The Roma and EU anti-discrimination and social inclusion policies
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The Roma are Europe’s largest minority group, and one that faces persistent discrimination. The EU estimates that there are approximately 5 to 7 million Roma living in EU member states. The European Union Agency for Fundamental Rights reports that for the Roma in Europe, discrimination and social exclusion is widespread and attainment in housing, health, employment and education lags behind non-Roma.

Closing these gaps and tackling discrimination are policy goals of the European Union. European Union policy on anti-discrimination and integration for the Roma falls under DG Justice, along with policies aimed at combating discrimination against other groups in Europe. Respect for minority rights is entrenched as one of the values of the EU in Article 2 of the Treaty on European Union. Article 19 of the Treaty on the Functioning of the European Union prohibits discrimination based on racial or ethnic origin. The EU Racial Equality Directive of June 2000 required member states to develop procedures to address discrimination. Finally, Article 21 of the EU Charter of Fundamental Rights, which became legally binding with the 2009 Lisbon Treaty, prohibits discrimination based on membership of a national minority.

The ability of the EU to take effective action against social exclusion is complicated by the fact that many of the key policy areas related to Roma social exclusion—education, health care, employment and housing—remain national policy competences. This limits the EU to playing a supporting and coordinating role using soft law tools which aim to improve the effectiveness of national policies by tracking progress and sharing information and best practice.

The EU Roma Framework for National Roma Integration Strategies creates a monitoring and evaluation structure for national and EU progress on Roma integration, establishing national contact points in all 28 member states. It requires member states
to develop National Roma Integration Strategies that are monitored by the European Commission and subsequently reported to the European Parliament and the Council. The Council makes country-specific recommendations on the basis of these reports.

In addition to the reporting structure, European Roma summits bring together EU decision-makers, members states, NGOs and Roma community members to encourage dialogue and share best practice.

The EU emphasizes an integrated approach to tackling Roma social exclusion. The 2011 EU Framework for National Roma Integration Strategies focuses on education, employment, healthcare and housing and anti-discrimination strategies. This policy framework is linked to the Europe 2020 strategy, the growth agenda for Europe. The policy issue is framed not just as a social issue, but an issue of economic growth.

EU funds (such as the European Social Fund, the European Regional Development Fund, European Agricultural Fund for Rural Development) can be used by member states for Roma integration. The Commission has a Roma Task Force that oversees member states’ use of these funds.

The EU works alongside other agencies, including the UN, the Organization for Security and Co-operation in Europe, the Council of Europe, the Open Society Foundations and the World Bank in order to promote anti-discrimination and social inclusion. Several of these organizations, together with Roma community organizations have joined forces to support the multi-agency initiative, the Decade of Roma Inclusion 2005-2015.

While the EU has legislation, policy frameworks and funding in place, are these measures making a difference? Critics say that legal reforms are not fully implemented, money is spent on policy discussion rather than action and best practices are not
scaled up or out. Persistent negative stereotypes held among the public also hinder attempts at combating discrimination.

The 2014 European Commission Report on the implementation of the EU Framework for National Roma Strategies noted that much of the problems with current Roma policy are not due to lack of legislation, but rather to weaknesses in implementation, in terms of both policy tools and financial resources. Due to the cross-sectoral nature of this policy challenge, the EU has called for national approaches that ‘mainstream’ anti-discrimination measures across a broad range of policy areas.

In Education, the practice of segregating Roma children continues—one of the practices singled out by the Commission for criticism. Czech, Slovakia, Hungary, Romania, Bulgaria, Greece all practice segregation (COMM 2014:3). Finland and Hungary have made dramatic improvements in early childhood education registration rates. School leaving is another key problem. Bulgaria has achieved a strong improvement in reducing rates of school leavers. Housing remains the weakest area for Roma integration strategies across the EU.

The success of integration strategies for Roma populations in Central Europe in turn influence relations between Canada and Central European countries of the EU and have impacted Canada’s visa and immigration policies. Canada lifted visa requirements for Hungary in 2008. From 2010 to 2012, more Hungarians claimed refugee status in Canada than any other nationality.

In December 2012, parliament approved Bill C-61, which created two categories for refugee claimants. Canada included Hungary (and the Czech Republic) on a ‘designated country of origin’ list, a list of countries that the government of Canada
generally considers to be safe. Applicants from countries on the DCO list have quicker processing times for claims (30-45 days) but have no right of appeal and are not eligible to apply for a work permit upon arrival in Canada. This move further fuelled the ‘bogus refugee’ discourse that had been developing in Canada over the status of Roma asylum seekers. Many community activists, including the Toronto Roma Centre, have spoken out against this rhetoric, noting that it is further evidence of discrimination in Canada. In April 2011, the Chair of the Toronto District School Board sent a letter to Prime Minister Stephen Harper noting the anti-immigrant and anti-refugee spirit of the recent legislation and asking the Federal Government to re-examine the Immigration and Refugee Board’s decisions on the status of Roma refugee claimants in Canada.

Further resources: