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Report on the implementation of the EU Framework for National Roma
Integration Strategies

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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
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**Report on the implementation of the EU Framework for National Roma Integration
Strategies**

{SWD(2014) 121 final}

1. INTRODUCTION

The EU Framework for National Roma Integration strategies up to 2020¹ adopted in April 2011 brought about a change in the approach to Roma inclusion: for the first time a comprehensive and evidence-based framework clearly linked to the Europe 2020 strategy was developed. The EU Framework is for all Member States but needs to be tailored to each national situation.

EU Heads of State and Government endorsed the EU Framework², and consequently, for the first time ever, Member States began to coordinate their efforts to close the gap between Roma and non-Roma in access to education, employment, healthcare and housing. The Commission put in place an annual reporting mechanism to the European Parliament and the Council to assess progress made until 2020. In parallel, it established structures to accompany Member States in their efforts, in particular the National Roma Contact Points' network where National Roma Contact Points from all 28 Member States meet regularly as well as the Commission-internal Roma Task Force chaired by Directorate General Justice (with Directorate General Employment, Social Affairs and Inclusion as deputy chair) bringing together senior representatives from the Commission's Secretariat General as well as from various Directorates General, including those in charge of regional and urban policy, education and culture, agriculture and rural development, health and consumers, enlargement, home affairs, statistics, budget, communication and the European Union Agency for Fundamental Rights (FRA) to ensure coherence and consistency.

This report measures for the first time progress made in the four key areas of education, employment, healthcare and housing, as well as in the fight against discrimination and the use of funding. It also assesses the progress made at EU level.

2. PROGRESS AT EU LEVEL

2.1. Mainstreaming of Roma integration in policy and financing

The size and situation of the Roma population vary from one Member State to another. In addition, in some Member States, integration of recently arrived Roma communities poses new challenges that need to be addressed. Under the EU framework, all Member States³ have developed their own Roma integration strategies⁴ tailored to the needs of the Roma population in their country. As many Roma face poverty and social exclusion, the Commission linked Roma integration to its wider growth agenda, the Europe 2020 strategy. In the European Semester, the

¹ COM(2011) 173 final O.J. L 76/68, 22.3.2011

² *European Council Conclusions* EUCO 23/11 of 23 and 24 June 2011, following the Employment, Social Policy, Health and Consumer Affairs (EPSCO) *Council Conclusions on an EU Framework for National Roma Integration Strategies up to 2020*, 106665/11 of 19 May 2011.

³ Malta did not adopt a National Roma Integration Strategy as it declared there is no significant Roma population on its territory, though will address Roma integration should this case arise.

⁴ In this communication the term 'strategies' covers integrated sets of policy measures and strategies.

European Council has issued country-specific recommendations⁵ on Roma integration to Member States with a sizeable Roma population. In addition, the Commission proposed, and the Council adopted, the first ever legal instrument on Roma, a Council Recommendation on effective Roma integration measures in the Member States⁶. This Recommendation identifies specific measures, including positive action to improve the situation of Roma.

The Commission's Roma Task Force ensures that all aspects of Roma integration are addressed, notably through the use of various EU funds. The new multiannual Financial Framework for 2014-2020⁷ facilitates the use of EU funds for Roma integration. The Common Provisions Regulation for all European Structural and Investment (ESI) Funds⁸ gives the possibility to combine different EU funds to work in the four key policy areas of the EU Framework. The main relevant funds for Roma integration are the European Social Fund (ESF), the European Regional Development Fund (ERDF) and the European Agricultural Fund for Rural Development (EAFRD). The financial Regulations⁹ set out that at least 23.1% of the Cohesion policy budget would be earmarked to investment in people - through the European Social Fund, allocating at least 20% of this amount in each Member State to combating poverty and social exclusion. Furthermore, the new Regulations governing the spending of EU Funds now incorporate improved monitoring and evaluation mechanisms to obtain more accurate information on whether Structural Funds are meeting the defined Roma inclusion goals.

The Commission also issued a European Code of Conduct on Partnership¹⁰, which covers all the ESI Funds, and provides detailed criteria for organising partnerships, for planning, implementing, and following up the programmes. In addition, the European Social Fund (ESF) Regulation¹¹ requires that an appropriate amount of ESF funding be used in less developed and transition regions to strengthen the capacity of social partners and NGOs in implementing the programmes.

⁵ In 2013 the European Council issued country specific recommendations relevant for Roma inclusion for Bulgaria, the Czech Republic, Hungary, Slovakia and Romania. These recommendations address the implementation of National Roma Integration Strategies in the framework of the horizontal policies as well as specific policy developments in the field of education and employment for Roma.

⁶ Council recommendation of 9 December 2013 on effective Roma integration measures in the Member States, OJ C 378, 14.12.2013, 01.

⁷ *Council regulation laying down the multiannual financial framework 2014-2020* . Council regulation No 1311/2013 of 2 December 2013. O.J. L 347/884 20.12.2013

⁸ *Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006*. O.J. L 347, 20.12.2013

⁹ Including Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006. O.J. L 347, 20.12.2013

¹⁰ Commission Delegated Regulation (EU) of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds; C(2013) 9651.

¹¹ Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006. O.J. L 347, 20.12.2013

Lastly, based on a Commission proposal, the Council adopted a Recommendation on Establishing a Youth Guarantee¹² and Member States were specifically called upon to regard Roma as a key target group in proportion to the size and situation of their Roma population.

2.2. Working closely with all stakeholders

The Commission has set up a permanent dialogue with Member States through the network of the 28 National Roma Contact Points. This network represents an important step forward to support coordination and implementation of the strategies, and actions on the ground. It also allows Member States to share their experience and expertise with the Commission, and fosters transnational cooperation and the exchange of good practices.

