



Strasbourg, 9 July 2008

MG-S-ROM (2008) 2

COMMITTEE OF EXPERTS
ON ROMA AND TRAVELLERS
(MG-S-ROM)

**New terms of reference adopted by the Ministers' Deputies
at their 1032nd meeting in Strasbourg on 9 July 2008**

TERMS OF REFERENCE

COMMITTEE OF EXPERTS ON ROMA AND TRAVELLERS

(MG-S-ROM)

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1. **Name of committee:** COMMITTEE OF EXPERTS ON ROMA AND TRAVELLERS¹
(MG-S-ROM)
 2. **Type of committee:** Committee of Experts
 3. **Source of terms of reference:** Committee of Ministers, upon the suggestion of the European Committee on Migration (CDMG)
 4. **Terms of reference:**

Having regard to:

- Resolution Res (2005) 47 on committees and subordinate bodies, their terms of reference and working methods;
- the Declaration and the Action Plan adopted at the Warsaw Summit [CM (2005)80 final 17 May 2005] where the member states "confirmed [their] commitment to combat all kinds of exclusion and insecurity of the Roma communities in Europe and to promote their full and effective equality";
- the Partnership Agreement signed between the Council of Europe and the European Roma and Travellers Forum on 15 December 2004;
- the Ministers' Deputies decision (572nd meeting, 5 September 1996) to launch a "Council of Europe Project on Roma/Gypsies in Central and Eastern Europe" and following decisions to extend the project;
- the Convention for the Protection of Human Rights and Fundamental Freedoms, with Protocol 14 thereto, from the date of its entry into force;
- the Revised European Social Charter;
- the Framework Convention for the Protection of National Minorities;
- the European Charter for Regional or Minority Languages;
- the European Commission against Racism and Intolerance;
- the Recommendation Rec(2000)4 of the Committee of Ministers to member states on the education of Roma/Gypsy children in Europe;
- the Recommendation Rec(2001)17 of the Committee of Ministers to member states on improving the economic and employment situation of Roma/Gypsies and Travellers in Europe;
- the Recommendation Rec(2004)14 of the Committee of Ministers to member states on the movement and encampment of Travellers in Europe;
- the Recommendation Rec(2005)4 of the Committee of Ministers to member states on improving the housing conditions of Roma and Travellers in Europe;
- the Recommendation Rec(2006)10 of the Committee of Ministers to member states on better access to health care for Roma and Travellers in Europe;
- the Recommendation Rec(2008)5 of the Committee of Ministers to member states on policies for Roma/and Travellers in Europe;
- the Recommendations 563 (1969) and 1203 (1993) of the Parliamentary Assembly of the Council of Europe;
- the Resolutions 125 (1981), 16 (1995) and 249 (1993) and Recommendation 11 (1995) of the Congress of Local and Regional Authorities of the Council of Europe.

Under the authority of the European Committee on Migration (CDMG), and in relation with the implementation of the Programme IV.1.6 Roma and Travellers, in particular Project 2008/DG3/1361 "Ensuring Equal rights and treatment for Roma and Travellers in Europe and combating anti-Gypsyism", of the Programme of Activities, the Committee is instructed to:

- i. study, analyse and evaluate the implementation of policies (national programmes and/or action plans) and practices of member states concerning Roma and Travellers and act as a forum for the exchange of information, views and experience on policies, good practice and issues relating to

¹ The term "Roma and Travellers" used in the present text refers to Roma, Sinti, Kalé, Travellers, and related groups in Europe, and aims to cover the wide diversity of groups concerned, including groups which identify themselves as Gypsies.

Roma and Travellers at domestic level and in the context of relevant international instruments, including those of the Council of Europe, without pursuing activities relating to monitoring the situation in individual member states.

- ii. draw up guidelines for the development and/or implementation of policies which promote the rights of the Roma and Traveller populations taking into account the findings of the monitoring mechanisms of the relevant legal instruments of the Council of Europe.
- iii. keep under review the situation of Roma and Travellers in member states in compliance with relevant legal instruments of the Council of Europe.

5. Composition of the Committee:

5.A. Members

Governments of member states are entitled to appoint one representative qualified in the field of Roma and Travellers.

The governmental or non-governmental experts shall be appointed by their governments taking into account the following profile:

- They shall have specialised knowledge of the various issues relating to Roma and/or Travellers (legal status, discrimination, health, education, employment, housing and political participation);
- They shall have direct experience of the Roma and/or Traveller populations and of their culture and way of life;
- They shall have a deep knowledge of the policies on Roma and/or Travellers in their country and have a good knowledge of policies in other member states;
- They shall be in close contact in their country with the Roma and Traveller populations, the decision-making bodies and the NGOs working in this area;
- They shall be able to liaise with the authorities of their countries about any decisions, documents or recommendations adopted by the Committee;
- They shall be able to speak and read in at least one of the official languages of the Council of Europe (English and French).

The Council of Europe budget will bear the travel and subsistence expenses of one representative from each of the following twenty one member states: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, Greece, Hungary, Italy, the Netherlands, Poland, Portugal, Romania, Russian Federation, Serbia, Slovak Republic, Slovenia, Spain, "the former Yugoslav Republic of Macedonia", Turkey, and the Ukraine.

5.B. Participants

- i. The following Committees may each send representatives to meetings of the Committee without the right to vote and at the charge of the corresponding CoE budget sub-heads:
 - the European Committee of Social Rights (ECSR);
 - the Steering Committee for Education (CDED);
 - the Committee of Experts on Issues relating to the Protection of National Minorities (DH-MIN);
 - the Advisory Committee of the Framework Convention for the Protection of National Minorities;
 - the Experts Committee of the European Charter for Regional or Minority Languages.

Where this seems desirable for purposes of co-ordination of activities, the Committee may invite representatives of other Council of Europe bodies to take part in its meetings without the right to vote and at the charge of the corresponding CoE budget sub-heads.

- ii. The Parliamentary Assembly may send representatives to meetings of the Committee without the right to vote and at the charge of its administrative budget.
- iii. The Congress of Local and Regional Authorities of the Council of Europe may send representatives

to meetings of the Committee without the right to vote and at the charge of its administrative budget.

- iv. The Council of Europe Commissioner for Human Rights may send representatives to meetings of the Committee without the right to vote and at the charge of its administrative budget.
- v. The European Commission against Racism and Intolerance (ECRI) may send representatives to meetings of the Committee without the right to vote and at the charge of its administrative budget.
- vi. The Council of Europe Development Bank may send representatives to meetings of the Committee without the right to vote and at the charge of its administrative budget.
- vii. The Conference of INGOs of the Council of Europe may send representatives to meetings of the Committee without the right to vote and at the charge of the sending body.

5.C Other participants

- i. The European Commission, the Council of the European Union, the European Parliament and the European Union Agency for Fundamental Rights (FRA) may send representatives to meetings of the Committee without the right to vote or defrayal of expenses.
- ii. The states with observer status with the Council of Europe (Canada, Holy See, Japan, Mexico, United States of America) may send representatives to meetings of the Committee without the right to vote or defrayal of expenses.
- iii. The following intergovernmental organisations may send representatives to meetings of the Committee without the right to vote or defrayal of expenses:
 - the International Organization for Migration (IOM);
 - the Organization for Security and Co-Operation in Europe / Office for Democratic Institutions and Human Rights (OSCE/ODIHR);
 - the United Nations Development Program (UNDP);
 - the United Nations High Commissioner for Refugees (UNHCR);
 - the World Bank.

The Committee may decide to invite other intergovernmental organisations to hearings or to participate in individual meetings as required, without the right to vote or defrayal of expenses.

5.D. Observers

The following non-governmental organisations may send representatives to meetings of the Committee without the right to vote or defrayal of expenses:

- the European Roma Information Office (ERIO);
- the European Roma Rights Centre (ERRC);
- the European Roma and Travellers Forum (ERTF);
- the Open Society Institute (OSI);
- the Project on Ethnic Relations (PER).

6. Working Methods and Structures

A maximum of five Romani and/or Traveller representatives – including one representative of the European Roma and Travellers Forum (ERTF) – and/or independent experts who can usefully contribute to the work of the Committee will also participate in the Committee meetings, without the right to vote.

The Council of Europe budget will bear the travel and subsistence expenses of these five representatives.

A member of the European Roma and Travellers Forum (ERTF) shall be designated by the President of the Forum to attend the Committee meetings, bearing in mind the agenda.

The maximum four other Romani and/or Traveller representatives and/or independent experts shall

be invited by the Secretariat, for a specific meeting, following approval by the President and Vice-President(s) of the Committee, on the basis of proposals received from the Committee's experts and bearing in mind the agenda of the meeting.

There are no reserved seats for any Romani and/or Traveller representatives and/or independent experts from one meeting to another.

The Committee will hold two regular meetings a year, one of which should be possibly hosted by a member state. When a meeting takes place outside Strasbourg, the host country should organise on the occasion of the meeting a public hearing and a field visit.

To progress in its work, the Committee may entrust a restricted number of the Committee's members with specific tasks to be fulfilled between regular meetings.

In addition to the official working languages of the Organisation, interpretation will be provided in Romani language during regular meetings.

7. Duration

These terms of reference will expire on 31 December 2010.

Fact Sheet

Name of Committee:	Committee of Experts on Roma and Travellers (MG-S-ROM)
Compliance with Resolution Res(2005)47:	YES
Programme of Activities: project(s)	<p>2008/DG3/1361 Ensuring equal rights and treatment for Roma and Travellers in Europe and combating anti-gypsyism. See also the following projects: 2008/DG3/1802 Contribution to the European Roma and Travellers Forum (ERTF); 2002/DG4/93 Education of Roma children in Europe.</p>
Project relevance:	<p>Third Summit Action Plan – Chapter III (Ensuring social cohesion): Member States confirmed « [their] commitment to combat all kinds of exclusion and insecurity of the Roma communities in Europe and to promote their full and effective equality ».</p> <p>The Partnership Agreement signed between the Council of Europe and the European Roma and Travellers Forum on 15 December 2004 (CM/Del/Dec(2004)902/6.1) and its renewal (CM/Del/Dec(2007)1011/6.1).</p> <p>Council of Europe action in the area of Roma and Travellers is placed at the crossroads of three of the Organisation's main priorities, that is :</p> <ul style="list-style-type: none"> - protection of minorities ; - fight against racism and intolerance ; - fight against social exclusion. <p>The MG-S-ROM is instructed to :</p> <ul style="list-style-type: none"> - study, analyse and evaluate the implementation of policies (national programmes and/or action plans) and practices of Member States concerning Roma and Travellers and act as a platform for the exchange of information, views and experience on policies, good practice and issues relating to Roma and Travellers at domestic level and in the context of relevant international instruments, including those of the Council of Europe, without pursuing activities relating to monitoring the situation of each Member State. - draw up guidelines for the development and/or implementation of policies which promote the rights of Roma and Travellers taking into account the findings of the monitoring mechanisms of the relevant legal instruments of the Council of Europe. These guidelines are also taken into account by the European Court of Human Rights when pronouncing judgments relating to these populations. - keep under review the situation of Roma and Travellers in Member States in compliance with relevant legal instruments of the Council of Europe.
Project added value:	<p>The MG-S-ROM is the only intergovernmental committee specifically dedicated to issues concerning Roma and Travellers and thus has no European equivalent.</p> <p>Its mixed composition (ministerial representatives, representatives of civil society, Roma and non-Roma representatives) and the regular participation of European Roma and Travellers Forum delegates and representatives of European institutions such as OSCE /ODIHR, the World Bank, IOM, UNHCR, etc. makes it a unique body and driver for the drawing up of pan-European standards (see Recommendations CM (2000)4, (2001)17, (2004)14, (2005)4, (2006)10 and (2008)5), for opinions on particular issues</p>

	<p>(see for example the MG-S-ROM opinions on the possibility to create the European Roma and Travellers Forum, a European Solidarity Fund for Roma or the question of the return of displaced persons of Roma origin from Kosovo) and for information exchanges on the implementation of policies and action plans for Roma.</p> <p>Coordination at international level is ensured through regular exchanges between the MG-S-ROM and other international organisations/institutions and the participation of MG-S-ROM members in regional initiatives such as the Decade for Roma Inclusion (2005-2015).</p>
<p>Financial information:</p>	<p>The MG-S-ROM is open to all Member States. The number of participating countries has increased over the past few years. Currently, 28 Member States are usually represented at MG-S-ROM meetings. The new Terms of Reference will cover the costs of 21 experts, as well as those of 5 persons invited to meetings on an <i>ad hoc</i> basis. These come from civil society: representatives of NGOs (a seat is reserved for a representative of the European Roma and Travellers Forum), representatives of local authorities or consultants, according to the items on the agenda.</p> <p>The MG-S-ROM meets for three days at a time, twice a year : once in Strasbourg and once in a Member State. The meeting outside Strasbourg is generally held alongside a public hearing with local authorities and NGOs and a field visit.</p> <p>The annual budget covers two plenary meetings (26,000 euros each) plus a restricted MG-S-ROM meeting (3,000 euros), making an annual total of 55,000 euros. The restricted meeting concerns only a few members, for example, to finalise a draft recommendation.</p> <p>There is no MG-S-ROM board <i>stricto sensu</i> even if the Chair and the two Vice-Chairs carry out this function <i>de facto</i>.</p>