



**Report by : Mrs. Marcia ROOKER and Ms. Angèle POSTOLLE - Strasbourg, 27 October 1998**  
MG-S-ROM (98) 15

**Meetings of national consultative bodies between Roma/Gypsies and governments**

**FIRST MEETING OF  
NATIONAL CONSULTATIVE BODIES**

**BETWEEN ROMA/GYPSIES AND GOVERNMENTS**

Budapest, 21-22 November 1996

**Report of the meeting**

drawn up by  
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**1. THE AIMS OF THE MEETING**

- to enable members of consultative bodies to get to know one another;
- to exchange information about the composition, powers, terms of reference and activities of the different bodies;
- to discuss the extent to which consultative bodies are successful in achieving their aims;
- to make recommendations about the desirable organisation and role of consultative bodies.

The aims were to be achieved by contributions of all participants on the situation in their country and discussion afterwards.

## **2. SITUATION PER COUNTRY**

### **2.1. CZECH REPUBLIC**

#### **Background**

At the 1991 census 32,000 of the 10 million citizens identified themselves as Roma, but it is more likely that about 150,000 - 200,000 Roma live in the Czech Republic. Other minorities are Germans, Poles, Hungarians and Slovaks. Minorities have organised themselves in 124 civil organisations, 48 of which are Roma organisations. Eighty-five percent of the population have negative opinions about Roma. The Government may want to act in favour of Roma, but that can have political consequences. Politicians are afraid not to be re-elected if they are too active in fighting discrimination.

#### **Setting-up of the consultative mechanism**

In 1968 a Council of Minorities was established, but it did not function until 1989. It is a co-ordinating body between minorities and the State, both on a central and local level. Two Roma participate in this Council, elected from and by Roma organisations. The meetings of the Council are chaired by a Minister, who is sometimes replaced by another minister or the head of a department. The Council advises the government. The Council is the most important of many measures taken at the State level to solve the problems of minorities. The State tries to solve the problems of minorities in a constitutional way. The decisions taken on a governmental level should influence the local level. But the attitude of officials on a governmental level is different from the one on a local level, where in general officials have a negative attitude towards Roma.

#### **Activities of the consultative body**

The topics discussed by the Council are very concrete. For example, it considers that textbooks on history should deal with the history of Roma. That is a way to tackle the problem of discrimination and racism in the Czech Republic.

The Council is also invited in activities in the cultural field, like the Roma museum in Brno. In its six years of active existence the Council has also published periodicals. Another field is education, more specifically school curricula and initiatives like the zero-classes for socially disadvantaged pupils. At the moment 46 such classes function. In addition, faculties of education have a teacher training programme to prepare teachers for these classes.

Since the last elections the Council has another Minister presiding and there is a chance that it will become more active. Already a working group has been established to monitor the attitude of the media when publishing material about cases involving minorities. The Council may also increase its influence. It has power only to advise the government, but it could make itself more visible and become more influential, and so contribute to solving the conflicts between minorities and the State.

The citizenship problem has been discussed by the Council, both in writing and orally. The Minister of the Interior was asked to explain the government policy. The discussion did not result in a recommendation as no consensus could be reached. The Council did promise some assistance in individual cases, but not in general. Those Roma who now live in the Czech Republic without citizenship receive help from NGOs. If in the future the Council becomes more active, more persistent and therefore more effective, it may be better able to contribute to solving the citizenship problem.

### **2.2. "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"**

#### **Background**

According to the 1994 census (supervised by the Council of Europe and in collaboration with the European Union) "the former Yugoslav Republic of Macedonia" has 2.1 million inhabitants of whom 47,400 or 2,3%, identified themselves as Roma. Roma are recognised as a national minority in the Constitution. The other minorities recognised in the Constitution are Albanians, Vlachs, Turks and Serbs. In fact, the term "nacionalnosti" (nationalities) is used in the Constitution for the term "minorities" usually used in international law. The Constitution guarantees equal treatment and enjoyment of all rights without discrimination to all nationalities.

### **Setting-up of the consultative mechanism**

Since 1991 a **Council for Inter-Ethnic Relations** has existed. It is provided for in the Constitution. Two Roma are members of this Council, as are two Macedonians, two Albanians, two Turks, two Vlachs, one Serb and one Muslim. The Council has consultative status and is attached to the Parliament. It advises on laws and individual cases. One of the two Roma is the president of the Union of Roma, the other is a Member of Parliament (3% of the Members of Parliament are Roma). The Council is chaired by the President of the Parliament. The Council meets once a month.

### **Activities of the consultative body**

The Council discusses matters of general nature that have to do with inter-ethnic relations (ie. national equality and equality of rights of the members of different minorities, consideration of issues connected with the implementation of laws in the field of ethnic relations, draft laws and other acts in the field of ethnic relations, consideration of issues regarding the right for the members of minority groups to use their language, developments in the field of the press and other media aiming at promoting free expression of the national identities, etc). The Council evaluates these issues and makes proposals aimed at solving the problems. The Council then decides about a recommendation to the Parliament. Such recommendations are not binding, but they do influence both the Members of Parliament and public opinion. Issues concerning individuals can also be discussed before the Council at the request of one member of the Council; however the procedure followed in this case could not be compared to procedures before the National Ombudsman or the courts. The Council has recently dealt with three individual cases concerning Roma.

The Council also co-operates with the executive and the judiciary and advises on inter-ethnic relations.

## **2.3. HUNGARY**

### **Background**

In the 1990 census 142,683 people identified themselves as Roma, but authoritative estimates give a number of 400,000 - 500,000. Hungary has recognised one ethnic minority, Gypsies, and twelve national minorities. The reason for this distinction is that national minorities have a mother country in the region. All minorities live scattered over the country, not concentrated in certain regions.

### **Setting-up of the consultative mechanism**

Hungary has an elaborate system of minority protection. In this system the **Office for Ethnic and National Minorities** is the key institution, as it guarantees a continuous communication between the government and minorities and co-ordinates all activities concerning minorities. It has existed since 1990 and has a counterpart in the Office for Hungarian Minorities abroad. Both offices are within the competence of the Political State Secretary.

An important development was the adoption of the Act on the Rights of National and Ethnic Minorities (Minorities Act) on 7 July 1993. As a result of this law, local **minority self-governments** were elected in 1994. Anyone who wishes can participate in these elections; in this way registration as a member of a minority is avoided. These self-governments have consultative status and are crucial for the implementation of the Minorities Act. The local self-governments elect national self-governments (There are eleven national self-governments as the Ruthenian and Ukrainian minorities do not have self-governments). Two other general minority institutions were founded in recent years: the minorities ombudsman, elected by the parliament in 1995, and the Reconciliation Council for Minorities, that has also existed since 1995.

In the same year the Co-ordinating **Co-ordinating Council for Gypsy Affairs** was founded. The Chairperson of this Council is the Political State Secretary for Minority Issues, the secretary is the Head of the Office for Ethnic and National Minorities and the permanent members are representatives of all the ministries concerned, the president of the National Gypsy Self-Government and five county assembly representatives.

### **Activities of the consultative body**

The Office for Ethnic and National Minorities co-ordinates the activities concerning languages, culture for all minorities and, especially for Gypsies, activities concerning employment and social welfare. The Reconciliation Council for Minorities has to see to the implementation of national and international legal provisions for minorities, and to develop good contacts between minorities. The local and national self-governments have consultative status. On a local level the self-governments have a veto right on issues concerning the minority, such

as culture, education and mass media.

