen criteria and the Helsinki Guidelines for the new member states, do not comply with these standards in their own country. Greece is unfortunately a bad example in this field.,

But Spain and Italy do also face big problems but even in The Netherlands, half of the Romany and Sinit children do not go to school, or leave school quite early.

We see also that, even when governments abolished direct discrimination in law, that in practice, and often as an effect of other laws, indirect discrimination affects the Roma population in all areas of life, in many aspects they are deprived of normal rights as citizens. This is especially a problem in the field of urban planning and housing. By connecting so many citizens rights with a residence permit or a house in a legal settlement, a big part of the Roma community in Europe has nowadays even not the right to vote, nor the possibility to get a permit for a job, and does not have the same rights as others in the field of health insurance and social security.

The exclusion, the result and source of this policy, leads to enduring poverty, to hate of the majority population, to social tensions and to illegal migration to other countries.

Many Roma, however living already hundreds of years in a certain country, are in fact illegal in their own country. This is terrible and fully unacceptable in modern Europe, an exclusion of so many people on such a scale.

Together with the obligation, both for authorities and parents, to send Romani children to school, a normal school, these two issues should be the heart, the absolute priorities for the international organisations and all the member states.

It is absolutely necessary to start, a real and concrete action, in the year 2005, to give Roma people, all over Europe, their legal status, a joint action of OSCE, Council of Europe, EU, UNHCR and governments and a challenging issue for the working plan of the OSCE.

These concrete action is not enough, but is relatively easy to do, with great effects for the Roma community, and if the result of these meeting could be to have the decision to create this action, this would be a bigger success than we ever had until nowadays.

This is not enough.

Our recent history makes clear that without creating a real authority to control and criticise what the countries are doing with all the recommendations and other obligations regarding the Roma minority, a Roma mediator or ombudsman is necessary. The Parliamentary Assembly of the Council of Europe repeated last year again the recommendation to appoint such a mediator/ombudsman.

The governments in the COE have a new chance to do this. Again, the history makes clear that without pressure and power, recommendations will be recommendations forever and no reality.

However for outsiders it may look impressive what has been done in our organisations, reality urges us to admit that only a few people actually have been involved and that every new place for the Roma policy, even the replacement of a person, faces enormous problems. Beautiful things have been said in big meetings ,but reality is different.

Also more Roma should have a paid job in these organisations, at all levels.

Taking into consideration the fact that only a few people are involved in all the I. O. 's, a better co-ordination and division of labour between the organisations is necessary. So many things have urgently to be done, it is crazy to do the same things. A better use of time and energy is necessary.

Activities, developed by an organisation, should fit into the main objectives of the organisation as a whole, should fit into the core issues of the organisation and as such give the possibility to involve more deeply and more effectively other compartments in the organisation .

This means that we should stop to create in meetings as these a full list of general priorities, without looking into the role and the best qualities of the different organisations . Actions and proposals should be effective.

Roma organisations can make a more effective use of what every organisation really can do and what has to be done at the national level.

Moreover, the identity and new initiatives of an organisation should be respected. No duplication or similar initiatives because an idea of one organisation is seen as a new good approach. The intellectual property of ideas and initiatives should be respected .

Political, social and economic rights ,culture and education and all related aspects do clearly belong to the domain of the Council of Europe. Security, conflict related issues do belong primarily to the OSCE. If necessary, co-operation should be afforded, especially in the field of concrete actions, as mentioned before.

To give an example: a common action of all international organisations, together with the member states ,in 2005, the to give the Roma a legal status, touches the areas of all the organisations.

It would be good if the organisations could sit together to have a serious look in the way they can better co-ordinate their actions in the future.

Let us be clear: An uneducated, impoverished, unemployed Roma minority in so many states ,with a lack of legal rights, will create risks for peace and security in the future.

This brings me to my last point:

However Roma do live in all the countries of Europe, they are on the first place citizens of their own states, in the same way as other citizens.

