



SUPPLEMENTARY HUMAN DIMENSION MEETING

ROMA AND SINTI ISSUES

Vienna, 6 September 1999

REPORT

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Moderator: Walter Kemp, Office of the OSCE High Commissioner on National Minorities

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Moderator: Nicolae Gheorghe, ODIHR Adviser on Roma and Sinti Issues

I. BACKGROUND

In accordance with new modalities for the OSCE Implementation Meeting on Human Dimension Issues approved in July 1998, the OSCE held the last of three Supplementary Meetings for 1999 in Vienna on 6 September. The meeting was dedicated to issues confronting Roma and Sinti in the OSCE area. The goal was to follow up the 1998 Human Dimension Implementation Meeting and discuss how to move the work of the OSCE on policy making on Roma and Sinti into a new phase of action, with emphasis on the "analysis of effectiveness" of the policy measures enacted by the participating States, as well as by other international organisations.

In recognition of the large registration of Roma and Sinti organisations to this meeting, the discussions were held in English and Romani language with simultaneous interpretation. This was much appreciated by the numerous Roma and Sinti audience, who accounted for almost half of the 249 registered participants.

This large and diverse participation, which illustrates the high symbolic value of the OSCE for the Roma and Sinti themselves, was facilitated by financial contributions from some participating States (Austria, Czech Republic, Finland, Liechtenstein, Norway), the Council of Europe and some of the Roma and Sinti NGOs.

To maximise their participation in the meeting, several Roma and Sinti organisations and some Roma affairs-related NGOs held preparatory meetings between 3-5 September both in Bratislava and in Vienna. This provided the opportunity to inform the participants about OSCE activities in general, and on the role of NGOs in the OSCE process. Participants in these meetings stressed the need for more information about the OSCE on a regular basis, as well as about how Roma and Sinti representatives can make better use of OSCE resources to further a dialogue with the participating States.

II. EXECUTIVE SUMMARY

The meeting opened with an introduction by Nicolae Gheorghe, the ODIHR Adviser on Roma and Sinti Issues, who explained the direction and phases of the OSCE work on Roma and Sinti issues over the last years. Mr. Gheorghe furthermore presented the plan of action for the ODIHR Contact Point for Roma and Sinti Issues for 1999 and 2000.

The OSCE High Commissioner on National Minorities, Mr. Max van der Stoel, gave the keynote speech in which he outlined the main findings and conclusions of his forthcoming major Study on Roma and Sinti in the OSCE. His address also included some suggestions for the future profile and activities of the OSCE Contact Point for Roma and Sinti Issues.

The discussions took place in the working groups, which were divided into to topics:

Working group 1

Roma and Sinti policies from ideas to implementation: putting 'best practices' in the Human Dimension into operations

Working group 2

Confronting crisis situation: building and implementing a platform of action to approach new problems in emergency situations

The following main issues were highlighted in both working groups, as well as in the plenary sessions:

- Participating States, OSCE institutions and missions should give higher political profile, stronger "moral leadership" and solid resources to policy making on Roma. This may include a more refined mechanism to combat the persisting discrimination against Roma and Sinti, and to alleviate tensions and conflicts between Roma and non-Roma communities. The ODIHR Contact Point for Roma and Sinti Issues may be instructed to work in that direction by taking a more pro-active approach, complementary to its present clearinghouse role.
- The OSCE should develop a coherent approach and stronger tools for action regarding Roma, especially in situations of crisis as illustrated by the fate of Roma in the recent Balkan wars.
- A Roma Contact Group should be created in an OSCE framework to bring together representatives of participating States, Roma representatives and officers of international organisations on a regular basis. In the particular case of Roma of Kosovo and in the Balkans such contact group may take the form of a Working Group or a Roma Task Force within the OSCE Mission in Kosovo, making use of the existing resources. The nature of such a Task Force may be discussed during the OSCE Review Conference, and may become operational as a part of the Stability Pact for South Eastern Europe.
- The OSCE should convene a special meeting to focus on issues of refugee and asylum seeking in Western countries by Roma of Central Europe and the Balkans. Furthermore, the issue of Roma refugees should be considered during the EU Summit in Tampere, Finland, 15-16 October 1999.
- The UN, the OSCE and KFOR were urged to ensure security of individual persons and national communities who are still living in Kosovo by accelerating the implementation of internationally agreed provisions for the rights of national minorities, including those pertaining to protection of Roma and Sinti.
- More information, including in Romani language, should be made available on rights of Roma: for the Roma themselves; for public officials to be better educated on recognising and combating racism and discrimination; and for the wider public to become more aware of Roma issues. One suggestion to put more focus on the Roma was to designate the year 2000 as the "Year of the Roma".

III. ADDITIONAL RECOMMENDATIONS

Working Group 1

The participants were encouraged to focus on areas of Roma policy making and best practices relevant to the Human Dimension, rather than taking a comprehensive approach to Roma and Sinti issues.

Overall, the participants noted that it was important for consultative mechanisms on policy making on Roma and Sinti to be genuine and to have the political support of the Government as well as being seen as legitimate by Roma representatives. They also stressed the importance of transparency in such bodies, and for Roma to be involved in the implementation and evaluation of Roma-related programs. It was suggested that more attention should be paid to monitor the effectiveness of such bodies. The point was also made that in order for these bodies to be effective, they must be able to tap into resources. Good intentions and political will can only go so far; financial support is vital.