Both the use of the word “Gypsy” and the qualification as “ethnic” minority, in distinction to the other minorities which are called “national”, were criticised by some participants.

## **2.4. SPAIN**

### **Background**

The different regions in Spain have a high degree of autonomy. Spain has one central, seventeen regional and fifty provincial governments. Therefore both the central and the regional governments have to be involved in a national Gypsy policy. In 1989 Parliament proposed the Development Programme for Gypsies with the participation of authorities on different levels: central, regional and local. Only for the Gypsy minority does such a policy exist.

### **Setting-up of the consultative mechanism**

In 1975 the Parliament initiated a study on the position of Gypsies. In 1989 this resulted in a proposal for a Development Programme for Gypsies. To implement the programme Gypsies have a consultative body on the central level which is formally set up within the Ministry of Labour and Social Affairs. The members of the **National Consultative Committee** are representatives of the Ministry of Labour and Social Affairs and representatives of four national and six regional Gypsy organisations. The Committee meets twice a year and the Minister attends as far as possible. The Consultative Committee is a political body; it has a sub-commission to deal with technical matters. Half of the members of this sub-commission are Gypsies and the other half are representatives of various ministries and regional and local governments. The Gypsy representatives are democratically elected from and by the Gypsy organisations

### **Activities of the consultative body**

One remarkable success of the Consultative Committee was the initiative to change the public image of Gypsies. The Minister of Social Affairs together with the autonomous regions ensured that the media adopted a code of conduct against discrimination. Violation of this code can lead to police action. The police have also adopted an instruction against discrimination.

The Consultative Committee also evaluates integrated social intervention projects sponsored by the Ministry; it encourages associations, analyses social problems in Gypsy communities, makes proposals for new activities and acts as intermediary between the administration and organisations. The Commission is consulted whenever it has to be decided who will participate in an international meeting concerning Gypsies. At the moment the Commission is tackling the problems Gypsies have with purchasing itinerant trade permits from local authorities. The work of the Commission is important for improving the situation of Gypsies but can never replace the role of the government or the Parliament. The government maintains its responsibilities for all inhabitants, including members of minorities.

## **2.5. ROMANIA**

### **Background**

The number of Roma in Romania is not clear, it is estimated at about one million. In April 1993 the Romanian government decided to have a **Council for National Minorities** as a framework for dialogue with minorities. Romania has eighteen recognised minorities, participating in this Council. Roma are one of the recognised minorities. In addition, in order to involve minorities in politics, representatives of minorities are elected to Parliament if they receive votes amounting to five percent of the total number of votes normally required for election.

### **Setting-up of the consultative mechanism**

The Council has not a leader but a co-ordinator. Twelve ministries are directly or indirectly involved in national minorities affairs, and therefore in the work of the Council. The Council has six permanent commissions: on culture and mass media; on education and youth; on social and economic affairs; on internal and external affairs and NGOs; on social matters; and on financial matters. In each of the commissions, the government and all the minorities are represented. Each commission elects its president, secretary and vice-president from among the representatives of the national minorities. During the plenary sessions each minority has one vote; the twelve government institutions have together one vote. Each minority can exercise its veto if it does not agree with the

outcome of a discussion of a matter that concerns that minority. Government representatives have a right of veto if the matter discussed contradicts the constitution or the law.

#### **Activities of the consultative body**

The council can propose laws to the government. Access to education in the mother tongue has become easier. Special for Roma is the policy to reserve places at the Universities of Bucharest and Cluj for Roma students. Roma also have access to the mass media. The Council also played a role in the discussion about the name of the minority, Roma or Gypsy.

### **2.6. AUSTRIA**

#### **Background**

Austria has six recognised or “autochthonous” minorities, of which Roma are one. A minority is “autochthonous” when it has lived in Austria for more than ninety years. There are no objective criteria to decide whether someone belongs to a minority or not, it is a matter of personal choice. But Austrian nationality is decisive for the treatment and legal status as a member of a minority. The majority of the Roma do not have Austrian nationality. The number of Roma, both “autochthonous” and “allochthonous” is unknown.

#### **Setting-up of the consultative mechanism**

Each of the six minorities has its **Ethnic Advisory Council**, based on a law adopted in 1976. The advisory council for Roma and Sinti has been in operation for three years. The first mandate of the Advisory Council for the Roma will come to an end in September 1999, since the mandate of every Austrian Advisory Council for Ethnic Groups is of four years. It will then be replaced by a new structure established following a different procedure.

The councils have three types of members: members nominated by the minority associations; members nominated by the political parties; and members nominated by the church. The councils advise the government on all issues regarding minorities.

#### **Activities of the consultative body**

The council mainly deals with cultural items. Thus, the most urgent problems for many Roma, such as residence permits, citizenship and legal problems such as expulsion, are not discussed by the council.

### **2.7. BULGARIA**

#### **Background**

The problems of Roma are looked upon as social-economic problems, not as ethnic problems. Roma have organised themselves in several organisations both on national and regional or local level. They are non-political, dealing with social and economic protection and the cultural development of Roma. Many Roma are actively involved in co-operating with authorities to solve economic problems. Bulgaria has many economic problems that of course also affect Roma. Some local authorities do have an adequate understanding to Roma and their problems. In July 1995 the Council of Ministers decided to set up a **National Council for Social and Demographic Problems**. It is a consultative body, to co-ordinate actions to deal with the special problems of groups in a difficult position.

#### **Setting Up of the consultative mechanism**

Several government representatives participate in the Council, such as the Deputy Prime Minister, who chairs it and the head of the Ministry of Labour and Social Action. Official partners of the Council are the Union of Pensioners, the Union of Disabled, Union of Women, Roma organisations and youth organisations. When a topic is discussed the result is presented to the government, that may decide to make it a binding document.

#### **Activities of the consultative body**

The Council discusses draft laws with the NGOs. For example the laws on the disabled, on health, on pensions and on social protection, have been discussed. The one on social protection was partly relevant for Roma. Also demographic developments and items such as a national programme on the situation of women, children and families are discussed in the Council. The problems of unemployment were discussed with Roma organisations. In fact the Roma employment programme is one of the best programmes and it is already in the third stage of implementation. The next step is to have more Roma children attend school, including education in the mother tongue. A special goal in the programme is to give land to landless Roma. Further topics are health insurance, and culture.

The Council has taken up the question of unjust treatment of Roma by authorities with the Minister of the Interior. He has taken steps to prevent such incidents. Because of this unjust treatment there have been meetings with the police and just treatment of Roma is now part of the police training system.

Many Roma had their names forcibly altered as a result of the policy under the old regime. They can now resume their original names, if they want to. A political party on an ethnic basis is not, however, possible under Bulgarian law.

## **2.8. FINLAND**

### **Background**

Finland has a long-standing experience with a consultative body on Roma issues. The **Roma Advisory Board** has been functioning since 1956, but the name is more recent. Since 1990 in all official documents the Finnish word for "Gypsy" has been replaced by "Roma", a result of the work of the Board. Approximately 6,000 Roma live in Finland and they constitute a minority recognised in the Constitution. The other recognised minority is the Sami.