In stead of focusing too much on the International organisations as a help from heaven, we must realise that every improvement has to be done at state and local level.

We should turn to the governments , the states and to the local authorities.

International organisations can, in the end, not change the policies of governments and local authorities. This has to be done in the countries themselves.

Instead of creating more and more expectations of the COE and the others, actions, struggle and work has to be done nationally and locally. Daily hard work, with successes and disappointment, yes, and with help of the international community, but this community cannot replace the own role in the own community.

Strengthening people there is what we have to do now.

This is where the real challenge is nowadays.

I do hope that this conference will change the policies of the international organisation more in this direction.

Thank you all for the good co-operation over all these years.

Thanks

Speech of Mr. Mr Henry Scicluna, Council of Europe Co-ordinator for Roma/Gypsies

Session 4: Role of and Co-operation between OSCE Institutions, Governments, Intergovernmental and Nongovernmental organisations

In trying to find out what the role of international organisations should be I believe that we must first of all find out what the Roma themselves want rather than what we wish them to have or to be. For myself I see one main role for all our organisations: to provide Roma with tools that will allow them to take their destiny into their own hands.

Speaking on International Roma Day (8 April),the Deputy Secretary of the Council of Europe, Mrs Maud de Boer Buquicchio “stressed that the Roma people themselves must play an active part in determining their own futures”. She appealed directly to the Roma people of Europe “to adopt a ‘Don’t tell us –ask us’ attitude and to fully involve themselves in discussions regarding their own future”

We must therefore plan activities which are focussed on the participation of Roma in matters concerning them. We must stop imposing our views and establishing priorities for the Roma:our nw role should be to listen to what the Roma have to say and want.

As you well know, cooperation between the intergovernmental organisations and European institutions is quite intensive; Here are a few current examples:

-a project on Roma women and access to health care, which will lead to the adoption of a major report on the situation in Community countries and a European conference in late June, 2003. This project is run jointly with the OSCE and the European Union Monitoring Centre

-a project on Roma under the Stability Pact covering Albania, Bosnia and Herzegovina, Croatia, Moldova, Serbia and Montenegro, “The former Yugoslav Republic of Macedonia”, Romania, Bulgaria. This project, which was carried out for the period 2001-2, and has now been renewed for the period 2003-4, is run jointly with OSCE and the European Commission
-a series of activities within the framework of the Cooperation and Assistance Programme, run jointly with the United High Commission for Refugees, namely:

- assessment of the situation of Roma in Kosovo
- seminar on legal and practical access to social and civil rights of Roma in FYROM
- assistance on the implementation of the national strategy for Roma in Serbia-Montenegro
- workshop on access to documentation to ensure effectiveness of social rights in Georgia

I believe, however, that this is not enough, and that cooperation between international institutions should no longer be limited to exchanging information or even to carrying out joint ventures sporadically. We must not forget that we are facing a serious and explosive situation which cuts right across Europe and which needs urgent and radical solutions. At a recent Seminar of Ombudsmen from European Union member states in Athens on 8 April, 2003, Council of Europe Human Rights Commissioner, Mr Alvaro Gil-Robles stressed the growing problems confronting the Roma/Gypsy communities throughout Europe, both east and west, and in both member and candidate countries.

There is a need for the international intergovernmental organisations to develop a common strategy for promoting participation and a common programme for implementing it. I propose that the European Commission, the Council of Europe, the OSCE and the United Nations agencies should get together to study this proposal.

We have to change our ways of working. First of all, intergovernmental bodies, such as the Council of Europe Group of Specialists on Roma/Gypsies, should develop a partnership with Roma organisations, which should become full participants with voting rights and not be merely observers. Such a mixed structure of governmental experts and nongovernmental experts exists within the Council of Europe in the field of sport – why not for debating Roma issues?

Secondly, there is a need for structures which give Roma the possibility to lobby for their own priorities and develop leadership and know-how in the democratic process

An excellent example has been set with the recent creation of the European Roma Information Office (ERIO) in Brussels. This independent body composed of and run almost exclusively by Roma will be an effective tool for lobbying.

Another initiative in the pipeline is the proposal made by Mrs Halonen, President of Finland, for setting up a European Roma Forum, an advisory body of Roma with direct and privileged links with Council of Europe organs, and possibly with the organs of other international organisations such as OSCE and the European Community. Such a body would give the Roma a voice in Europe and allow them to influence the decision-making process. A feasibility study has been carried out by an informal group and the matter is at the moment being studied by the Committee of Ministers, which is the governing body of the Council of Europe.

Speech of Mr. Rudko Kawczynski, Roma National Congress

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One needs to appreciate the self-perception of Roma, Sinti and Gypsies; these communities are constantly confronted with statements about the need for training rather than on participation and representation. There can be no real full co-operation without participation. Dialogue and engagement in the formulation of policies toward Roma is the right of Roma, not a privilege to be granted after certain undetermined levels of training have been attained.

Experts, specialists and academics are the class of people who have been responsible in the past for the persecution of Roma. After the confrontation by Roma of those experts in the 1960s, it is shocking that one needs to fight again today for recognition as a valid partner. We see today policies that were previously applied by the Nazis, as experts continue to speak on our behalf. Let us not forget that what is best for Roma is what is best for the majority. At present, power and authority are exercised over the Roma, rather than encouraging them to participate in institutions of authority. Anyone working with Roma and Sinti issues would do well to read the OSCE-commissioned report by the Roma National Congress in order to be reminded that co-operation, for NGOs, means nothing less than working together with equal rights and equal footing.

There is inadequate monitoring of how money aimed at helping Roma is spent and what effect these initiatives had; such evaluations cannot be valuable if Roma, who are after all the main intended beneficiaries, do not have the chance to lead such studies.

Roma hear again and again that they need training. Meanwhile, there are roughly one million displaced Roma in Europe; this is what should truly be at the top of the agenda. Roma must have the opportunity to participate actively, including the right to vote and to identify their own voice in political discourse. As it stands now, Roma are without political or economic voice and national policies and promises can only increase Roma's growing pessimism as there is no adequate plan for tracking compliance.

Speech of Mr. Franz Cermak, European Commission, DG Enlargement

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- Before I come to the issue of candidate countries soon becoming new EU-Member States and what this means for Roma and Sinti in the central and eastern European countries, I would need to briefly explain where we stand today, less than 13 months before we will be able to welcome 75 million new EU citizens - among them approximately 1,4 million Roma - in the European Union.
- The situation with regard to Roma in the candidate countries is far from perfect but things have improved since these countries applied for accession. Five candidate countries - BG, CZ, HU, RO and SK - have "Roma" listed as a political priority in their accession partnerships. Generally speaking, we can say that our pre-accession strategy with the system of Regular Reports, Accession Partnerships and PHARE financing has actually worked rather well, also in the field of assistance to Roma.

