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Minority Rights In Europe: The Roma Population as a Case Study

Michael Brooks

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Thesis Advisor: Jean Krasno

ABSTRACT

This thesis undertakes an in-depth analysis of the minority rights of Roma populations living within the European Union. The Roma people face economic, social and political discrimination that permeates both government institutions and society in general and has prevented this minority group from integrating into the workings of society. This issue is important because the Roma lack a positive identity both of themselves and from other groups, which deprives the state of an important source of productivity. This is due in part from their own actions based on chosen isolation to some degree, and also because some Roma have become involved in illegal activities to create a livelihood for themselves. This thesis provides evidence that discrimination against the Roma has forced them to resort to measures that are not productive in the long run and have led to their further isolation.

For my research, I have included material from books, articles, websites, and a series of interviews to illustrate the Roma condition. For my hypothesis, I argue that the Roma still suffer from discrimination and structurally induced poor conditions. I also argue that some countries in the European Union have recognized this as a serious problem and have begun to implement policies that benefit the Roma. I also argue that resolving the Roma issues related to discrimination can also lead to better policies for other minority groups and therefore can add to the productivity of society as a whole.

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Introduction

My thesis will focus on human rights and minority rights in the European Union, and will use the Roma population as a case study. For my hypothesis, I will argue that the violation of human and minority rights has forced this population to resort to methods of survival that are not considered as a productive contribution to society. This will result in socio-economic problems within countries where this occurs that could be prevented. If societies create institutions through which minorities are able to live under conditions comparable to that of the majority, those minorities will have the ability to keep their identity without the discrimination. This discrimination has caused the Roma to live under inhumane conditions. Having witnessed firsthand the living conditions of Roma in parts of Europe it is evident that they are isolated from society due partly to their own wishes to live in separate communities, but also due to their inability to integrate into society because of their status as a nomadic minority.

Argument

The Roma as a minority group have a very unique history that includes constant nomadic movement from country to country. However some Roma desire to live and make their home more permanent which has become an issue as assimilation has been difficult. This is further complicated by the historic practice of Roma preferring to live in isolation separated from the rest of society. The Roma have been discriminated against and this discrimination not only affects these European societies as a whole, but contributes to the problems that revolve around minorities and minority rights within a

society. I argue that discrimination and racism directly affect development in a negative way by not preparing a whole group of people to contribute to productivity.

Questions that will be answered throughout the thesis:

What evidence is there that the Roma are discriminated against?

What will become of the Roma community if continued discrimination continues to isolate them from society?

Why do Roma want to remain an isolated group rather than assimilated?

With the lack of human rights present in Roma communities, is there a solution to gaining more for the community?

How do the Roma continue to live their lifestyle and still obtain the benefits of their adopted society, such as education, job training, housing and health?

What is the responsibility of the governments to make sure the Roma's human rights are observed and if the Roma do not have official citizenship is a government still responsible for observing their human rights?

What laws/policies address the rights of nomadic people? Or minorities?

There are Roma all over the world, does this minority create a space for majorities to continue to discriminate?

Is the Roma population discriminated against equally in all countries?

The continued stereotyping of Roma has created characteristics that are attached to this group, but is this stereotyping the main reason why Roma are discriminated against? What is the stereotype?

What are the leading EU Member countries that have started to acknowledge the Roma as a community, and have they started to establish programs that ensure that their human rights are met and that they are able to acquire basic human necessities even if they wish to live in an isolated community?

Methodology

For this thesis I will be using journals from Academic Search Complete and books which include human rights, minority rights, and the Roma in the EU; along with organization websites from the following: Amnesty International, Human Rights Watch, UN, European Rights Center, europa.eu (the main website of the European Union), etc, which contain specific data and information pertaining to Roma communities. I will also include interviews that I collected from the Kirtimai Roma community in Lithuania. Through my extensive research I will demonstrate the violations occurring in countries belonging to the EU against minority rights within the Roma population as my case study. What I plan to show is that in EU Member countries with a large number of Roma living within their borders there is little or no priority given to the Roma. Further I plan to prove that by not providing this population with the rights they should have as a minority these countries will face problems for their future development.

The main issue examined is that the Roma population is isolated and discriminated against based on their ethnic and cultural beliefs, which has placed this community at the bottom of society without the possibility of allowing its individuals and their community to contribute something positive to society. The overall purpose of this analysis is to bring to light the issues behind minority groups' inability to be accepted as citizens of a host country. The creation of policies and laws condemning discrimination against minorities do not always have the backing of governments. The Roma require the ability to be successfully integrated members of society and not be rejected from having

the rights they deserve as humans and minorities. With my research and first hand encounter with Roma I will provide evidence that supports my hypothesis.

Review of the Literature

Amnesty international is made up of members and activists that fight to end human rights abuses worldwide. This organization focuses on making sure the Universal Declaration of Human Rights is followed and human beings are not forced to live in poor conditions that violate their basic human rights. An article by Amnesty International discusses the discrimination the Roma face in Europe and the continued suffering which leaves them without the resources to achieve integration in society.¹ The discrimination that the Roma are faced with comes in all forms, from economic to social that keep each member of the Roma community unable to provide for their families and they have only a minimal amount of support from the government to have the natural resources to survive, for example running water. I will be using this article to demonstrate the human rights violations present in Roma communities in Europe.

The Article “Roma Rights, Roma Wrongs” looks at the new expansion of the EU and the continuing growth of minority populations in Europe and the possibility for discrimination of minorities to end. This Article also discusses the challenges the Roma face and the conditions they live in as a minority in Europe. The discussion furthers by looking at the rights the Roma should have and the reasons why the Roma tend to not

¹ Amnesty International. “Europe’s Roma community still facing massive discrimination.” 2009. www.amnesty.org.

have the chance to be able to obtain those rights due to their cultural and historical background as a nomadic group that has not been accepted by their host nations.² I will be including this article to further argue that the Roma have no measurable rights living in EU States and live in some of the worst conditions of minorities in the world and face harsh discrimination that completely closes them off from society.

The article “Research and the Many Representations of Romani Identity” provides a detailed description of the Roma identity and an analysis of the Roma discrimination present in Europe.³ The lack of understanding of the Romani people and culture present in EU member states is evident, because if there was a clear understanding of how the Romani community lives there could possibly be a change in how they continue to be treated. This article does not state that EU governments need to understand each minority group and make decisions based on their needs; it just looks to elaborate on the issues of understanding the identity. I will be using this article to discuss the Roma identity and the different forms of identities that make up the Roma populations throughout Europe. Even though the Roma have similar beliefs and cultures there are Roma communities that have different customs. This article will further add to my research and the discussion about the Roma to further understand the population and the impact their identity has upon them living in host countries.

² James A. Goldston. “Roma Rights, Roma Wrongs.” *Foreign Affairs* 81, no.2 (March 2002): 146-162. Academic Search Complete.

³ Adrian, Marsh. “Research and the Many Representations of Romani Identity.” *European Roma Rights Center*. Vol. 30 (March 2003). Academic Search Complete.

The article “Roma: Discrimination Starts” from Amnesty International and focuses on the discrimination present in the Roma community and a discussion of where the discrimination stems from. Including where the discrimination of Roma comes from is essential to my thesis because this type of discrimination is deeply rooted in society and a challenge to re-educate society about a population that given the opportunity can succeed in society without having to be involved in criminal activity. Following the focus on where discrimination comes from, there is also a section of this article dedicated to discussing the impact of discrimination on minority groups and the influences society places on discrimination.⁴ I will be including this article to discuss the reasoning behind the discrimination and the outcomes that have occurred in Roma communities in the EU.

The book, *The Rights of Minorities: A Commentary on the European Framework Convention for the Protection of National Minorities*, provides commentary on the Council of Europe’s Framework Convention for the Protection of National Minorities. The focus on each Article provides analysis of the leading policies for national minorities.⁵ I will be using some of the Articles to demonstrate that the rights of minorities are still far from being instituted and minorities still face discrimination and continue to live without the rights they legally and morally deserve. The protective policies created were developed for a reason and not having these policies incorporated in EU governments reveals that governments have no desire to see change for minorities. They have no stake in changing the way minorities are treated and viewed in their

⁴ “Roma: Discrimination Starts.” Amnesty International. Vol. 288, 5 April 2008. www.amnesty.org.

⁵ Marc Weller. *The Rights of Minorities: A Commentary on the European Framework Convention for the Protection of National Minorities*. Oxford University Press. 2005.

countries, which is why minority rights in this part of the world have not changed nor have the way minorities are treated.

The book, *Applying Anthropology to the Situation of the Roma. An Ethnography of NET a Project Addressing the Situation of the Roma of Central and Eastern Europe*, discusses the framework of the EU and the role it plays towards Roma rights and integration. The discussion does not look at success, but the different stages that have led the EU to form policies that will work to acknowledge the rights of the Roma community in Europe. This book also compiles information on the recent evictions of Roma from various countries in Europe and addresses the issues the Roma are facing in these countries and how they should be acted upon.⁶ There are Roma communities living in Eastern European countries that are included in the EU where the Roma make up a large percentage of the minority population, and as such they technically have the right to move within all the countries of the EU. This has caused problems for Roma who have left Eastern European countries to move to Central European countries seeking more opportunities and change in living conditions. These issues are addressed by several Romani scholars and I will be using this source to develop my argument on minority rights in Europe.

This source contains fieldwork from an anthropologist that works with Roma communities in Central and Eastern Europe to unfold two specific categories within the European institution, which contains universal human rights and bureaucratic practices.

⁶ Anca Pusca. *Eastern European Roma in the EU: Mobility, Discrimination, Solutions*. IDEBATE Press: New York, 2012.

This fieldwork overall looks at a minority and uncovers that discrimination created by social groups and communities creates a continuous flow that keeps minorities secluded from the rest of society.⁷ There is a focus on European youth and the influence of public opinion.

The book, *The Roma A minority in Europe*, provides information on the history of religious and cultural minorities, with a focus on the Roma population during Nazi Germany, and the rights and policies of the Roma population.⁸ The history of the Roma is unique because they were nomadic for years and with this type of life style, without a country to call their own they rely on other nations to provide a homeland and for that reason they are a minority based on their lack of geographical identity. There is also a concentration on the issues that the Roma have encountered within their community and the surrounding European society. The issue of integration has become more prevalent today because there is an increased presence of minorities in Europe and so the idea of ethnic-national identity is discussed.

The report, *Roma and the Transition in Central and Eastern Europe: Trends and Challenges*, looks at the economic status of Roma communities in Central and Eastern Europe, with an analysis from the World Bank on the issues this minority is faced with economically. This book is a series of discussions on the present challenges and what

⁷ Sabine A. Deiringer, *Applying Anthropology to the Situation of the Roma. An Ethnography of NET a Project Addressing the Situation of the Roma of Central and Eastern Europe*. Fokus Kultur: 2005.

⁸ Roni Stauber, and Raphael Vago. *The Roma A minority in Europe*. Central European University Press: New York, 2007.

could be the possible future of the Roma community in this part of the world. This report places focus on the economic conditions of the Roma in Europe, but there is also a distinct emphasis on the direction of European countries that continue to keep the Roma from becoming more involved in the economic progress of society.⁹ The report implies that the development process for countries is doomed if minorities are not accepted as active members of society because it is a fact that minorities take on the jobs that would be in the category of manual labor that overall keep society functioning. Not treating minorities as important members of society is damaging to the success of society and development in all aspects of a country.

The book, *Gypsy Law: Romani Legal Traditions and Culture*, provides an abundance of Roma Law, which contains the customs, traditions, and values that are observed by Roma communities. A portion of the book is dedicated to discussing Roma who have survived for centuries living in tough conditions. There is a historical component that comprises the development of Roma communities that once started as a nomadic people, but in their current history have decided to live permanently in a country where they have stayed for years, beginning to live a more sedentary life, and wish to become part of society. Essays are included, which analyze the laws and provide an understanding of where their laws come from and what consists as the norms of their population. There are several tribes of Roma and the laws and traditions do vary slightly, but there is an overall consistency that focuses on their nomadic behavior and love for

⁹ Dena Ringold. *Roma and the Transition in Central and Eastern Europe: Trends and Challenges*. World Bank. Washington D. C. 2000.

music.¹⁰ I will be using this book to provide context to the Romani culture and laws observed within Roma communities. Discriminations against minorities occur because of the lack of knowledge the majority in society has when they discuss their opinions on the population.

