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## I. Introduction

### A. Purpose of the Policy Paper

This policy paper aims to **frame recommendations and** promote a **comprehensive strategy to combat antigypsyism** in all its dimensions and manifestations identified in the “Reference Paper on Antigypsyism”<sup>1</sup>, ranging from discrimination and hate crimes to institutional practices. By drawing on, complementing and reframing conceptualizations from various existing policy documents, the Alliance against Antigypsyism<sup>2</sup> aims to:

- **Set out a comprehensive strategic approach to counter antigypsyism** by addressing the institutional settings and public policies, institutional practices, public discourse, anti-discrimination systems, monitoring systems, and legal tools relevant for preventing and sanctioning antigypsyism, as well as by overcoming the historical effects of antigypsyism with a focus on empowerment and meaningful participation of Roma;
- **Guide EU institutions and national governments (both EU Members States and the accession and neighbouring countries) on how to adapt their policies aiming to ensure equal treatment of Roma communities;** it is essential to prioritize the fight against antigypsyism and to mainstream it in the EU post-2020 policies, as well as transpose it at the national level, based on the recognition of antigypsyism as the root cause of exclusion of Roma;

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<sup>1</sup> [http://antigypsyism.eu/?page\\_id=17](http://antigypsyism.eu/?page_id=17)

<sup>2</sup> The ‘Alliance against Antigypsyism’ is a coalition of organizations that promote equality of rights for Roma and a racism-free society. The Alliance has a reference paper that further develops this working definition of antigypsyism to reflect a deeper, systematic understanding of this phenomenon. The full reference paper is available at: [www.antigypsyism.eu](http://www.antigypsyism.eu)



- **Guide civil society organisations, especially Roma and pro-Roma organisations,** to develop plans to advocate for policy change specifically as concerns antigypsyism and to take effective action to identify, register, monitor, prevent and combat antigypsyism.

### **B. Antigypsyism – The Working Definition**

Antigypsyism is specific form of racism against Roma, Sinti, Travellers and others perceived as ‘gypsies’ by the majority societies. Antigypsyism is a historically constructed, persistent complex of customary racism against social groups identified under the stigma ‘gypsy’ or other related terms, and it manifests as:

- a homogenizing, essentialising perception and description of these groups;
- the attribution of specific characteristics to them; and
- social structures and violent practices that have a degrading, discriminatory, ostracizing effect and reproduce structural disadvantages.

It is insidious because of its high level of social acceptance. The lack of recognition of antigypsyism and its various manifestations by main stakeholders is the main obstacle for effective counter-measures. In order to dismantle this acceptance, the national governments must take action to counter antigypsyism in politics and within their societies at every level while simultaneously amplifying the voices of those dramatically affected by antigypsyism. Monitoring manifestations of antigypsyism and what national governments do to combat them should contribute to raising awareness of antigypsyism and eventually transform this currently latent, tolerated racism against Roma into a socially unacceptable behaviour.

1. It is essential to see that antigypsyism is not a 'minority issue'. To combat antigypsyism, our attention needs to shift to the acts of mainstream societies.
2. The idea that promoting the ‘integration’ of Romani individuals into mainstream society can be the main path toward countering antigypsyism is a fallacy that misconstrues the origins and essence of antigypsyism by inverting cause and effect.
3. Antigypsyism is not only about what is being said and done, but also about what is not being said or done. The lack of institutional responses to antigypsyism, for example, should be defined and treated as institutional antigypsyism.

### **C. Context: The EU Framework Post-2020**

In the end of November, the European Commission will publish its Communication 2018 ([see previous ones](#)) together with an internal and external mid-term evaluation about the EU Framework for National Roma Integration Strategies. These three reports will outline the proposals of the Commission for the future of the EU Roma Framework after the year 2020, which will just be decided after the election of the new European Parliament (May 2019) and



the new European Commission (after August 2019). The EU negotiation of the Multiannual Financial Framework 2021-2027 is as well ongoing. **EC High-Level Group on Racism and Xenophobia** [December 2017 meeting](#) focused on antigypsyism and afrophobia. Draft conclusion paper on fighting antigypsyism was consulted in June 2018 and the final document is to be published in November 2018. **European Parliament** [resolution on addressing antigypsyism](#) with recommendations for post-2020 was published in October 2017. The EP promoted the fight against antigypsyism also during the [Roma Week](#) in April 2018 and the [Interparliamentary Committee Meeting](#) in October 2018. Publications on antigypsyism by political groups [S&D](#) and [Greens](#) are also [available](#). **EU Presidencies** are as well one of the major advocacy and awareness raising opportunities. [Austrian Presidency event](#) planned for 27 November 2018 will focus on addressing antigypsyism in the post-2020. The Romanian EU Presidency (2019) also plans an event committed to the issue. Importantly, the decision on the new Roma framework might happen after the establishment of a new EC under the presidencies of Finland in 2019, Croatia in 2020, or Germany in 2020.

**Fundamental Rights Agency** issued a report in April 2018 "[A persisting concern: anti-Gypsyism as a barrier to Roma inclusion](#)". FRA Fundamental Rights Forum session on antigypsyism happened in September 2018. Moreover, a new report was released on 16 November 2018 "Working with Roma: Participation and empowerment of local communities". Currently, a valuable data regarding most EU member states are [compiled within the EU-MIDIS II report](#). In addition, **the Roma Civil Monitor project** published a [press release on 30 October 2018](#) on CZ, SK, HU, RO, BG. A [synthesis report](#) with key findings and recommendations is available to the public too, as well as the [national monitoring reports on structural preconditions](#) (governance, anti-discrimination, addressing antigypsyism).<sup>3</sup>

## II. KEY RECOMMENDATIONS TOWARDS THE EUROPEAN INSTITUTIONS AND NATIONAL GOVERNMENTS

### A. RECOMMENDATIONS TO NATIONAL GOVERNMENTS:

#### **Recommendation 1: Recognise antigypsyism**

Member States should recognise or strengthen the recognition of antigypsyism as a specific form of racism against Roma by 1) prioritizing the fight against antigypsyism within the Roma

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<sup>3</sup> Other background documents: 1) OHCHR: Views in the Context of Mid-Term Review of Implementation of the EU Framework; 2) CEPS: Combating Institutional Anti-Gypsyism: Responses and promising practices in the EU and selected Member States.



specific strategic documents or measures, both as a specific policy area and a horizontal priority; 2) by mainstreaming it in all relevant state policies, especially in the fields of social inclusion, education, employment, health, housing, equal treatment and anti-discrimination, including gender equality policies, citizenship and youth and 3) by adopting the Working Definition on Antigypsyism (see above). The national governments must have committed and functional institutions, political will and funding for concrete targeted measures as well as to mainstream the fight against antigypsyism into relevant policies.

### **Recommendation 2: Recognise the historical responsibility towards Roma communities**

Member States should establish a Truth and Reconciliation Commission to investigate the diverse causes, manifestations and effects of antigypsyism in politics and society throughout history, to develop specific contextualized national strategies to combat antigypsyism and to make proposals and recommendations to policy makers.

Member States should also recognise the Roma Holocaust, promote the recognition of 2 August as Roma Holocaust Memorial Day, but also enable conditions for Roma participation in all remembrance activities for the International Holocaust Memorial Day on 27 January.

### **Recommendation 3: Establish structures for monitoring antigypsyism**

Member States should support and finance mainstream governmental and civil society structures to monitor antigypsyism systematically in all fields of society (e.g. police, parliaments, judiciary institutions, media, politics, public administration, education, employment, health institutions, authorities responsible for housing), in order to sanction antigypsyist acts, collect data, strengthen the voice of those affected by antigypsyism and to raise awareness among decision-makers and society in general about the experiences and needs of Roma communities regarding antigypsyism.

### **Recommendation 4: Collect data on hate crime and hate speech disaggregated by ethnicity and gender**

Member States should collect disaggregated data by ethnicity and gender, including intersectional data on hate-speech and hate crimes committed with antigypsyist motivation to allow analysis of trends by national authorities.

### **Recommendation 5: Sanction and punish antigypsyism**

Member States should put in place all the necessary legal, institutional and political tools to sanction and punish antigypsyism. They should ensure that the mechanisms are implemented to prosecute hate crimes and counter antigypsyist speech and behavior, including by politicians, police, prosecutors, judges and other civil servants.



**Recommendation 6: Educate public institutions on antigypsyism**

Member States should conduct trainings for law enforcement officers, police, teachers, officials of employment and health institutions, the judiciary and civil servants to unmask and counter antigypsyism in public structures, legislation and practices, in close collaboration with Roma and anti-racist civil society experts and activists. The relevant state officials should be trained to recognize antigypsyism as a bias motivation and to develop effective responses to ensure recording, prosecution and adequate support to victims of racist violence and hate speech, in conjunction with civil society. In addition, all the relevant actors should be trained to respond to intersectional discrimination that social groups within the Roma community face.

**Recommendation 7: Condemn antigypsyism in the public discourse**

Member States should publicly condemn and apply adequate sanctions against stigmatising and racist rhetoric from high-level officials and politicians, as well as counter antigypsyism in the media, in particular by ensuring participation of Roma in public media boards. Pro-active measures should counter antigypsyist narratives in Europe, in particular by fostering counter-narratives in school curricula, through civic educational programmes and media campaigns.