- For quite some time now the European Commission monitors the development regarding the situation of the Roma e.g. through meetings in the framework of the Europe Agreements or the Regular Reports. The - at times quite critical - evaluations in these reports, produced by the Commission since 1998, have always been taken rather seriously by the candidate countries. In October 2002 the Commission could state that "in all countries with considerable Roma communities, progress has been made with the implementation of the national action plans to improve the difficult situation..." of Roma. At the same time, the Commission also states that "continued efforts are required to ensure that...action plans continue to be implemented in a sustained manner...". In other words: Yes, progress has been made but full implementation of national plans, at all levels - including the regional and local ones - and proper funding are essential for these strategies to bear full fruit.
- As a result of the efforts on the EC-side, Phare financing for the Roma in the candidate countries with important Roma minorities, i.e. Bulgaria, the Czech Republic, Hungary, Romania and Slovakia, has amounted to some € 70 million in the last four years (1/1999 until 12/2002). For 2002 some 14 million € are provided within the PHARE National Programmes as well as further support through grants to NGOs. Through the PHARE programme the EC is therefore probably the largest international donor for Roma communities in the candidate countries. 2003 is the last programming year for the acceding countries like CZ, HU or SK but projects will be implemented until 2006. For BG and RO further funds will be made available in the context of the increased pre-accession assistance.
- Phare projects focus on a variety of aspects of the social exclusion the Roma are suffering, such as education, health, infrastructure and the access to the labour market. Funds are channelled towards the priorities identified under the national strategies or action plans to improve the conditions of the Roma, which have been adopted in these countries.
- The programming of Phare is prepared by the national authorities of the candidate countries in co-operation with the Commission, according to the priorities identified in the Accession Partnerships. The Commission strongly encourages the national authorities to earmark support to Roma communities and to consult Roma organisations in the planning process. More generally, it also encourages the national authorities to involve these organisations in all programmes and initiatives aimed at combating social exclusion and discrimination.
- Nevertheless, it is true that the identification of the relevant interlocutors within the Roma community remains a problem. Therefore the Commission aims at ensuring frequent contacts with Roma organisations at all levels to support the development of their organisational and political capacity. This has resulted in increased Roma participation in structures and processes addressing their concerns.
- The Commission favours the participation of the Roma in measures targeting the improvement of their situation, beginning from policy formulation and project programming to the implementation. In the Regular Reports as well as through the regular contacts with the candidate countries' authorities the Commission underlines the need to involve the Roma in project programming and implementation.
- The Commission has repeatedly pointed out that the improvement of the situation of the Roma is mainly the responsibility of the candidate countries themselves. The co-operation

between the candidate countries and the Commission has led to progress in several areas. In a number of cases, the legal framework in the candidate countries has been reformed in order to outlaw discrimination of minorities.

- The integration of the Roma population into society is a complex task that will require years of intense work in many areas, going far beyond the time of accession. Given the large Roma community and the challenging tasks, however, the Phare programme can only have a limited impact.
- Among ongoing initiatives apart from PHARE, I would also like to mention the European Initiative for Democracy and Human Rights (EIDHR), set up in 1994 and dealing with the promotion of human rights. EIDHR previously financed a number of Roma projects in candidate countries - since the increased funding opportunities of the PHARE programme, EIDHR now - among other activities - funds Roma projects in the countries of South East Europe and in the New Independent States.
- Projects for Roma are furthermore supported within the Socrates (co-operation in the field of education) and the Youth for Europe programme (youth exchanges). Candidate countries are already participating in these EC-programmes; both of them run until 2006.
- And there is the European Monitoring Centre on Racism and Xenophobia in Vienna, which - among other activities - provides the EU with objective, reliable and comparable information at European level on racism and xenophobia, including the situation of Roma. Again, from accession onwards the new member states will of course be fully included in and contributing to the activities of the Monitoring Centre.
- As I mentioned above, in spite of all the efforts made by the European Union, it is mainly the responsibility of the national authorities of the candidate countries to improve the situation of the Roma minority. Much has been achieved with regard to action plans and the establishment of institutional structures dealing with Roma issues. Adoption and - more specifically - due implementation of comprehensive anti-discrimination legislation is in many cases still missing. The Commission constantly encourages the candidate countries to pay due attention or even increase their efforts and is determined to continue helping them in tackling this important issue.
- As the fulfilment of the political criteria of Copenhagen was a pre-condition for starting accession negotiations, subjects like human rights, minorities or Roma have not been part of the accession negotiations as such. There were no transitional periods to be negotiated - the EU-legislation in this field had to be fully transposed, at the latest by accession in May 2004. As mentioned above, such subjects were of course a major part of the pre-accession preparations.
- There is no question that the Roma issue in acceding countries will not be solved in a fully satisfactory manner by the time of accession. Yes, acceding countries and candidate countries we are presently negotiating with continue to fulfil the famous political criteria of Copenhagen but this does not mean that no further efforts need to be made. The situation as of 1 May 2004 with regard to Roma issues is quite clear: The new member states will have the same opportunities but also the same obligations as the present EU Member States.

