

# Addressing the Roma issue in the EU

## Background note

### EU Charter of Fundamental Rights

With the entry into force of the Lisbon Treaty, the [Charter of Fundamental Rights of the European Union](#) has become legally binding, setting out the civil, political, economic and social rights of European citizens and all persons resident in the EU, including those of Roma origin. EU Member States are obliged to respect, protect, promote and fulfil all these fundamental rights, when implementing Union law.

### The social situation of Roma

Research shows that Roma people continue to face the highest levels of discrimination across the EU. This concerns in particular key areas of social life, such as employment, housing, education and healthcare. In addition, Roma people often experience racist crime and violence.

Discrimination in key areas of social life creates a *vicious cycle of social exclusion and marginalisation*: employment-related discrimination often leads to chronic unemployment and poverty; discrimination in education reduces the chances of obtaining qualifications and has a knock-on effect on job opportunities.

### Roma moving to and settling in other EU Member States

Discrimination and racism in some EU Member States lead a small number of their citizens of Roma origin to search for better life chances in other EU countries. There, the labour market has little use for the mainly unskilled labour those Roma can usually offer. This may lead them turning to informal economic activities, including begging, or even petty crime in order to survive.

While such crimes need to be addressed on a case-by-case basis and in due process of law, this overall situation raises questions, on the one hand, about the effectiveness of anti-discrimination and social inclusion policies and, on the other hand, about how to ensure that the fundamental rights of Roma EU citizens can best be respected, protected, promoted and fulfilled across the European Union.

### Roma inclusion

Studies indicate a clear need for developing and/or improving social inclusion policies and measures, and for EU Member States to cooperate closely on these issues. For example, Roma should be assisted in disengaging from informal work and improving their employability in the formal labour market, including in forms of self-employment. Roma children should have full and equal access to education, regardless of their legal status. Poor and/or segregated housing conditions must be addressed.

### Raising rights awareness

Evidence shows that minority ethnic groups across the EU, in particular the Roma, are largely unaware of their rights, and of possibilities to seek redress if these rights are violated. For instance, when asked by the FRA in a survey whether a law exists in their country that forbids discrimination against ethnic minority people when renting or buying a flat, 73% of Roma respondents said 'no' or they were not sure if such a law exists. FRA research also found that the majority of Roma do not report experiences of discrimination (79%), assault or threat (69%) or harassment (84%) to authorities, either because they do not trust them, or because they simply do not know where and how to report.

Research also showed that although Roma were aware of their right under EU law to move to and settle in another EU Member State, they were less aware of the specific and complex array of conditions concerning the right of *residence* in another Member State.

Information about rights and remedies, as well as about support organisations, need to be developed and promoted by national and local authorities, in the national language(s) of other EU Member States, as appropriate, and in minority languages, such as Romani.

Specialised bodies, such as equality bodies, should be adequately mandated and resourced, so as to be able to perform their important functions under the EU Racial Equality Directive effectively.

### Coordinating all levels of government

Social inclusion policies and concrete measures for the challenges faced by Roma are implemented at the local level, for example improving housing conditions, access to healthcare or to an inclusive education for Roma

children. However, implementation at the local level is often inadequate and/or flawed.

The multifaceted problems that local authorities face must be recognised and resolved by state authorities, while also assessing and sanctioning any direct or indirect discriminatory practices undertaken at local level.

There is a need to design, develop, implement and evaluate Roma inclusion policies and concrete measures in close cooperation with local authorities and all population groups concerned, both Roma and non-Roma. EU Member States must take the lead in social inclusion and anti-discrimination measures, by setting strict timetables, benchmarks, indicators and independent impact assessment mechanisms involving the key stakeholders.

### Active participation

Experience shows that policies for the Roma rarely become effective unless the Roma themselves become involved and participate actively in both developing and implementing them, particularly at the local level. Policies and measures need to be designed, implemented, and assessed not only *for* but *with* the Roma, who must be involved in all stages of the process. At the same time, Roma must work to remove barriers to inclusion from their side.

Given that often strong opposition by local non Roma residents renders measures ineffective, it is essential to develop consultative processes directly engaging with Roma and non-Roma, as well as civil society, in order to improve acceptance of policies.

### Use of EU instruments

For the development and implementation of policies aiming at Roma inclusion, full use should be made of EU legal as well as financial instruments.

As the European Commission has noted, funds are available to underpin promising policies and programmes. However, a number of obstacles prevent some EU Member States from using them for actions targeted at Roma inclusion, which include shortcomings in planning and programming as well as administrative burden. This underscores the need for a concerted effort and improved coordination of all layers of governance, from the national through to the local level.

### Sharing good practice

It is essential that EU institutions, Member States and local authorities learn from each others' experiences of developing Roma inclusion initiatives and share their experiences with each other.

#### Positive initiative – Mainstreaming anti-segregation in urban development planning (Hungary)

In the New Hungary Development Plan (NHDP), equal opportunities appear as a key priority. The National Development Agency in cooperation with other ministries has produced good practice guides for those applying for NHDP funds. So far, such measures have been established in both the field of education and housing. In order to be eligible for urban development funds, towns and cities in Hungary need to elaborate an '*Integrated Development Strategy*' listing all segregated areas with over 50 inhabitants and incorporating an '*Anti-Segregation Plan*'.

#### Positive initiative – Supporting Roma home ownership (Spain)

The Housing Programme for Social Integration (HPSI) run by the regional government of the Autonomous Community of Navarra in Spain helps families living in substandard housing and in slums to buy their own home. This initiative is carried out in cooperation with non-governmental organisations (NGOs) that help beneficiaries to adapt to a new social environment. It is funded by the Navarra Department of Housing which, depending on family income, provides up to 45% of the property cost while the rest is financed through a mortgage repaid by the beneficiaries. So far, 800 families, including 320 Roma families (40% of the beneficiaries), have participated in the programme.

The European Union Agency for Fundamental Rights (FRA) is mandated to provide evidence-based advice to decision-makers in the EU. With its reports on Roma and Travellers, it offers to institutions and decision-makers research evidence, analysis and a collection of good practices as a basis for improved policies.

All FRA reports, as well as information contextualising the situation of the Roma in the EU, are available at [http://www.fra.europa.eu/fraWebsite/roma/roma\\_en.htm](http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm)