



**Roma Electoral Participation in Europe:  
Mention of Roma in ODIHR Election Observation Mission Reports**

2002 – 2007

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## ACRONYMS AND ABBREVIATIONS

AURR	Alliance for Roma Unity
BESEV	Polling Station Election Bureaus
BiH	Bosnia and Herzegovina
BPS	Bosnia and Herzegovina Patriotic Party
CEC	Central Election Commission
CPRSI	Contact Point for Roma and Sinti Issues
DP	Democratic Party
DPA	Democratic Party of Albanians
DPS	Movement for Rights and Freedoms
DUI	Democratic Union for Integration
EAM	Election Assessment Mission
EB	Election Boards
EOM	Election Observation Mission
Fidesz	Allian of Young Democrats-Hungarian Civic Party
HRUP	Human Rights Union Party
IDPs	Internally Displaced Persons
LPD	Movement for Democratic Progress
LTO	Long Term Observer
MECs	Municipal Election Commission
MP	Member of Parliament
MSZP	Hungarian Socialist Party
NGO	Non-Governmental Organization
ODS	United Democratic Forces
OSCE	Organization for Security and Cooperation in Europe
ODIHR	Office for Democratic Institutions and Human Rights
PDP	Party of Democratic Prosperity
PEI	Party for European Future
PRJ	Party for Roma Unity
PRSD	Roma Social Democratic Party
PSD	Social Democratic Party
ROI	Roma Civic Initiative
ROISR	Roma Civic Initiative of the Slovak Republic
ROMA	Political Movement of Roma in Slovakia
RS	Republika Srpska
SBiH	Party for Bosnia and Herzegovina
SDA	Bosniac Party for Democratic Action
SDP	Social Democratic Party
SDSM	Social Democratic Union of Macedonia
SMK-MKP	Party of the Hungarian Coalition
STO	Short Term Observer
SZDSZ	Free Democratic Party
VMRO-DPMNE	International Macedonian Revolutionary Organization-Democratic Party of Macedonia National Unity

## INTRODUCTION

The ODIHR Contact Point for Roma and Sinti Issues (CPRSI) recognizes the under representation of Roma and Sinti in electoral processes across the OSCE participating States with significant numbers of Roma and Sinti populations. Mandated by the Action Plan on Improving the Situation of Roma and Sinti Within the OSCE Area,<sup>1</sup> in particular Chapter VI on Enhancing participation in public and political life, the ODIHR began a three year joint programme with the Council of Europe in 2003, under a grant agreement funded by the European Commission, entitled “Roma use your ballot wisely” (RUBW)<sup>2</sup>.

The RUBW project focused on making use of the electoral mechanisms, mainly in the countries of South Eastern Europe (SEE) and Central Eastern Europe (CEE), in order to contribute to combating intolerance and discrimination based on ethnicity, culture, gender, lifestyle or religion, as well as social exclusion and marginalisation of Roma and Sinti. In implementing the project, particular focus has been on the most vulnerable groups within the Romani communities, such as internally displaced persons (IDPs), refugees, young people and women.

Since 2000, the core teams of OSCE/ODIHR Election Observation Missions often include an expert on national minorities to follow issues related to their participation in elections. This document is a compilation of excerpts from OSCE/ODIHR Election Observation Missions Reports related to the participation of Roma from 2003 to 2006 when the ODIHR CPRSI facilitated, through RUBW project activities, the mainstreaming of Roma individuals within the ODIHR EOMs as Short Term Observers (STOs), Long Term Observers (LTOs) or members of the EOM core team.<sup>3</sup>

The EOMs collected material concerning minority issues to measure a variety of areas useful in assessing minority participation in the electoral process, including: minority participation as voters; candidates and elected representatives; the participation of minorities in leadership roles within state institutions; electoral commissions and political parties; and analysis of the legislative framework and its impact on minorities.

A number of factors have emerged from the EOM reports which signal obstacles to effective participation of Roma and Sinti in the electoral process. These factors include a lack of mechanisms in place that would ensure Roma and Sinti participation for both voters and candidates; limited mention of Roma and Sinti in election campaigns; and a number of election irregularities, such as lack of civil registration documents, vote buying and election-day fraud. In addition, low voter turnout and voter apathy among Roma communities has also been raised in the EOM reports. Political participation is also limited due to a widespread lack of understanding of political and electoral processes by many Roma communities.

Overcoming these obstacles requires that OSCE participating States implement the agreed upon commitments of the OSCE Action Plan on Roma and Sinti and undertake several measures, including: ensuring that Roma citizens are included in the civic and voter registers; introducing mechanisms that lower the required threshold for Roma candidates to reserve seats on elected bodies; and make voter education for Roma a priority.

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<sup>1</sup> Decision No.3/03 of the 2003 Maastricht Ministerial Council; PC Decision 566 (27 November 2003). Under the Action Plan, the ODIHR is tasked to “...continue and strengthen the practice of examining the involvement of Roma people in voting and election processes ,and will continue the practice of including Roma and Sinti experts in its election observation missions in the OSCE area” (Art.103).

<sup>2</sup> The RUBW project is a follow-up to the joint ODIHR/CoE/EC programme “Roma under the Stability Pact” (2001-2003).

<sup>3</sup> All OSCE/ODIHR election reports are available online at: <http://www.osce.org/odihr-elections>.

## ALBANIA

### **Local Elections, Republic of Albania – 18 February 2007** OSCE/ODIHR Election Observation Mission Report

**During these elections a number of issues were raised regarding Albania's Roma community. Among the concerns raised was the issue of candidates allegedly buying votes from Roma in settlements, with one case in Pogradec confirmed as having taken place. Another area of concern centered around inclusion of Roma in the voter lists- this concern was also raised in previous elections and recommendations have been made to define a new national civil registry that includes disenfranchised national minority groups, including Roma.**

### **Parliamentary Election, Republic of Albania – 3 July 2005** International Election Observation Mission Statement of Preliminary Findings and Conclusions

While more consideration was given to issues related to national minorities by a number of contestants, further efforts are needed to improve voter registration of minority populations, especially among the Roma community.

(...)

#### **Participation of National Minorities**

The 2001 census did not include questions relating to respondents' ethnicity. Hence there is an absence of reliable current official data on national minorities. Nevertheless, Greek-speaking communities reside in some areas of the south of Albania and Roma and Egyptian communities are resident in cities and villages across Albania. (...)

The position of some minorities has improved, partly through their own initiatives to create or develop political associations and their advocacy efforts. Nevertheless, obstacles remain to the full participation by Roma and Egyptian minorities in the election process and there has been little progress concerning their registration as voters. Observers received credible allegations that attempts were made to influence their electoral choices in certain communes, these allegations referred to pressure, vote buying and bribery.

Traditionally, the HRUP has sought the political support of minority populations. In 2005, the party fielded a high number of candidates from minority populations, although the large majority were from the Greek minority. In its election campaign, the HRUP devoted little attention to minority issues. The Movement for Human Rights and Freedom was the only party whose platform included calls for the enactment of minority rights. The EOM noted that the DP commented on the social problems faced by Roma and Egyptian populations during their campaign. (...)

## BELARUS

### **Presidential Election, Republic of Belarus – 19 March 2006** OSCE/ODIHR Election Observation Mission Final Report

International estimates put the number of Roma at just under 50,000. Belarusian citizens from the Roma community, according to Roma lawyers, were frequently not included in the voter lists, but were generally able to add their names upon request.

## BOSNIA AND HERZEGOVINA

### **General Elections – 1 October 2006** OSCE/ODIHR Statement of Preliminary Findings and Conclusions

17 national minorities are legally recognised in BiH, but most of these are small with Roma being the only numerically significant minority population. In the absence of a new census since 1991 and as a consequence of wartime displacements, the size of the Roma minority is unclear. Estimates range from 30,000 to 100,000. During the election, no political parties specifically represented national minority interests in the country, although at least one party included Roma candidates in their lists.

### **General Elections – 5 October 2002** OSCE/ODIHR Election Observation Mission Final Report

Because of the unique construct of the BiH electoral system, candidates for certain offices must identify themselves as belonging to one of BiH's three constituent peoples, or as "others". "Others" are effectively barred from running for offices reserved for constituent peoples, such as the BiH and RS Presidencies. The Election Law does not provide any guarantees for representation for "others" in any directly elected national or entity level body. However, recent entity constitutional amendments require "others" to be proportionally represented in municipal and canton governments.

During the elections, minority groups which do not constitute one of the three constituent peoples played a marginal role. Only 169 certified candidates (2.24%) were "others". Many Roma, the largest minority group, registered to vote in the Tuzla, Travnik, Sarajevo, Bosanska Gradiska and Mostar regions. Otherwise, however, registration of Roma voters was apparently low. There was no Roma-based political party and most communities reported receiving little attention from political parties generally, although there were a few exceptions. The EOM received reports of a small number of Roma candidates and Roma members in the SDP, SBiH, SDA and the BiH Patriotic Party (BPS). There were fewer reports of Roma observers or polling station members.

Roma voter turnout was difficult to assess. Before the elections, two Roma leaders indicated their communities would spoil ballots in protest of their marginalization. An EOM short-term observation team for Roma issues reported low Roma turnout in Zenica, Kakanj, Gorica, Buca Potok (Sarajevo) and Bosanska Gradiska. However, greater numbers of Roma voted in Visoko. There are indications that many Roma did not understand the complicated ballot or the elections system generally. The small Jewish community slated several candidates with five Bosniak-based political parties in Federation and Cantonal races. A small number were members of Polling Station Committees.

## BULGARIA

### **Parliamentary Elections – 25 June 2005**

#### OSCE/ODIHR Election Observation Mission Final Report

The lack of adequate safeguards to prevent unauthorised duplication of such certificates, combined with complaints to the CEC on the organized transport of voters by bus in some parts of the country, compounded concerns about the potential for multiple-voting. The extent of this concern should be clarified during the national review of the voter lists, to be undertaken by the civil registry authorities. OSCE/ODIHR observers directly confirmed widespread concerns related to organized attempts to influence the vote of Bulgaria's Roma communities, including vote-buying.

### **Parliamentary elections – June 2001**

#### OSCE/ODIHR Election Observation Mission Final Report

Since the first multi-party elections in 1990, national minorities, in particular the ethnic Turks, have been represented in the Bulgarian Parliament. In the 17 June elections, the coalition centered around the Movement for Rights and Freedoms (DPS) included a majority of national minority representatives in its candidate lists. Apart from ethnic Turkish candidates, the DPS coalition also contained representatives of the Roma community nominated by the "EvroRoma" organization, which was part of the coalition. In contrast, the lists of the Coalition National Movement "Simeon II", the Coalition for Bulgaria, the Euro-Left, and the Gergyovden-VMRO coalition included very few members of national minorities. The ODS had a higher number of candidates from national minorities, but often in lower places on the lists. Ultimately, over 20 members of national minorities were elected into the new Parliament, mainly from the DPS coalition.

In the outgoing Parliament, 27 deputies (11%) were women. In these elections, the six main parties and coalitions fielded a total of 526 women as candidates, or 24% of the total number of candidates. Around half of them were in the top half of the respective candidate lists, and 29 women headed regional lists of the six major parties and coalitions. These percentages in the candidate lists were determined by the political parties and coalitions which freely decided how many women they would introduce in their election tickets, without being bound by a quota system to promote women's participation.

The 17 June elections featured a sharp rise in the number of women elected to Parliament. A total of 63 women gained seats, accounting for 26% of all deputies in the newly elected National Assembly. Of these, 48 were elected on the tickets of the Coalition National Movement "Simeon II" (40% of all deputies for that formation), nine will represent the United Democratic Forces (18%), five are from the Coalition for Bulgaria (10%), and one from the Coalition Movement for Rights and Freedoms (5%). These figures could vary slightly, depending on the final settlement of the disputes concerning those candidates who appealed their removal from the lists for alleged collaboration with the former State security services. Furthermore, the composition of the Parliament may change, since members of Government may not be members of Parliament during their term in office.

