



TOGETHER TOWARDS ROMA EQUALITY: IMPLEMENTING THE EU ROMA STRATEGIC FRAMEWORK

**SYNTHESIS REPORT OF THE
ONLINE ROUNDTABLE
22 February 2021**



INTRODUCTION

On 22 February 2021, Equinet organised an online roundtable to discuss and identify ways to improve cooperation in light of the new EU Roma Strategic Framework for equality, inclusion and participation. During the event, national equality bodies (NEBs), national authorities, European institutions and civil society organisations from across Europe gathered to pinpoint the best ways to cooperate furthering Roma equality and to identify the roles national equality bodies can and should play. A clear starting point was a presentation on the work of Equinet and national equality bodies on Roma equality (including [Equinet's report on Roma and Traveller Inclusion](#) published in 2020), followed by an overview of the EU Roma Strategic Framework and the existing situation on the ground. The following short presentations included lessons learned and challenges faced implementing the EU Roma Strategic Framework. National equality bodies contributed with a focus on their activities carried out implementing national Roma strategies. In the second session, the speakers focused on concrete actions needed to effectively implement the EU Roma Strategic Framework as well as on forms of cooperation. The presentations and conversations held during the roundtable contributed to rich outcomes which are summarized in this document.

THE SITUATION ON THE GROUND

Discrimination against Roma is an everyday reality of European societies, characterized by systemic racism and antigypsyism. Roma people are the largest ethnic minority in the European Union and despite EU efforts to guarantee the inclusion and equal treatment of Roma, these communities continue to be subject to inequality, social exclusion, poverty and discrimination across all areas of life. During the roundtable, it was highlighted that the majority of Roma and Travellers experienced discrimination in their lives, many faced poverty, precarious conditions and even hunger. Furthermore, 30% of Roma people have experienced some form of harassment, both offline and online. The existing situation has worsened in all areas due to COVID-19. Some speakers mentioned the ethnicisation of the pandemic or the poor sanitary conditions as examples of intensified discrimination and inequalities faced by Roma people through 2020. Moreover, the challenges posed by intersectional discrimination were also mentioned. Roma people, as a heterogeneous group, require an intersectional approach to effectively protect all victims of discrimination, taking into account the particular experiences of for instance Roma women or Roma persons with disabilities.

EU EQUAL TREATMENT LEGISLATION

In the view of some of the speakers, this situation renders the new EU Roma Strategic Framework a bare minimum and reinforces the need to further strengthen the engagement and cooperation among relevant actors, if not a legally binding instrument for the equality, inclusion and participation of Roma people and for combating antigypsyism. Speakers identified and discussed shortcomings and proposals for improvement in current EU equality legislation. For instance, the Racial Equality Directive's material scope of application does not include public-sector actions that entail the 'exercise of public authority' such as actions by the police, without any element of 'service provision'. Moreover, major concerns were raised regarding the need for more effective, proportionate and dissuasive sanctions. Effective deterrents, including raising the monetary amount granted in cases of discrimination would help to raise the interest in compliance with equality law.

Looking forward, the need to strengthen the Racial Equality Directive and its implementation as well as to expanding legislation were mentioned as crucial steps in the future of equality legislation combating antigypsyism.

EU ROMA STRATEGIC FRAMEWORK FOR EQUALITY, INCLUSION AND PARTICIPATION

In October 2020, the European Commission issued a reinforced and reformed [EU Roma framework for equality, inclusion and participation](#), which set out a comprehensive three-pillar approach: equality, inclusion and participation. This was followed by the recently adopted Council Recommendation of 12 March 2021 on Roma equality, inclusion [and participation](#). Together, these two documents cover crucial fields aiming to mainstream Roma equality in all relevant EU strategies and funding instruments. Among its seven interlinked objectives, the EU Roma Strategic Framework includes combating discrimination and antigypsyism, by asking the Member States to fight multiple and systemic discrimination against Roma with an intersectional approach. The crucial role of its implementation was recalled by speakers. This not only requires the design of ambitious national strategic frameworks and concrete measures to tackle discrimination and social exclusion but also cooperating with all stakeholders and using the portfolio of indicators.

ROLE OF EQUALITY BODIES

Throughout the roundtable, we aimed at gathering input on effective forms of cooperation and synergies, by focusing on the role and contribution of equality bodies and identifying the necessary steps to strengthen the EU Roma Strategic Framework. All speakers agreed on the importance of equality bodies for protecting Roma people around Europe, and the European Commission emphasised the need to involve equality bodies in the design and monitoring of national Roma strategic frameworks as well as in the implementation of EU funding programmes. Further to this, equality bodies are expected to play a significant role in the first Commission's report on national Roma strategic frameworks in 2022 and in the following periodic independent civil monitoring reports, to be issued every two years. Likewise, the collection of equality data was highlighted as essential, and equality bodies can play a vital role in this.