### **Setting-up of the consultative mechanism**

The Roma Advisory Board works under the auspices of the Ministry of Social Protection and Health. The board has eighteen members; half are government representatives, and half are nominated by the Roma organisations. The Board monitors government policy regarding Roma, and acts as an intermediary between Roma and the government.

### **Activities of the consultative body**

The Board acts as an expert group in matters relating to Roma. It also participates in international work. It realised information brochures on the work of the Board, on education, and on teachers training. The Board is also involved in work for the rehabilitation of criminals; it protests against prejudice in schoolbooks and is trying to influence public attitudes towards Roma. Improving the housing conditions is another concern, with special attention for Romani-speaking children at school. The Board played an important role in having discriminatory laws altered. Housing policy is another example of a result of the work of the Board. Between 1960 and 1975 a special policy was developed to have travelling Roma settle in houses.

## **2.9. ESTONIA**

### **Background**

About 1,000 Roma live in Estonia and the government has only recently become aware of their existence. They live in deplorable conditions. The Ministry of Social Affairs now employs an expert from Finland to develop good contacts and a good policy. The Constitution guarantees equal rights to all citizens and education in the mother tongue.

### **Setting-up of the consultative mechanism**

There is not yet a consultative mechanism, but in October 1996 a first meeting between Roma and government authorities took place. This could mark the beginning of a co-operation to improve the situation of Roma. Moves are also beginning to set up a Roma organisation, but there is a lack of resources and money. The Finnish Free Foreign Mission and the National Estonian Pentecostal Church may start a social and religious project among the Roma in Estonia. Estonian Roma need all the support they can get. The OSCE has already participated in a meeting on Roma in Tallin.

### **Activities of the consultative body**

If a consultative mechanism is set up, it will have a heavy agenda. The Estonian Roma live in archaic conditions, having no contact with the rest of the Estonian society or with Roma in other countries.

## **2.10. LATVIA**

### **Background**

Approximately 15,000 Roma live in Latvia. They constitute one of thirty minorities. Citizenship is a problem in this new State, but 98% of the Roma have Latvian citizenship. A consultative body for national minorities was founded in 1996. During the Soviet period, Roma earned a living from transnational trade with Russia. Now they are unemployed and badly educated. They have large families.

### **Setting-up of the consultative mechanism**

The **Board of National Minorities** has eighteen members: seven representatives of minorities, including Roma, and eleven state representatives. There are no special problems between the State and Roma. They have worked

together to counter an anti-Roma campaign in the media. Roma would like to have a Roma centre in Riga with special programmes such as exhibitions and training courses. It could also act as an international information centre on Roma.

#### **Activities of the consultative body**

The consultative board has not yet come into operation, it will not deal with citizenship questions, for which a special board has been set up. The minority board will deal with human rights violations, education, culture and church matters.

### **3. CONCLUSIONS**

The majority of the consultative bodies work at national level, or at national and local level, and are attached to the government or a ministry. An exception is the Council in “the former Yugoslav Republic of Macedonia” that is attached to the Parliament. Most countries have a single consultative body for all minorities but some have one for each minority and Spain has only one, namely for Roma.

Roma participating in these consultative bodies are elected directly in Hungary. In most countries they are elected by and from Roma organisations. Another variation is the participation of Roma elected as Members of Parliament.

Only the Council in “the former Yugoslav Republic of Macedonia” deals with individual complaints. All the others advise the government on a wide range of subjects: education, culture, welfare and employment, language issues, housing. In three countries the consultative body is also concerned with fighting prejudice in the mass media. The Spanish code of conduct for the mass media is an interesting initiative. Human rights violations are the subject of discussion in several countries. In two countries the consultative work also deals with international relations.

### **4. DISCUSSION**

Recognition of Roma as a minority has never happened in bilateral treaties. Sometimes Roma are recognised as a minority in Constitution, as for example in Slovenia, “the former Yugoslav Republic of Macedonia” and Finland. Another possibility is recognition as a minority in a special law, for example in Hungary. Some countries have constitutional and/or legal provisions for minorities in general. This is the case in Romania, the Czech Republic and Finland. Some other countries have no legal provisions for Roma or for other minorities: France, Spain and Bulgaria. This raises a number of questions which would repay further consideration. Does legal or constitutional recognition as a minority improve the situation? Or is European or international protection more effective?

Roma communities, from a societal point of view, are a complex social phenomenon. Roma should contribute to society on different levels and in different ways. (Roma) NGOs can address local authorities to discuss controversial issues playing a role different from that of consultative bodies. Consultative bodies, however, can never replace a government or the parliament, as these institutions have a responsibility for all the inhabitants of a country. Indeed, informal contacts may perhaps be more fruitful than institutionalised ones.

Migration of Roma is a sensitive issue, just as migration in general is a sensitive subject in Europe. Roma have, like many others, left parts of the former Yugoslavia in order to escape the wars. Other migration flows may be distinguished. Several questions remain unsettled. What is the status of migrant Roma? What if Roma are refused residence permits and are in a country illegally or are expelled to other countries? Should the migration of Roma be reduced, and, if so, how?

Seminars and other educational activities for members of consultative bodies have proved to be useful. But while governments may be open to suggestions from the consultative body to improve the situation of Roma, implementation at the local level is another matter. Many local authorities share the negative ideas about Roma held by the majority of the dominant population.

Violence against Roma is a problem all over Europe. It needs to be discussed with the relevant authorities, for example the ministries of justice, and of course also at the local level. It is better to discuss this matter at home than to run the risk of embarrassing confrontations before international fora. Fighting prejudice is also a good

strategy for preventing ethnically motivated violence. A code of conduct for the media can help, particularly a provision that a person's ethnic identity should not be mentioned unless it is genuinely relevant.

Which is the best way to select Roma representatives for consultative bodies? Possibilities include election by and among Roma organisations or from the Roma organisation or organisations with the highest number of members. The different Roma organisations may have differing approaches to various subjects. Some Roma organisations will have better relations with the government others. This may influence on the money granted to the different organisations. Should governments oblige the different Roma organisations to co-operate among themselves or is diversity an asset? The Roma community could select different representatives depending on the subjects under discussion within the consultative body. This is how the Standing Conference of Romani Associations in Europe works with respect to the meetings of the Specialist Group of the Council of Europe.

#### **Suggestions for future co-operation among consultative mechanisms**

- Countries not present at the meeting could be asked to provide written contributions.
- Annex pieces of relevant legislation to the report, although translation is a problem.
- More working languages should be available at the next meeting.
- The debate on consultative mechanisms can also be continued on a regional or even bilateral level.
- There could be thematic meetings on particular topics.
- It might be useful to conduct an evaluation of some of the many measures agreed upon in the last six years in different countries, in order to see what recommendations could be made to governments.

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## **SECOND MEETING OF NATIONAL CONSULTATIVE BODIES BETWEEN ROMA/GYPSIES AND GOVERNMENTS**

Helsinki, 30 October – 1 November 1997

### **Report of the meeting**

drawn up by  
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### **1. AIMS OF THE MEETING**

- to enable members of the various consultative bodies to get to know one another;
- to exchange information about the composition, powers, terms of reference and activities of the different bodies;

- to discuss common areas of difficulty and consider how consultative bodies can help to resolve them. It was planned to achieve these aims by means of contributions from all the participants on the development of the situation in their various countries, and discussions on a number of specific, pre-selected themes.