## CZECH REPUBLIC

### Parliamentary elections – 14-15 June 2002 OSCE/ODIHR Election Observation Mission Final Report

Under Czech legislation, national minorities enjoy the same rights and freedoms as the majority population and may not be discriminated against. They may freely develop their culture, use their language, and form parties and associations. According to the election law, notices on the locations of polling stations and the time of voting must be announced in minority languages in municipalities where a Committee for National Minorities has been established (i.e., in municipalities where at least 10% of the population identified itself as belonging to national minorities in the last census).

In addition, the Act on Rights of Members of National Minorities of 2001 states that "members of national minorities living traditionally and for a long time on the territory of the Czech Republic" also have the right to receive "other information for voters" in their languages. The Ministry of Interior published information on the manner of voting in five languages: Czech, Slovak, Polish, German and Romanes. Election-related information was also published in minority languages at the district and local level where minorities live. Apart from these provisions, the election law and other election-related legislation does not specifically refer to national minorities. There are no provisions guaranteeing representation of minorities, such as set-aside seats or quota systems.

The 1 March 2001 census lists 17 nationalities apart from Czechs, as well as "others." According to the census, non-Czechs account for 9.7% of the population, based on self-identification. The biggest group are the Moravians (3.7%; Moravians are not officially recognized as a national minority and therefore not represented on the Council for National Minorities), followed by Slovaks (1.9%), Polish (0.5%), German (0.4%) and Ukrainian and Vietnamese (0.2% each). Other minorities account for less than 0.1% of the population each. There is, however, widespread agreement that the official figure for Roma is substantially smaller than the actual Roma population in the Czech Republic. Officially, 11,859 people identified themselves as Roma in the census, but estimates put the figure closer to 200,000.

Studies indicate that while most national minorities are well integrated and the level of their political participation and their voting behavior do not differ significantly from that of the majority population, the situation is different among Roma. Roma are generally less integrated and face prejudice and sometimes discrimination. The education level among Roma is generally lower than average, and they face more social problems. At the same time, they tend to be less active in society and especially in politics, and voter turnout among Roma also tends to be substantially below the national average. Civic and voter education programs targeting the Roma would be desirable and could help address the situation.

Only one party, the Romani Civic Initiative (ROI), clearly represented a national minority. However, ROI ran only in one election region (Moravia-Silesia), which effectively eliminated all chances for success. In the end, ROI received just 523 votes (0.01%). Apart from ROI, very few parties nominated Roma candidates. Many parties had not a single Roma candidate on their lists, while others said they did not collect information on their candidates' ethnic background. The Party for Life Security and the party Choice for the Future each said they had two Roma candidates, while the Czech National Social Party had one. However, none of these parties received enough votes to be represented in the Parliament. Consequently, for the first time since 1990 there will not be a single Roma in the Chamber of Deputies.



**Parliamentary Elections – 5 July 2006**  
OSCE/ODIHR Election Observation Mission Final Report

Most national minorities were represented in the elections by one or more parties. Ethnic communities were represented in the election administration, and election material, including ballots, was printed in their languages in municipalities where they make up a sizeable part of the population. However, some smaller communities, in particular the Roma, remain marginalized and vulnerable to electoral malpractices, including vote buying, intimidation, and threats of loss of employment or social benefits. The OSCE/ODIHR EOM directly observed several such cases. Some Roma also remain disenfranchised due to a lack of civil registration and proper identity documents.

(...)

Based on the Constitution, the Election Code and the 2001 Ohrid Framework Agreement, the State encourages ethnic communities to participate fully at all levels of politics. The Election Code stipulates that in municipalities where at least 20 per cent of the population belongs to “other ethnic communities”, the composition of the electoral bodies must be based on the principle of “adequate and equitable representation”, and use of minority languages is mandatory in election administration bodies. This requirement extends to ballots and all official election-related material and documents.

As in previous elections, each ethnic community had parties claiming to represent its interests. Parties representing ethnic Albanians play an important role in mainstream politics. Other ethnic communities (Roma, Turks, Vlachs, Serbs, Bosniaks) have parties that claim to represent their interests, and most are represented by more than one party. Most parties representing smaller national minorities participated in these elections within the two major coalitions rather than on their own. Thus, the VMRO–DPMNE-led coalition included the Democratic Forces of Roma, the ‘Integration of Roma’ party, Party of Vlachs, Bosniak Democratic Party, ‘Movement of Turks’ Party, and the Roma Alliance of Macedonia, while the ‘For Macedonia Together’ Coalition included the Democratic Party of Serbs, Democratic Party of Turks, Democratic Union of Vlachs, and the United Party of Roma. Among the smaller parties contesting the elections separately, only the recently formed Party for European Future (PEI), which represents Macedonian Muslim voters, managed to enter the Parliament, winning one seat.

The OSCE/ODIHR EOM was told that in most cases, the negotiations of small ethnic parties to enter the main coalitions resulted in verbal agreements, without any protocol or further guarantees that these agreements would be honored. Generally, the small ethnic parties had no specific electoral platforms or programs, apart from their claims to represent an ethnic community. However, all these parties addressed their own community in their respective language and by stressing common traditional values.

Many members of small ethnic groups are marginalized and socially excluded. This makes them potentially easy targets for vote-buying since they are more susceptible to offers of small sums of money, food or the settlement of minor debts. They are also more vulnerable to threats of losing social benefits or other public services. The OSCE/ODIHR EOM received numerous reports of electoral malpractices affecting minority communities and directly observed such practices on several occasions.