¹⁰ Walter O. Weyrauch. *Gypsy Law: Romani Legal Traditions and Culture*. Berkeley: University of California Press, 2001.

Chapter 1: Minority Rights

The European Union started to have a more active role in protecting minority rights in the 1990s, but since then has not had complete control over situations pertaining to minority rights and has demonstrated that it is hard to initiate laws to protect minority groups. Policy makers have tried to define minority groups by categorizing them by religion, language, and culture. Identifying minorities is a good way to keep track of who makes up the population, but allocating minorities to a category places them on the outside of society. By not considering those groups as equals, it has caused minority conflicts to continue. Almost three quarters of European minorities live within the EU, “The percentage of people belonging to minorities in these states varies from 1 percent in Germany, to 20 percent in Spain. In Belgium, with its three language communities, the minority segment is actually 90 percent of the total population. The number of minority groups is very different in these states.”¹¹ For example, most states have between three and six minority groups, while in Italy there are twelve. France and Greece both have seven different minority groups.¹² Eastern European countries have been relatively homogenous national states, such as Poland and Hungary, in which the percentage of people belonging to minorities is only 3-4 percent, but other states have a percentage of 10-20 percent, while Estonia and Latvia have 30-40 percent.¹³ These percentages show

¹¹ “Minority Rights Protection in the EU: Contradictions and Problems. European Alternatives: Democracy, Equality, Culture Beyond the Nation State.” p.1. www.euroalter.com, 2009.

¹² Ibid. p.1.

¹³ Ibid. p.1.

that there is a good portion of minorities living in EU member states and the policies created must be implemented and used to make sure that minorities are protected.

When the European Council was held in Copenhagen in June 1993, there was a decision made that the countries of Central and Eastern Europe that had applied to become a member of the EU had to fulfill certain conditions called the Copenhagen criteria that included conditions with a focus to protect minorities. It states that, “all applicant states must achieve stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.”¹⁴ As a result, the protection of minorities was granted binding force, but as will be shown has not been uniformly enforced by each nation. The violation of minority rights in the EU continues to grow, forcing citizens to flee their homes that are unsafe, with poor living conditions, limited resources and lack of opportunities to move to another EU country to find improved living conditions and more opportunities.

With this, the EU is aware that the flow of minorities continues to grow and with that understanding has developed policies that allow travel for EU citizens much easier, but also efficient so that moving freely is an equal right for all. In *Article 21(1) of the Treaty on the Functioning of the European Union* which was once called the *Treaty establishing the European Community amended by the Lisbon Treaty 2007* approves “Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the

¹⁴ *Copenhagen Criteria*. [EU Commission](http://www.europa.eu). www.europa.eu.

treaties and by the measures adopted to give them effect.”¹⁵ This article allows everyone in the EU to move as they please, which includes minorities. However, as will be discussed later, minorities living outside the mainstream of society often do not obtain birth certificates or other official documents confirming their citizenship in an EU nation. Another section of this treaty states that if an EU citizen decides to stay for more than three months in a Member State, he or she must be economically active, which means having a job, being self-employed, or have sufficient resources not to become a burden on the social assistance system and have comprehensive health insurance coverage.¹⁶ This means that when EU members move to different countries and stay for a certain time they need to have an income and not be a burden. Does that mean everyone has a chance to acquire a job and become active members of society? With these terms, if the citizen does not fulfill this requirement they may be asked to leave the country.

Furthermore the Article continues by stating, “Before deciding to remove an EU citizen for being a burden on the social assistance system, the host Member State must examine whether it is a case of difficulties and take into account the personal circumstances of the EU citizen as well as the amount of assistance granted.”¹⁷ This provides an EU citizen with a chance to see if they are qualified to stay in the country and this is based on their ability to provide for themselves and not receive the majority of help

¹⁵ Article 21(1) of the Treaty UN the Functioning of the European Union. *Official Journal of the European Union*. 2008. www.europa.eu.

¹⁶ Ibid.

¹⁷ Ibid.

from the government. If the citizen does not fulfill the criteria they will be given at least one month to leave.

The increase of minority populations found in EU countries is due in part to the conflicts presented in developing countries. As this trend continues to grow, the rights of minorities who have become EU citizens living within a new territory have become an issue. Article 4(1) in the *Convention for the Protection of National Minorities* provides as follows, “The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.”¹⁸ In Article 4 (2) “The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.”¹⁹ This article contains the basis for minority rights and human rights, along with everything that includes the reasoning for prohibiting against discrimination and defining a national minority.

The following articles illustrate the specific rights of minorities. Articles 6(1) and 6(2) in the *Convention for the Protection of National Minorities* states that, “The parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all

¹⁸ Gudmundur Alfredsson. *The Rights of Minorities: A Commentary on the European Framework Convention for the Protection of National Minorities*. Oxford University Press. 2005. p.138

¹⁹ Ibid. p.138.

persons living on their territory, irrespective of those persons' ethnic, cultural and the media."²⁰ This article stands for everything minorities wish to have and to not have these rights as an EU citizen is nothing short of violating human rights. Article 6(2) continues, "The Parties undertake to take appropriate measures to protect persons who may be subject to threats of acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity."²¹ Article 6(1) focuses on minorities living within the territory and Article 6(2) on protecting the people belonging to the national minorities. According to the Universal Declaration of Human Rights,

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.²²

The first Article lays the foundation for human rights and states that every human being deserves the rights included in these articles state. The problem with this is how many countries around the world claim that they observe this declaration while they are aware that there are some serious issues with providing the basic rights minorities deserve. For the most part, minorities just want to be able to provide for their families and not cause

²⁰ Geoff Gilbert. *The Rights of Minorities: A Commentary on the European Framework Convention for the Protection of National Minorities*. Oxford University Press. 2005.177.

²¹ Ibid. p.177.

²² Universal Declaration of Human Rights. www.un.org

harm to anyone, but many are unable to have this opportunity based on discrimination. Another convention that protects minority rights in Europe is, The European Convention on Human Rights (ECHR) which is an international treaty that lays out the fundamental rights to help benefit people living within the European region. This convention looks to protect against victims rights being violated.²³ The rights declared in this Treaty do not have binding force, which prevents minority groups from submitting claims of mistreatment.

²³ The European Convention of Human Rights. www.un.org. p.1.

Chapter 2: Nomadic Life

Nomads are people who move from place to place in order to survive. Nomads move by using mobile housing and others means that provide easy access to movement. Over the last several years the movement of nomads has changed where communities have started to settle in places for a more permanent stay. There are three main types of nomads. These include hunter-gatherers, livestock herders, and travelers. These groups are often despised minorities, and their mobility confuses the state demographic statistics, for example, the census.²⁴ This lifestyle has brought concern to countries because having people come to a country and just use the resources for a short time and then leave is not considered a welcoming attribute. This causes governments to act negatively towards groups which they term parasitic. The Roma have a reputation as nomadic people. The nomadic lifestyle has also become part of their culture because they are banned from entering countries and society discrimination causes this group to travel more frequently in order to avoid the discriminations they face.

Another group of nomadic Roma is called Sinti, which is a population that split from the Roma after the Holocaust. This group is similar to the Romani group, except for how often they move from place to place, and they are known to have some well known musicians and painters amongst the population. They travel in musical caravans playing music at venues. Even though they have different attributes, they still have to deal with

²⁴ Sara Randall. Nomads. *Encyclopedia of Population*. Ed. Paul Demeny and Geoffrey McNicoll. Vol. 2. New York: Macmillan Reference USA, 2003. p.693-696.

the same discriminations the Roma face.²⁵ The nomadic lifestyle has caused the Roma to suffer in every aspect of life when they move from country to country, and once they decide to settle they are restricted to living in settlements where living situations are unbearable and unsanitary.

²⁵ “Roma and Sinti Issues.” *Organization for Security and Cooperation in Europe*. www.osce.org

Chapter 3: The Case of the Roma

The Roma population living in the EU makes up one of the largest minority groups in Europe. The Roma that live within the Member States face harsh discrimination, along with some of the worst living conditions. Their human and minority rights are overlooked by EU governments and this has left the Roma to resort to anything just for survival. Unfortunately, it is the environment they are living in that has caused the negative attention which forms this external identity.

In the *Convention for the Protection of National Minorities* the Advisory Council discusses the vulnerability of Roma and travelers, particularly, women. The committee concluded that, “such persons continue to face widespread discrimination and disadvantages in socio-economic and other societal settings, including in the field of education.”²⁶ Therefore it is essential for the progress to continue to improve this situation and that efforts continue to be made on a national and international level. Through these conventions it is evident that it is hard to implement policies within the structures of society based on the obstacles of not having the right plan of action to implement new laws that protect the rights of minorities. The Roma population is one of the largest minorities in the EU, which increases the importance of local governments along with the EU to understand and work to identify the minorities that live in the states and acknowledge each group as a piece of society not an outsider.

²⁶ Rainer Hoffman. *The Rights of Minorities: A Commentary on the European Framework Convention for the Protection of National Minorities*. Oxford University Press. 2005. p.23.

History

Roma history is very complex. They are a nomadic people found throughout the world, sharing a common biological, cultural, and linguistic heritage that set them apart as a unique ethnic group. Locating the origin of the Roma, or as many call them gypsies, is believed to be, India, but it has been debated. The world population of Roma is difficult to establish with any certainty as well. Estimates broadly suggest that there are somewhere between approximately 15 and 30 million Roma worldwide.²⁷ Anti-Roma discrimination has existed for centuries, but one of the worst persecutions against the Roma community was the Porajmos (devouring), used by Nazi officials during World War II. The Nazi's gathered Roma into concentration camps, where 220,000 were killed.²⁸ The Gypsies were present in several concentration camps, especially Auschwitz, Birkenau, and Treblinka. The unemployment, uncivilized and backward qualities, associated them by the Nazi regime as the Anti-Social category of Holocaust victims. They were forced to wear black triangles which signified their lack of use as asocial.

The Roma population in Europe is estimated to be around 10 million people, with the majority living in the countries of Central and Eastern Europe.²⁹ Cumulatively they make up the continent's largest minority population. Most Roma live in Romania with a population of 2,500,000, Bulgaria (800,000), Hungary (650,000), Slovakia (520,000), Macedonia (260,000), Greece, Austria, Germany, and Albania. They have more than

²⁷ David M. Crowe. "Roma: The Gypsies." *Encyclopedia of European Social History*. Vol.1. (2001): p449-458, GALE.

²⁸ Pamina Smith. "The Roma in Europe: Paving a Brighter Future." *Harvard International Review* 33, no.2 (Summer 2011): 32, Academic Search Complete.

²⁹ Felix Etxeberria,. "Education and Roma Children in the Basque Region of Spain." *Intercultural Education* 13, no.3 (2002): 291.

twice the birthrate of Europeans, who tend to have one child per mother, instead having anywhere from 4 to 9 children.³⁰ Due to their low literacy, low life expectancy, high disease frequency, and hatred by the natives in the schools, local agencies turn them away and schools are not willing to encourage their children to attend. Despite the Roma's hopes for social improvements, the natives of the country still wish the Roma were not amongst the population, and there are still situations where natives can be viewed yelling at the Roma, spitting, attacking, or throwing trash at Roma at all hours of the day in many EU Member States.

In Romania, the General Association of Gypsies of Romania was founded by Nicolae Gheorghe, who organized a conference in Bucharest called United Gypsies of Europe. He worked to establish a national day of commemoration of the abolition of slavery on December 23rd every year. His organization also aspired to include a Romani hospital and university, and pushed for better communication and cooperation with Romani populations outside of Romania. It was at that conference that the official green and blue Romani flag was adopted.³¹ In 1971, it organized the first World Romani Congress, an event funded in part by the World Council of Churches and the government of India. It was attended by representatives from India and some twenty other countries. At the congress, the green and blue flag from the 1933 conference, now embellished with the red, sixteen-spoked chakra was reaffirmed as the emblem of the Romani people, and the national anthem, Dželem Dželem, since sung at all congresses. The International

³⁰James Mayfield. "The Gypsies in history and today, Europe's "public enemy." www.euroheritage.net.

³¹ Crowe. p.449.

Gypsy Committee was renamed the International Roma Committee at the congress and became the permanent secretariat and executive authority presiding over the congress.³²

The second World Romani Congress took place in Geneva in April 1978, attended by sixty delegates and by observers from twenty-six countries. This time, the Indian links were more heavily emphasized and better represented: the prime minister of the Punjab, and his ministers of foreign affairs and of education, as well as a number of other dignitaries from India came, and were instrumental in urging the congress to apply for nongovernmental status within the United Nations. A petition was drawn up and in November 1979 was presented in person to the Nongovernmental Organizations (NGO) bureau of the United Nations in New York.³³ The theme of the Geneva congress in 1978 was to have survivors of the Holocaust testify and resolutions were made to discuss reparations from the German governments that still remained intractable in their position not to give full acknowledgment to Romani losses under the Nazis.³⁴

Discrimination & Isolation

European opinions about the Roma present discriminatory characteristics that cause Roma populations to become isolated from the rest of society. Often times, many Europeans will say the Roma are beggars, stealers, untrustworthy, scum of the earth, fortune tellers, and belly dancers. The list continues on as to how the Roma are viewed and according to Adrian Marsh, “No people in Europe has been at once so persistently

³² “Roma Then and Now.” *New Internationalist*. (Jan. 2008): p.30. Academic Search Elite.

³³ Ibid. p. 450.

³⁴ Ibid. p. 450.

maligned and so excessively romanticized.”³⁵ The majority creates stereotypes and most stereotypes do not accurately portray the whole of any group. From extensive discrimination leading to isolation, stereotypes have grown and yet some Roma lifestyles do support certain of these stereotypes. Roma are often placed on the outskirts of a city with little contact with the majority. This, in turn, pressures them to reinforce the stereotypes of begging or cheating for money and food. “In Europe today, negative myths about gypsies penetrate childhood stories, family legends, and the fabric of everyday life.”³⁶ One article stated that “most people of Roma origin are subject to persistent discrimination and far-reaching social exclusion.”³⁷ The lack of education comes from isolation and discrimination.

Roma children dropout when they begin to feel heavy discrimination, but this has serious consequences because they are never enabled to better the situation for the larger Roma community. Looking at the labor market for Roma, more than 87 percent of the Roma in Europe cannot get a job.³⁸ The discrimination that the Roma face not only is hurting the Roma, but it is hurting the development of the countries they live in. The Roma living in EU countries are citizens. If given the opportunity to have jobs and have a role in society that does not include illegal activity, they will contribute to having a healthier and vibrant economy.

³⁵ Adrian Marsh. “Research and the Many Representations of Romani Identity.” *European Roma Rights Center*. Vol. 30 (2003).

³⁶ James A. Goldston. “Roma Rights, Roma Wrongs.” *Foreign Affairs* 81, no. 2 (2002): 146-162.

³⁷ “Roma Exclusion Requires Joint Response.” *European Commission: Employment, Social Affairs and Inclusion*. (2008).

³⁸ *Ibid.*

Ties between isolation and discrimination stem from when the Roma are children. The Roma are “at the bottom of every socio-economic indicator: the poorest, the most unemployed, the least educated, the shortest-lived, the most welfare dependent, the most imprisoned and the most segregated.”³⁹ A World Bank report dated 2003 stated, “Roma are the most prominent poverty risk group in many of the countries of Central and Eastern Europe. A recent survey found that, “nearly 80 percent of Roma in Romania and Bulgaria were living on less than \$4.30 per day...Even in Hungary, one of the most prosperous accession countries, 40 percent of Roma live below the poverty line.”⁴⁰ Just this alone shows how the Roma are living and the dismal percentage of their economic state is something that could be changed if the EU or any country wanted to mandate change. The amount of Roma without a job and proper benefits is considered a violation of basic human and minority rights.

Camps

Roma camps or settlements can be found on the outskirts of cities around old junkyards, garbage dumps, or other abandoned areas. These spaces have limited resources available and living conditions are not suitable for anyone. The Roma live in these areas because they do not have the money to find better homes, but they are also a community-based group and they live together like this isolated from the rest of society as a part of their cultural traditions. This stems from a long history of nomadic behavior.

³⁹ Romanies (Gypsies). (2006). “Europe Since 1914: Encyclopedia of the Age of War and Reconstruction” (Vol. 4, p.2238-2244).

⁴⁰ Ibid.

Even though the Roma enjoy living amongst their own, that does not mean they have to live in the worst living conditions. Many settlements have an unresolved property status, meaning they would never be granted legal occupancy status. Roma settlements have been built in a variety of ways, with materials that are not always proper for construction. This results in heterogeneous houses, which range from shack-shelters, to basic houses.⁴¹ Not only are settlements built with unstable materials, but these homes are considered illegal property. Local governments condemning these communities fail to differentiate between spontaneously built settlements, the majority of which were built over a hundred years ago, and illegal settlements built in the past few decades.⁴²

Education

The education system in EU States has not had the best response for how it approaches having minorities in the system. When discussing the Roma in education there are several factors that prevent the Roma from having an education. This includes the proper paper work for children, for example birth certificate and place of residence. Since most of the Roma communities are in illegal housing it is almost impossible for Roma children to attend schools that are not located inside the settlement. The way for EU states to allow minorities into the schools is to have an approach that has several layers. These layers need to look at the lines of integration, the progress of national stability, understanding a minority's language and culture, and preventing isolation that

⁴¹ "Roma Housing and Settlements in South-Eastern Europe." *Office for Democratic Institutions and Human Rights*. 2006. P. 3.

⁴² Ibid.

controls educating children. In accordance with Articles 149 and 150 of the Rome Treaty, “the Community’s role is to contribute to the development of quality education.”⁴³ In a resolution passed on April 28, 2005, the European Parliament identified the need to take measures that overcome Roma segregation.⁴⁴

Jobs & Unemployment

Living in the conditions that the Roma are subjected to, they have one of the lowest employment rates in the EU. Their inability to acquire a job is based on several problems. First the Roma live in communities that are isolated from where all the typical labor jobs are. Their lack of education does not help their ability to find jobs and this problem leaves the Roma without any legitimate source of income to help support their families and community. There is also discrimination that prevents their ability to gain job opportunities. “Unemployment rates of the Roma are still very high, ranging from 44.5 percent in Romania. Unemployment rates are also invariably much higher for the Roma than for the non-Roma populations.”⁴⁵ In the 2002 survey, more than 51 percent of the Roma unemployed stated that they had not held a job since 1996 or earlier. Two years later, in 2004, the share of those who haven’t had a job since 1996, among all unemployed, was even higher at 64 percent ranging from Bulgaria with 55 percent to

⁴³ “Rome Treaty.” *European Parliament*. 1957. www.europa.eu.

⁴⁴ *Ibid.*

⁴⁵ Niall O’Higgins & Andrey Ivanov. “Education and Employment Opportunities For the Roma.” *Comparative Economic Studies*, Vol. 48, 2006. www.ssrn.com.

Romania at 88 percent.⁴⁶ Roma with primary or lower education levels stated that they had not held a job since 1995 or earlier. This was more often than Roma who had at least a secondary education showing 56 percent compared to 46 percent.⁴⁷ The fact that the Roma are unemployed for such long periods of time explains why they are ineligible for unemployment benefits and must rely on minimal social aid assistance that rarely reaches each of the Roma who need assistance. The three components that have caused there to be a high unemployment rate for Roma in the EU is lack of education, lack of institutions that provide training to help minorities learn about how the job market works and what jobs are available, and isolation from available jobs, which all come from discrimination.

Incarceration

There are many Roma incarcerated in EU countries, which have similar convictions, these consist of robbery, property damage, and drug trafficking. Jails in Spain have large numbers of Roma behind bars, “One out of every four female inmates in Spain's jails are Roma, a proportion 15 times greater than the ethnic group's presence in the population.”⁴⁸ Roma female inmates tend to be given long sentences, an average of 6.7 years and 87 percent of them are mothers, usually of at least three children.⁴⁹ Eighty percent of inmates in Spain are in prison for charges related to drug trafficking and drug use, while 39.7 percent of Gypsy women inmates are in prison for

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ “Rights-Spain: Gypsies Account for One Out of Four Female Inmates.” www.ec.europa.eu.

crimes against property and 60 percent for drug smuggling and dealing.⁵⁰ This set of data represents the number of Roma women in prison who have faced charges from robbery to drug possession. This is because Roma women have to beg on the streets and find any source of money to support their children. There are also a high percentage of Roma male inmates that have been incarcerated in EU member state. According to UN-Habitat, “Some 60 per cent of male inmates in Hungarian prisons are Roma, 12 times the national average.”⁵¹ This shows that the number of Roma in prisons is high because being rejected from society leaves nothing substantial for the Roma to acquire, which forces the population to be subjected to a life of crime that leads to possible incarceration.

Voting

Roma have limited voting rights in EU Member states, again due to the lack of paperwork and official personal identification. For example, according to reports, “In Croatia, which will be joining the EU July 2013, Roma NGOs have estimated that 25 percent of the Roma population does not have citizenship documents and therefore cannot vote.”⁵² In a 2010 decision, the European Committee of Social Rights deemed that Italy had violated Article 30 of the Revised European Social Charter, taken together with the Charter’s Article E non-discrimination provisions. The lack of personal status among Roma or denial of citizenship or a residence permit resulted in denial of “the possibility

⁵⁰ Ibid.

⁵¹ Askold Krushelnyck. “Europe’s Poverty-stricken Roma Communities.” *UN-Habitat*. www.un.org

⁵² “Human rights of Roma and Travelers in Europe.” *Commissioner of Human Rights*. 2008. P. 208

for the persons concerned to participate in the decision-making processes.⁵³ This leads to discriminatory treatment with regard to the right to vote or other forms of citizen participation for Roma is a cause of marginalization and social exclusion.”⁵⁴ In France, the separate documentation and registration regime for Travelers was found to be discriminatory by the European Committee of Social Rights in 2010, as it frequently prevents Travelers from becoming residents of municipalities, and thereby prevents them from voting.⁵⁵ Travelers of French nationality are subject to special legislation that does not apply to other French citizens.

Any other French citizens are able to vote after only half a year of residence in a municipality. Except in particular situations, the number of Travelers holding such permits may not exceed 3 percent of the population of any municipality.⁵⁶ Travelers therefore have difficulty becoming meaningful electoral constituents when they are a priori barred from exceeding 3 percent of any local population.⁵⁷

Roma are missing from elected bodies at local, regional, national and union of nations levels of government. Participation of Roma and Travelers in the parliaments of Europe is extremely limited. Only in certain parliaments of Central and East Europe are Roma present, including in Bulgaria, Hungary, and Serbia.⁵⁸ There are currently no Roma in any parliaments in Western Europe. There is one Roma Member of the

⁵³ Ibid. p. 209.

⁵⁴ Ibid. p. 208.

⁵⁵ Ibid. p. 209

⁵⁶ Ibid. p. 210

⁵⁷ Ibid. p. 210

⁵⁸ Ibid. p. 210

European Parliament, Ms Livia Járóka from Hungary.⁵⁹ Without representation the Roma are unable to be viewed differently from what is publicly known. Having Roma present in decision making bodies is essential to changing the way Roma are viewed and to help change their living situation.

Healthcare

Due to the poor living conditions the Roma are subjected to, they lack the basic human needs that would prevent or limit their health problems. The locations the Roma end up in do not have access to clean water and the proper tools for good hygiene. Since the Roma do not have access to proper healthcare, their life expectancy is far less than the rest of society. According to a survey conducted by countries funded by the EU, “15 percent of Europe’s Roma population suffers from some sort of disability or chronic disease which translates into 407,000 Roma. Some 380,000 European Roma suffer from migraines or headaches. The second highest ailment among the Roma population is hypertension and approximately 335,000 have high blood pressure.”⁶⁰ There are also, “124,000 cases of arthritis and rheumatism and 122,00 cases of high cholesterol in adults. Roma minors suffer most commonly from asthma and allergies. About 153,000 Roma minors have asthma and 117,000 with allergies.”⁶¹ The number of Roma with health issues shows that there is a lack of healthcare for the Roma, because if they were provided with the medications that treat these illnesses the numbers would be much

⁵⁹ Ibid. p. 211.

