

WARSAW ROMA AND SINTI DECLARATION AT THE OSCE REVIEW CONFERENCE

PREAMBLE

At the invitation of the OSCE CPRSI, 40 representatives of Roma organizations from different countries met on the 5th of October, to discuss the recent developments regarding the inter-state tensions related to international mobility of Roma during which serious human rights violation against Roma occurred.

We, Roma gathered in Warsaw at the OSCE Review Conference, express unanimously our deep concern regarding the following.

The anti-Roma discriminatory practices and abuses carried out by the Italian government (2008-2009) and recently by the French government to dismantle camps and repatriate Roma to Romania and Bulgaria, practices and measures that deserve our most forceful rejection. These represent only the tip of a longstanding and neglected social crisis of racial discrimination and poverty that is the plight of Europe's largest ethnic minority. Such measures constitute a clear abuse of fundamental human rights and a breach of the European and international law regarding non-discrimination, freedom of movement and protection of personal data.

It is in this context that we have agreed to create a group of experts to study -from the angle of public international law and community law- the possibilities to impeach the French government to the court of justice of the European Union in Luxembourg.

CONCERNS

Increasing intolerance against Roma and Sinti

There has been an upsurge in inflammatory rhetoric and hate speech targeting Roma communities, acts of violence against Roma that have included gun and bomb attacks on Roma settlements. Men women and children were among the dead and the wounded. Public officials and elected politicians have made statements, with seeming impunity, that are clear incitement to hatred and have stigmatized the Roma community.

Roma labeled as 'nomadic'

We are deeply concerned by statements of high profile politicians, including heads of States, that bring into the public discourse old-fashioned and indeed dangerous notions referring to Roma as 'nomadic' or 'special groups' that need to be targeted by repressive policies. We remind governments that in the past, during WWII, authoritarian regimes have specifically targeted for extermination the so called 'nomadic Roma', considered to be asocial and unwilling to integrate.

Putting the blame on Roma

We are concerned by recent statements of government officials attempting to justify the failure of integration policies in the last decade, putting the blame on Roma community itself, and on their representatives.

We underline that commitments made under a series of international frameworks, such as EU treaties, OSCE Action Plan, CoE resolutions and recommendations, have been met only on paper policies.

We condemn the tendency of governments to adopt and implement policies that affect disproportionately Roma curbing their freedom of movement within the EU.

We are deeply concerned with the phenomenon of human trafficking that affects Roma, and the exploitation of Romani children and women; we call for immediate and swift action by responsible authorities to crackdown on organized criminal networks responsible for these crimes, and to address the root causes.

The gathering of Roma in Warsaw strongly supports the position of EC President Barroso and Commissioner Reding on the recent debates on Roma and Sinti in bilateral relations and European level as a whole.

WE CALL UPON PARTICIPATING STATES

- To uphold their commitments and obligations under various international frameworks for the protection of human rights of Roma;
- To show serious commitment and transpose policies into practice at national and local level;
- To ensure necessary administrative and financial resources for implementing policies for Roma integration and ensure that the upcoming planning for structural funds include Roma among priorities;
- To make the best use of EU provisions regarding use of funding under the ERDF for housing and marginalized communities;
- To increase efforts to combat discrimination at all levels, in particular educational and residential segregation, and to engage in partnership with the Roma civil society organizations and the Roma community.
- To put an immediate end to all collective deportations, forced returns and repatriations of Roma.

WE RECOMMEND THE OSCE INSTITUTIONS

The Permanent Council

- To discuss and review in a special meeting the implementation of Action Plan on Roma and Sinti, based on the ODIHR 2008 Status Report. In this context, the PC should mandate the ODIHR to make a better use of the existing OSCE mechanisms with a view to enhance implementation of the Action Plan by the participating States.
- To upgrade the profile and strengthen the status of the OSCE CPRSI. We suggest among others that the ODIHR CPRSI continues, consolidates and expands its recent good practice of country field visits in view of assessing and reporting on particular concerns and issues related to Roma and Sinti affairs.
- In this context, we strongly recommend the CPRSI to conduct a series of field visits in several participating States on the specific topic of international mobility of particular Roma and Sinti groups. (FR, RO, BLG, FI, UK, DE, SE etc).
- To upgrade the mandate and the institutional resources of the CPRSI from a clearing house (1994 Budapest Summit), towards a consolidated permanent unit, similar with other ODIHR units.
- To support the establishment of a panel of Roma and Sinti advisers and experts to work on a regular basis with the CPRSI.

The participating Roma representatives strongly requested the ODIHR Senior Adviser to revive and strengthen the International Roma Contact Group –as recommended in the article 121 of the OSCE Action Plan on Roma and Sinti Issues– in order to fill the existing painful gap in the participation and representation of Roma civil society groups in the policy making processes on Roma on European and country levels.

WE RECOMMEND THE EUROPEAN UNION

- To increase its support for capacity building and empowerment of Roma civil society and organizations, increase its efforts targeting Romani youth development and education, and design programs with a view to increase the civic and public participation of Roma communities, including in political life of their societies.
- EU and governments of Member States should make use of the lessons learned during the last EU accession and avoid critical situations such as those in France and Italy. We consider that there should be closer and more thorough monitoring and analysis of the extent of fulfillment of the pre-accession criteria, in particular regarding the protection and realization of rights of national minorities and improvement of their situation.

- We welcome the intention of the EC to set up a Task Force on Roma, and we strongly believe that this institutional arrangement should be mandated to:
 - Monitor the fundamental rights situation of Roma within EU, and take action as appropriate;
 - Monitor progress and failures with respect to implementation of EU funding and ensure that such funds are spent to best effect with a view to integration of Roma;
 - Ensure consultation, dialogue and participation of Roma and their representatives in the processes that are shaping policies affecting Roma. We stand ready to actively contribute to the work of the task force.
- We welcome and support the intention of the EC to establish a framework strategy for national integration strategies on Roma in 2011. We recommend that the framework strategy is based on the principle of Member States accountability to the human rights protection of Roma and social integration; combating discrimination and social exclusion, especially focusing on fighting segregation in education, housing and violence against Roma.

We insist that the primary responsibility for protections of rights and wellbeing of all citizens lies with the national governments.

We welcome the European Parliament resolution adopted in September 2010, and commend the determination of the EC to start infringement procedures against France, according to EU relevant legislation.

We express our concern with the fact that despite of commitments of governments made under various international frameworks, we observe a trend which indicates that in some States there is an emerging notion of first class citizens and second class citizens and that Roma and other vulnerable groups are falling into the latter.

Distinguished Delegates, we came in large numbers at this meeting to show trust to the OSCE as a relevant international arrangement in European affairs and expect in return the same confidence and seriousness of the participating States in taking concrete action to the benefit and inclusion of Roma and Sinti throughout the OSCE Area.