In addition, the meetings of the European Platform for Roma Inclusion have developed into a forum for discussion and exchange of experience between the Commission, Member States, international organisations, enlargement countries and civil society. The Commission, in cooperation with all stakeholders, will further reflect on how to make this forum even more efficient and contribute best to the shaping of European Roma integration policies.

To support effective implementation of National Roma Integration Strategies at local and regional levels, the Commission participates in a Coalition of international organisations¹³. In this Coalition, the Commission and the Council of Europe join forces to strengthen the capacity of local authorities to design, fund and implement local Roma inclusion strategies starting with improving local governance¹⁴ and community participation through mediation¹⁵.

3. PROGRESS IN THE MEMBER STATES – THE COMMISSION'S ASSESSMENT

Three years after the adoption of the EU Framework, progress, although still slow, is beginning to take shape in most Member States. This report looks in particular at what measures have been implemented, whether guidance provided in previous Commission progress reports has been followed, and whether there is a real impact on the ground. The accompanying Staff Working Document contains a detailed overview by Member State, and the first assessment of Croatia's national Roma integration strategy, submitted after its accession to the EU on 1 July 2013.

¹² Council Recommendation of 26 April 2013 on Establishing a Youth Guarantee O.J. C 120, 26.4.2013,1

¹³ Such as the Council of Europe, the Council of Europe Development Bank, the World Bank, the United Nations, UNICEF, the EU Agency for Fundamental Rights (FRA) and the Open Society Foundations.

¹⁴ The ROMACT project, launched in October 2013 in about 40 municipalities in 5 Member States, aims at building up political will and sustained policy engagement at the local level, at enhancing democratic participation and empowerment of local Roma communities, with a view to assist the design and implementation of projects with the support of EU and national funds.

¹⁵ The ROMED programme, funded through Lifelong Learning Programme, launched in 2011 has trained close to 1,300 mediators to date in the field of school, culture and health. For 2013-2014, mediation is focussing on establishing contacts with local authorities (municipalities, schools, etc.).

The assessment uses in particular information from the Member States through the National Roma Contact Points, from civil society and from the European Network of Independent Experts on Social Inclusion. The FRA survey of 2011 on the situation on the ground is the starting point from which progress is measured.

3.1. Education

In the EU Framework, the Commission calls on Member States to ensure, as a minimum, primary school completion, to widen access to quality early childhood education and care, ensure that Roma children are not subject to discrimination or segregation and to reduce the number of early school leavers. Member States were also called upon to encourage Roma youngsters to participate in secondary and tertiary education.

The Commission's assessment reveals that Member States have taken a series of specific measures which delivered results on the ground. For instance, the reports reveal a clear positive general trend with regard to access to early childhood education and care.

However, much more needs to be done to bring about change on a larger scale. The most serious challenges previously identified by the EU Framework remain relevant and require further sustained efforts. In order to achieve significant progress, mainstream education systems should become more inclusive and more tailored to the needs of Roma pupils.

The persistence of segregation of Roma children in special schools or classes¹⁶ remains a key challenge, with no simple and clear-cut solutions. Desegregation requires political commitment, time, careful preparation and implementation plans, which take local circumstances into account. Measures that indirectly lead to segregation should be systematically eliminated. The Member States most concerned (e.g. Czech Republic, Slovakia, Hungary, Romania, Bulgaria and Greece) will need to put in place stronger measures to end and reverse this situation through a quality, accessible and mainstream inclusive education system.

Importance of access to quality early childhood education and care (ECEC) is now broadly recognised. A series of legislative measures (e.g. compulsory pre-school years, in-cash incentives) have also been implemented in several Member States. Some Member States were able to report clear positive results. In Finland for example, within ten years, the participation of Roma children in pre-primary school increased from 2% to 60%. The same applies to Hungary, where the enrolment rate of Roma children in pre-school is high (79%) and is likely to further improve as the new law on public education lowers the starting age of compulsory kindergarten education to 3 years. On the other hand, in certain Member States, measures implemented are still insufficient (e.g. Slovakia) or even non-existent (e.g. Greece).

¹⁶ Segregation in mainstream schools attended by Roma: SK: 58%, HU: 45%, EL: 35%, CZ: 33%, BG: 29%, RO: 26%, FR: 24%, ES: 10%, IT: 8%, PT: 7%, PL:3%. - segregation in special schools: Roma children attending special schools mainly with Roma: CZ: 23%, SK: 20%, FR: 18%, BG: 18%, etc. Source: FRA, *Education: The situation of Roma in 11 EU Member States. Roma Survey - Data in Focus* (forthcoming in 2014).

Reducing the number of Roma early school leavers also requires additional efforts, including extracurricular activities and close cooperation with families. The situation of children illegally staying on the territory may be even worse, when the lack of required official documents, such as a valid residence permit or medical records may prevent children's enrolment in primary education. The French ombudsman's report¹⁷ has indicated a number of cases where local authorities have hindered the access of Roma children to primary education for such reasons. In addition, frequent moves of Roma and traveller families have led to interruptions in schooling, leading to learning gaps and high drop-out rates.

The Commission's assessment confirms that sustained efforts can bring about a significant impact on the situation of Roma in education. For example, in three years (2010-2013), a Bulgarian educational project has brought down the number of children who dropped out of school by almost 80%. There are further good practices, such as all day schooling in Bulgaria and Slovakia or after-school activities provided specifically for disadvantaged children in Hungary, the use of mediators in Finland, the inclusion of Roma culture in curricula in Slovakia and Hungary, providing language support in Bulgaria and France, providing bilingual education (Romani-Romanian), preparing Romani language teachers in Romania, and teacher training in Slovakia, Hungary and Bulgaria. In addition, the extension of education projects to children whose families move from one Member State to another is a positive development.