- A few examples: The directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin will have the same effect in the acceding countries as in the current member states. It will prohibit discrimination on grounds of racial or ethnic origin in employment, training, education, social security, health care, housing and access to goods and services. Member states and acceding countries alike - all will have to comply with this directive - Member States by 19 July 2003, most acceding countries only at the time of accession in May 2004. In this context it needs to be mentioned that - as of 14 February 2003 - none of the 10 acceding countries have yet (fully) transposed this directive into their national legislation. The same goes for directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation - deadline for implementation is 2 December 2003.
- A major instrument in this field is the Community Action Programme to Combat Discrimination - it covers five grounds of discrimination: Racial or ethnic origin, religion of belief, age, disability and sexual orientation. NGOs and other actors, such as local authorities, social partners, media, equality bodies, etc. will have the opportunity to participate in this Action Programme after accession; some acceding countries/candidate countries are already participating through a Memorandum of Understanding: BG, CY, HU, RO, PO, SK and TR.
- The Commission does not envisage any major structural changes of the anti-discrimination programme in 2004; the programme runs until 2006 - any possible changes will then already be discussed with the new member states, which will have the same opportunities as the current ones. The new member states will have access to the structural funds, which - in the framework of specific programmes - foresee financing of projects promoting minorities. This would also concern Roma communities. Such activities are presently ongoing in a number of EU member states.
- A study entitled "Roma in an enlarged EU", which will be commissioned later this year and should particularly look at the impact on social exclusion and anti discrimination policy, would give us further insight into these issues. In this context the possibility of organising a workshop on this theme in mid 2004 is envisaged. Furthermore initiatives on Roma themes are being considered in the framework of the European Social Fund, the Community Initiative "EQUAL" and the Community Action Programme to combat social exclusion.
- Out of the estimated 12 million Roma who live in the world today, it is expected that on 1 May 2004, approximately 1,4 million will become EU-citizens; all together the population of the EU will increase by some 75 million citizens. Pre-accession preparations were very intense and are still ongoing - we are convinced that, with combined efforts on both sides the new challenges can be met.

Speech of Mr. Stanislaw Stankiewicz, International Romani Union

Session 4: Role of and Co-operation between OSCE Institutions, Governments, Intergovernmental and Nongovernmental organisations

Legislative acts often state that Roma are an ethnic minority; this does not suffice to define the status of Roma. The implementation of this legislation is most important. A Roma camp

for refugees was visited where 1,200 Roma lived. There are a number of international agreements and national legislation assuring equality and security but in reality there is discrimination. Ombudsmen as institutions have been set up in many countries and can provide guarantees for rights, but there remains a need for stability. We also need to examine national legislation; does it provide guarantees for Roma to stand for election, to participate and vote in elections. Roma NGOs do not have much strength and so I thank Mr. Soros for having given us a push in the right direction. When we look at an open society we should raise the question of whether we have, or need, to create an open society. An open society's creation needs education. Administrations need education and awareness raising. Without this we will continue to have discrimination. Roma need education on how to assert their own rights and for Roma to be accepted. Roma today have no political, economic voice. The regional level of administration should be focused upon, as this is where we see discrimination, xenophobia, and racism. The most important is the official political situation of a country. This is not enough.

Collective Declaration of Romani Associations adopted by Romani NGOs during the Preparatory Meeting held on 9-10 April 2003 in Vienna, organised by Romano Centro

April 10, 2003, Vienna

We the representatives of Romani organisations (including, but not exclusive to, the International Romani Union and the Roma National Congress) from countries of Europe, as signed below, declare the following:

The member states of the OSCE are responsible for assuring the equal rights and equal opportunities of their citizens and they bear responsibility for the varied inequities that Roma today face. As citizens of the countries in which we live, we expect that elected officials are most capable of improving our position within society. We are able to work in partnership with them but are not in a position to build a common future without them.