⁶⁰ “Health and the Roma Community, analysis of the situation in Europe: Bulgaria, Czech Republic, Greece, Portugal, Romania, Slovakia, Spain.” 2009.

⁶¹ Ibid.

lower. According to Hana Horka, Director-General of EU Health and Consumers, states that the objective for fixing healthcare for the Roma is a strategy focused on, “Combating health inequalities by providing equal access to quality healthcare and health promotion, particularly in order to reduce health inequalities with special emphasis on the protection of vulnerable groups (women, children, elderly, people with disabilities).”⁶² The development of the Roma Health Project created by the EU also is working to “promote actions to improve access to health services, health promotion and preventive care for migrants, ethnic minorities and other vulnerable groups.”⁶³ Overall healthcare services is necessary to keep everyone healthy and the Roma are unable to receive the care they need based on the discriminations that prevent healthcare access.

⁶² Hana Horka. “EU Framework for National Roma Integration Strategies up to 2020.” *EU Commission. Directorate General for Health and Consumers*. 2011. www.ec.europa.eu. .

⁶³ *Ibid.*

Chapter 4: Interviews

Traveling to Lithuania on a study mission focused on observing minority groups, I had the opportunity to visit with a Roma community living Kirtimai, Lithuania which is located outside of Vilnius. This group of people was so kind and welcoming to us outsiders that it was hard to understand why they have been discriminated against so negatively. While observing the surroundings I noticed that the settlement was created in an old automobile junkyard where there was no source of running water or electricity. With the help of a French organization the community was given a water pump to help the people have a small source for water. The homes were made of spare wood, metal, and plastic pieces that were placed together to make their very small shanty homes. While having a conversation with members of the community, I could see the sadness in their eyes. I could see that they felt a strong connection to who they are, but also had a desire to get more out of life, which they felt unable to obtain because the government and society has prevented them from achieving what the rest of the people in the country are able to achieve, and to have the opportunities to better provide for their families.

Another issue that this community faces is being considered the center of drugs and crime. Since they are either unable to find jobs in the city because they are situated far from the main city or they are always harassed on the bus if they try to assimilate, they often do have resort to earning money by making homemade drugs. What I noticed was cars pulling up to the settlement where there is a police station and drugs are being sold and police were not doing anything to stop it. We were told they see this as a money

maker and as long as someone is providing the drugs it does not have to fall on anyone else besides the Roma because they are already considered to be pollution to society. With a lack of education, traditional sources of earning an income are very limited. Unfortunately, only three Roma persons have achieved higher education from the Kirtimai settlement, but this achievement is more than usual.

Interviewing an older member of the Roma community named Katya gave us a perspective from someone who has grown up and spent her entire life in a Roma settlement. Katya says that she walked through Vilnius more frequently when she was younger and more agile but recently she only ventures into town when she needs to grocery shop or run an errand. She said that it is not worth it to casually walk around the city anymore because too many people look, stare, and make faces at her. She is fully aware these stares are negative attention and meant to give Katya a sense of “otherness” and feeling of not belonging. She no longer travels into town due to intense discrimination and isolates herself more into the Roma community. This helps people of the majority see one less Roma less often and act to forget their existence. Simoni, a Lithuanian woman who led our fieldwork mission talked about an experience of discrimination she witnessed while she was on a bus in Vilnius when a Roma woman boarded it. She said that the bus driver took one look at her complexion and notified the other passengers on the bus by saying, “Be careful, there is a Roma on now, protect your belongings.” Instead of being continuously stared at, the Roma woman felt pressure to immediately leave the bus. This shows that she is clearly not any part of the majority and feels forced to isolate herself more.

A younger member of the Roma community in Kirtimai, named Zita, says she feels the discrimination every day. She is unable to walk past the police station that sits on the border of the Roma community without feeling a sense of hatred vibrating off of it from the majority. She recalls of a time when she saw a policeman walking towards her in London; she immediately fell to her knees and bowed to him. The police officer stood her up and said “that there would be no need for her to bow to authority.” Zita said she was forever indebted to this man because of his generosity and grateful gesture. At the end of the story, she mentioned that a Lithuanian authority would never touch a member of the Roma community willingly, let alone help her off of the ground. When asked for an example of when she was discriminated against in Lithuania, she blankly stared as if to say, well which story? The best example she could think of was when she was walking in Vilnius and an authority thought she threw peanuts on the ground as litter so they pushed her to ground, pulled her hair, and asked for an explanation. The authorities asked if she had any form of identification and she said no and was then pushed around more harshly for not having documentation. Zita claims that it is very normal for the authorities to physically abuse the Roma and to treat them like animals, not humans. Zita’s friend witnessed harsh discrimination when she returned from traveling and found her house torn down. Previously, the authorities came into the community and tore down multiple houses that were illegal. They claimed they had the right to because they had a search warrant for the one legal house in the community. Therefore, they were allowed to search all of the illegal houses as well. Simoni, an expert on the Roma in Lithuania, states “this is very common recently and is Lithuania’s plan to rid the Roma because then

they will have to travel elsewhere to find housing.” These harsh accounts of discrimination are disheartening to the Roma and force them to feel as if staying in their community is safest. However, when they stay in the community, they are isolating themselves and continuing the connection between isolation and discrimination.⁶⁴

⁶⁴ Michael Brooks. Interviews in Lithuania With Roma in Kirtimai Settlement. 2008.

Chapter 5: Stereotyping

Though the stereotypes can describe some Roma, it would be foolish to think that all Roma live the same way. Since they have moved and settled in Europe, the different Roma communities have adopted different practices and customs in life. Many have learned the country's home language and have converted to practices observed in their host country. At the same time, there are still Roma that know Romani and practice the Romani religion. "Generalizations cannot do justice to the extreme diversity of the Roma populations, with their significant cultural, linguistic, and lifestyle variations within one country."⁶⁵ After understanding that not all populations are the same, it is a fact that Roma communities face all forms of discrimination that have isolated their communities from society leaving them stranded without the basic human needs for survival. This discrimination can be linked to stereotypes that have developed over hundreds of years, by EU countries that wish to not have Roma living in their country. The way Roma are perceived allows for continuous presence of stereotyping that creates a new form of discrimination because the role of stereotyping is to identify a group in a certain way that rejects them from the norm of society.

The list of stereotypes created about Roma can fill several pages. This stereotyping has been allowed to breed and continue to prevent the Roma population from achieving success and be considered members of society. The reason behind why so many stereotypes have developed over the years is because the Roma have not had the

⁶⁵ Belinda Cooper. "We Have No Martin Luther King": Eastern Europe's Roma Minority. *World Policy Journal*, Vol. 18, No. 4 (Winter, 2001/2002), pp. 69-78.

opportunities to find work that keeps them out of the illegal sector of the job market. As people walk past the main monuments of European countries they can see Roma with signs asking for money and coming up to you begging for money because that is one of the only ways they can survive. This is the only way they know that can bring the smallest amount of money to their families. The crime rate from Roma really exists based on the fact that committing crimes is not a choice to participate in criminal activity but rather as a means of survival. This is human survival instinct, because if someone has nothing and does not have a chance to survive legally, they will look for other means and that is exactly what the Roma find to earn a living. This all stems from stereotypes and minorities of all kinds find this to be the leading role in racism and discrimination, which has caused suffering for groups of people who just want to have a job, safe place to live, and access to the basic needs for survival. The Roma provide for their families and if they were able to work in society and not have to beg on the streets, sell drugs, and other forms of illegal activity, they would.

Another issue that is created from stereotyping is the concept of identity and where it fits on a national level. When looking at the Roma population in the EU they live in secluded settlements, some communities wish to have it that way, while others are forced to live in poor conditions. Stereotypes are common knowledge, but there is no one questioning these stereotypes to see if they are true and what is the back story behind these characteristics.

Chapter 6: The Data

To understand what is occurring within Roma populations in the EU, it is important to reveal the quantitative data that represents the discrimination present. The data utilized includes figures for employment, education, access to healthcare, housing, and sanitary conditions, and reports of discrimination and being victims of crime. There will always be a class system because there will always be a wealthy, middle, and poverty class in every nation, because that is how human development has occurred since the beginning of human existence. Even though this class system is part of the institution there is no reason for conditions to be as detrimental as those conditions are that that Roma live in. These results show that there needs to be programs developed to help Roma find needed training that provides equality and leaves discrimination out of the institution. Attracting Roma to the labor market will increase employment rates and help the Roma out of the extreme poverty they are living with.

Access to healthcare for Roma is not always available. According to a report, *Roma and the Transition in Central and Eastern Europe*, life expectancy at birth in the EU is 76 years for men and 82 for women.⁶⁶ For Roma, it is estimated to be 10 years less.⁶⁷ In addition, while the infant mortality rate in the EU is 4.3 per thousand live births, there is evidence that the rate is much higher among Roma communities. A United Nations Development Program report on five countries noted that Roma child mortality rates are

⁶⁶ Ringold, Dena. *Roma and the Transition in Central and Eastern Europe: Trends and Challenges*. World Bank. Washington D. C. 2000. p.20.

⁶⁷ *Ibid.* p.21.

2 to 6 times higher than those for the general population, depending on the country. High levels of infant mortality among the Roma community are reported in other countries.⁶⁸ This disparity reflects the gap in health between Roma and non-Roma. This difference is linked to their poor living situations, limited access to quality healthcare and exposure to higher health risks.⁶⁹ The use of prevention services among the Roma population is low and, according to some studies, over 25 percent of Roma children are not fully vaccinated.⁷⁰ Having the proper healthcare for Roma is essential to keeping EU states from having to deal with environmental and physical health for the overall population. Having healthcare is needed and denying that to minorities violates their rights and has caused preventable deaths amongst the Roma population.

Having access to housing is one of the main problems the Roma face. Due to their lifestyle acquiring a proper home does not look to be in their future because of economic and other discrimination. Between 72 percent and 100 percent of households across the EU are connected to a public water supply.⁷¹ Yet the situation for Roma is much worse. Their often poor housing conditions include an inadequate access to public utilities such as water, electricity or gas. Nomadic Roma often have difficulty finding sites with access to water.⁷² This has a negative affect their health and overall integration in society.

A Survey conducted by the EU called the European Union Minorities and Discrimination Survey (EU-MISDIS) looked at respondents from selected immigrant and

⁶⁸ Ibid. p.21.

⁶⁹ Ibid. p. 21.

⁷⁰ Ibid. p.29.

⁷¹ Ibid. p.12.

⁷² Ibid. p. 13.

ethnic minority groups in the 27 EU Member States and found that on average, a Roma respondent was discriminated against at least once in the previous 12 months.⁷³ Roma who were discriminated against experienced on average 11 incidents of discrimination over a 12 month period. Between 66 percent and 92 percent of Roma, depending on the country surveyed, did not report their most recent experience of discrimination in the last 12 months to any organization or where the discrimination occurred. The main reason given by Roma for not reporting discrimination was that nothing would happen or change by reporting their experience of discrimination.⁷⁴ When asked whether they could name an organization that could assist them if they had been discriminated against, on average 86 percent of Roma could not name any organization. On average, 69 percent of Roma respondents believe that discrimination based on someone's ethnic or immigrant background is widespread in their country.⁷⁵ On average 1 in 4 Roma respondents were victims of personal crime including assaults, threats, and serious harassment at least once in the previous 12 months. On average 1 in 5 Roma respondents were victims of racially motivated personal crime including assaults, threats and serious harassment at least once in the previous 12 months. Roma who were victims of assault, threat or serious harassment experienced on average 4 incidents over a 12 month period.⁷⁶ Eighty-One percent of Roma who indicated they were victims of assault, threat or serious harassment in the previous 12 months considered that their victimization was racially motivated.

⁷³ Data in Focus Report | The Roma European Union Agency for Fundamental Rights. European Union Minorities and Discrimination Survey. 2009. www.fra.europa.eu. p.5.

⁷⁴ Ibid. p.6.

⁷⁵ Ibid. p.7.

⁷⁶ Ibid. p.8.

Between 65 percent and 100 percent of Roma, depending on the country surveyed, did not report their experiences of personal victimization to the police.