Recommendations to Governments

1. On combating and preventing racial violence and discrimination:
 - Governments should first ensure that specific civil and criminal legal remedies exist, which cover the broad range of areas where discrimination can take place (i.e. education, public services, employment, housing, etc.).
 - There should be measures to see that legal standards are enforced, such as sanctions for abuses committed by public officials, including police.
 - Training of public officials, such as judges, prosecutors and police, in anti-racism and international legal standards, their meaning and applicability should be designed and offered.
 - Specialised bodies with the power to investigate and prosecute racial discrimination and violence would aid effectiveness.
 - States should be encouraged to adhere to the UN Convention on the Elimination of All forms of Discriminations.

2. On Roma participation:
 - Many governments have central arrangements such as Interministerial Committees or advisory bodies. It is important that these bodies have strategic Roma participation, sufficient funding and competence. A body to monitor how they work with Roma would also be useful.
 - Particular stress was made on the need to strengthen Roma participation at the local level and in administrative positions, though some positive steps have been taken in this area. There should also be positive actions to recruit Roma into the other spheres of public life, such as police officers, judges and prosecutors, in addition to increasing the participation in the policy-making processes of Roma women.
 - Training activities to increase capacities amongst Roma themselves may aid their active participation in policy-related activities.

3. On Roma and the police:

- There should be activities to address a deep lack of trust between Roma and police officers, for instance through organised dialogue.
- A (central) registration of incidents of police abuse would be useful in understanding better the problems, in view of defining strategies.
- Arranging local community partnerships with minority representatives would help improve co-operation, communication and identification of solutions to local problems.
- Training of police in human rights, professional ethics, community-based policing and police/minority relations should be organised.

Recommendations to Roma communities, NGOs and international organisations

- Roma organisations should mobilise and co-ordinate their efforts and resources both within countries and across borders, and to make full use of opportunities provided by existing policy initiatives for Roma and Sinti. To facilitate international co-operation and networking, the ODIHR database could include more contact information of Roma related organisations.
- The good co-operation between the Council of Europe and the ODIHR was stressed, and hopes for continued steps in expanding this to a tri-partite co-operation with the European Commission was renewed.
- Recognising achievement with the new Advisor on Roma and Sinti issues in the ODIHR, it was expressed that even greater participation of Roma in international organisations is desired.
- The OSCE/ODIHR in its clearinghouse capacity may facilitate information exchange on 'good practices', may provide Roma communities with more information on what the OSCE is, and should increase the focus on the role of the media in Roma issues.

Working Group 2

The particular situation of Roma and Sinti frequently makes them victims of violent conflicts triggered by ethnic exclusivism, intolerance and aggressive nationalism. The discussion in working group 2 focussed largely on the experience of Roma populations during the wars in the former Yugoslavia.

Discussions on the concerns about the current situation of Roma in Kosovo introduced a debate on OSCE action for Roma in crisis situations.

Recommendations to Governments

- Call on the respective Governments of states affected by the influx of refugees from Kosovo to grant appropriate status and/or residence permit to refugees from Kosovo without any discriminatory considerations.

- Call on the Governments of the OSCE participating States to encourage co-operation with Roma organisations in their respective countries when nominating or seconding members to international missions.
- Praise the stance of the Government of the Former Yugoslav Republic of Macedonia in providing shelter for Roma refugees fleeing Kosovo. Request this Government to consider the extension of the functioning of the refugee camps, especially those with large number of Roma refugees, until the situation in Kosovo is fully stabilised and necessary conditions are created for Roma refugees to return back to Kosovo.
- To conduct mandatory briefings on the Roma situation for military personnel sent to areas where Roma population is present.

Recommendations to the OSCE

- The OSCE should establish a functioning procedure by which the acting and future members of the OSCE Mission to Kosovo will receive proper briefing and training on general human rights situation. This should include in-depth briefings on issues pertaining to Roma, including issues of property restitution.
- The OSCE should consider to nominate a Roma representative to the Human Rights Office of the OSCE Mission to Kosovo. This, among others, would improve communication and increase awareness of the Mission on human rights violations against persons belonging to Roma communities.
- The OSCE should ensure that the concerns of Roma are reflected in the Stability Pact for South Eastern Europe by preparing a working table on Roma in the Balkan region.
- The OSCE Permanent Council should keep the situation of Roma in Balkans under close monitoring.
- The 1999 OSCE Review Conference and Summit is encouraged to take note of these recommendations.

Recommendations to international organisations

- International organisations should conduct consultations with representatives of local Roma communities before taking any action that could be of concern to the Roma population of Kosovo and other conflict areas.
- International organisations should be called upon to ensure that the humanitarian aid reaches the Roma communities affected by the conflicts in Kosovo
- The international community/international organisations should assure the status of national minority for Roma in Kosovo as part of the reconstruction process and as a condition for the return of Roma refugees to the region.
- The international community should include Roma in the discussion of the future political status of Kosovo.
- The international community should encourage the mass media to play a closer attention to the situation of Roma in conflicting areas. This is particularly valid for Kosovo, where the substantial Roma community that was greatly victimised during the conflict is largely ignored by the international media. Information has

to be provided also by involving Roma interpreters, publications and broadcasts in Romani.

- International organisations should guarantee that Roma refugees will not be trapped in danger before requesting them to return to Kosovo and other conflict-prone/affected areas.

Recommendations to Roma communities and NGOs

- Roma communities and organisations should co-operate with the international agencies in proving/verifying the numbers and whereabouts of the Roma from Kosovo and other conflict-prone areas.
- Roma NGOs should be actively involved in self-help initiatives, grass-root community organisation, confidence building with local population and local authorities.
- Proposals from some Roma NGOs to volunteer for reconstruction works in the Kosovo and other post-conflict areas are welcomed.