SYNTHESIS OF CHALLENGES, GOOD PRACTICES AND SUGGESTED ACTIONS

The adequate design, implementation and development of national Roma strategic frameworks are highlighted as essential to effectively perform the actions assigned to the Member States under the EU Roma Strategic Framework and to deliver a major breakthrough. A strong partnership with relevant actors is indispensable for effective implementation, and Roma organisations and equality bodies are a crucial part of this partnership. Member States should strengthen equality bodies' and Roma organisations' involvement as well as provide capacity building of Roma NGOs to optimize their contribution.

How can equality bodies contribute?

National equality bodies should be involved in the design, development, implementation and monitoring of the frameworks. They do monitor already, they can also give recommendations, for

instance via their annual reports. However, their involvement in the design, development and implementation is less widespread at the moment.

Another proposal put forward to reinforce the role of national equality bodies in implementing measures was to strengthen civil society organisations by training Roma activists.

Some speakers emphasised the nature of the national Roma strategic frameworks as a living document which can be subjected to amendments in order to tackle particularly severe issues in each Member State. Equality bodies could identify such issues and recommend amendments (e.g. a child-centered approach to the Strategy).

Good practice

In Ireland, the Irish Human Rights and Equality Commission is a member of the Steering Group to support and monitor the implementation of the National Traveller and Roma Inclusion Strategy.

In Belgium, Unia works in close contact with the National Roma Contact Point, which takes the form of an administrative working group with representation from relevant bodies in the federal government, the regions and communities, and is a member of the National Roma Platform.

Another challenge identified during the roundtable is the need for more Roma participation in the implementation of the Roma Strategic Framework. The weak involvement of Roma organisations in the previous EU Roma Strategic Framework may reflect the need for capacity building of Roma NGOs. Further to this, the lack of trust in public institutions including equality bodies can limit or diminish this engagement. Change and the effective implementation of the Roma Strategic Framework cannot be pursued without the engagement and active participation of Roma communities.

How can equality bodies contribute?

Equality bodies can collaborate with Roma civil society organisations, including initiatives to build trust and engage in mutual education. This has a mutual benefit in informing the work of equality bodies on Roma issues and in informing Roma representatives on making use of equal treatment legislation and on the role of the equality body.

Equality bodies can promote the representation of Roma communities and vulnerable groups in their structures and encourage them to have traineeships with them.

Equality bodies can also engage communities at risk and civil society in dialogue with institutions in order to improve the transparency and quality of decision making.

Good practice

In Austria, the National Contact Point is currently evaluating their National Roma Strategy with strong participation of Roma people and equality bodies.

In Croatia, the Human Rights Council, an advisory body of the Office of the Ombudswoman, includes Roma representatives, and the equality body engages in visits to local Roma communities and settlements, as well as meetings with Roma politicians and NGOs.

Monitoring the implementation of the EU Roma Strategic Framework needs to be truly effective and adequate. The monitoring system needs to be improved and adequate resources should be allocated to better monitor measures in certain areas such as education, school, housing or access to health. Moreover, **the challenges posed by the lack of segregated equality data were also mentioned by panellists.** This issue makes the monitoring process difficult and unreliable. Member States should provide national equality bodies with adequate resources to gather and collect data.

How can equality bodies contribute?

Equality bodies can have a role to play in collecting qualitative and quantitative information and data. National equality bodies can conduct studies to gather information on specific policy areas and identify institutional bottlenecks that prevent cases of discrimination from reaching the right fora and suggest practical solution to remove barriers.

Equality bodies should be involved in implementing the indicators' framework developed for the Roma Strategic Framework. For instance, equality bodies can collect evidence on discriminatory behaviour or hate speech and coordinate regular reporting based on collected equality data. It is important to ensure that data sets from equality bodies and others (e.g. statistical offices) are interconnected and comparable.

Good practice

In Slovenia, the Advocate for Equality made several recommendations to the Ministry of Justice on the draft Personal Data Protection Act (implementation of the GDPR) regarding the collection of equality data, particularly data disaggregated by ethnicity. Their proposals would allow for the monitoring of advances in substantive equality and current inequality of Roma and for the planning and evaluation of measures to address persisting inequalities of Roma.

There is a shared concern at under-reporting, with a need to enhance the capacity of Roma people to know and exercise their rights. Under-reporting can precisely reflect a lack of knowledge of rights and how to exercise them. This situation is aggravated by the remote geographical location of many Roma communities and other barriers such as language. For these reasons, initiatives on communication and awareness-raising were often identified as priorities when working on implementing national Roma strategies.

How can equality bodies contribute?

National equality bodies can have a role by putting in place an effective communication plan to help make the Roma population and their contributions to society more visible to the wider public. In

conjunction with effective and strategic case work in support of Roma victims of discrimination, this can increase trust in equality bodies as institutions working for Roma equality.

Equality bodies can make outreach visits to Roma settlement, communities and families, conducting information campaigns, workshops and roundtables with Roma organisations to address under-reporting and its sources.

Good practice

In Cyprus, the Commissioner for Administration and Protection of Human Rights takes own-initiative investigations to respond to high levels of under-reporting and has recently launched a new own-initiative investigation on the living conditions of the Roma community.

In Austria, the Ombud for Equal Treatment uses casework outcomes to stimulate debate on Roma issues. The cases are published in the equality body reports, newsletter, and on the website. In one case, a person of Hungarian Roma background was regularly harassed by his colleagues and his supervisors and was required to do harder work than his colleagues. The case was settled, and the company paid the applicant compensation of 6000 Euros, which served to raise awareness of antigypsyism in a large private sector company.

Several shortcomings were identified by the legal and policy experts from equality bodies and civil society organisations concerning the management of EU funds in the period 2014-2020. We cannot afford this in the implementation of the new EU Roma Strategic Framework. First, attention was drawn to the need for a higher alignment between policy tools and financial tools. It is of utmost importance for the Member States to set more ambitious measures, thinking long-term, large-scale and strategically. Besides, participants also highlighted the importance of strengthening the administrative capacity of stakeholders for managing EU funds for Roma equality and inclusion, in order to ensure that measures implemented are effective.

How can equality bodies contribute?

As spelled out in the EU's new Multi-annual financial framework, national equality bodies have a crucial role to play in ensuring that measures will be inclusive and in reviewing the compliance of projects and programmes using EU funds in line with the Charter of Fundamental Rights.

National equality bodies can play a role in ensuring that funding allocated in the national Roma strategic frameworks is spent and, in particular, local government bodies make use of the resources made available to them.

Good practice

The European Network on Roma Inclusion under ESI Funds, which brings together public authorities responsible for Roma policies aiming to contribute to the promotion of social inclusion, equal opportunities and fight against discrimination of the Roma community through the improvement of the use of ESI Funds for Roma inclusion, shared and explained its publication: [Checklist for the](#)

Effective Inclusion of Roma interventions within EU Cohesion Funds programming 2021-2027: Guidance for departments responsible for programming EU Cohesion Funds in MS and EU.

This document offers guidance to EU, national and regional departments responsible for programming EU Cohesion Funds, especially ESF+ and ERDF, by providing recommendations on how to set an adequate basis in the programming documents to ensure that measures implemented in the future have a real impact and contribute to reducing Roma exclusion and discrimination effectively.

In Ireland, the Irish Human Rights and Equality Commission used its powers to invite organisations to conduct equality reviews of their service provision to focus attention on the failure of local authorities to spend the budget provided to them for Traveller accommodation. All local authorities were invited to undertake an equality review on their provision of Traveller accommodation and have engaged in this process.

The mandate and powers of equality bodies can affect their capacity to engage in the effective implementation of the EU Roma Strategic Framework. For instance, one point of specific note is the number of equality bodies whose mandate does not cover the functions of the police. This is seen as problematic given the issues raised by Roma people in their interactions with the police in many jurisdictions. Other limitations noted included the lack of adequate (litigation) powers, insufficient resources and the lack of commitment to a meaningful involvement for the equality bodies in the national Roma strategies.

Given the active role assigned to equality bodies in the implementation of the EU Roma Strategic Framework, the independence of equality bodies and the need for new legislation to strengthen their role has become indispensable for an effective drive towards Roma equality and inclusion.

Following the adoption of the Commission's Recommendation on standards for equality bodies in 2018, the European Commission announced in the EU Roma Strategic Framework in 2020 and the report on the application of the Racial Equality and Employment Equality Directives that the possibility of proposing new binding legislation will be explored. Binding legislation on equality bodies would help equality bodies reach their full potential resulting in a more coherent implementation and enforcement of the EU Roma Strategic Framework. In the absence of strong and effective standards which protect their resources, independence and mandate, equality bodies would certainly not be able to carry out essential work on Roma equality, complement and enhance the work of Roma civil society organisations, or face the significant challenges arising from a tense political context across Europe.