The main reason given by Roma for not reporting their experiences of criminal victimization to the police was that they were not confident that the police would be able to do anything. On average 1 in 3 Roma respondents were stopped by the police in the previous 12 months, with every second person indicating that they thought they were stopped specifically because they were Roma. Roma who were stopped by the police experienced on average 4 stops over a 12 month period.⁷⁷ On average 1 in 4 Roma respondents who were stopped by customs or border control in the previous 12 months when coming back into their country thought they were stopped specifically because they were Roma.⁷⁸

These statistics show that the Roma do not feel safe when they attempt to leave their community. Their ability to exist under conditions comparable to the rest of the population is unlikely to occur and with the amount of discrimination present in EU Member States it is evident that government progress is slow to institute programs that would help the Roma have the resources they need to survive and have access to the jobs, healthcare, housing and education that the rest of the population has access to.

⁷⁷ Ibid. p. 9.

⁷⁸ Ibid. p.10.

Chapter 7: **Country Studies**

This section of the paper will examine a variety of Eastern and Central European countries where populations of Roma make up their largest minority. Using these countries as case studies provides a clear depiction of what actions and inactions the EU governments have employed to prevent the Roma from acquiring opportunities within social institutions. These countries have a growing Roma population due to the fact that even though this population is considered a nomadic people they have become permanent residents within different European countries and have even gained citizenship. Since the Roma are unable to become accepted and welcome members of society they have had to build communities outside cities some in junk yards and garbage dumps.

Roma have been in Eastern Europe for centuries and have yet to see equal rights. Upon entering the Eastern European countries, the Roma were treated unequally and poorly. The situation of Roma in Lithuania is no different. This group was abused and discriminated against for decades by the Nazis and Lithuanians while in the fight for independence. Times have not changed because there is still little attention and heavy discrimination, the Roma continue to have less and given only minimal rights. This results in isolation. However, when the Roma isolate themselves from the greater society, they face even more discrimination. Isolation and discrimination then form a continuous cycle that is inescapable for the Roma community and continues to worsen by each generation. In the report on the European Roma Information Office (ERIO) conference on Roma migration in Europe, the European Network Against Racism (ENAR) is noted

as stressing that although Roma primarily migrate to Spain, Italy and France, “they are often greeted with persecution and violence by police and gangs.”⁷⁹

Spain

The Roma first arrived in Spain in the 15th century, and today comprise approximately two percent of the Spanish population. Roma, who are frequently called “Gitanos” in Spanish, faced hostility almost immediately, beginning in the late 15th century during the Spanish Inquisition. Laws and practices over the next centuries denied Roma citizenship, as well as any political, social and economic rights. Policies created in Spain also forced cultural assimilation with the dominant population in order for the Roma to be recognized in the citizenry. Currently there are between 500,000 and 800,000 Roma who are Spanish citizens. This does not include the approximately 40,000 Roma who recently, during the nineties, have been migrating into Spain and who live in shanty-towns mainly in the outskirts of Madrid.⁸⁰ Nearly half of the Roma live in Andalusia, both in rural and urban settings. Large communities also live in Catalonia, Valencia and Madrid, but in these cases nearly exclusively in urban outskirts. Economically, Roma face significant employment and housing discrimination among Spaniards. They work primarily in low paying jobs and have the worst quality housing of any group in Spain. Discrimination against Roma in the Spanish education, criminal justice and health systems also is present and has left this minority without these necessities, and Roma women are especially marginalized. Few government programs

⁷⁹ ERIO. May. 2009. www.erio.org.

⁸⁰ Gunther Dietz. European Roma Rights Center. *The State and the Roma in Spain*. www.errc.org.

have effectively addressed these problems. No Roma hold legislative or executive positions in Spain, and their historical involvement in government has been limited. Finally, Roma have been subjected to violent harassment by Spaniards in recent years. Overall, the continuing marginalization of Roma in Spain may lead to a growth in the number and strength of Roma advocacy groups, but it is unlikely to result in violence in Spain.

The Roma in Spain have started to develop a program aimed to help the Roma in Spanish Roma. The National Roma Integration Strategy for Spain is based on effectively changing the perception of discrimination of Spanish Roma particularly in the search for employment, access to facilities and services and housing. The objective is to have greater presence and interaction of Roma in the public arena, the increase in awareness of their rights, the development of detection and reporting mechanisms and services by civil society organizations.⁸¹

France

In France, the Roma population has also had to deal with discrimination and isolation for years. Over the past ten years the French government has deported hundreds of Roma from the country based on the accusations that they were living in illegal housing. According to Human Rights Watch, “there is ample evidence French police are targeting Roma because they are Roma. Authorities kicked out 4,714 Romanian and Bulgarian citizens in the first three months of this year compared to some 9,500 in all of

⁸¹ “National Roma Integration Strategy in Spain.” *EU Commission*. www.europa.eu.

2010.”⁸² The French government forces the Roma out and takes advantage of the fact that the Roma do not know French. Human Rights Watch continues by stating, “They evict them from camps even if they have nowhere to go and force them to sign French-language documents they do not understand.”⁸³ This practice forces the Roma out of their homes and subjects them to deportation without proving that they are illegals or that their housing is not legal. The European Commission warned France a year ago to address its abusive policies or face possible sanctions in the EU Court of Justice. Despite the lack of real reform, the commission said in late August 2011, that it was satisfied with France’s response. “The French expression, ‘The more things change, the more they stay the same,’ couldn’t be more apt,” said Judith Sunderland, senior Western Europe researcher at Human Rights Watch. “One year and a new immigration law later, Roma in France are still vulnerable to serial evictions, unfair expulsions, and discrimination.”⁸⁴

The problems in France have continued to erupt when Roma have been forced out of the communities they have called their home, and these settlements have caused problems for the Roma and the French government. There are consistent reports of repetitive police visits to informal settlements, during which the police question Roma on the length of their stay in France and their livelihood. The police required camp residents, many of whom do not read French, to sign pieces of paper without telling them what they said, and without leaving them a copy. This lack of communication between the Roma and the French authorities has also caused problems because they were not able

⁸² “EU Executive leaves Roma problem to France.” *ERIO*. www.erionews.wordpress.com

⁸³ *Ibid.*

⁸⁴ *Ibid.*

to communicate and find out the proper information to deport the Roma out of the country.

Since mid-September, hundreds of Roma have been removed from informal settlements in Lyon in a concentrated wave of evictions. In the vast majority of cases, no alternative housing was offered. In one case, the police allegedly told a group of 80 to 100 Roma, including many children, who had been seeking new shelter for two days and nights following an eviction, to go to another informal camp. Camp expulsions have been carried out in other parts of France, including Marseilles and Paris. In late August, in the city of Saint-Denis, outside Paris, police evicted some 150 Romanian and Bulgarian Roma and escorted them by tram to a commuter railway station.”⁸⁵ Some Roma leave France under the French Office for Immigration and Integration’s “voluntary assisted returns” program, under which adults receive 300 Euros and children 100 Euros to return to Romania or Bulgaria. Many do so only after receiving an order to leave the country, while there are reports from Roma rights activists that some Roma travel to France with the express purpose of receiving this aid.”⁸⁶ Roma rights organizations point out that the estimated number of Eastern European Roma in France has remained stable, at around 15,000 for several years.⁸⁷ The June immigration law targets Roma for expulsion, including for repeating short-term stays in France, begging and land occupation. High-ranking government ministers cited Romanian and Bulgarian citizens in particular, and Roma camps, when the measures were first proposed in August 2010.

⁸⁵ “France: One Year On, New Abuses Against Roma.” *Human Rights Watch*. 2011. www.hrw.org.

⁸⁶ *Ibid.*

⁸⁷ *Ibid.*

Claude Guéant, the current interior minister, announced in mid-September that a liaison officer from Romania would soon begin work in Paris to facilitate repatriation of Romanian children accused of a crime, though the legal basis for such returns remained unclear.⁸⁸

Since June, Roma have been ordered to leave France for the simple reason they had been in France before, even though their current stay was under three months. “These practices violate the law and the spirit of Europe’s rules of freedom of movement,” Sunderland said. “The new law requires authorities to conduct an individual assessment, taking into account the person’s age, health, economic, and family situation, as well as integration in France, before issuing an order to leave the country or ordering a forced removal on public security grounds.”⁸⁹

In April 2011, the French Council of State ruled that the August 2010 circular had unlawfully discriminated against Roma.⁹⁰ Sarkozy insisted France's expulsions of Gypsies, or Roma, are a matter of security and said France doesn't have to take lessons from anyone, as long as it respects human rights. He called more than 100 Roma camps dismantled in France in recent weeks havens of crime and undignified living conditions. “We will continue to dismantle the illegal camps, whoever is there,” Sarkozy said. “Europe cannot close its eyes to illegal camps.”⁹¹

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

Italy

Roma first arrived in Italy around the 10th century AD, and entered Europe through the Balkans toward the end of the 14th century. Approximately 150,000 Roma live in Italy, mainly in horrible conditions in one of an estimated 700 settlements on the outskirts of major cities such as Rome, Milan and Naples.⁹² According to Amnesty International, “Since 2007, the Italian authorities have increasingly adopted security measures, which appear to be discriminatory, affecting disproportionately the Roma minority. Powers can be exercised against people of any nationality who are deemed to be nomads.”⁹³ This has caused the Roma to be evicted from their homes leaving them stranded and homeless. “Forced evictions of Roma communities have been routinely carried out for at least 10 years, but their frequency and impact seem to have increased since 2007.”⁹⁴ Throughout 2008, the stigmatization of Roma contributed to attacks on groups and individuals. Roma people have been victims of mob violence by members of the public, in which individuals were physically and verbally attacked and settlements were set on fire.⁹⁵ “Barriers deprive them of the chance of fulfilling their true potential and perpetrate the marginalization of Roma community”⁹⁶ These European countries have some of the largest minority groups living in the country and the Roma make up a portion of the minority. In 2000, Mr. Paolo Frigerio, Mayor of Cernusco sul Naviglio in the province of

⁹² “Campland: Racial Segregation of Roma in Italy.” *European Roma Rights Center*: 2000.

⁹³ Amnesty International. “Europe’s Roma community still facing massive discrimination.” 2009.

⁹⁴ *Ibid.* p.1.

⁹⁵ *Ibid.* p.1.

⁹⁶ *Ibid.* p.1.

Milan, told journalists and civilians that “he would pay five million Italian lire (approximately 2500 Euros) of public local government money to any farmer willing to spray manure on a group of Roma who were temporarily living in camper vans in the town.⁹⁷ According to the mayor, “a bath of manure is the only way to even the score with the Gypsies, an act of justice equal to the manure they leave us when they move on.” There are Italian stories that mention the Roma to have made the nails used to crucify Jesus, steal children and generally wreak havoc and evil.⁹⁸

Romania

With the modernization of the economy in Romania, some of the traditional Roma communities have been forced to change their way of life, resulting in changes to the social structure of communities. The number of nomadic Roma populations dropped dramatically, although this way of life remains visible in Romania. The nomadic way of life is central to the past and present of Roma communities. The tradition of having the freedom to move around and not have a stable place to settle is one of the characteristics which make this group of people unique. While the majority of Roma in Romania are poor, not all Roma communities are impoverished. Wealthy Roma build palaces not as a symbol of wealth, but as an expression of eclectic creativity through extreme elements such as silver towers. Sometimes these families with large homes still prefer to live in tents or smaller homes near the larger building. The risk of poverty in the Roma community is three times higher than the national average, according to 2003 figures. A

⁹⁷ “Campland.” p. 8.

⁹⁸ Ibid.

World Bank report revealed that approximately 70 percent of the Roma population lives on less than 4.30 US dollars a day. The last census, in 2002, showed that Romania had a stable Roma population of 535,140, though most scholars widely believe that this figure is inaccurate and most likely underestimates the actual numbers. Unofficial estimates place the Roma population in Romania somewhere between 1.8-2.5 million, representing between 8 and 10 percent of the general population.⁹⁹

The Romanian government has developed the Government Strategy for the inclusion of Romanian citizens belonging to Roma minority to ensure their social and economic inclusion by implementing policies in the fields of education, employment, health, housing, culture and social infrastructure. The Government Strategy aims at making the local and central public authorities, the Roma minority and the civil society responsible for the increase of the level of social and economic inclusion of the Romanian citizens belonging to Roma minority. The strategy also includes ensuring an equal, free and universal access to quality education at all levels in the public education system, in order to support the economic growth and the development of a knowledge-based society.¹⁰⁰

Lithuania

In Lithuania the Kirtimai community of Roma has made permanent settlements in an old car refinery where they are completely secluded from society. In 2002, a plan was constructed to help the Roma legitimize their property, but it was rejected by the Vilnius

⁹⁹ Ibid.