Migration is often a sign and symptom of a lack of equal opportunity at home, in terms of education, employment, housing, health, credit and public services. We note lately manifestations of discrimination against Roma in both their home countries and "host countries" concerning the freedom of circulation in the time of an unified Europe. Rules established between candidate countries and member states of the European Union are applied in a discriminatory way. If we agree with combating illegal migration, this kind of migration, which is not so widespread among Roma, only could be reduced when the livelihood of all citizens is guaranteed at home.

We recognise racism and discrimination as the underlying cause of the inequality suffered by Roma across Europe. We ask for the support of the OSCE and its member states on the matters listed below.

1 We ask for funding, to be entrusted to Romani NGOs, for legal representation of individuals on the local level in cases of alleged discrimination or ethnic bias. Outside of the large cities where private foundations are most often found, we find that there is a lack of funds for bringing about necessary litigation.

2 We initiate remembrance days of the Kossovar Roma's exodus on 16 -17 June.

3 Democracy is the only route for our people and we wish to see a stronger effort to fully involve Roma in democratic processes.

4 Therefore, we ask for funding for training for, and by, Romani NGOs and citizens in democratic processes and participation, such as support for voter education and registration projects.

5 The understanding that the public, both non-Roma and Roma, have of the issues we face, is formed primarily by mass media and our problems cannot be addressed without examining the image of these issues that the public sees. We ask for support for efforts to integrate professional Roma journalists as staff into mainstream media. At the same time, we request support for Romani media from the member states of the OSCE, and that this support not be limited to print media. Existing Romani press centres may be considered for `franchising` and replication.

6 a Recognising that the problems of the Romani community will only be addressed with the participation of a fully engaged Romani intelligentsia, we ask for support in the form of scholarships for Romani students at universities across Europe, especially in Vienna, Berlin

and Paris. This support should not be offered only to students of multifaceted humanities but should extend to students of law and other professions. We ask that the top universities in each member-state consider opening slots for worthy Romani students. We also recognise the important leadership role in support of Romani students that private donors, such as George Soros and the Open Society Institute have played.

6 b The above being noted, we ask that Romaversitas in Hungary should be examined by member states as a possible model for replication in their own countries and that they consider facilitating a franchise process for this institution. We believe that Romaversitas can be instrumental in building an educated and engaged Romani middle class.

7 We ask the Stability Pact and the OSCE to carry out further international discussions on the subject of internally displaced persons and refugees from Kosovo and other countries of the region as well as for the active participation of all member states in these discussions. Regarding Kosovo, it is crucial that properties and estates be returned to Romani owners. We ask also that serious negotiations be started with the local authorities with the participation of recognised Romani authorities, especially chiefs of families. Romani has also to be recognised as one of the official languages of the entity, along with and in full equality with Albanian, Serbian and Turkish.

8 We reaffirm and give our support to the proposal put forth by a wide range of Romani organisations at the 2nd World Roma Congress in Lodz in 2002 and in the Beroun Agreement concerning the European Roma Forum (ERF). We insist that the ERF be formed according to the conception of it, that was put forth by Roma themselves at the aforementioned and other meetings. We give our confidence to the OSCE-ODIHR CPRSI to carry forward discussions on the OSCE Plan of Action. We also ask the CPRSI to co-operate closely with a Romani Co-operation Committee for Study of the Plan of Action.

Vienna, 10 April 2003

**SUPPLEMENTARY HUMAN DIMENSION MEETING
ON ROMA AND SINTI ISSUES,
Vienna 10-11 April 2003**

**LIST OF DOCUMENTS DISTRIBUTED during the
meeting made by the CPRSI**

- Agenda
- Annotated Agenda
- List of Participants

**STATEMENTS, DECLARATIONS AND REPORTS FROM PARTICIPATING
STATES**

- Bundesrepublik Deutschland, Bundesministerium des Innern, Statement über Beispiele guter Praxis in Deutschland
- Poland. National Minorities Division, Department of Religions and National Minorities, Ministry of the Interior and Administration, “Roma in Poland”
- The Government of Romania, Ministry of Public Information, Strategy of the Government of Romania for Improving the Condition of the Roma
- Delegation of the Russian Federation, “The Unification Congress of the Roma Communities of the CIS and the Baltic Countries”
- Ministerio de Trabajo y Asuntos Sociales, Spanish government, “Gipsy people development programme
- Slovak Delegation to the OSCE, “Information of the Government of the Slovak Republic on the State of the investigation of alleged coerced sterilization of Roma women”
- United States Mission to the OSCE. “Closing Statement”

**STATEMENTS, DECLARATIONS AND REPORTS FROM INTERNATIONAL
ORGANISATIONS**

OSCE ODIHR

- OSCE Commitments and Recommendations relating to Roma and Sinti
- CPRSI Recommendations of targeted actions to be discussed during the Sessions of the Vienna SHDM, 10-11 April and during the elaboration of the OSCE Action Plan on Roma and Sinti. Informal paper, drafted by Nicolae Gheorghe
- ODIHR, “Draft final report. Roma under the Stability Pact for South Eastern Europe”
- “The ODIHR Contact Point for Roma and Sinti Issues, An Overview”?

European Union

- Greek Presidency of the European Union. “European Union Statement”

Council of Europe

- Council of Europe, “Chronological description of events concerning the possible setting up of a forum for Roma and Travelers”
- Council of Europe, “Draft Mission Report. Council of Europe Fact-finding Mission to Serbia and Montenegro”
- ECRI, “Practical Examples in Combating Racism and Intolerance Against Roma/Gypsies”

United Nations

- International Labour Organisation, “Equality of opportunity and treatment in employment and occupation: the situation of the Roma and Sinti”

STATEMENTS, DECLARATIONS AND REPORTS FROM NGOS

Combat of Discrimination

- Open Society Institute, EU Accession Monitoring Programme, Recommendation for setting up a “Roma Policy Monitoring Mechanism”
- Open Society Institute, “Roma Participation Programme, Reporter”
- Red Cross, “The Roma against the Wall”
- The First Steps: An Evaluation of the Nongovernmental Desegregation Projects in Six Bulgarian Cities. An External Evaluation Report to the Open Society Institute
- Romani CRISS, “Recommendations for the OSCE Participating States on Equal Opportunities for Minorities at the Local Level with regard to the OSCE Plan of Action”
- Romani CRISS, “Recommendations for the OSCE Participating States on Equal Opportunities for Minorities at the Local Level with regard to the OSCE Plan of Action. Legislative changes in order to prevent racial and ethnic discrimination.”
- Romani CRISS, “Recommendations for the OSCE/ODIHR to be considered for the Plan of Action. Combating Discrimination against Roma and Sinti in the OSCE participating States”
- Romani CRISS “New Publication on Roma Rights. Court Cases compilation on discrimination against Roma”
- Romani CRISS, Information on project “Monitoring Human Rights Court Cases-Web-site-Newsletter-Database”

Refugees and IDPs

- Roma refugees in Suto Orizari, “Roma Appeal for Collective Return to Kosovo and Metohija”
- Refugees in Collective Center Suto Orizari, “Appeal from Refugees in Collective center Suto Orizari, Skopje, Macedonia from region of Kosovo since the conflict in 1999 year”
- Declaration from Roma NGOs at Round Table in Skopje 27-28 December 2002, “Roma and the Stability Pact in SEE. Roma Refugees and Internally Displaced Persons (IDP) in Balkans”
- Zentralrat Deutscher Sinti und Roma, “Stellungnahme des Zentralrats Deutscher Sinti und Roma”
- Roma participants in Sarajevo round-table January 27-28, 2002. “Recommendations made by RAE IDP and refugee representatives”
- Lettre commune des associations rroms de France et de Roumanie
- Asmet Elesovski, Roma, Ashkhalie and Egyptians refugees and Internally Displaced Persons (IDPs) in South Eastern Europe
- Romani CRISS, “Report on Romanian citizen’s situation in other States, The Case of Roma in France”
- Romani CRISS, “Round Table on the Situation of refugees and internally displaced persons in South Eastern Europe, with special focus on current practices in Bosnia and Herzegovina, Sarajevo, January 26-2 2003”

Miscellaneous

- Caritas National Section Skopje, “From Ethnic Confrontation to Ethnic Co-operation: a capacity-building programme for Local Authorities from Croatia, Bosnia and Herzegovina, FYROM, Kosovo, Montenegro and Serbia promoting Minority Rights and supporting Inter-ethnic Co-operation with Roma”
- European Dialogue, “European Workshop on Roma-Police Relations”,
- Klimova Ilona, ODIHR Project Roma and Elections, “Background Paper summarizing and analyzing information gathered during the project through participation of Romani STOs in the Election Observation Missions and Prague Workshop on Romani Political Participation”
- Klimova Ilona, “ODIHR Project International Consultation on Romani Refugees and Asylum-seekers. Background Paper illustrating the development of the Debate withn the OSCE Framwork”
- Mirga Andrzej, “Addressing the Challenges of Romani Children’s Education in Poland – Past and Current Trends and Possible Solutions
- Network of Roma NGOs, “Collective Declaration of Romani Associations”
- Petition of Roma NGOs from Czech Republic, Slovakia, Poland, Macedonia and Hungary, “STOP Financing ineffective Roma programmes! Roma are not Marionettes!!! EU-PHARE-for Roma without Roma-is this real EU policy?”
- Roma Settlements in Slovakia-Policy Report based on the discussion from the International Round Table of Experts, Presov, June 6 – 8, 2002
- Network of Roma NGOs (RANELPI), “Project of a Frame-Statute (Moral Chapter) of the Rromani People in the European Union”

Sterilization

- Centre for Reproductive Rights, Center for Civil and Human Rights Slovakia, “Analysis and recommendations on the Slovak Government’s Investigation into reproductive rights violations against Romani women”
- Centre for Reproductive Rights, Center for Civil and Human Rights Slovakia, “Statement of the Center for Reproductive Rights, New York and the Centre for Civil and Human Rights, Kosice on the issue of Coercive Sterilizations of Romani Women”
- IHF, ERRC & SHC, “Joint Statement of the European Roma Rights Center (ERRC), the International Helsinki Federation for Human Rights (IHF) and the Slovak Helsinki Committee (SHC) on the issue of Coercive Sterilizations of Romani Women, on the Occasion of the OSCE Supplementary Human Dimension Meeting on Roma and Sinti”
- IHF, ERRC & SHC, “OSCE Urged to Address Allegations of Forced Sterilizations of Romani Women”

STATEMENTS, DECLARATIONS AND REPORTS FROM ROMA POLITICAL PARTIES

- Gipsy Democratic Party, Belgrade, Constitutional Position of Gypsy People in Serbia and Montenegro
- Gipsy Democratic Party, Belgrade, Education of the Gypsy People the Priority Task for the Gipsy Democratic Party
- Roma Democratic Party Kosovo, “Work Report of the Democratic Party in Kosovo”
- Roma Democratic Party, Belgrade, “Protection of Roma Rights on the International Level”

PRESS RELEASES

- Media Advisory. Press Conference on OSCE Roma and Sinti Meeting – unofficial document
- Press Release, OSCE, “Meeting on Roma and Sinti boosts preparation of OSCE Action Plan”
- Press Release, Council of Europe Spokesperson and Press Division, “Roma must Play active part in determining their own future, says Council of Europe Deputy Secretary General”
- Press Release, Council of Europe Spokesperson and Press Division, “Council of Europe Human Rights Commissioner concerned for Roma/Gypsy Communities