However, existing practices have a rather limited scope and the main challenge remains in up-scaling these initiatives and securing long-term financing. More efforts are needed with regard to teacher education and the introduction of inclusive teaching methodologies, which take into account individual learning needs. A more systematic use of Roma pedagogical assistants and mediators and greater involvement with local communities and parents would improve access of Roma children to mainstream quality education. Coherence of mainstream policies with the goals set in the national Roma integration strategies needs to be ensured (e.g. in Hungary).

Beyond compulsory schooling, enrolment differences between Roma and non-Roma become even larger. This is particularly detrimental to Roma integration and makes a difference in the labour market as the lack of professional skills and qualifications prevents Roma adults from accessing quality employment. There are few systemic measures encouraging the participation of Roma youngsters in further education, or helping Roma students to reintegrate into the education system after they have dropped out. Although in Poland, Finland and Sweden measures were put in place to increase the number of students who complete secondary and higher education and to enhance vocational education and training of adult Roma, in most Member States, similar measures are rather sporadic, mainly consisting of scholarships for talented

¹⁷ Le Défenseur des Droits, *Bilan d'application de la circulaire interministérielle du 26 août 2012 relative à l'anticipation et à l'accompagnement des opérations d'évacuation des campements illicites août 2012 – mai 2013* (juin 2013).

students. In the field of youth, non-formal and informal learning are also important instruments to develop skills and increase employability among young people.¹⁸

Examples in the field of education

Bulgaria and Hungary - Two-year **obligatory pre-school** has been introduced in Bulgaria; obligatory pre-school from the age of three will be introduced in Hungary from the 2014-2015 school year. This mainstream measure is promising as regards education of Roma children for primary education, but sufficient capacities and quality staff are crucial for long-term results.

Denmark - The project '**Hold On Tight Caravan**', administrated by the Ministry of Education, is focused on getting more youngsters from ethnic minorities to begin and complete a Vocational Education and Training programme. The initiative is managed in schools by coordinators who ensure an individual approach to each young person at risk of school failure or drop out. The project is implemented across Denmark. Since it started in 2009, overall school and training drop-out rates have fallen from 20% to fewer than 15%, while the gap with ethnic Danish students has narrowed. The ESF contribution for the 'Hold On Tight Caravan' has been €3,214,000 during 2009-2013.

Romania - The **positive action programme for Roma in higher education** continue. These mainstreamed programmes offer dedicated places for Roma for admission to public universities (in the academic year 2010/11, 555 places have been granted, and in 2012/13, 564 places).

Sweden - The **Adult Education Association in Gothenburg** (Studieförbundet Vuxenskolan i Göteborg) offers tuition for Roma who have not completed primary or secondary school education.

Although progress has been made, notably in access to early childhood education and care, much more needs to be done to reduce the educational disadvantage of Roma. For Member States with a significant Roma population priority should be given to combating segregation fighting early school leaving and making mainstream education systems more inclusive. Enabling Roma youngsters to obtain marketable skills and qualifications, at least at secondary level and ensuring life-long learning for Roma adults should be a clear objective of both mainstream and targeted measures. Moreover, positive actions aimed at increasing the educational attainment of Roma should be sustained and scaled up to enable young Roma to get professional qualifications.

3.2. Employment

To close the employment gap between Roma and non-Roma, the EU Framework calls on Member States to ensure Roma non-discriminatory access to the open labour market, self-employment and micro-credit, and vocational training. Member States were encouraged to ensure effective equal access for Roma to mainstream public

¹⁸ The Council Recommendation of 20 December 2012 on the recognition of the value of non-formal and informal learning within the European youth field (O.J. C 398/1, 22.12.2012) encourages the use of instruments for recognition of skills and qualifications obtained through such learning experiences.

employment services, alongside targeted and personalised guidance and mediation for Roma jobseekers, and to support the employment of qualified Roma civil servants.

Although there are several promising initiatives across Member States, the expected impact has not yet been reached. Visible improvements in the educational participation and attainment have failed to translate into improving employment prospects among Roma¹⁹. In some cases, the employment situation of Roma has even further deteriorated, although this is partly due to the general increase of unemployment in several EU Member States over the past few years. Within this context, Roma, and to an even larger extent Roma women²⁰, have been particularly affected as they often lack marketable skills and qualifications. In addition, chances for the Roma on the labour market are limited by direct and indirect discrimination²¹. Advancing in this challenging situation requires determined action and investment in human capital by Member States, such as measures ensuring equal access to social services, and providing personalised guidance and employment schemes. The potential for job creation for Roma through self-employment, (social) entrepreneurship, and by using innovative financial instruments have hardly been exploited. Social innovation should be reinforced by testing new policy approaches and scaling-up successful initiatives, via building cooperation between different actors at local and regional levels.

Lessons can be learnt from successful projects, for example the *Thara* information platform in Austria, a pilot project stimulating social and professional activation pathways in Belgium, Community Development Centres to eliminate barriers to the labour market in Bulgaria or the integrated action plans of Nordrhein-Westfalen and Berlin, to mention just a few. These projects however, are mostly initiated by local or regional authorities and are implemented by NGOs, so their result is bound to be limited to a given territory and their sustainability remains uncertain.

The assessment reveals that there are still too few systematic measures put in place at national level, although there are some good examples: the Roma job counsellors under the Ministry of Employment in Finland, the reallocation of resources for the Spanish *Acceder* program, or pilot projects in some municipalities in the Czech Republic introducing social considerations in public procurement.