¹⁰⁰ Romanian government strategy. *EU Commission*. www.europa.eu.

Municipality in 2004. Ironically enough, in 2004, the Vilnius Municipality demolished six buildings in the Kirtimai settlement claiming that “the buildings were illegal and it would fight drug dealing”¹⁰¹ While this type of treatment is present in Eastern European Countries, in Central European countries they encounter similar forms of discrimination and isolation. In the report on the European Roma Information Office (ERIO) conference on Roma migration in Europe, the European Network Against Racism (ENAR) is noted as stressing that although Roma primarily migrate to Spain, Italy and France, “they are often greeted with persecution and violence by police and gangs.”¹⁰²

Most Lithuanian authorities will deny the Roma existence, saying they are not real people and should not be given attention. Lithuania makes it very difficult for any person from the Roma community to gain acknowledgement. Simoni, an expert on Lithuanian relations and history, has said that the denial of existence of the Roma from the Lithuanian authorities make every situation worse because the Roma do not have anyone to represent them and authorities are very unwilling to listen to pleas from the Roma community. This denial of existence is discrimination and isolation. It is discrimination because the majority does not acknowledge that a whole minority group exists, and therefore authorities do not take the time to notice the Roma and then only increase their isolation. The Roma are segregated by not being able to voice their opinion and even so, the opinion would not be respected in any event.

The Roma are told they can take a citizenship exam, a way to gain recognition, but very few Roma know Lithuanian, and therefore fail the exam and do not gain citizenship.

¹⁰¹ “EU Executive leaves Roma problem to France.” *ERIO*. erionews.wordpress.com.

¹⁰² Ibid.

However, no steps are taken after the exam to help the Roma who are trying to obtain citizenship. For example, there are no language classes or information sessions a Roma could attend to pass the exam. This is another example of the interplay because Roma are discriminated against with no forms of help and then it furthers their isolation into their community since they are not able to gain citizenship like the majority.

An example of the interplay of discrimination and isolation is shown in a 2005 survey which states that, 77 percent of Lithuanians said they would not want a Roma as their neighbor, so the community pushes the Roma as far away as possible.¹⁰³

The Roma community layout in Kirtimai is a true example of what most Roma communities look like. Because the general population is afraid of the community, they never travel near it and certainly make sure to not settle close to the area. It is buried behind an abandoned train station, a junk yard, and old factories. Lithuania refuses to include this community on a map of the country, which further lessens their acknowledgement of the Roma existence and prevents others from knowing of the settlement. There is no infrastructure within the community, only mud or dirt roads filled with trash, needles, and litter. A police station was built recently to track the amount of visitors entering the community and to monitor drug trafficking. However, this task is never fully or correctly fulfilled. Most of the times, the police station is empty and serves as a border between the Roma community and Vilnius. Recently, police implemented a fee of ten Litas (Lithuanian currency) per car to enter the community, thus changing the small police station into a tollbooth. The fee creates more isolation because people will

¹⁰³ Kucinskaite Kavaliauskite., and Kristina Egle. "In the Dark: Segregating Roma in Lithuania." *European Roma Rights Center*. 2006. p.159.

not be willing to pay. People living in Vilnius believe the police station is a good idea to limit the amount of people traveling into the community and to stop the Roma from coming into Vilnius, also a form of isolation. The police station on the edge of the community serves as a tool for isolation and discrimination because it is a barrier between the Roma and the general population of Vilnius.

Along with this infested living area, a huge factor contributing to the result of isolation and discrimination is poverty. “Poverty sets the Roma at a high risk of exclusion.”¹⁰⁴ Lithuanians will turn away from people who show signs of poverty, immediately thinking they are part of the Roma community. The poverty-stricken people experience this interplay because the assumption is a form of discrimination, resulting from ignorance, which is isolation.

One clear example, given by Simoni, of the connection between isolation and discrimination was shown when a volunteer group wanted to take the Roma children from Kirtimai out to lunch to a café in Vilnius. When they arrived at the cafe, the owner refused to allow the Roma children into the cafe, saying they are unwelcome. The volunteer group was forced to return to Kirtimai without food for the children. Later, the volunteers brought food into the settlement for those children but never took them out of Kirtimai again. This proves that efforts are being made to assimilate the Roma community with the majority but they are failing and forcing the Roma to return to isolation.

¹⁰⁴ Ibid. p.3.

Another example is when a Roma member calls for an ambulance in the event of an emergency. The ambulance either did not arrive or arrived late. Because of the portrayal of the Roma, it is assumed that the ambulance is unwilling to travel into the community and places the calls from the Roma at the bottom of the priority list. Therefore, the emergency squad is discriminating against the community by not traveling into the community. These, sadly, are not the only problems the Roma have with isolation and discrimination. Due to the isolation and discrimination that the Roma face in Lithuania, there are many social problems that follow. Most of the causes of discrimination and isolation translate into large social problems for the Roma. Living in extreme poverty in substandard conditions, no education, and unemployment are all a harsh reality for many Roma people. Poverty leads to poor education, desperate measures of survival, possibly a life of crime, and no hope for the future. According to Kavaliauskite and Egle, “Along with the poverty, the constant discrimination that the Roma in Lithuania face does not help their situation. . .like many marginalized groups, the Roma have been caught in a cycle of poverty, illiteracy, dependency, and petty crime that has kept them marginalized and is in turn used to justify further discrimination.”¹⁰⁵ Lithuania has made no legitimate effort to take the Roma out of poverty, only leaving them to despair.

Unemployment is rampant among the Kirtimai community because of the discrimination and isolation from the Lithuanian people of the Roma. Approximately 50 percent of men and 70 percent of women identified themselves as unemployed or did not

¹⁰⁵ Ibid. p. 4.

specify their occupation.¹⁰⁶ Roma people in Kirtimai must find other ways for sources of income. As a result of long-term exclusion, the existence of illegal sources of income in certain cases must be taken into account. Additional factors compounding the risk taken by uneducated and inexperienced people in the labor market are the developed social ties, labor distribution in families and the necessity to provide for children.¹⁰⁷

Drug dealing has become a primary source of income and consequently, a growing addiction has risen in the community. As Simoni said, 83-86 percent of the Roma in Kirtimai take drugs or are drug dealers. According to the Vilnius Centre for Addictive Disorders, children start using drugs as early as the age of thirteen because of easy availability. Taxis drive through the community often with potential drug buyers and many used needles lay on the ground which may spread infectious diseases.

“Deprivation, limitation of utilities, low rate of education, illiteracy and drug-addiction provide perfect conditions for the outbreak of infectious diseases in the Roma settlement.”¹⁰⁸ The government has developed The Action Plan for Roma Integration into the Lithuanian Society, which is aimed at promoting participation of Roma in public life, reducing social exclusion, enhancing consciousness within the Roma community as well as increasing public tolerance.¹⁰⁹

¹⁰⁶ Ibid. p.4.

¹⁰⁷Ibid. p.4.

¹⁰⁸ Ibid. p.4.

¹⁰⁹ Lithuanian action plan. *EU Commission*. www.europa.eu

Bulgaria

Today Bulgarian Roma have struggled for recognition and group survival. Facing unemployment, extreme poverty, discrimination, and exclusion from the rest of society, which has caused the Roma to either find crime or move to another EU country where life can be better without discrimination. According to Rossen Vassilev, “Quite a few of them have ended up as habitual criminal offenders leading to prolonged periods of incarceration in Bulgarian and foreign prisons bringing prison populations to about 84 percent Roma of the whole population in prison.”¹¹⁰ After the Muslim Turks, Roma are the second largest ethnic minority in Bulgaria, numbering 325,343 and comprising 4.9 percent of the population.¹¹¹ Bulgarian Roma were primarily nomadic or semi-sedentary until 1958, when the Communist regime launched a campaign of forced assimilation, restricting traditional Roma religious and cultural customs and practices. They compelled the Roma population to abandon its transient lifestyle and settle either in collective agricultural farms in the countryside or in drab, overcrowded housing projects in the cities. The Roma have been historically Bulgaria’s most disadvantaged and maligned ethnic minority.¹¹²

Not only have the Bulgarian Roma been the target of periodic official name-changing drives, but the majority of them have been forced to live in extremely poor, unhygienic, and substandard conditions, isolated from the mainstream of Bulgarian society by

¹¹⁰ Rossen Vassilev. “The Roma of Bulgaria: A Pariah Minority.” *The Global Review of Ethnopolitics*. Vol.3, no.2, January 2004, 40-51.

¹¹¹ Ibid. p.42.

¹¹² Ibid. p. 42.

discriminatory government policies and by the long-standing Roma tradition of preserving ethnic customs and mores at all costs. The earliest post-Communist organization of Bulgarian Roma, the Democratic Romany Union which claimed to represent over 50,000 Roma throughout Bulgaria, was formed soon after the fall of Communist leader Todor Zhivkov on 10 November 1989.¹¹³ It gained political recognition when its leader, prominent theater director Manush Romanov, was elected to the constituent Grand National Assembly on the party list of the anti-Communist Union of Democratic Forces (UDF) in the first democratic election of June 10-17, 1990.¹¹⁴ After the Democratic Romani Union was prevented by the newly established Constitutional Court from participation in elections, its influence sharply declined. The Democratic Romani Union and other early Roma organizations were denied the status of electoral parties on the grounds that this would violate the constitutional prohibition on parties with a racial, ethnic, or religious basis. Because Bulgarian courts have effectively ignored the controversial constitutional limitation and allowed their registration, several Roma organizations were able to compete for the first time in the local elections of late 1999, including Free Bulgaria, which had been established in 1997 by Tzar Kiro, the self-proclaimed “monarch” of all Bulgarian Roma. In that election, Free Bulgaria elected three Roma mayors and over sixty Roma municipal counselors.¹¹⁵

The Bulgarian government has developed a strategy to help the Roma by creating “conditions for equitable integration of the Roma and the Bulgarian citizens in a

¹¹³ Ibid. p. 42.

¹¹⁴ Ibid. p. 43.

¹¹⁵ Ibid. p. 44.

vulnerable situation, belonging to other ethnic groups, in the social and economic life by ensuring equal opportunities and equal access to rights, goods and services, by involving them in all public spheres and improving their quality of life, while observing the principles of equality and non-discrimination.”¹¹⁶

Hungary

There are about 350,000 Roma living in Hungary or 5 percent of the population, the country’s largest minority group. Roma people live in around 2,000 of Hungary's 3,200 settlements.¹¹⁷ With regard to regional distribution, census data suggest the highest concentrations are in the regions of Northern Hungary. Romani unemployment is estimated at 70 percent, and the Roma are discriminated against in education, housing, and other public functions. The Roma have been evicted by local authorities in the name of eliminating substandard housing. The law prohibits discrimination, but it often goes unenforced.¹¹⁸ Demographic change in Hungary is characterized by an aging, falling population while the number of people of Gypsy origin is rising and the age composition of the Gypsy population is much younger than that of the overall population.

Although the proportion of Roma living in towns and cities has increased considerably in comparison to the 1970s, the majority, about 60 percent still live in villages and, within this category, in the most disadvantaged small rural settlements. In Budapest, the district minority self-governing bodies established the Budapest Gypsy

¹¹⁶ Ibid. p.44.

¹¹⁷ Fact Sheets On Hungary. Ministry Of Foreign Affairs Budapest, 2004. www.kum.hu.

¹¹⁸ Barry A. Fisher. “Roma (Gypsies).” *Human Rights Encyclopedia* (Vol. 3, (2001): p. 880, GALE.

Minority Self-Government by means of indirect elections, and founded the National Gypsy Minority Self-Government (NGMS) with 53 representatives.¹¹⁹ As a result of the second minority self-government elections held in 1998 there was a significant increase in the number of local Gypsy self-governing bodies, with successful elections in 764 settlements, though the establishment of the Budapest self-government failed due to internal conflicts. Some 3,000 Roma participated in the work of the minority bodies in this cycle.¹²⁰ This is one of the first groups of Roma to develop its own government within their host country. This development opened the door for the Roma community to start to have some rights and have some of the opportunities that society outside the Roma community has. The success of this in the Roma community also earned representation on a national level, which turned into a partnership with parliament and the government.