In Štip, ID cards of Roma citizens left as a guarantee of credit at local stores were no longer there on election day; one local party leader told the EOM earlier that his party would give shop owners some 500 Euro to cover the debts of their members. In Prilep, a prominent community leader was offered a substantial sum of money if he promised not to interfere with the SDSM campaign and not to be involved in election-related activities for any other party.<sup>1</sup> On election day, an authorized SDSM representative in Kočani instructed Roma voters in their own language for whom to vote. Other situations were directly observed during election day, including transport to polling stations by parties for voters from small ethnic groups, as well as group and proxy voting, mostly among ethnic communities. Although claims of vote buying were made during these elections, no legal charges were pressed to penalize this practice. Vote buying is a criminal offence punishable with at least five years' imprisonment.<sup>2</sup>

The OSCE/ODIHR EOM also received indications that some Roma may have been disenfranchised due to a lack of civil registration and proper identity documents. In Šuto Orizari, a municipality where Roma predominate, the voter turnout was just 32.5 per cent, among the lowest in the country, and the number of invalid ballots was 5.3 per cent, above the national average.

During these elections, no major inter-ethnic incidents such as violence between communities were reported to the OSCE/ODIHR EOM, although isolated cases of hate speech were noted.

A large number of civic organizations promoting the interests of small ethnic groups were active before and during the elections, especially in voter education and domestic observation. One example is the NGO 'Esma', which promotes the participation of Roma women in public life. They accredited 26 women as domestic observers<sup>3</sup> and held a press conference on their findings the day after the elections.

(...)

Vote buying affecting Roma was reported from Radoviš and Kočani, and similar attempts were reported from Strumica and Sveti Nikole.

### **Municipal Elections – 13 and 27 March, and 10 April 2005** OSCE/ODIHR Election Observation Mission Final Report

The marginalized conditions of the majority of the Roma population resulted in this community being especially targeted by vote-buying schemes, by both incumbents and opposition. Furthermore, Roma were vulnerable to threats of losing employment and social benefits. Lack of proper identification documents was another source of abuse, since political parties allegedly paid fees for obtaining IDs in exchange for votes.

In addition, there are a number of Roma residents without Macedonian citizenship. Such noncitizens, often qualified as *long-term habitual residents*, are individuals born in other parts of the former Yugoslavia, who after the break-up of the country found themselves without proper documents, and afterwards have not been able to acquire them.

In the municipality of Suto Orizari, one of the largest Roma communities in Europe, there were particularly widespread reports of pre-election irregularities. The two major candidates for mayor

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<sup>1</sup> The OSCE/ODIHR EOM received a written statement in this case.

<sup>2</sup> One prominent Roma leader was not aware that vote buying is a criminal offence punishable with at least five years imprisonment. He seemed to believe that vote buying was just a moral problem

<sup>3</sup> SEC website (<http://www.sec.mk>).

were accusing each other of manipulative actions, including bribery and forceful dispossession of IDs, as well as intimidation and physical maltreatment of voters. The significant irregularities in Suto Orizari, especially in the first round voting, combined with the surprisingly high vote for the DUI and DPA-PDP in the council election, fuelled suspicion among Roma that the council contest had also been marred by irregularities.

After the first round, the voting results in four polling stations in Suto Orizari were invalidated due to irregularities. Repeated irregularities in further rounds resulted in new complaints and, in two polling stations, re-runs of the second round were conducted on 24 April. A new mayor was elected on 24 April. However, since he is currently serving a prison sentence, his mandate was withdrawn. Thus, new mayoral elections in Suto Orizari must be organized within 70 days of the withdrawal of the mandate.

(...)

## **XV. RECOMMENDATIONS**

### **D. PARTICIPATION OF WOMEN AND NATIONAL MINORITIES**

(...)

29. The authorities should establish the actual number of the non-citizens, as well as the number of the Roma citizens lacking identification documents, so that adequate measures can be taken to ensure they possess relevant documents.

30. Well-prepared and focused voter and civic education programmes for Roma and other smaller communities should be carried out throughout the country, through the involvement of local NGOs.

#### **Presidential election – 14 and 28 April 2004**

##### **OSCE/ODIHR Election Observation Mission Final Report**

As in previous presidential elections, there were candidates from the large ethnic Albanian minority. While, given the established patterns of ethnic voting in the country, neither Mr. Ostreni nor Mr. Xhelili expected to proceed to the second round, their political parties (DUI and DPA, respectively) had other reasons to participate in the election. These included offering support to the ethnic Macedonian parties with which they are in coalition in return for concessions, and to consolidate support ahead of the upcoming municipal elections. DUI also indicated that it was important for the country that ethnic Albanians play an active role in choosing the president.

No candidates from other national minorities were nominated, but several parties representing various minorities aligned themselves with one candidate or another. The candidates also made efforts to reach out to non-Albanian minorities. These minorities, particularly the Roma, Turks and Vlachs, were also represented on some MECs and EBs.

The primary issue affecting the participation of ethnic minorities was the disproportionate impact of election day irregularities on the ability of members of some minority groups, particularly ethnic Albanian and Roma communities, to express their will through voting. The ethnic Albanian community suffered the majority of observed electoral irregularities in the second round, probably due to the perception that Albanian votes held the key to meeting the 50 per cent threshold.

Roma were the other minority group most affected by election irregularities. Prior to both rounds of voting, there were persistent allegations of vote buying and pressure on Roma voters in the

towns of Stip and Strumica. Roma leaders reported to the EOM that the major parties had engaged in such practices in the eastern part of the country in the past.

A Roma NGO claimed that many Roma voters are missing from the Voter List, but no complaints were filed by voters. Such a situation could be compounded by the relative lack of education, identity documents, and permanent housing in the Roma community. During the first round election, members of the Roma community in Suto Orijari, north Skopje, complained to domestic observers that their votes had been cast for them. Evidence of ballot stuffing at this large polling center was directly witnessed by OSCE/ODIHR observers. During the second round of voting there was some improvement in the conduct of the election in this area – perhaps related in part to the focus by international and domestic observers there during the first round – but similar problems reportedly occurred in other voting centers in Roma areas.