Examples in the field of employment

Bulgaria - Community Development Centres (CDC) aim to empower and promote the employment of young people and women in marginalised Roma communities. The initiative has been implemented by AMALIPE Centre for Interethnic Dialogue and Tolerance with the support of European Commission since 2011. Community

¹⁹ FRA, *Poverty and Employment: The situation of Roma in 11 EU Member States, Roma Survey – Data in Focus* (forthcoming in 2014).

²⁰ Across the Member States surveyed, 21% of Roma women were in paid work compared to 35 % of Roma men. FRA, *Analysis of FRA Roma Survey by Gender* (September 2013).

²¹ Share of Roma experiencing discrimination in the past 5 years when looking for work: CZ 74%, EL 68%, IT 66%, FR 65%, PL 64%, PT 56%, HU 51%, SK 49%, BG 41%, RO 39%, ES 38%. FRA, *Poverty and Employment: The situation of Roma in 11 EU Member States. Roma Survey - Data in Focus* (forthcoming in 2014).

Development Centres were established in 11 municipalities.

France (Lyon) - The multi-partner **Andatu** project has mobilised local, civil, national involvement as well as EU funding and combine training, access to employment and housing. As the program targets mobile EU citizens, French language courses are offered. The program also finances short professional trainings and provides individualised support. The European Social Fund supported the launch of the programme with €350,000. Currently reaching 73 beneficiaries, the intervention is planned to be extended to 400 participants requiring a total budget of €1.2 million.

Hungary – The mainstream programme of the Public Employment Service aimed at **improving the employability of the disadvantaged** targets various subgroups within the registered unemployed, with Roma prioritised as one target group. The programme provides a personalised combination of subsidies and services, such as labour market counselling, mentoring, vocational training and wage subsidies aiming at open labour market reintegration. According to external expert evaluation, the probability of employment increases by 40% after having followed this programme.

Despite the success of some measures, no tangible widespread impact has yet been achieved on the ground. To close the employment gap between Roma and non-Roma, Member States will need to target simultaneously the supply and demand sides of the labour market. On the supply side, the low skill levels of Roma job seekers must be addressed with vocational training and counselling, combining targeted measures and effective access to mainstream employment services. On the demand side, measures are needed to give incentives to employers, such as recruitment subsidies, job trial and apprenticeship schemes. Other measures could include targeting Roma under the youth guarantee schemes, introducing social considerations into public procurement, fighting discrimination in the workplace and employing Roma in national and local civil service, in a manner that does not create a parallel labour system. Using the potential of social economy and social innovation could promote (re)entry to the labour market.

3.3. Health

To reduce the health gap between the Roma and the rest of the population, the EU Framework calls on Member States to provide access to quality healthcare especially for children and women, and to preventive care and social services at a similar level and under the same conditions as the rest of the population.

The poor health of Roma is very closely linked to social, economic and environmental factors. People in vulnerable situations often have trouble in navigating in the health system and in articulating their needs. Barriers include poor accessibility of health services in terms of distance (e.g. Roma settlements in remote areas or Roma without settlement), lack of access due to financial difficulties (affordability of medicines), lack of registration with local authorities, lack of awareness especially about preventive services, cultural differences and discrimination. No health coverage often also means no vaccination for children, which in turn can prevent them from being accepted by schools and kindergartens.

Few Member States have provided information enabling comparison of the health of Roma with the general population. While there are a variety of reasons for this, it is nevertheless essential that all relevant Member States can monitor the health of the Roma population. A good example is the health and welfare survey that Finland is about to develop.

The available information shows very significant differences among Member States both in terms of starting points²² and progress. Ensuring basic health coverage is still a challenge in some Member States, in particular in Bulgaria, Romania and also in Greece. With the rise of unemployment in these countries, the number of families lacking health coverage has increased. The impact of budgetary cuts, restructuring or cancellation of services in general health policies in some Member States had further consequences on vulnerable groups, including Roma. In France, the government has committed to reduce financial barriers to access to healthcare for the most vulnerable.

Reports from several Member States show significant efforts in combatting infectious diseases among Roma. While progress in this area is very much welcome, more attention on prevention and treatment of non-communicable diseases and on general health campaigns with a focus on the promotion of healthy lifestyles is also required. Furthermore successful measures remain to be systematised.

Training health professionals (e.g. in Czech Republic) and involving Roma health mediators is one way to address access to healthcare services for the Roma population. Several Member States (e.g. Romania, Spain) have invested successfully in Roma mediators – however in most cases, there is a need to move from temporary to mainstream funding and ensuring adequate professional recognition. In 2013, the Commission launched an initiative to develop training packages for health professionals for migrants and ethnic minorities, including the Roma.

Examples in the area of health

Czech Republic - Communication courses focusing on specific socio-cultural environment of a patient are compulsory **in the medicine, dentistry and pharmacy curricula**. Other medical staff is also trained through Interpersonal Skills of Professional (*Interpersonální dovednosti specialisty*) and Education (*Edukace*) programmes.

Hungary - Training for those working in basic healthcare services is being developed: in 2013, 250 health visitors took part in training courses, and some 4830 specialists are expected to be trained by them in the 1st half of 2014.

France -In January 2013, the government engaged to respond to growing health inequalities in the wake of the crisis and to **reduce financial barriers to access healthcare**.

Romania - Awareness raising and behaviour changing campaigns targeting the

²² For example, 59 % of Roma women in Bulgaria, 47 % in Romania and 38 % in Greece said that they had no medical insurance compared with 22 % of non-Roma women in Bulgaria and in Romania, and 7 % of non-Roma women in Greece. FRA Analysis of FRA Roma Survey by Gender (September 2013).

Roma people's health are operated through the healthcare mediation programme.

Spain - Health mediators have proven to contribute to the improvement of health among the Roma population in Spain. The example of Navarra that has been working for many years has been chosen as a good practice by the WHO²³

Following the analysis of health measures, it can be concluded that healthcare and basic social security coverage is not yet extended to all. Investing in adequate healthcare and preventive measures for all Roma, in particular children, is essential as it will prevent further health problems in the long-term. Promising initiatives should be extended and multiplied to make a real impact on the ground.

3.4. Housing

To close the gap between Roma and non-Roma, the EU Framework calls on Member States to promote non-discriminatory access to housing, including social housing and public utilities (such as water, electricity and gas)²⁴. Furthermore, the EU Framework underlined the need to address housing as part of an integrated approach to social inclusion and desegregation.

Housing interventions have often been the weakest links in the national strategies. The absence of progress is mainly due to: grey zones concerning the legalisation of existing housing and halting sites, as illustrated by judgments of the European Court of Human Rights²⁵; failure to establish a real dialogue with both mainstream and Roma local communities (e.g. in Bulgaria); scarcity of national public funds and low uptake of available EU funds despite the Commission's guidance²⁶; the need to further develop the social housing sector in several Member States. One of the main barriers encountered in the use of ERDF financing has been the design of integrated housing projects.

²³ In its publication on "Poverty and social exclusion in the WHO European Union: Health systems respond." http://www.navarra.es/NR/rdonlyres/D4DFA3BA-F54F-40DE-8C5F-9F24A003868E/233965/2_Spain_06Feb09casopublicado2010.pdf

²⁴ 42 % of the Roma surveyed said that they have either no piped water or no sewage or no electricity in their home. FRA, *The situation of Roma in 15 Member States and Croatia* (2013).

²⁵ The European Court of Human Rights, *Yordanova and others v. Bulgaria* n°25446/06 judgment of 24 April 2012,) concluded that although the concerned Roma lived in an illegal settlement, their eviction was a breach of article 8 of the European Convention of Human Rights (on private life and private property): their housing, although illegally built there, had to be considered as their property and it was disproportionate to evict them. "In the context of Article 8, in cases such as the present one, the applicants' specificity as a social group and their needs must be one of the relevant factors in the proportionality assessment that the national authorities are under a duty to undertake." This position taken by the Court in *Yordanova* was confirmed and further developed in a more recent judgment in case *Winterstein and others vs. France* (European Court of Human Rights, n° 27013/07 of 17 October 2013. Similar violation of the European Convention of Human Rights (article 8) was observed by the SK Public Defender of Rights (Ombudswoman) in her examination of the forced eviction and liquidation of a Roma settlement carried out in 2012 in Kosice, Slovakia (report of 23 July 2013).

²⁶ Guidance note on the implementation of integrated housing interventions in favour of marginalised communities under the ERDF, of 28 January 2011. http://ec.europa.eu/regional_policy/information/search/detail.cfm?LAN=EN&id=354&lang=en

In spite of this challenging context, there are also promising practices. With the help of the European Regional Development Fund (ERDF) quality temporary lodgings have been built with the involvement of the Roma community in France. In Germany, housing projects also include measures that promote the integration of Roma families in neighbourhoods. In Belgium, mediators work to gain trust of both Roma and non-Roma for acceptable housing interventions. In Hungary, cities are required to prepare a desegregation plan as part of city development strategies.

Examples in the field of housing

Belgium - In January 2013, 38 mediators/bridge figures (i.e. intercultural mediators), neighbourhood stewards, project leaders, and consultants worked in the Region of Brussels Capital and the Flanders Region (employed by the Public Centres for Social Welfare, Department of Education, Employment Agency, Police, Integration Services or local NGOs) to **gain the support of both Roma and non Roma** for housing interventions.

Germany – In **Kiel**, the ‘Maro Temm e.G.’ housing project helps Sinti and Roma of all generations to live together and preserve their culture and language (Romani) without being segregated. Further activities such as homework support, leisure activities and small cultural celebrations are offered. In **Berlin**, the project ‘Task Force Okerstraße’ aims to ensure that Roma are accepted as neighbours and being integrated into the community. Roma families are given advice, helped in their dealings with the authorities and assisted in disputes with their landlords. Furthermore, care is offered to children, and young people are encouraged to take part in leisure activities.

Hungary - Cities are required to prepare a so-called *Local Equal Opportunity (Desegregation) Plan* as part of Integrated Urban Development Strategies. A Desegregation Plan identifies systemic interventions (relevant to the entire city) to stop or reduce segregation. Local Equal Opportunity Plans became a statutory requirement for local governments under the Equal Opportunity Act. ERDF funding supports integrated housing projects for Roma and other marginalised communities.

As in other areas, small-scale projects offer useful policy lessons but need to be extended to bring about the expected results. To achieve tangible and sustainable progress in the housing sector, Member States should address more efficiently the bottlenecks identified above. In some Member States, legislation is necessary to clarify the legal status of existing dwellings. Furthermore, regular urban planning interventions to eliminate and prevent ghettoisation in cities should be backed by national governments, while the disproportionate risk of social exclusion in rural areas demands stronger efforts. For the success of all projects, involvement of both Roma and non-Roma is essential. Given the scarcity of public resources, especially as housing belongs to the competence of municipalities in most Member States, better use should be made of funds available from the ERDF.

3.5. Fighting discrimination convincingly

The principle of non-discrimination is one of the core principles of our European Union. Thirteen years after the EU’s landmark anti-discrimination directives were

adopted in 2000, discrimination against Roma is still widespread²⁷. This has no place in the European Union. The situation of Roma women²⁸ is often worse than that of Roma men, as they tend to face multiple discrimination. The situation of Roma children often raises additional concerns²⁹.