The Minorities Act was also established to make provisions for public service programming, languages of recognized minorities, opportunities for establishing cultural institutions, legal foundations for minority schooling and education, the rights of minorities to be represented in parliament, and the institution of a parliamentary commissioner for minority rights.¹²¹ Having these rights in Budapest for the Roma population is a very important achievement for this community, but there is still discrimination in other parts of Hungary that continue to keep Roma isolated from society. These are the steps that could help implement the policies that work to protect

¹¹⁹ “Fact Sheets On Hungary.” *Ministry Of Foreign Affairs Budapest*. 2004. www.kum.hu.

¹²⁰ Ibid.

¹²¹ Ibid.

their rights and the achievements of the Roma in Budapest should be used to influence other EU Member States. In recent years, the Hungarian government has worked to develop a program of integration that helps the Roma minority join the majority of society. Hungary's goal is to integrate the improvement of Roma living conditions into the fight against poverty in European policy, which places a focus on reducing child poverty.¹²²

The Hungarian government has implemented a strategic plan that proposes resolving the problems of the Roma population as a national issue, and not simply as a policy on poverty. The areas proposed in the Government Program are also priority areas of development, employment, education, social and healthcare provision services. The strategic plan is also aligned to strengthening families. The strategic measures particularly target support for the family, that having children should not be a poverty risk for families. The strategy accepts the need for a family-friendly environment, reconciling work and family commitments, ensuring conditions for home ownership, opportunity to access child day-care services, family assistance and mental care services based on solidarity, as well as creating a school system increasing opportunities.¹²³

¹²² "Czech Republic: Improving Employment Chances of the Roma." *Decade of Roma Inclusion*. 2008.

¹²³ National Social Inclusion Strategy Extreme Poverty, Child Poverty, The Roma. (2011–2020). *EU Commission*. www.europa.eu.

Czech Republic

The Czech Republic has a population of Roma between 250,000 and 300,000, who make up the country's second largest minority population after Slovaks. Roma children are often sent to schools for children with mental disabilities. In 2007, the European Court of Human Rights said this violated the right of Roma children to a full education. Amnesty International states that, “although the Czech government in 2005 changed the name of these ‘special schools’ to ‘practical elementary schools’, the system which places children in these schools and teaches a limited curriculum essentially remains the same.”¹²⁴ In some places, it says, Roma children make up more than 80 percent of the students of practical elementary schools.¹²⁵ The vast majority of Roma in marginalized communities suffer from low education levels and a lack of functional literacy and numeracy skills, 60 percent have only a primary education, and 14 percent attended special schools for children with learning disabilities. At the same time, there are few available jobs for low-qualified workers in the Czech Republic. Discrimination against the Roma can be seen in the rising incidents of racially motivated crime in the Czech Republic. Between 1997 and 1998, the number of members of extremist groups doubled to almost 10,000 people. In addition, 133 racially motivated crimes, mainly against Roma, were committed in 1998.¹²⁶ Even with the discrimination and isolation of Roma present in the Czech Republic, there is another side to this discrimination that causes more suffering for the Roma. For example the unemployment rate in 2009 was

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ Ibid.

rising and Czech's were frustrated by this situation and blamed the Roma for the increasing unemployment rates. A statement by Ivan Vesely, chairman of the Dzeno Association, a Prague-based non-governmental group dealing with Roma issues said, "The problem is deep, the majority population is unsatisfied with its personal living conditions, with the crisis, the growing unemployment, and it is trying to find a target in the Roma,"¹²⁷ Policy toward the Roma minority in the EU is changing and has begun to focus on guiding individual Member States to develop programs that will progress the lives of the Roma who live in devastating situations.

The objectives proposed by the Czech government are aimed at key areas of the lives of socially excluded Roma, and in particular at education, employment, housing, health and the social issues. Whether it be because of structural or individually generated barriers, in these areas Roma do not have the same opportunities when compared with the majority population and often encounter unequal treatment. The last key topic for Roma integration is the safety of Roma communities which encompasses two aspects: 1) protection for Roma against right-wing extremism and 2) a reduction in crime and the incidence of other high-risk behaviors in socially excluded Roma localities.¹²⁸

¹²⁷ Zoltán Dujisin. "Roma Seek to Flee Czech Republic." *Inter Press Agency*. 2009. www.ipsnews.net.

¹²⁸ "National strategies. Justice." *EU commission*. www.europa.eu.

Germany

The Roma living in Germany have had one of the worst displays of discrimination towards their people. Like the Jews during the same period, the Roma were also killed during the Holocaust under Nazi occupation between 1933 and 1945. According to rough estimates there are currently 70,000 German Sinti and Roma living in Germany. Despite the grim history the German Sinti and Roma living in Germany are well integrated into society. They are recognized by the German legislature as a national minority within the meaning of the Council of Europe's Framework Convention for the Protection of National Minorities. The Convention, which entered into force in Germany in 1998 "prohibits any discrimination of a person because s/he belongs to a national minority and any assimilation against his/her will."¹²⁹ At the federal level there are two organizations which represent the interests of German Sinti and Roma: 1) the Central Council of German Sinti and Roma and 2) the Sinti Alliance of Germany. These organizations have worked on issues surrounding the well-being of the Roma, for example they have had debates on whether the term Zigeuner (gypsy) should be used.¹³⁰ The German government has also created institutions that allow minorities to protect their identities and has appointed a Commissioner for Ethnic German Immigrants and National Minorities, who is the point of contact for all the interests of national minorities. Within the Federal Parliament there is a discussion group which brings together representatives from minorities which is made up of members of the Federal Parliament, government

¹²⁹ "Report from the Federal Republic of Germany to the European Commission An EU Framework for National Roma Integration Strategies up to 2020." *EU Commission*. P. 1-52. 2011.

¹³⁰ *Ibid.*

representatives and representatives of the national minority associations.¹³¹ The Federal Ministry of the Interior regularly organizes implementation conferences with representatives of the national minorities. Since there is a lot of Roma movement in Germany, the government has created a system that identifies the groups of Roma living in Germany.

These Roma groups are made up of former civil war refugees, other third-country nationals, and nationals of EU Member States (primarily Bulgaria and Romania).¹³² The main issue the German government is working on is the refugee population. Amongst the population is a total of about 50,000 Roma who found refuge in Germany from the war in the former Yugoslavia in the 1990s. More than two-thirds of them have not been recognized as refugees and have been denied the right to stay. They only have the temporary right of residence and it is only reissued for short periods of time, normally no longer than 6 months, so that refugees face the possibility of being deported at any time.

One program that the German government is working on to fix the problems surrounding immigration and migration is instituting a program called the Migration Advisory Services for Adult Immigrants. The service providers initiate, control and track the integration process and offer their services within a restricted timeframe of a maximum of three years. Through the provision of professional advice given to the individual, which takes place shortly after they enter the country, immigrants are empowered to act independently within their new living environment. The migration advisory services for adult immigrants consist of an advisory network with more than 600

¹³¹ Ibid. p.15.

¹³² Ibid. p.23.

locations nationwide and provide help and support to around 50,000 people each quarter. The main focuses of the advice provided are: the acquisition of German language skills, education, professional qualifications and employment, the formal recognition of school dropouts, university or vocational qualifications obtained in another country, aid in difficult economic, social and psycho-social circumstances and difficult family circumstances. The service providers try to empower the immigrants to act independently in their new living environment and limit dependency on state welfare benefits to the minimum amount necessary.¹³³

Another program called the Youth Migration Services is operated by the providers of youth social work services. At more than 420 centers nationwide, teams of specialists provide support to young people on many levels with a view to making them active members of society and giving them equal opportunities and the ability to participate in society. Increasing the skills of the young migrants and their integration in education/training and the labor market are key objectives. Each year individual support is provided to some 66,000 young people, more than 31,000 of whom have an integration support plan.¹³⁴

All of the above EU Member States have contributed to the successes and failures of the Roma population and the research has concluded that the majority of these countries are willing to put in the effort and funding to see that the Roma have access to more

¹³³ Ibid. p. 24.

¹³⁴ Ibid. p. 24.

services and have their living conditions improve. The overall outcome requires that the EU needs to work on their integration policies and put the strategies they have created into force, so that not just the Roma but other minority groups that are citizens of the EU can have the same benefits as the rest of society. Each country has their own unique problems to face, but they are all under the EU umbrella and must work together to ensure integration. If the Roma population does not begin to integrate economically and socially the stereotypes that have moved with the Roma will continue to be noticed because they will continue to be left with no other way of surviving in an environment where they are looked at as the pests of the country. This form of discrimination and hatred not only fuels the Roma to end up living lives of seclusion and crime, but also diminishes the development of society because nothing will be left for the Roma to achieve.

Of these country studies, I would consider Germany to be the leading model for countries to use as a guide for how to include the Roma in society. The implementation of policies Germany has incorporated into society proves that discrimination can be prevented. People can be made accountable for their actions, by the policies that revolve around anti-discrimination. In addition German policies allow minorities to be productive citizens. Also initiating policies that include Roma in political decisions made by the government has created stronger communication between the German majority and the Roma minority. Including the Roma in the institutions of society has shown from the above section that Germany's minority groups have become active citizens and minority discrimination has decreased. Developing a perfect society is challenging, but if

minorities are considered part of the majority instead of being viewed as a minority this will help the functionality of all the institutions and overall success of the country. This is exactly what Germany is accomplishing with the Roma population.

Chapter 8: EU Policies

The European Commission continues to work on the social and economic issues the Roma are facing, which they believe must be a joint commitment of national and local governments. On April 7th, 2010, the Commission adopted a communication policy on the social and economic integration of Roma in Europe, the first ever policy document dedicated specifically to Roma. This policy outlines a program to help make policies for Roma inclusion more effective, along with the challenges ahead. In the last two years, “the EU and Member States have focused on adopting non-discrimination laws and making EU funding more effective in promoting Roma inclusion.”¹³⁵ These anti-discrimination laws will include, “fighting discrimination, segregation and racist violence as well as supporting programs that address the vicious circle of poverty, social marginalization, low school achievement and poor housing and health.”¹³⁶ One of their major challenges is raising funds to support programs for Roma populations. The EU is using the European Social Fund (ESF), European Regional Development Fund (ERDF) and the European Agricultural Fund for Rural Development (EAFRD) to support and implement national policy and projects for the Roma in education, employment, micro-finance and equal opportunities for men and women.¹³⁷ According to the European Social Fund (ESF) by 2013 operational programs in 12 Member States will target Roma.

¹³⁵ “Roma people living in the EU: Frequently asked questions.” MEMO/10/383. Brussels. August 2010. www.europa.eu.

¹³⁶ Ibid.

¹³⁷ Ibid.

Overall, these countries have provided 17.5 billion Euros.¹³⁸ This represents 27 percent of their total European Social Fund budget. The Czech Republic, Poland, Romania, Slovakia, and Spain have dedicated 172 million Euros for activities aimed solely at Roma. Since May 2010, the rules to use money from the European Regional Development Fund have been changed, which makes it easier to ask for EU funding for projects to help minority groups, like Roma, to get a house.’’¹³⁹ This was not always possible, but the EU is developing policies that will directly impact the Roma populations directly with the resources they need to help with the inclusion process.

In Hungary, there is a 1.11 million euro urban regeneration project in the town of Nyíregyháza, which has one of the highest Roma populations in the country. The segregated school will be torn down and the roads, playgrounds and childcare facilities renovated.¹⁴⁰ This development will bring the Roma population closer to having the opportunity to join society and also provide an educational foundation for the children.