## **2. THE SITUATION IN COUNTRIES PARTICIPATING IN THE MEETING FOR THE FIRST TIME**

### **2.1. LITHUANIA**

#### **Background**

Lithuania has a general system for the protection of minorities: a law on national minorities, passed in November 1989, guarantees equal rights and freedoms to all Lithuanian citizens whatever their ethnic origin. It recognises the principle of ethnicity and encourages ethnic awareness and expression.

Roma first arrived in Lithuania in the 15<sup>th</sup> century and ever since then they have lived on the fringes of society. In the 1990 census, 2,718 people identified themselves as Roma. They have formed six non-governmental organisations – two based in Vilnius – which receive government support to carry out cultural and educational projects.

The most difficult legal problem facing Roma in Lithuania today involves the acquisition of citizenship: many of them have not applied for Lithuanian citizenship and still hold old Soviet passports which are no longer recognised. Some 600 Roma are believed to be without passports. It would appear, however, that all they need to do to obtain Lithuanian citizenship is to lodge an application with the migration division of the Ministry of the Interior.

#### **Setting up of the consultative mechanism**

Lithuania does not have a consultation system. However, in 1990 it set up a national minorities division which was reorganised as an arm of the government in 1994 and renamed the **Regional Problems and National Minorities Division**.

At the same time, a **Council of National Associations** was established under the aegis of the Division but it does not have a properly consultative function: it brings together leaders and representatives of national minorities and their organisations.

#### **The work of the Regional Problems and National Minorities Division**

The Division monitors the implementation of legislation and international provisions affecting minorities and co-ordinates activities that concern them. It works in conjunction with various foundations and ministries – particularly the Ministries of Education, Culture and the Interior – which can help to resolve the problems facing minorities. The Division and its Council do not address the Roma question as an ethnic issue but are concerned instead to offer practical solutions to specific problems. Activities involving the Roma are at a very early stage: a programme of adult education has begun and is intended to lead to the establishment of a school.

### **2.2. SLOVAKIA**

#### **Background**

In 1991, 75,802 Roma living within Slovakia identified themselves as such. However, given that most of the Roma in the country identified themselves as Slovakian or Hungarian, it is estimated that the current Roma population is closer to 450,000. As a group, the Roma in Slovakia are characterised by their distinctive way of life, their social status and generally deteriorating conditions.

The national minorities' problem is a very sensitive public policy issue. The government has set out its aims for the Roma as part of a national minorities policy although it places particular emphasis on the social aspect of their problems.

#### **Setting up of the consultative mechanism**

The **Government Council for National Minorities** was established in the days of Czechoslovakia. It includes representatives of 10 minorities, among them the Roma,<sup>1</sup> and of the Ministries of Culture, Education, Justice, the Interior, Foreign Affairs and Finance. Expert delegates from research institutes, universities and the Slovakian Cultural Institute (Matica Slovenska) also have seats on the Council, with the result that although the minorities' representatives constitute the largest single group, they do not form an overall majority. The Council has a consultative function and also initiates and co-ordinates government policy on minorities.

The Roma minorities are the Council's main concern. It has helped to set up preparatory classes for Roma children

in primary schools and to appoint a “Government Commissioner for citizens needing special assistance”<sup>2</sup>. Under Government Resolution No. 668 of 5 September 1995, the Commissioner, who reports to the Ministry of Labour and Social and Family Affairs, has the task of supervising, directing and co-ordinating activities for population groups with specific problems.

#### **Activities of the consultative body**

Although the Council has no decision-making powers, it has a vital policy function in that all questions concerning minorities come before it for discussion before they are considered by the government. This system allows the representatives of the minorities to develop their own analysis and understanding of the situation of the minorities and of minorities policy. In addition, it is through the Council that the representatives of the minorities are informed about government measures that concern them.

The Council secretariat meets regularly and has produced a draft amendment to the “Policy principles of the government of the Slovak Republic in relation to the Roma”, which were laid down in 1991 and amended in 1993. The new text, entitled “Outline plans of the Government of the Slovak Republic for resolving the problems which the Roma face because of their current economic and social situation”, which was considered by the Council on 2 October 1997, sets out a series of priority measures in the areas of housing, formal and non-formal education, culture, employment, social assistance, health and “prevention of anti-social activities”.

The Romani Chair of the Council secretariat believes that in future the Roma question must be examined not only from the political, economic and legal angles, but also from a sociological and psychological perspective, because the Roma have repeatedly had traumatic experiences. In her view, any solution must involve tackling the question of relationships between the Roma and the majority population, in order to facilitate genuine dialogue between the two communities.

Some of those present at the meeting responded to the Slovak contribution with hard-hitting comments about Roma ghettos in the east of the Slovak Republic and the country’s language laws.

### **2.3. UKRAINE**

#### **Background**

In the 1989 census, more than 40,000 Roma identified themselves as such. However, Roma organisations estimate that their numbers are closer to 200,000 and have decided to undertake their own census in 1998. Under Ukrainian legislation (of 1992) on national minorities, the Roma constitute such a minority in their own right. All the Roma living in Ukraine have obtained Ukrainian citizenship without any particular difficulty.

Many of the Roma communities in Ukraine, particularly in and around the Carpathian Mountains, live in medieval conditions of extreme poverty. Other groups, particularly in the Odessa region, are coping with Ukraine’s economic difficulties relatively well through involvement in trade and self-help activities. The Roma in Ukraine have very limited access to education and are particularly hard hit by unemployment (the proportion of jobless in some communities is 90%). Roma organisations say that, because of the country’s current difficulties, the government has not so far accorded them any special attention.

Fourteen local Roma organisations have been set up in different parts of Ukraine but this movement is only just getting off the ground. On 30 September 1997 the (national) Roma Association of Ukraine was established and set itself the initial goals of developing voluntary-sector activity in the Ukrainian Roma community and lobbying the authorities to create a consultative body.

#### **Setting up of the consultative mechanism**

A State Committee for nationalities and migration, part of the central government administration, oversees the implementation of public policy on inter-ethnic relations, minority rights, the Ukrainian diaspora, migration and language policy.

Under the legislation on national minorities in Ukraine, a **Council of representatives of minority organisations** has been set up, attached to the State Committee. Similar consultative bodies also exist in the regions where national minorities are concentrated. They operate within the local authorities.

#### **Activities of the consultative body**

The Council has a consultative role in initiating legislation on international relations and the development of minority cultures, languages and traditions. It also helps to set up and run minority cultural organisations and arranges for them to participate in various events that are helping to give national minorities a new lease of life. In

its consultative role, it enables the minorities to influence the way that the government's minorities policy is implemented. Nonetheless, the Council is accused of concerning itself, in practice, only with cultural questions. The Roma Association of Ukraine considers that a system for consultation between central government and the Roma minority has yet to be established, and a group of lawyers and Roma activists is currently drafting a proposal along these lines, inspired by examples from other European countries. The same group is working on legislative proposals in the following areas: changing the status of the Roma from a national minority to an autochthonous minority; the codification of written Romani; the adoption of the designation "Roma" (the official designation is still "Gypsies"); and the institutionalisation of a role for the Roma community in determining policies on inter-ethnic relations, housing and education.