Roma-specific problems are generally not due to gaps in legislation, but rather to its implementation. In order to strengthen the fight against discrimination legislation needs to be combined with policy and financial measures. The Council Recommendation (articles 2.1 to 2.5) proposes further specific measures to Member States, including positive action to fight discrimination. This Recommendation should mark the beginning of stronger political efforts from all Member States to end discrimination against Roma and ensure equality in practice. The Commission's upcoming progress reports on the implementation of the national Roma integration strategies will look carefully at the areas highlighted in the Recommendation.

The Commission's recent report on the application of the Equality directives confirms that Member States should make better use of the possibility to adopt measures to prevent or compensate for disadvantages (positive action). Such measures can usefully fight discrimination against Roma.

Addressing trafficking in human beings can also help to tackle discrimination and social exclusion of Roma. Women and children are at highest risk of becoming victims. An equal focus is needed on preventing trafficking, protection, assistance and support to victims, and involving everyone who can help tackle the problem: health inspectors, police, education experts and legal professionals. The EU's Strategy towards the Eradication of Trafficking in Human Beings 2012-2016, has helped Member States live up to their obligations under the anti-trafficking Directive 2011/36/EU.

Most Member States have taken initiatives to raise awareness about Roma culture and history; in particular, in recent years, a growing number have organised activities to commemorate the Roma Holocaust. Finally, in all Member States, more effective measures should be taken to combat anti-Roma rhetoric and hate speech.

In some Member States, bodies for the promotion of equal treatment have played a particularly active role to raise awareness, report or put forward cases of Roma victims of discrimination (e.g. Bulgaria, Czech Republic, Finland, France, Greece, Ireland, Latvia, Lithuania, Romania, Spain and Sweden). As proposed in the Council Recommendation on effective Roma integration measures in the Member States, the

²⁷ Report from the Commission to the European Parliament and the Council Joint Report on the application of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ('Racial Equality Directive') and of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ('Employment Equality Directive').

²⁸ The European Parliament also drew attention to the situation of Roma women in its *Resolution on the gender aspects of the European Framework of National Roma Inclusion Strategies* adopted on 10 December 2013.

²⁹ The Commission Recommendation Investing in children: breaking the cycle of disadvantage. C(2013)778 of 20 February 2013 provides policy guidance to help the EU and Member States focus on successful social investment towards children.

work and institutional capacity of bodies for the promotion of equal treatment should be reinforced, and a regular dialogue between the National Roma Contact Points and these Bodies should be continued, as already initiated by the Commission.

Furthermore, in some Member States, effective tools still need to be developed to empower the Roma.

Example in the field of anti-discrimination

Slovakia - Amendment of the Antidiscrimination Act has introduced temporary equalising measures (positive action) that may be adopted on the grounds of ethnicity in all areas protected by the Act, i.e. employment, education, healthcare, social security and access to goods and services.

There are weaknesses in almost all Member States when it comes to fighting discrimination effectively. This should not be considered as a stand-alone policy, but should be mainstreamed into all policies. Additional attention should be paid to public communication that can promote the benefits of diversity and its acceptance in society. In addition, Member States will need to show clear political leadership and ensure that no racist manifestations are tolerated on their territories.

3.6. Securing financial support for sustainable policies

Roma integration is a long-term challenge. Policies and measures aiming at Roma integration need to be sustainable in the long term. The EU Framework invites Member States to allocate sufficient funding from national budgets, and to make the best use of EU and international funding.

In recent years, the volume of funds Member States target at Roma integration has increased significantly. While progress is evident in terms of commitment and planning, problems remain in implementation. Countries with large Roma populations still face major challenges in using EU funds. The gravity of the problems in the single policy areas and their interdependence requires an integrated approach, combining investments in employment, education, healthcare and housing, through various funds.

In the 2007-2013 period, the potential use of EU funds has not yet been fully exploited to support Roma integration. The reasons are various: difficulties in finding national co-financing and in combining funds, overly complex administrative structures, lack of administrative capacity and expertise, insufficient use of technical assistance for the use of EU funds, and poor cooperation between authorities and Roma. Although the adoption of National Roma Integration Strategies is a major step in providing a framework for Roma inclusion, experience shows that alignment between general and Roma-specific policies and funding should be further improved, building on better monitoring of the results and the impact of EU-funded interventions. Where relevant, such an integrated approach can be further enhanced by introducing a territorial approach, focusing on the most disadvantaged micro-regions.

For the 2014-2020 programming period, an effort has been made to address these deficiencies, by ensuring that an appropriate share of the cohesion policy budget is allocated to investment in human capital, employment and social inclusion. For the 2014-2020 period, €43 billion has been allocated to Member States from Structural and Cohesion Funds.

At least €80 billion of this will be allocated to investment in human capital, employment and social inclusion through the European Social Fund (ESF). It was decided that in each country, at least 20% (compared to the current share of around 17%) of the ESF must be earmarked to fight social exclusion and poverty i.e. about €16 billion. A specific investment priority for the integration of marginalised communities such as the Roma has also been established. Disadvantaged people, including Roma, will also benefit from measures funded under other ESF investment priorities aiming at good quality early-childhood education, reducing and preventing early school-leaving, promoting the access to employment or enhancing youth employment through youth guarantee. To ensure that the ESF will outreach the targeted beneficiaries, it is necessary that appropriate regulatory and institutional frameworks are already in place. Member States can improve the quality of how they use EU funds by exchanging best practices, through a permanent dialogue with stakeholders, evaluations and observations from academic studies.