In 2010, the EU’s main social focus was on poverty and dedicated itself to the fight against poverty and social exclusion. The Roma were identified as a group at high risk of poverty. In addition to funding, the Commission has also organized high-level events in several Member States to raise awareness of the opportunities offered by EU funds to improve the social and economic situation of Roma and to promote the use of these funds.¹⁴¹ The European Commission is fully committed to fighting against any

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

form of discrimination, according to standards laid down in EU law. EU Justice Commissioner Viviane Reding has warned against Roma discrimination: “The European Union is built on fundamental rights and values, and the respect for cultural and linguistic diversity. Our European values include the protection of people belonging to minorities, the principle of free movement, and the prohibition of all forms of discrimination.”¹⁴² She continues by stating, “As Vice-President of the European Commission with responsibility for Justice, Fundamental Rights and Citizenship, I am committed to combating all forms of racism and xenophobia, discrimination and social exclusion on grounds of ethnic origin.”¹⁴³ EU Employment and Social Affairs Commissioner László Andor is fully committed to the social inclusion dimension of the Roma saying in his speech at the last summit on the Roma “Our support for Roma inclusion needs to be explicit, but not exclusive, and must aim at ensuring all Roma people to enjoy equality and opportunity.”¹⁴⁴ He continued by stating, “we need to use all available European and national funds available to respond to the needs and circumstances of Roma people in a culturally sensitive and reasonable way in all our policies.”¹⁴⁵

When it comes to discrimination in employment situations, the main legislative instruments available to the Commission are non-discrimination and the Framework Decision on combating racism and xenophobia. The Commission also promotes the use of best practices and the exchange of information in the framework of the annual

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

European Roma Summits. The most recent summit was held in Cordoba, Spain in April 2011. The European Platform for Roma Inclusion meets twice a year. The Platform's main principle is that all Roma policies should aim at integrating Roma into standard schools, the labor market and society in general, rather than creating a parallel society. Action should be explicitly targeted towards Roma without excluding people of other ethnicities who are in a similar socio-economic situation.

Starting in January 2014, there will be complete freedom of movement for workers from Bulgaria and Romania. For EU citizens, “the free movement of persons is one of the fundamental freedoms guaranteed by EU law and includes the right to work in another Member State without needing a work permit. It is an essential part of the Single Market and of European citizenship.”¹⁴⁶ Roma people who are Bulgarian or Romanian nationals enjoy the same rights under EU law as other EU nationals. Workers from Bulgaria and Romania currently enjoy full rights to free movement pursuant to EU law in 14 (of 25) Member States (Denmark, Estonia, Cyprus, Latvia, Lithuania, Poland, Slovenia, Slovakia, Finland, Sweden, Hungary, Greece, Spain and Portugal) and also have free access to the labor market of the Czech Republic under national Czech law. The restrictions in the remaining 10 Member States of Belgium, Germany, Ireland, France, Italy, Luxembourg, Netherlands, Austria, UK, and Malta vary from one Member State to another but typically require Bulgarian and Romanian citizens to have a work permit.¹⁴⁷ Only the individual Member States can give detailed information on the

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

restrictions they apply. Nevertheless, the Commission understands that several Member States have eased conditions or simplified procedures to access the labor market in comparison to the conditions and procedures that applied in these Member States to Bulgarian and Romanian citizens prior to EU accession.

These policies that focus on all the main issues occurring in Roma populations in several EU member states have contributed to invoking a conversation, that brings awareness of the problems. Government officials and policy makers then can become aware that there is widespread discrimination against EU citizens. Allowing this social behavior to continue will create further problems for minority groups and the country and continent as a whole.

Conclusion

When I ask people what have they heard about the Roma they respond with, “never heard of them” or “Italians in Rome” and I respond with, “ No the Roma, or you may know them as the gypsies.” After I mention the word gypsy they start with a story they experienced about a Roma robbing them or coming up to them begging for money. They also start ranting about all the stereotypes they have heard and completely disregard where the Roma stand in society. This is occurring because the Roma have had most of their human and EU citizen rights violated. This, in turn, has forced the Roma to fend for themselves to survive and as a result turn to crime or begging on the street as the only way to find money to barely survive. Resolving the discriminations that the Roma face will end the way the Roma appear in society and allow each person the opportunity to become active and integrated citizens.

For this thesis, I argued that the Roma are still suffering. My research discloses evidence that this is true. I also argued that policies in some EU countries are addressing these problems and I found evidence here to support this argument. Following my research conclusions I will close by proposing several solutions to resolve the problems EU countries are having with providing the Roma community the necessary resources to integrate into society and be able to live a life without having to resort to criminal activity. My solutions will be a combination of what I have concluded from my research, along with examining the programs the EU and Member States have started to implement. My solutions focus on how to connect the Roma to the rest of society that

does not see them as a priority. The aim must be to develop a program that insures that discrimination is preventable and that stereotypes that have continued to hurt minority groups for centuries be eliminated.

The EU has worked to develop rights dedicated to ending discrimination toward minorities living in EU countries. The discrimination minorities face is unthinkable in the sense that what occurs on a daily basis to minorities is something that should not be occurring in any part of the modern world. This notion of categorizing minorities is disturbing because this causes friction between groups that is not productive. What is important is to identify people by who they are, not by their look or their history or the stereotype created to categorize a person into a certain group. This is not to say that identities are not complicated and evolve in every human being. Every person possesses certain identities and unfortunately these identities do stand out as the ones that society recognizes and often speak about in mass generalizations. Discrimination is centered around ethnic, racial, and social status, because these identification factors are easier to manipulate by a discriminating public.

Having minority rights is important because without those rights the majority would have the ability to isolate a minority from gaining what the majority is able to acquire just based on social status. While examining what is occurring in the EU against the Roma population, it became evident that policies and laws created to help the Roma are not changing their lives to the degree where they are living like the rest of society. Starting with this basic fact, Roma are not allowed to move freely throughout the EU without needing additional documents. As an EU citizen moving freely throughout EU

countries is a constitutional right. There are different policies enforced by individual members that make regulations on working permits etc., but overall, every EU citizen has a right to enter an EU country. There are also laws that are dedicated to ending discrimination towards minorities living in EU countries.

The housing situation for the Roma is complex. Since this group is known to be nomadic, their homes are often not built as permanent. This temporary lifestyle has started to end and Roma communities have now begun to live more sedentary and permanently within a country. The first issue that is connected to Roma housing is isolation. Almost every Roma population lives in an enclosed settlement outside the main the city or in abandoned buildings. With this isolation there is no physical way for the Roma people to be included in society when they are not allowed or are self-isolated. With isolation comes discrimination because not allowing the Roma to live within society displays that the majority does not want the population included. The second issue is that their living conditions are not places where humans should be living. The garbage dumps, abandoned unsafe buildings, old factories, and train yards are not equipped with the necessary resources a human being needs to survive. A third issue is the destruction of illegal settlements. Most of the settlements the Roma have created are not considered legal under local laws in EU Member States. The homes that the Roma have built for their families do not meet existing building codes and are not allowed to be considered as habitable. This causes problems because the Roma have made these places their homes and when they are destroyed by authority the Roma are forced to find the next run down building or live on the streets. Other countries have decided to leave the Roma in

settlements if they are far away enough not to disturb the rest of society, which allows the Roma to have their own space. But really this is just a way to keep the Roma away from the rest of society.

There is a solution to this problem and that is to facilitate the Roma's ability to have access to jobs and housing opportunities that will allow them to make money and build settlements, but with public resources that provide running water and sanitary living environments. This way the Roma can earn a legal income and be productive to society and be able to go home and not be treated like an outsider, but an active citizen. There is also government housing that provides people with a temporary place to stay if they are not yet able to afford a place of their own. This is also another solution to helping Roma communities find a place to live that can include a large number of Roma. EU countries have dedicated a large sum of funding to help the Roma population, why not put some funding toward helping their living situation, and give the population a chance to show that having a place to stay that is clean and safe. This would create an ability and a new desire to achieve more.

Job opportunities for Roma populations are not available because of discrimination that is present in society. The first issue is that business owners would never hire a Roma because of the barriers that have developed that have made a bad name for the population. Another problem is that Roma living in EU countries do not speak, read, or write in the host language which prevents their ability to even communicate in society. A third problem is that the job market is limited to begin with, but for Roma it is worse because they do not have basic skills to perform in the workplace. To provide the

Roma with the tools to find jobs is essential to the future of the Roma population and the rest of society. The first solution which has started to occur in some EU countries is vocational training programs. These programs are important not just for the Roma, but for every minority group that is not able to assimilate or feel comfortable in a new environment. Along with job training there should also be programs that work on communication skills between minorities and the rest of society. These programs should include language classes that give the Roma the necessary common phrases and skills that allow them to communicate and have a conversation that demonstrates they want to be part of society. A pressing issue is that there is no communication. Without being able to communicate, false ideas start to develop, like stereotypes which cause a gap in development within society. There also needs to be more communications with business owners about minorities living in the country because minorities make up a large percentage of a population, especially in the EU. It is important that business owners be educated on what populations are willing to work, but are not being given a chance. There are EU conventions that educate authority figures on minorities, why not bring that to the local level, which the EU can fund and overall enhance the growth of the economy. More people will be able to do the lower level labor related jobs that the majority is unwilling to do.

The level of education and healthcare in Roma communities is very poor. The inability to have an education is hurting the development of the younger generation. The Roma population that has an education is limited and at best still not typically considered at an acceptable level to find a job or any type of future. Roma children who have the

opportunity to leave their settlement to go to school end up in a school segregated from the rest of the children and placed in a class for special needs or mental disability. The way that Roma children are treated is inhumane and should not be allowed to continue. The problems unfolding in the education system is because minorities are not viewed to be at the same level as the rest of the classroom, which allows the child of a minority to be treated differently based on what society has categorized as a minority. The role of education is to provide a foundation that will lead to future success in society, meaning that children who attend school will be able to find jobs and strengthen the economy and development of that country.

The solutions to solving the educational discriminations Roma children face are first to develop a program that integrates minority children at a young age with the rest of society. This would demonstrate that the children can work, play, and interact together on a level that allows each child to develop and be treated as equals. This initiative is an important step to insuring that all children are provided with a proper education that will equip them with the tools for their futures. Another solution is to develop a multicultural environment in the classroom where there are no majorities, only minorities, and teach the children about each other and how they live together as a community and create a positive atmosphere within their society. At a young age children absorb so much information that if they are directed to see the positive aspects in people rather than hearing the negative stereotypes, this will guide their minds in the right direction that is not filled with discrimination towards people who only strive to have lives like theirs.

Healthcare is essential for the Roma because their living conditions have caused there to be unsanitary conditions that allow bacteria and disease to infiltrate and harm the community causing there to be a rise in deaths amongst the Roma. There is also the access to medical facilities that the Roma are unable to reach. Roma settlements are usually found on the outskirts of the main city where medical attention is hard to reach. The amount of Roma that have illness that are easily treatable are not receiving the attention because they do not have access to treatments. EU citizens have the right to medical assistance and not having accessible means to doctors is discrimination, which the Roma population is facing.

There are three solutions to this problem. First providing a system that provides the Roma with the healthcare they need by developing new laws that prevent discrimination from hospitals and healthcare facilities. All EU citizens are issued a card that provides each citizen with the care they need and there is no reason for the Roma to have higher than normal rates for migraines, hypertension, diabetes, and other illnesses that can be treatable. Another solution is that governments can institute programs that send doctors to Roma settlements once a month to make sure that the population receives check-ups so the spread of disease is limited and the Roma have the healthcare they need to survive. The life expectancy of the Roma is far lower than the rest of society, which is due to the lack of healthcare. The third solution is to have government clinics that provide healthcare for people who need assistance without questioning who they are and what their status is in society. These clinics may need additional financial support, but having medical centers that can help people without discrimination will help the

prosperity of society and further development. As long as people are healthy people can continue to be productive.

In conclusion, every aspect of life is connected and when there is a missing component everything else falls with the rest. For instance the Roma population does not live in sustainable living conditions which prevents their ability to acquire jobs because a proper address is needed to work. Living in isolation also denies the Roma access to finding a job. Not having a job prevents the Roma from making an income, which prevents the population from living in better conditions that could help prevent illness and disease. Working to end discrimination against the Roma is a very challenging obstacle because there are centuries' worth of discrimination and stereotyping against the Roma. New programs need to be developed that can work to change the way people perceive the Roma as a people. Also establishing institutions that allow the Roma to have a stake in society will change the dynamic of society where minorities will be able to be looked upon as members of society instead of being known as outsiders. The strategies that governments have started to create are showing some progress, but there needs to be further efforts to assure that the Roma are able to succeed in society and demonstrate that given the opportunity to become active members of society, the negative stereotypes and the isolationist actions the Roma have had to suffer in will cease to exist.

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