### **3. LATEST DEVELOPMENTS IN THE STRUCTURE AND ACTIVITIES OF CONSULTATIVE BODIES IN COUNTRIES REPRESENTED AT THE PREVIOUS MEETING**

#### **3.1. CZECH REPUBLIC**

##### **Background**

At the beginning of 1997, the Minister without portfolio – whose responsibilities include minorities – decided to draw up a report on the general situation of the Roma in the Czech Republic. It is estimated that since August several thousand Czech Roma have emigrated to Canada and the United Kingdom.

The Ministry of the Interior recently announced a general derogation from Law 40/1993 on the acquisition and loss of Czech citizenship, to allow any individual to re-apply for citizenship without being required to meet financial conditions or to have no criminal record.

The Roma representative, Mr Karel Holomek, believed that although democracy in the Czech Republic was firmly rooted, the society and general mindset were intolerant and sometimes even racist, as were many elected representatives, judges and civil servants. He stressed that there was no dialogue between the authorities and the Roma minority community, and he saw the community's growing frustration as the main cause of the current Roma exodus. He concluded by calling for the international community to take a fresh look at conditions for granting political asylum.

##### **Structural developments**

On 30 December 1996, the Government Council for National Minorities set up its own **Ad hoc working party on the Roma question**. The working party collates information on particularly serious cases of violence or discrimination directed against Roma. It makes recommendations to the various relevant government bodies, including the Council for National Minorities. Its comments and recommendations are subsequently published.

In August 1997, following the problem of the exodus of Czech Roma, the government decided to set up an **Inter-ministerial Committee on the Roma Community**, to become operational at the start of 1998. The committee chair is to be the Minister without portfolio<sup>3</sup> and the deputy chair a member of the Roma community,<sup>4</sup> appointed through a complex procedure to ensure a representative choice. The committee is to include 10 Assistant Ministers and five Roma representatives and to be supported by a permanent bureau with Roma members of staff. The committee has numerous functions:

- to review the government action plan for the Roma and assess its effectiveness;
- to propose, evaluate and monitor the establishment of new funds for the development of the Roma community;
- to collate information and draw up an annual report on the status and development of the Roma community;
- to inform the Roma about government aid programmes for their community;
- to assist Roma and pro-Roma organisations to draw up projects or programmes for the development of their communities.

The government report, adopted in its updated version on 29 October 1997, includes a sociological survey of the attitudes of 1,210 ministerial employees towards the Roma and, in particular, a series of measures with a detailed timetable for their implementation by the Ministries of Education, Labour and Social Affairs, the Interior, Culture, Trade and Industry, Defence, and Regional Development. The Minister without portfolio is responsible for co-ordinating and implementing this action plan.

#### **3.2. ESTONIA**

##### **Background**

The Roma living in Estonia are Estonian citizens or legal residents but their low level of education hinders them

in communicating with the authorities. Living in extreme isolation, they have a major social problem, compounded by the fact that their population is small in number, rural and heavily affected by unemployment. The Roma organisation in Tallinn, for example, has only 50 members. Estonian Roma need international help in order to develop skills and gain experience of negotiation with the authorities. Last year the Finnish Ministry of Foreign Affairs funded courses to teach adult Roma about their rights and duties, and courses in computer studies, culture and history.

### **Structural development**

No consultation system has been established but the President of Estonia has met representatives of national minorities, including the Roma, for initial round-table discussions. So far, the Ministry of Social Affairs has been the body most concerned with the Roma but it appears that in future the question will be the responsibility of the Ministry of Population, which is still in the process of being established. The situation of the Estonian Roma would seem to demand special international attention and assistance.

## **3.3. HUNGARY**

### **Background**

In 1997 the Hungarian Parliament adopted Government Report No J/3670 on the situation of national and ethnic minorities living in the territory of the Republic of Hungary. The report took a critical look at the precarious situation of the Gypsies with regard to education, employment, health, and discrimination and at the process of establishing local self-governing bodies.

### **Structural development**

Among recent political developments<sup>5</sup> that have affected the Gypsies and occasioned consultation with the Hungarian gypsy communities, mention should be made of:

- the developing role of the National Gypsy Minority Self-Governing Body in Hungarian political life, particularly in finalising the **Government package of medium-term measures intended to improve the situation of the Gypsies**. The President of the National Gypsy Minority Self-Governing Body attaches great importance to the fact that the Gypsy representatives have democratic legitimacy based on direct elections to local self-governing bodies, which enables them to function as proper partners of the Hungarian government.
- the important role of the Office for National and Ethnic Minorities, which maintains ongoing communication between the governments and minorities and is represented on virtually all the national bodies that deal with the Gypsies.

## **3.4. LATVIA**

### **Latest developments**

The **Nationalities Consultative Council**, established in July 1996, began functioning in 1997 and has held meetings, in the form of small working parties, on a two- to three-monthly basis. Its positive achievements include important discussions on the issues of naturalisation and citizenship, education of minorities and the ratification of international conventions.

The Council's negotiating activities have been hampered by the recent political instability in Latvia, but this now seems to be at an end. The Council regrets that it has not had a stronger voice on the question of discrimination between nationals and non-nationals regarding access to certain jobs.

## **3.5. "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"**

### **Background**

Two Roma are currently Members of Parliament and the Roma community is represented by three political parties. Central government has honoured its commitments to the Roma community and supports the education of Roma and the teaching of Romani.

### **Latest developments**

The Council for Inter-ethnic Relations, set up in 1991, is behind three particularly interesting initiatives:

- the village of Shuto Orizari, where two-thirds of the population are Roma, has a Romani mayor. Romani is now an official language in the area and is even used in official documents;
- since the 1996/97 school year, courses have been run for Roma children, involving 554 pupils in eight classes at

four primary schools where Romani is an optional language;  
- the Romani television programme now operates three times a week on the State television and there are two private channels broadcasting programmes in Romani language 24 hours a day.

### **3.6. ROMANIA**

#### **Background**

Since the November 1996 elections, the new government has engaged in an intensive process of reform aimed at creating a free and open society that recognises its own multicultural nature. Government policy towards national minorities is set out in a text entitled "Partnership with civil society", part of a "Basic programme for macro-stability and development in Romania up to the year 2000". The government is keen to develop the voluntary sector in order to curb the politicisation of national minorities and sees decentralisation as a key means of preventing inter-ethnic conflict. Various pieces of legislation are being drafted, notably bills on national minorities and on associations and foundations and a bill to ratify the European Charter for Regional or Minority Languages.

The Romanian authorities define the Roma question not as an ethnic issue but as a socio-economic issue with a specific ethnic dimension. As they see it, the essential factors are socio-economic: the chronic poverty of the Roma, the problem of violence and crime and the growing tensions between the Roma and the rest of the population.

#### **Structural development**

A **Department for the Protection of National Minorities**, attached to the Prime Minister's office, was established in January 1997. It is directed by an **Assistant Minister for National Minorities** and was expected to set up regional offices in Cluj, Suceava and Constanta. In particular, it is responsible for drafting legislation on minorities and monitoring its implementation. In November 1997 it was to present proposals for a government strategy on the protection of minorities, setting out an action plan for the period 1997-2001. To date, there has been no special national policy for the Roma but the Department for the Protection of National Minorities intends to create a database on the situation of the Roma, using a cultural and anthropological approach. Such projects will be part-financed from the state budget but European funding will also be sought.

A **National Office for the Roma** has been opened within the Department and will have the task of proposing ways to integrate the Roma communities.

The status of the **Government Council for National Minorities** has changed significantly. The Council now works alongside the Department and its functions are to initiate consultation, act as a link between national minorities and the government and provide information.

### **3.7. SPAIN**

#### **Recent developments**

The Consultative Committee for the Gypsy Development Programme, set up in 1989, currently provides for the exchange of information on activities carried out in the framework of the National Gypsy Development Programme, and among other issues, the assessment of the social programmes which are co-financed by the regions and/or the local governments, the technical and financial assistance provided to the Gypsy associations, the training of both the social workers dealing with Gypsy communities and the responsible and members of Gypsy associations.

An Interministerial Working Group was created within the framework of the National Gypsy Development Plan; it includes, in addition to the Ministry of Labour and Social Affairs, other ministerial departments competent in areas of concern for the Gypsy community (education and culture, health, consumption, environment, development, etc.). The Consultative Committee is informed of the issues dealt with and/or agreements reached by the Interministerial Working Group.

### **4. PRESENTATION OF THE FINNISH ADVISORY BOARD ON ROMANI AFFAIRS**

The meeting provided an opportunity for participants to study the workings of the Europe's longest established system for consultation between the Roma and a national government: the Finnish body was established in 1956. After a presentation, participants visited the offices of the Advisory Board and met most of its staff. Earlier, Mrs Tarja Halonen, the Finnish Minister of Foreign Affairs and a former chair of the Advisory Board, had opened the meeting.

#### **4.1. HOW THE BOARD FUNCTIONS**

The Advisory Board on Romani Affairs has had a number of setbacks in its long history but is now an important institution in Finnish political life.<sup>6</sup> It is a central instrument for co-operation between the authorities and the Roma but it has also become an avenue through which the Roma can put their demands to the authorities and in this capacity it is frequently called upon to represent the Roma and defend their interests. The Board has 16 members which are renewed every three years by the Council of State. Half of its members represent the central government administration (ministries, Central Union of the Local Authorities, etc) and the other half are representatives of national Romani associations.

Currently, the Board's main concern is to give the Roma more opportunities to become involved in the community at large and influence society. Another important objective is to develop educational opportunities for the Roma. In this respect, the Board proposed the Ministry of Education at the end of the 1980's to set up a Romani Educational Unit within the National Board of Education. It has today the responsibility for both adults and children's schooling and for educational questions in general, together with the Advisory Board on Romani Affairs. The Advisory Board is also dealing with issues related to healthcare and the social situation of the Roma people.

The Board's work is shared – and taken a stage further – by three sub-committees: the preparatory working group for the Board's monthly meeting, the committee on international affairs and the one on health and social affairs. In addition, in 1997, a special committee for Romani was established within the Autochthonous Languages Research Centre.

##### Some examples of current work:

The Board has drawn up a report on equality of the sexes in the Roma community and presented it publicly to the Finnish Parliament which is engaged in a review of the government's equality programme. A similar report has been drafted during the process of modification of the Finnish education legislation. The Board presented it at a Parliamentary hearing with administrative bodies; it reviewed education of both Romani children and adults putting emphasis on the teaching of the Romani language within the normal curriculum.

The Board was also invited by the Parliament to take part in discussions about the signature and ratification of the Framework Protection for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The Board was consulted too when the Parliament elaborated the national legislation related to these international agreements and it is preparing a declaration for the European Commission against Racism and Intolerance (ECRI), of the Council of Europe. A final aspect of its work is the recording of cases of discrimination on the job market.

#### **4.2. DISCUSSION**

The Board recognised that, despite the exemplary nature of Finnish policy towards the Roma, the community still faced day-to-day problems with regard to housing conditions, access to education, and discrimination.

Although the Roma representatives from the various countries generally admired and envied the Finnish system, they questioned how effectively such a body could function in a country where mutual trust had not been established between the Roma and the authorities. The representative of the Finnish Roma admitted that her community's proposals were not always heeded but expressed satisfaction with the existing system for giving the Roma a hearing. The participants were also impressed by the importance that Finland accorded to the teaching of Romani.

The Ukrainian Roma representative requested that a number of Finnish Roma magazines should be translated into English as a source of further information on the particular cultural characteristics of the Finnish Roma and the way in which the Finnish consultation body operated. The information could also be made available on the Internet. It was suggested that other countries which had recently established bodies for consultation between the Roma and government could usefully study the history of the Finnish Board when developing their own systems.

#### **5. DEVELOPMENT OF COMPREHENSIVE POLICIES TO TACKLE THE PROBLEMS FACED BY THE ROMA/GYPSIES**

This is the approach favoured by the Council of Europe and the OSCE. It is a concept that demands co-ordination of the various local initiatives and between those initiatives generally and national policies, particularly on

education, vocational training, inter-cultural police training and housing. It depends upon the government as a whole assuming its responsibility for improving conditions for Roma communities. Consultative bodies have a key role to play in designing such policies and monitoring their implementation. Clearly, once the policies are in place, implementing them becomes the responsibility of all those involved in public affairs.

### **5.1. HUNGARY**

In 1994, the government set itself the priority task of halting the deterioration in the socio-economic situation of Gypsies in Hungary. However, it soon realised that given the gravity and extent of the problems facing the Roma and the numbers of people concerned (around 5% of the country's population), it could not promise solutions in every case.

It therefore turned its attention to drawing up a "**Complex crisis management programme**", focusing on certain aspects of the Roma question that were regarded as fundamental: educating the public, farming and self-sufficiency programmes, housing programmes and action to combat discrimination.

Hungary has established an impressive and still growing range of bodies relevant to the Roma communities.

Although not all of them are linked to the consultation mechanism, they evince a real political will to resolve the most serious problems confronting the Gypsies in Hungary today. The government has chosen to institutionalise the functions of co-ordinating, monitoring and funding its established policies and of consulting the Gypsies when new policies are being drawn up.

The institutional bodies, in close consultation with the National Gypsy Self-Governing Body, outlined methods and mechanisms for establishing a "**Government package of medium-term measures to improve the living standards of the Gypsies**", which was adopted in 1997. The complexity of the Roma question defies any generalised approach, and the central bodies have decided to deal separately with the problems of rural Gypsies and those living in big cities.

Recognising that traditional sources of funding (the social security system and budgetary resources) were inadequate, the government has set up a system of public foundations. Funding is directed, as a priority, towards helping local Roma communities to draw up their own projects so that they can take full advantage of existing grant aid.

However, foot-dragging by certain ministries is still making it difficult to get government decrees onto the statute books, although monitoring and follow-up by the Committee on the Roma Programme is becoming increasingly effective. A further problem stems from the inability of the central authorities to overcome resistance and lack of action by some of the local authorities whose responsibility it is to resolve most of the practical questions. A guide setting out examples of successful local schemes is being published with a view to resolving this problem.

Although the impact of this comprehensive policy is still modest, it is very important that the government has publicly acknowledged its responsibility – as well as the responsibility of society as a whole and that of the Gypsies themselves – for finding solutions to the problems that currently confront the Gypsy population in Hungary.

### **5.2. SPAIN**

In 1989, the Spanish Parliament put forward a **National Development Programme for Gypsy Communities**, involving the central, regional and local authorities and Gypsies themselves. The programme sets out to address the specific problems of Spanish Gypsies, which have both a social and a cultural dimension. One of the main principles of the national programme is the co-operation and co-financing together with the autonomous communities (regional governments) in implementing social programmes for the most deprived groups of Gypsies; these programmes are comprehensive since activities are simultaneously undertaken in various areas of the social protection: social services, education, housing, vocational training and employment, health, etc. These programmes are funded 60% by the state, 20% by the autonomous communities (regions) and 20% by local authorities (local governments). Every autonomous community participating in the funding decides on the distribution of the financial contribution of both the region and the local government.

Moreover there exist two regional programmes implemented by two autonomous communities: Castilla y Leon and Andalucia. These programmes include activities in various fields of intervention (social services, education, health, culture, etc.). There are no formally constituted consultative committees for these two programmes.

The national programmes are co-managed by the Ministry of Labour and Social Affairs and the National

Consultative Committee. The Ministry will co-ordinate a programme with the other ministerial departments concerned, co-operate with the Autonomous Communities - and through them with the municipal authorities – and, lastly, provide financial and technical aid to the relevant NGOs. The complexity of the problem underscores the need to establish an inter-ministerial programme committee. The National Consultative Committee and its regional offices play a key role in setting up, monitoring and evaluating these development programmes. The Committee collates all the information relevant to local projects, relays the priorities identified by Gypsy organisations and runs training seminars for their leaders. The Consultative Committee’s technical sub-committee with responsibility for the National Development Programme is currently assessing its first eight years of operation and is expected to submit new programme-content proposals to the relevant authorities and suggest more effective techniques for co-operation with NGOs.

### **5.3. DISCUSSION**

It was clear that the development of Roma communities still had a significant cultural dimension. There were strong objections to the use of the term “Gypsy” in the Hungarian and Spanish contributions to the meeting. Clearly, although the choice of terminology had to rest with each of the Roma communities concerned (a point reiterated by a number of participants) the connotations of the term “Gypsy”, particularly in the Slavonic languages, were so negative as to make it unacceptable. Although, for some participants, this debate went over old ground, the issue remained important in terms of symbolism, particularly in Ukraine and Romania, where the authorities still did not recognise the term “Rom”, and in many countries where the word “Gypsy” was still too frequently used, despite the wishes of those referred to. The debate served to re-emphasise the importance of respect for, and awareness of, the Roma identity – which had to be the hallmarks of any form of co-operation or consultation with Roma communities.

The Austrian delegation was particularly concerned with the vulnerable circumstances of Roma immigrants to Austria and stressed that any comprehensive policy had to address the growing phenomenon of unemployment, specifically among the Roma. In an effort to combat unemployment, the Czech Ministry of Defence was expected to offer a number of re-training programmes in the near future. In Hungary, public and private foundations were supporting farming and self-sufficiency micro-projects and numerous training and re-training programmes for Roma. In another Hungarian programme, at Tatabanya, Roma were building homes for their own community, thus combining re-skilling with the provision of housing and jobs. Unemployment among the Roma was a major problem in Romania because many Roma who worked on collective farms under the communist regime had found themselves destitute when the collectively held land was returned to its former owners.

The Latvian delegation emphasised that the situation of Roma in the former communist countries was compounded by the fact that they either lost their jobs or had to abandon their previous commercial activities (such as cross-border trade), and they also lacked education. In the circumstances, it was vitally important to allow the Roma to manage their own re-training, and in many cases that meant helping to fund projects that they had already designed.

## **6. THE CONSULTATIVE BODIES’ RESPONSE TO THE PROBLEMS OF VIOLENCE AND DISCRIMINATION DIRECTED AGAINST THE ROMA**

### **6.1. CZECH REPUBLIC**

Estimates from a number of sources suggest that 29 Roma have been the victims of racist crimes on Czech territory since 1989. Roma not only have to cope with violence as part of their everyday lives, but are also discriminated against as regards access to education, the courts, jobs and certain public places, particularly restaurants. The Roma representative acknowledged that Roma were not always prepared to accept Czech rules and that, in many cases, this factor lay behind the Czech antipathy towards the Roma. He also emphasised the need to make a clear distinction between mere manifestations of racism and racist crimes.

The Government Council for National Minorities, through its Ad-hoc working group on the Roma question, has responded to four particularly serious cases of violence. Although it is fair to say that the response was modest, it did at least demonstrate a degree of political will. The first case considered was that of a young Rom named Tibor Danihel who was drowned by skinheads in Pisek in 1993. The Ad-hoc working party held three hearings

involving the police, the Pisek Roma community, the local authorities and the judge who dealt with the case. Its final report was adopted by the Council and sent to the central and local executive authorities and judiciary. The report highlighted procedural shortcomings in the pre-trial investigation, police pressure on witnesses and excessive delays in the handling of the case. It also contained recommendations to the Ministry of the Interior and the Ministry of Justice. The three other cases studied by the Ad-hoc working party concerned the existence of a large group of skinheads with links to the municipal authorities of Brno, the banning of Roma from restaurants (of 66 restaurants visited in six towns and cities, half refused to admit Roma) and the murder of a Romani woman by a group of skinheads in Domazlice.

The Roma representative highlighted the constraints that were placed on the Ad-hoc working party, in that its activities were limited and it could do no more than make recommendations to the relevant bodies.

## **6.2. ROMANIA**

Roma in Romania face various forms of discrimination, particularly as regards access to the courts, information and education. Media reports make mention of criminals' ethnic origins. But the main obstacle to combating discrimination lies in the fact that Romania is a centralised country and this is a problem that can only be tackled at local level.

Most of the programmes proposed by the Department for the Protection of National Minorities, in conjunction with the Council for National Minorities, are concerned with preventing violence, teaching central and local government employees about human rights legislation, and building contact and trust between the various national communities through education, culture and the media. Against a background of growing tension between Roma communities and the rest of the population, a number of programmes are promoting the development of civil society and dialogue between individual citizens, encouraging dialogue between religious communities and attempting to improve the social circumstances of the Roma.

A partnership has been formed with the media, with a view to addressing the question of national minorities in a realistic way in order to end misinformation and encourage mutual respect between the majority and the minorities.

Lastly, the Department for the Protection of National Minorities receives and investigates complaints from bodies, organisations or individuals about government documents that fail to respect the rights of members of minorities.

## **6.3. DISCUSSION**

Violence – with the fear that it engendered – and discrimination are increasingly part of everyday life for the Roma, particularly although not exclusively in Central and Eastern Europe. The consultative bodies have so far taken too few initiatives and the voices of Roma representatives have too often gone unheeded. However, there are examples of positive experiences, including those referred to below.

In Hungary, the “Government package of medium-term measures to improve the living standards of the Gypsies” includes anti-discrimination measures based on government studies of how various pieces of anti-discrimination legislation are being implemented, assessment of pilot projects to train young Roma for police careers, and training within the police forces.

In Spain, the National Development Programme for Gypsy Communities is addressing the problem of discrimination.

A few days after the meeting, the murder of a Sudanese student in the Czech Republic triggered a general debate in that country about the problem of racism and skinhead movements, and the Roma question has been raised frequently.

In the Slovak Republic, the Government Council for National Minorities has held an extraordinary meeting from which 10 conclusions were submitted to the government, with the aim of preventing intolerance and violence against Roma citizens. These texts form a basis for Government Resolution No. 310.

Generally speaking, consultative bodies have a major role to play in establishing comprehensive legislation against violence and discrimination, particularly in countries that have not already such legislation or where the laws is not applied. In many countries, the response of the legal authorities to incidents of violence and discrimination is limited. In other countries there are no administrative courts to deal with cases of administrative or legal discrimination. Moreover, it would seem that very few countries have so far embarked on public campaigns against racism and intolerance. Ultimately, however, positive, comprehensive policies for developing

or integrating Roma communities will never succeed unless a real effort is made to combat the intolerance and racism too often directed at those communities.

## **7. CONCLUSIONS**

The work of many of the consultative bodies is developing and that must be welcomed, but the fact remains that they are still largely powerless when not backed by real political will. In most cases, the bodies are in the process of establishing themselves and do not yet have major political influence. It is the task of governments to make proper use of a policy instrument that offers an untold wealth of experience on the Roma question. The bodies suffer from a lack of political legitimacy and can never hope to enjoy the legitimacy conferred by direct elections.<sup>7</sup> Nor has the problem of representation of the Roma and their various factions on all the consultative bodies yet been solved.

In a number of countries, the role of the consultative bodies in laying down comprehensive policies is to be welcomed. The idea of drawing up action plans for the development of Roma communities (as in Spain, the Slovak Republic, Hungary, Romania and the Czech Republic) is relatively new but already widely accepted. It is a matter of regret that combating violence and discrimination against the Roma is still not a priority for most public policy makers.

## **8. DISCUSSION**

The Czech representative said that the Roma need not necessarily be regarded a national minority in order for their problems to be tackled, but could also be approached as a social entity. Such an approach would, on the one hand, have the advantage of addressing all the Roma communities and not just those that had declared themselves as such in countries where ethnic origin was the subject of a census question. On the other hand, it could also justify the Roma receiving more attention and support than certain other minorities. However, other representatives insisted it was important that the Roma question should continue to feature on political agendas. Education policies for the Roma were seen as a fundamental priority, given the decline in job opportunities for unskilled workers. Governments were also urged to support Roma efforts to develop small and medium-sized businesses within their own communities.

The question of positive discrimination was raised but no consensus was reached.

Many of the Roma representatives stressed that there was a need for unified national and international Roma bodies and even for a European Roma policy. The Slovak representative made the point that the intolerance shown towards the Roma in Europe, and particularly in the Czech and Slovak Republics, was not the fault of the Roma themselves, but of societies that were too inward-looking and democratically under-developed.

Finally, while some of the consultative bodies represented all the minorities in a country and others included only Roma representatives, it was essential in both cases for governments to accord the Roma a sufficient level of representation to give a voice to all the various factions and viewpoints within their communities.

In relation to the mass emigration of Czech Roma, the point was made that the countries concerned – on the one hand the Czech Republic and, on the other, Canada, the United Kingdom and the other destination countries for Czech and Slovak emigrants – had not engaged in constructive debate about this serious problem. The immediate issue of the Czech migrants should not be allowed to obscure the fact that the problem of Roma migration affected, had affected or almost certainly would affect, all the states represented at the meeting, whether they were countries of origin or destinations for the migrants. Hundreds of Portuguese Gypsies were currently living in Spain; hundreds of Finnish Roma were in Sweden; tens of thousands of Romanian Roma were in other Central and Eastern European countries while thousands of Roma from those countries were in Austria, where some of them had lived for many years; 1,410 Macedonian Roma families had emigrated to Germany... et cetera. It was therefore essential that governments embarked on proper, comprehensive policies to improve the living conditions of the Roma and launch a full-scale assault on intolerance and discrimination. It was suggested that a case study be made of the Latvian Roma – who, although affected by unemployment, were not emigrating – in order to identify the reasons for their attachment to their country of origin and thus help other countries design policies to prevent new waves of migration.

However, preventive policies were not enough: the humanitarian problems caused by migration also had to be tackled, and one way of doing this was to establish an independent information network that would enable local

authorities, overwhelmed by mass population movements, to deal with migrants in a humanitarian and informed way. It seemed important that government authorities and Roma organisation in countries of origin should continue to care for migrants even after they had reached their destination countries – if only in order to provide frontline assistance. It was also necessary not only to attempt to prevent future waves of migration but also to draw up comprehensive, task-sharing response strategies in order to cope with new migration if it did occur. Lastly, a recommendation was made that the practices of immigration services in destination countries should be monitored to ensure that governments were honouring their international commitments, and that a new and comprehensive look should be taken at conditions for granting refugee status.

After the main meeting, the delegates met the participants in a training course for young Roma leaders which was being held in Helsinki at the same time. The encounter illustrated the risk that international bodies take if they – however unwittingly – create situations where Roma of different generations find themselves in psychological competition, particularly for leadership. It also demonstrated how relatively advanced the younger Roma were in their awareness and acceptance of mechanisms for co-operation with majority societies. The final impression made by the encounter was of the dynamic and developing nature of the Roma identity.

### **Suggestions for future co-operation between consultative bodies**

- The participants in these annual meetings recommend that they should continue.
- The meetings should be a forum for more open debate and more sensitive self-criticism.
- Countries that do not have consultative bodies but whose Roma communities need international support – particularly Albania – should be invited to participate.
- More attention should be paid to the particularly critical situation of Roma from the countries of the former Soviet Union.
- It would be desirable for Romani to be the second working language of the meetings in order to facilitate participation by Roma representatives.
- The various Roma factions in each of the participating countries should be enabled to attend the meetings, by means of a system of revolving representation.
- It might be useful to send participants a questionnaire in advance of the meetings in order to ensure that discussions on very specific themes were better prepared and more tightly focused.
- Given that the first two meetings enabled the various participants to gain a clear idea of how the consultative bodies in other countries functioned, it would seem appropriate to devote more time to issue-centred discussions.
- Themes for future meetings could include: action plans, the principle of positive discrimination and ways to ensure that different Roma factions are represented.

## **APPENDIX**

### **MEETING ON NATIONAL CONSULTATIVE BODIES FOR ROMA/GYPSIES LIST OF PARTICIPANTS**

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- <sup>1</sup>. Some participants criticised the fact that the Hungarian and Roma minorities were not represented in proportion to their numbers.
- <sup>2</sup>. The creation of this post – held by Mr Branislav Balaz, who is not of Roma origin but is a member of the Roma organisation ROI – caused internal controversy, as the Council had originally proposed creating a post for a “Commissioner responsible for the Roma question and for drawing up a document for consideration by the Council”.
- <sup>3</sup>. The Minister without portfolio also chairs the Government Council for National Minorities.
- <sup>4</sup>. This is a permanent civil service post with the Government Council.
- <sup>5</sup>. See also Marcia Rooker’s report on the Meeting of National Consultative Bodies between Roma/Gypsies and Governments, Budapest, 21-22 November 1996, Council of Europe.
- <sup>6</sup>. For general information on the Finnish Advisory Board on Romani Affairs see Marcia Rooker’s report on the Meeting of National Consultative Bodies between Roma/Gypsies and Governments, Budapest, 21-22 November 1996, Council of Europe.
- <sup>7</sup>. For more detail on this subject, see Marcia Rooker’s report on the Meeting of National Consultative Bodies between Roma/Gypsies and Governments, Budapest, 21-22 November 1996, Council of Europe (MG-S-ROM (97) 7 rev.).