Regarding the European Regional Development Fund (ERDF) the investment priority under the thematic objective of promoting social inclusion, combating poverty and any discrimination, allows support for physical, economic and social regeneration of deprived communities in urban and rural areas. This may be used to continue the type of integrated housing schemes for the benefit of marginalised communities, including Roma, which have been started with ERDF funding in the 2007-2013 period. Other investment priorities such as in the area of health, social and education infrastructure may support investments in hardware to implement the corresponding Roma integration goals, including for the involvement of Roma in mainstream actions. ERDF support to cities which address demographic and social challenges as part of integrated sustainable urban development strategies could also be relevant.

As part of the ex-ante conditionality mechanism for Cohesion Policy 2014-2020, a national Roma inclusion framework has to be in place where funds are programmed for Roma integration. This establishes a direct link between the EU policy framework and funding and aims to maximise the effectiveness of the funding.

In the negotiations with the Member States on the Partnership Agreements, the Commission makes sure that challenges for Roma inclusion identified within the European Semester are adequately reflected in the funding priorities of the future programmes. Furthermore, to improve administrative capacity and expertise, Member States may use global grants to entrust the management and implementation of some parts of their programmes to intermediary bodies with proven experience and knowledge on the ground³⁰.

³⁰ *Regulation (EU) no 1303/2013 of 17 December 2013 op. cit.*

In several Member States, a large part of the marginalised Roma communities live in rural areas. This is why the Commission has informed the Member States on the existing possibilities to support the integration of disadvantaged groups, including Roma, under the rural development policy by the European Agricultural Fund for Rural Development (EAFRD). Within the framework of the informal dialogue on the Partnership Agreement and programmes for the 2014-2020 programming period, the Commission services have asked the most concerned Member States to bring their National Roma Contact Points into the discussions³¹

Moreover, the funding possibilities of the Erasmus + programme should also be fully exploited³².

The Seventh Framework Programme for Research and Development³³ provides also further opportunities to strengthen coherent and cost-effective policies in this field.

Bulgaria - - The municipality of **Kavarna** is an example of **investment in integration Local Development Strategies**. The municipality of Kavarna has invested in infrastructure development, improved access for Roma children to quality early-childhood education and care, health education and cooperation with other cities and private employers to promote Roma employment. Diversification of resources, systematic measures and the strong political commitment of the municipal leadership has contributed to obtaining results in all policy fields (ranging from improved quality of public services, improved school attainment, decreased mortality rate and increased employment of Roma in both private and public sector). The European Structural and Investment Funds also helped ensure the sustainability of results by providing EUR 3.1 million for investments in physical infrastructure and human capital.

Spain – Within the ESF Operational Programme on Fight Against Discrimination, the non-profit organisation **Fundación Secretariado Gitano** has been playing a key role in the social and labour integration of Roma people as an **intermediate body** of the programme. Implementation through a non-governmental organisation as an intermediate body has proven to be crucial for the efficient and effective management of EU funding, the strong, operational and long-term partnerships established with private companies, the flexibility and adaptation of the programme to new social needs and the implementation of social innovation projects. As regards the whole OP, the number of agreements with entities and organisations has grown to 1400 active agreements, including businesses with a demand for employees (71%), the public administrations (20%) and entities of the Third Sector (9%).

³¹ Member States were asked to invite the National Roma Contact Points to participate in the working bodies discussing the future Rural Development Programmes, as well as in the future Monitoring Committees of these programmes.

³² The Erasmus + programme benefits from a 40% increase in its budget (i.e. €14.7 billion) in the 2014-2020 period. In particular, transnational cooperation projects in the framework of *strategic partnerships (Key Action II) and prospective initiatives (Key Action III)* can help develop new, innovative approaches to address the educational challenges faced by Roma communities.

³³ <http://romani.humanities.manchester.ac.uk/migrom/>

Lasting success is only achieved when investments in education are accompanied by investments in employment and housing, targeting explicitly but not exclusively Roma communities. Embracing a multi-sector, multi-stakeholder and multi-fund approach (which is made easier by the new generation of EU Funds) is key to Roma inclusion. At the same time, to address local needs and build capacities of small NGOs, non-competitive funding opportunities for small local projects should be ensured. Global grants should be promoted, especially in those Member States with more limited administrative capacities. In its contacts with the Member States, the Commission encourages local authorities and Roma representatives to work together from the outset on local inclusion strategies.

4. ENLARGEMENT COUNTRIES

There are about 10-12 million Roma in Europe, out of which some 4 million in Turkey and 1 million in the Western Balkans. Roma are very often the victims of racism, discrimination and social exclusion and live in deep poverty, lacking sufficient access to healthcare, education and training, housing and employment. Enlargement countries therefore need to step up their efforts to further integrate their Roma population, including refugees and internally displaced persons, many of whom are Roma. Roma exclusion continues to have consequences in terms of increased numbers of Roma temporarily migrating to EU Member States under visa-free regime and this can have a negative impact on visa liberalisation, which is a great achievement towards the integration of the Western Balkans³⁴ into the EU. The Commission works closely with each of the enlargement countries to review progress in implementing their commitments towards the inclusion of Roma.

In the period 2007-2013, over €100 million pre-accession assistance has been provided under the Instrument on Pre-Accession Assistance (IPA) to support social inclusion and integration of Roma in the enlargement countries, including housing. To improve coordination, efficiency and visibility of financial support to Roma inclusion under the new IPA II, tailor-made actions will continue to be financed under the relevant national programmes through a sectorial approach and as part of a global IPA envelope ("Roma inclusion facility"). This will be accompanied by rigorous monitoring involving governments and all stakeholders including civil society.