## FRANCE

### **Presidential Election 22 April and 6 May 2007 OSCE/ODIHR Needs Assessment Mission Report**

French citizens, including Roma groups, known as *gens du voyage*<sup>1</sup> or "nomads", are obligated to register if they would like to vote. Voter registers are compiled at the municipal, rather than national level, and 31 December of the year before an election is the deadline for voter registration. For *gens du voyage*, who may lack a fixed address, there exists different legal provisions than for persons with a fixed residence. Under these provisions, *gens du voyage* are able to apply for a circulation permit which allows them to "connect" to a municipality of their choice without having to reside there. Once this permit has been maintained for a three year period, the holder is able to register to vote in that municipality. Having a fixed residence allows the *gens du voyage* voter to register after only six months of living in the municipality. In the near future, the National Assembly has adopted legislations that will allow *gens du voyage* easier registration that facilitates the registration of homeless persons.

### **Presidential Elections – 21 April and 5 May 2002 OSCE/ODIHR Election Assessment Final Report**

Voter registration is obligatory to exercise the right to vote: voter lists are revised and updated regularly by administrative commissions formed by a representative of the municipality, the *préfet* and a representative of the judiciary. The electoral legislation establishes a residency requirement according to which a voter can be registered in the voter list of a municipality if he/she has resided in that municipality for at least six months. Longer residency requirements have been set for a specific population group, the so-called *gens du voyage*. The authorities and civil society organizations have recognised that these legal provisions, introduced in 1969, should be reviewed to reflect the changes that have occurred in the meantime. Discussions on possible revisions to the legal provisions that govern the registration in the voter lists for the *gens du voyage* are underway.

(...)

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<sup>1</sup> Roma in France are considered to be part of the category defined by the term *gens du voyage*

In addition to the Electoral Code (Art. L11), other legislation also applies to voter registration. In particular, the Law 69-3 of 3 January 1969 that regulates itinerant activities and people circulating in France without domicile or fixed residence establishes particular procedures for the so-called *gens du voyage* (or "nomads"). According to this law, the *gens du voyage* receive a circulation permit, issued by the administrative authorities. Those who apply for a circulation permit have to declare to the authorities a municipality to which they wish to be *rattachés* (connected to). According to Law 69-3, the number of people who can be *rattaché* to a given municipality cannot exceed 3% of the total population of that municipality.

The law also establishes that the registration in the voter lists of the *gens du voyage* is authorised after three years of uninterrupted *rattachement* (connection) to a particular municipality. In addition, *gens du voyage* who have become sedentary are excluded from the application of the special procedures. The requirements established in ordinary law apply to them. The residency requirement for *gens du voyage* is longer than the normally required six months prescribed by the Electoral Code. In addition, the threshold of 3% set by the Law 69-3 on the number of people that can be *rattaché* to each municipality is perceived by some as a requirement that places higher criteria on the registration of this group of the population.

It must be noted however that the specific legislation regulating the registration of the *gens du voyage* is in no way linked to ethnicity, but tries to respond to some concerns of the authorities in regard to the participation of this group in the electoral process. These concerns include the fact that the high mobility of this group could have an influence on the results of an electoral process as well as exposing the *gens du voyage* to undue manipulation. Nevertheless, during the past years, awareness has been heightened among human rights groups, associations of the *gens du voyage*, as well as the authorities, regarding the discriminatory effects that these legal provisions could have on the participation of this group in elections.

Considering that some changes have taken place in the meantime in the overall situation of the *gens du voyage*, discussions have been initiated between the authorities and civil society on possible modifications to the law. In particular, these discussions have analysed the requirements for registration in the voter lists of the *gens du voyage* and proposals to change them, with a view to foster the political participation of this group, while responding to concerns. During a meeting in January 2002 organized by the National Consultative Commission on the *gens du voyage*, different proposals for modification of the procedures were discussed, including the possibility of lowering the length of the required *rattachement* to a municipality. The meeting concluded that, prior to any reform of the procedures, it would be advisable to review the notion of *gens du voyage* and to know the conditions of different groups of *gens du voyage*.

## HUNGARY

### Parliamentary elections – 21 April 2002

#### OSCE/ODIHR Election Observation Mission Final Report

In Hungary, there are 13 recognized national minorities including Germans, Slovaks, Croats, Romanians, Polish, Bulgarians, Greeks, Armenians, Ruthenians, Serbs, Slovenians and Ukrainians. Roma represent the largest minority population generally estimated between 400,000 and 600,000<sup>3</sup>. Germans are estimated to number about 200,000, followed by Slovaks at 100,000. All others are significantly smaller. The figures are only estimates because identification of minority status is based solely on self-declaration. The imprecise numbers and the vast differences in the populations estimated to represent each minority have caused proposals for proportional set-aside seats for minorities, or the allocation of a single parliamentary seat for each

registered minority to be rejected. Additionally, several political party interlocutors indicated that such formulations were at odds with Hungary's party-driven election system.

In 1998, MSZP and SZDZ backed a proposal which would have lowered the existing 5% threshold requirement for minority-based parties. Roma NGOs also submitted proposals that would call for the inclusion of minority representatives in a subordinated capacity with all the rights of elected MPs to serve on committees, propose legislation, etc., except the right to vote in Parliament. This proposal has never advanced to the Parliament. While most of Hungary's minorities have been integrated into the mainstream of public life, the Roma population remains marginalized in the political arena. In fact, not a single seat in the 386-member Parliament elected in 1998 was held by a representative of the Roma minority.

The new Parliament, however, will have four Roma MPs, three from the Fidesz-MDF national list and one from the national list of the MSZP. Of the ten registered Roma political parties, five registered for these elections. The major development in these election was the first formal agreement between a major political party (Fidesz) and a Roma party (Lungo Drom). While this agreement was seen as an important event, the Roma community was divided on the issue. Some critics among a broad spectrum of Roma NGOs expressed concern that Lungo Drum had simply become an extension of the Fidesz party.

## **IRELAND**

### **PARLIAMENTARY ELECTIONS, IRELAND - 24 May 2007** OSCE/ODIHR Election Assessment Mission Report

Overall, Ireland is a homogenous nation without distinct national minorities. The only exception is the Irish Travellers, an indigenous minority group whose culture and traditionally nomadic lifestyle distinguish them from the majority population. One community leader estimated that there are 35,000 Irish Travellers in the country, with 50 per cent in the larger Dublin area and the rest dispersed throughout the country.

The OSCE/ODIHR EAM was informed that while a few Irish travellers have stood in previous Dáil elections, no travellers were running as candidates in the 2007 elections and no travellers have ever been represented in the Dáil or the Seanad. However, Irish Travellers are more active in local elections, and the current mayor of the town of Tuam is a traveller. While there are no legal impediments to participate politically, voter turnout among Irish Travellers was estimated by one community leader to be below 10 per cent. This was attributed in particular to voter apathy or lack of voter education. Traveller community representatives reported that while in general discrimination against them exists, they did not have any complaints about specific incidents of racist or intolerant discourse in this election campaign. Traveller organizations reported carrying out election activities, including organizing candidate forums to raise awareness of the issues most important to travellers and to encourage candidates to comply with the Code of Conduct against inflammatory language in the campaign. Traveller groups also carried out voter education initiatives, to target in particular the relatively high number of illiterate voters in their community and to encourage broader participation.

## MOLDOVA

### **Local Elections, Moldova – 3 and 17 June 2007** OSCE/ODIHR Election Observation Mission Final Report

According to the 2004 census, national minorities account for some 24 per cent of Moldova's population. The largest minorities are Ukrainians, Russians, Gagauz, Romanian and Bulgarian. Roma NGOs put the numbers of Roma considerably higher than the official figures of 0.36 per cent of the population.

National minority NGOs expressed no concerns to the OSCE/ODIHR EOM with regard to participation of ethnic and national minorities in the electoral process, with the notable exception of representatives from Roma NGOs, who reported persistent discrimination in all spheres. Roma appeared to be under-represented as candidates and electoral administrators, even in areas where they constitute a significant part of the population. Despite the reported difficulties, very limited efforts appeared to have been undertaken by NGOs aimed at enhancing the participation of Roma in the electoral process and at addressing the issues of marginalization and exclusion of the community at higher political levels.

### **Parliamentary Elections – 6 March 2005** OSCE/ODIHR Statement of Preliminary Findings and Conclusions

National minorities account for around 30 percent of Moldova's population, according to the 1989 census (the relevant results of the latest census held in October 2004 have yet to be released). The largest minorities are the Ukrainians, Russians, Roma, Gagauz and Bulgarians. Despite the significant share of the total population they represent, issues of national minorities were not high on the agenda in these elections. The registration requirements of the Law on Political Parties, combined with the minimum representation thresholds stipulated by the Election Code, have proven extremely disadvantageous for the formation of ethnic and regionally-based parties.

Most interlocutors from political parties said that their candidate lists included representatives of registered national minorities. It appears, however, that the Roma minority in particular was underrepresented in these elections; only two Roma candidates were included on the lists of mainstream parties, in ineligible positions.

### **Local Elections – 25 May and 8 June 2003** OSCE/ODIHR Election Observation Mission Final Report

National minorities account for more than 30 per cent of the population of the Republic of Moldova. According to the last census (1989), the breakdown is: Ukrainians 13.6 per cent, Russians 13 per cent, Gagauz 3.5 per cent, and Bulgarians 2 per cent. Roma officially account for only 0.2 per cent of Moldova's population, but NGOs and Roma community leaders claim that real numbers are substantially higher.

In the Republic of Moldova, there are no parties representing national minorities. Nevertheless, with the exception of Roma, minorities are well represented in local governments. Only in the village of Raicula was a Roma elected Mayor in the 1999 local elections. In 2003, very few Roma ran for seats in local and municipal councils. Even in communes where Roma account for over 80 per cent of the population, there were few or no Roma candidates.

In the commune of Ciorești (*raion* Nisporeni), which has a substantial Roma population, the logo of an independent candidate for mayor was omitted from the ballot. The candidate argued that, since many in the Roma community are illiterate, the absence of the logo adversely affected his chances in the poll. The second instance court rejected his appeal and declared the first round results valid.

Russian is the language predominantly used by national minorities. In accordance with the Law on Languages, ballots are provided in both Moldovan/Romanian and Russian, and the Election Code is available in both languages.<sup>1</sup> But a few substantive errors in the Russian text caused confusion.<sup>2</sup>

## MONTENEGRO

### Parliamentary Elections – 10 September 2006

#### OSCE/ODIHR Election Observation Mission Final Report

According to the 2003 census, 43 per cent of Montenegro's population identified themselves as Montenegrins, 32 per cent as Serbs, 12 per cent as Bosniaks and Muslims, 5 per cent as Albanians, 1 per cent as Croats, while 7 per cent were categorized as "others". The Roma population is estimated to be around 20,000, including refugees from Kosovo. (...)

As in previous elections, the Roma community did not develop a political profile of its own and seemed open to institutional influence. OSCE/ODIHR observers reported instances in which community leaders were approached by mainstream parties in order to mobilize Roma voters and bring in additional votes. The Roma community and their concerns and needs have yet to be taken up by political parties.

(...) the current system is limited only to ensuring representation of the Albanian community and does not include any other national minority in Montenegro, such as the Bosniaks, Croats or Roma.

The authorities should implement the OSCE Action Plan on Roma and Sinti, especially Chapter VI, "Enhancing Participation in Public and Political Life".

## ROMANIA

### Presidential and Parliamentary Elections - 28 November and 12 December 2004

#### OSCE/ODIHR Election Observation Mission Final Report

With the exception of the Roma minority, most national minority interlocutors seemed satisfied with inter-ethnic relations and recent legal changes improving the status of minorities and did not expect ethnicity to be a campaign issue. Contrary to some mainstream parties, national minority organizations generally expressed a high level of confidence in the election process. Most commented that political competition is now largely intra-minority in nature, citing the

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<sup>1</sup> According to Article 13 (1) of the Constitution, "the state language of the Republic of Moldova is Moldovan, and its writing is based on the Latin alphabet."