To support the enlargement countries in their efforts, the Commission will:

- Continue to support and co-organise with each country national follow up sessions to the 2011 "Roma inclusion seminars" with rigorous monitoring of implementation of the operational conclusions jointly reached;

³⁴ As it has been recommended by the Commission in its Fourth Report on the Post-Visa Liberalisation Monitoring for the Western Balkan Countries (Albania, Bosnia-Herzegovina, The Former Yugoslav Republic of Macedonia, Montenegro and Serbia) COM(2013) 836 final, in accordance with the Commission Statement of 8 November 2010.

- Increase and better target IPA II actions through a "Roma inclusion facility" to finance measures outlined in the Country Strategy Papers or agreed in the national seminars and to improve cooperation with external stakeholders; funding will shift from supporting policy development and institution building to actions directly making an impact on the lives of individual Roma persons, with a particular focus on education, housing and social inclusion;
- Award prizes to NGOs for innovative and successful projects for Roma inclusion.

The Commission will continue to closely follow developments in enlargement countries in its annual progress reports, and will support enlargement countries to translate their political commitments for Roma inclusion into concrete and enduring engagements on the ground.

The Council Recommendation on effective Roma integration measures in the Member States is relevant for enlargement countries, as it forms an integral part of the EU acquis. Enlargement countries also need to take targeted actions to bridge the gap between the Roma and the rest of the population in access to education, employment, healthcare and housing, accompanied by cross-cutting policies of particular relevance for these countries such as provision of personal documents and strengthening the involvement of local and regional authorities and dialogue with civil organisations.

The Decade for Roma Inclusion³⁵ has been a strong inspiration for the EU Framework. It has been playing a very positive role in mobilising civil society and ensuring the smooth transition of enlargement countries into the EU Framework. The work of civil coalitions coordinated and supported by the Decade of Roma Inclusion Secretariat has also showed a strong added value.

5. CONCLUSIONS - THE WAY FORWARD

The 2011 EU framework set up a long-term process. It calls for the sustained political commitment of all stakeholders to make a difference in the life of Roma people by 2020.

The first step on this long road was taken when each Member State developed its national Roma integration strategy. The implementation of these strategies has now started.

Following the Commission's guidance, Member States have started to put in place the structural pre-conditions that are indispensable to implement their strategies successfully³⁶. For the first time, all EU Member States have set their Roma

³⁵ In addition to seven EU Member States the following enlargement countries are members of the Decade for Roma Inclusion: Albania, Bosnia-Herzegovina, The Former Yugoslav Republic of Macedonia, Montenegro and Serbia.

³⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions *Steps forward in implementing National Roma Integration Strategies* COM(2013)454 of 26 June 2013.

inclusion strategies in motion and plenty of projects carried out in all EU Member States demonstrate that Roma inclusion is possible.

As a second step, tangible change in the situation of Roma will only be achieved if Member States:

- Demonstrate political will and determination to remain on the path leading to the expected results for Roma at the local level by 2020 and persistently honour the commitments they have undertaken at the highest political levels;
- Combine legislation with policy and financial measures; Improve and strengthen structures to ensure effective implementation of the national Roma integration strategies, in particular in terms of governance, cooperation with stakeholders and monitoring. These structures need to become firmly embedded in national administrations for the years to come;
- Together with the Commission, ensure monitoring and evaluation of the effective use of available European Structural and Investment Funds in line with the relevant shared management regulatory framework;
- Participate actively in the National Roma Contact Points' network and provide their National Roma Contact Points with an adequate mandate and resources;
- Monitor progress and inform the Commission, including in view of the Commission's annual reports.

The EU Framework and the Council Recommendation on effective Roma integration measures in the Member States have opened up the path towards Roma inclusion. The EU will continue to provide political leadership and will give practical support to Member State efforts, including through EU funds. This is, however, just the beginning and the Commission will play its role in making sure that the path is consequently followed further. It will notably:

- Provide annual policy guidance in the Europe 2020 strategy, issuing Roma-specific country-specific recommendations where appropriate, and through progress reports in the areas highlighted in the Recommendation, which will be assessed concerning a necessity of revision or up-date by 1 January 2019;
- Provide methodological support and foster exchange of experience and best practice through the network of National Roma Contact Points;
- Continue a regular dialogue with civil society, support grassroots NGOs through the European Parliament's Pilot project, and involve civil society in the monitoring of progress;

- Promote the use of available EU funds³⁷ and strengthen the capacity of authorities at all levels to efficiently use EU funds;
- Provide specific support to the local level by: making easily accessible (online) information on available EU funds for social inclusion; undertaking an analysis of the needs of local authorities in 8 Member States in terms of awareness-raising and transnational cooperation; and strengthening their administrative capacity;
- In cooperation with Member States and, where appropriate, other organisations, including the European Investment Bank and the European Bank for Reconstruction and Development, develop initiatives to better target funding for integrated and mainstream measures for Roma inclusion early during the 2014-2020 programming period. On the basis of an assessment of the experience during this period, explore ways of further improving effectiveness and integration of EU financial support for Roma inclusion post 2020, including a specific facility.

Finally, Roma integration will also depend on sustained efforts from Roma civil society to engage with the mainstream population, as well as on joint actions from all stakeholders, including local and regional authorities, international organisations, academia, churches and the private sector.

The EU Framework's first years of implementation show that action in favour of Roma integration is in motion in all Member States. It should be the cornerstone for building further joint efforts and achieving significant progress by 2020.

³⁷

Including through the EURoma network, made up of representatives of twelve Member States with the aim to promote the use of Structural Funds to enhance the effectiveness of policies targeting the Roma and to promote their social inclusion.