<sup>2</sup> Election Code; Article 55, paragraph 3 incorrect Russian translation of who is authorized to attend the poll caused confusion on Election day.



proliferation of national minority organizations seeking to win a single seat in Parliament. Some groups have cited concerns regarding the authenticity of these newer organizations. For example, the Cultural Union of Bulgarians from Banat claimed that two other Bulgarian NGOs competing for the mandate available to the Bulgarian minority could not have gained the necessary number of signatures to register; they noted that in Mehedinți county, where only four ethnic Bulgarians were registered in the 2001 census, the new organizations managed to collect some 600 signatures.

The inclusion of national minority groups on the Chamber of Deputies ballot was impressive, with 28 organizations participating in the elections. The OSCE/ODIHR EAM heard of only one case where a national minority organization's candidate list was refused. In this case it appears the BECJ in Iași prevented the chairman of the local branch of the Alliance for Roma Unity (AURR) from modifying the list to withdraw incomplete candidatures. The AURR chairman expressed his concern over what he considered a deliberate attempt to exclude his community from the electoral process, but it was not clear if the case was made the subject of a formal complaint.

### **PARTICIPATION OF ROMA**

According to the last census, the Roma minority numbers some 535,250, making them the second largest minority group. However, some interlocutors estimate the Roma minority to number more than 1.5 million. Unlike the Hungarian minority and some other minority groups, Roma are geographically dispersed throughout the country. Many reports indicate that, despite official efforts to improve their situation, Roma remain widely discriminated against in public life, including education, employment, and access to public services. Such reports also note police brutality, harassment, as well as social exclusion and marginalization. The mainstream parties did not manifest particular interest toward this group, and as a rule did not target them in their campaigns.

The Roma minority has been represented in Parliament since 1992. In 2000, two Roma were elected to Parliament, representing the Roma Party (since renamed the Roma Social Democratic Party – PRSD) and the PSD. In 2004, two Roma organizations registered candidate lists, the PRSD and the AURR. Both organizations complained about lack of media access during the campaign, and also stated their interest in having more Roma members on Polling Boards, indicating that the state should ensure their participation in BESVs.

Organizations representing the Roma often appear to lack political experience, and subsequently fail to understand the election process adequately. Thus, in the 2004 elections, neither Roma organization had a written electoral platform. Some interlocutors told the EAM that Roma parties do not enjoy much support among Roma, who prefer to vote for mainstream parties.

Some Roma leaders expressed concerns regarding individual local government officials and party activists who allegedly used their positions to influence and manipulate the Roma electorate. In some communities, mayors reportedly threatened Roma voters that their eligibility for social benefits depended on their voting behavior. The EAM also received reports, for example from Iași county, that the Roma vote would be bought through promises and gifts. However, such allegations could only be substantiated in isolated cases (e.g. in Medgidia, Constanța county).

Voter turnout among the Roma community is estimated to be lower than the national average, one of the causes being that they often lack identity documents. There are estimates that, for a variety

of reasons, as many as 20% of Roma do not have identity documents and are therefore unable to vote, although some interlocutors said the overall situation had improved compared to 2000. In some localities, the problem is compounded by the fact that Roma communities were relocated to new settlements but remain registered in their old place of residence, thus encountering difficulties in exercising their right to vote. While under Romanian legislation the onus for registering a new place of residence lies with the citizens concerned, it appears that the authorities did little to help these citizens to re-register.

Limited analysis suggests that the number of invalid ballots in predominantly Roma communities was above the national average, indicating a lack of understanding of election procedures. Voter turnout among Roma appears to have dropped on 12 December compared to the first round of 28 November.

## **SERBIA**

### **Presidential Election – 13 and 27 June 2004**

The need for a centralized voter register persists. Also, facilities for eligible voters to vote in Montenegro were lacking. There was also evidence of some degree of disenfranchisement among the Roma community, including Roma Internally Displaced Persons (IDPs).

The participation of Roma, and in particular of Roma IDPs, remained problematic. While the exact number of Roma IDPs currently living in Serbia remains unknown, there are various estimates calculated by relevant authorities. For instance, according to the Serbian Commissioner for Refugees, Roma IDPs in possession of documentation proving their IDP status number more than 22,500. The Advisor on Roma Issues at the Ministry of Human Rights and Minorities of Serbia and Montenegro, assessed that there may be up to 30,000 additional Roma IDPs mainly from Kosovo. These persons are not registered and therefore not enjoying IDP status. Other non-governmental organizations and research institutes provide different figures, but agree that Roma IDPs remain very vulnerable, and that many may be disenfranchised due to a lack of proper documentation. While there are various political parties representing the Roma, their level of organization is still weak, and none have succeeded in being elected at the national level. Participation of Roma in elections, according to voter turnout figures in areas where large Roma communities reside, remains low.

Voter turnout figures showed that the participation in areas of the country where non-Roma national minority communities reside, e.g. Vojvodina with its large ethnic Hungarian population was rather high. It was also noted that voter turnout in these areas registered a notable increase between the first and second rounds, in particular in Vojvodina where voter turnout in the second round exceeded 53 per cent, one of the highest in the country. The second-round results also showed that, in this region, Mr. Tadic won over 55 per cent of the vote. These results were probably also effected by an active get-out-the-vote campaign carried out at the local level, targeting these communities.

Attention should be given to facilitating voter registration among the IDP community, the Roma IDP community in particular, and the Roma in general.

### **Presidential Elections – 29 September and 13 October 2002** OSCE/ODIHR Election Observation Mission Final Report

On the three election days, observers reported that voters from the Roma minority participated in the elections, including at polling stations in Kosovo.

**Early Municipal Elections for Mayors and Councillors  
in Bujanovac, Medvedja and Presevo – 28 July 2002**  
OSCE/ODIHR Election Observation Mission Final Report

These elections were considered to be a particularly significant step towards confidence building and reconciliation in the region, following exclusion, tension and conflict between the Serbian, Albanian and Roma communities living in the three municipalities. Previous municipal elections took place under electoral systems that systematically undermined the representation of national minorities on the municipal assemblies.

Of the three, the population of Presevo is vast majority Albanian that of Medvedja is mainly Serbian, while the population of Bujanovac is generally considered to have a small majority of Albanians. There is a Roma population in all three municipalities. The preliminary results of the 2002 Census do not yet provide information on the size of the municipalities' populations by nationality.

All electoral lists submitted to the three MECs were accepted. However, a number of the submitters were required to reduce the number of candidates because their list did not contain nominations for a sufficient number of women candidates. Four coalitions and eight political parties submitted electoral lists, including the Party for Roma Unity (PRJ) which was registered as a political party shortly before the elections. The Movement for Democratic Progress (LPD) was not able to register as a political party in advance of the election and so contested as a citizens' group. One other citizens' group and three independent candidates also stood.

In Bujanovac and Presevo, representatives of the local Roma community submitted two electoral lists, from the PRJ and the citizens' group "Roma".

In particular, the EOM noted that there was an extremely low turnout – estimated at less than 20% – of voters from the Roma community in Bujanovac. Community representatives attribute the problem to the temporary absence of voters because of their harvest work elsewhere in Serbia. Such a turnout meant that neither of the Roma electoral lists met the threshold for the allocation of assembly seats.<sup>1</sup>

## SLOVAKIA

**Presidential Elections - 3 April 2004**  
OSCE/ODIHR Election Observation Mission Final Report

The Assessment Mission looked into the question of Roma participation in the election, since there have occasionally been concerns surrounding this issue in previous elections. While the official census places the Roma population at about 90,000 persons, it is generally believed that the actual figure is substantially higher, perhaps around 400,000 persons. Anecdotal evidence suggests that some Roma are not registered as residents in the communities in which they live,

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<sup>1</sup> The 2000 municipal elections in Bujanovac had resulted in there being two ethnic Roma councillors, both of whom had also been appointed to the IMC.

and would therefore have trouble voting. However, this problem does not appear to be systematic or due to discrimination, but rather because some Roma may fail to reregister when they change their address. In general, Roma participation in elections is estimated to be somewhat lower than that of the general population. This is generally attributed to the social marginalization of some Roma communities.

In February 2004, there were mass protests and looting in several Roma communities of central and eastern Slovakia as a result of a newly implemented system of social allowances. This was followed by the deployment of additional police and army troops to those regions. A member of the Assessment Mission visited several of the towns where disturbances had taken place (e.g., Trebisov, Caklov, and Levoca) and found that the security force deployment did not discourage Roma participation. On the contrary, Roma turnout appeared higher in these towns, especially for the referendum, as Roma citizens took their grievances to the ballot box. Outside these towns, however, Roma participation appeared lower. Roma leaders and political parties have diverse views and did not unite behind a single candidate in the presidential election, although it appeared that many Roma supported the referendum.

### **Parliamentary elections - September 2002**

#### OSCE/ODIHR Election Observation Mission Final Report

Under the Slovak Constitution, everyone has the right to freely decide on his or her nationality, and discrimination based on nationality is prohibited. National minorities have the right to develop their own culture, to disseminate and receive information in their mother tongue, the right of association, and the right to establish and maintain cultural and educational institutions. In addition, national minorities have, "under conditions defined by law", the right to education in their own language and the right to use their language in dealing with the authorities.

According to Slovakia's 2001 census, 14.2% of the population identified themselves as belonging to national minorities. Of these, 9.7% identified as Hungarians, while 1.7% identified as Roma. Other national minorities, including Czechs and Ruthenians, each made up less than one percent of the total population. Hungarians, who live predominantly in the south and south east of the country, have been represented in national politics since the 1990 elections. Currently, the principal party representing ethnic Hungarians is SMK-MKP. It has been a member of the government coalition since 1998. Although there are other ethnic-Hungarian political parties, the SMK-MKP was the only party representing the Hungarian national minority in the 2002 parliamentary election. With a solid base of support, and given the high level of education and political participation among ethnic Hungarians in Slovakia, the SMK-MKP had no problem entering the parliament.

While the official census puts the Roma population at 89,920 persons, there is general agreement that the actual figure for Roma living in Slovakia is substantially higher. Various estimates place the true Roma population at from 380,000 to 500,000, or 7-9% of Slovakia's total population. While Roma live in most parts of the country, they are concentrated in the East, around Kosice, Presovo, and Spis. Often, Roma are not well integrated into mainstream society but live in separate settlements, of which Slovakia has over 600. Education levels among Roma are below average, while their unemployment is substantially above the national average. Prejudice against Roma is widespread, and in some communities Roma and non-Roma lead a completely separate existence. Apparently, many Roma are not registered as residents in the places where they actually reside and therefore have difficulty voting. Analysis suggests however, that numbers falling into this category are not high, and that lack of registration is generally not due to

discrimination but to the fact that many Roma fail to re-register when they change their place of residence.

Unlike ethnic Hungarians, who have political representation at the national level, and the country's smaller minorities, which are generally well integrated and tend to vote as does the majority population, the Roma situation is different. Roma are less involved in national politics, and among those who are politically active, with around 20 registered Roma political parties, fragmentation is high. Slovakia has several Roma mayors and municipal councilors, but there is no Roma representation in the new parliament, nor were there any Roma deputies in the outgoing National Council. Voter turnout among the Roma community is substantially below the national average. Partial election observation by non-governmental organizations in Roma settlements suggests that turnout in this election varied between 10 and 50%.

Two parties representing the Roma, the Political Movement of Roma in Slovakia (ROMA), and the Roma Civic Initiative of the Slovak Republic (ROISR) participated in this election. Several other parties included Roma on their candidate lists, but placed them in positions too low to qualify for a parliamentary seat. Neither Roma party gained a significant share of the vote; ROISR received 8,420 votes (0.29%), and ROMA 6,234 (0.21%). In none of the country's 79 districts did the combined Roma parties' vote exceed 4%. It is notable that Roma membership on electoral commissions at all levels was higher than in previous elections, indicating heightened attention to one of the building blocs leading to greater political involvement.