**Recommendation 8: Prevent and end structural antigypsyism, such as segregation in education and housing and deprivation from enjoying basic human rights, and end any forms of forced evictions**

Member States should prevent and end any structural segregation of Roma in education and housing in consultation with the people affected and with Roma civil society. We call upon Member States to end all forms of school segregation of Roma children and young people, ensuring that they are placed in regular schools and classes. We call upon the Member States to immediately halt any forced evictions, demolitions of Roma's houses, placement of Roma in segregated camps and emergency shelters cut off from basic services, erection of walls around Roma settlements, and the failure of public authorities to secure Roma people's full access to daily potable tap water and sewage systems.

**Recommendation 9: Improve evaluation and monitoring of programs and funding schemes**

Member States should identify and address structural barriers and institutional behaviour that hinder effective implementation of anti-discrimination and social inclusion policies and programs targeting Roma. This should include the evaluation of mechanisms for accessing funding and of projects' implementation.

**Recommendation 10: Strengthen Roma participation, empowerment and self-organization**

Member States should ensure that conditions are in place for Roma people to self-organize and participate in all aspects of combating antigypsyism, from policy design and implementation of measures to assessment and refinement of the measures based on evidence. Roma participation and empowerment are crucial in order to overcome the long-lasting effects of antigypsyism. Member States should take steps to **ensure participation of Roma, in particular Roma women, in policy and decision-making structures**, at local, regional and national level, including by promoting their meaningful representation and recruitment into public administrations.

## **B. RECOMMENDATIONS TO THE EUROPEAN COMMISSION:**

### **Recommendation 1: Prioritize countering antigypsyism in the European post-2020 strategy**

The European Commission should set “addressing antigypsyism” as a key priority of a post-2020 EU Roma specific strategy. The renewed framework should include specific measures to respond to antigypsyism and all its manifestations as well as become a horizontal priority.

### **Recommendation 2: Prepare and implement an action plan to combat antigypsyism**

The European Commission should draft and implement an Action Plan (or guidance note) to combat antigypsyism in order to ensure efficiency of the equality legislation (EU Race Equality Directive), coherence between social inclusion outcomes (Roma Framework, EU 2020 strategy) and the adequacy of the legal and policy frameworks in place to reach these outcomes.

### **Recommendation 3: Establish an Expert Commission on Antigypsyism**

The European Commission should establish an expert commission on antigypsyism (or a “Truth and Reconciliation Commission”) to analyse the causes, manifestations and effects of antigypsyism, as well as to develop appropriate strategies and recommendations to counter antigypsyism at all levels.

### **Recommendation 4: Establish monitoring structures for antigypsyism**

The European Commission should support and finance (inter)governmental and civil society structures that monitor antigypsyism systematically in all fields of politics and society (especially in governmental policies, judiciary, police, school, employment and health systems, political discourses, media and internet). It should recognise the important role of civil society watchdogs to ensure respect for fundamental rights and extend the funding in the EU funding programs fostering participation of Roma civil society.

### **Recommendation 5: The Fundamental Rights Agency (FRA) in the fight against antigypsyism**



The European Commission shall request the FRA to publish comprehensive studies (broad and case studies) on antigypsyism in the EU and candidate countries and respect the principle of meaningful participation of Roma organizations and experts, providing a deeper analysis of the EU MIDIS II survey and looking at institutional, structurally discriminatory practices and policies.

**Recommendation 6: Apply all legal tools of the Commission towards the Member States**

The European Commission should ensure that infringement proceedings launched against the Czech Republic (2015), Slovakia (2016) and Hungary (2017) for breach of the Race Equality Directive (2000/43/EC) remain open until governments take effective and comprehensive measures to end discrimination and segregation of Romani children in education. It should launch infringement proceedings against Member States that, through legislation, policies or practice breach Roma rights to affordable and quality housing including by carrying out forced evictions, creation of segregated camps and reception centres and by applying directly or indirectly discriminatory criteria for access to social housing.

**Recommendation 7: Adopt guidance on hate crime data collection methodology**

The European Commission should adopt guidance on **hate crime data collection methodology** to ensure that antigypsyist bias is fully identified and recorded according to victims' and witness' perceptions and other bias indicators.

**Recommendation 8: Address antigypsyism in the EU accession and neighbouring countries**

The European Commission should adequately address antigypsyism in accession and neighbouring countries. The fight against antigypsyism and the ensuring that Roma live free of discrimination and of racist harassment and persecution should be one of the benchmarks in fulfilling the criteria for accession negotiations with (potential) candidate countries. The European Commission in close cooperation with the governments and civil society should develop indicators in order to measure the progress. Governments and civil society should monitor all manifestations of antigypsyism and submit annual monitoring reports. The European Commission in close cooperation with governments and civil society should implement specific measures on combating antigypsyism through IPA and similar programmes. It should also be ensured that the educational, employment, health and housing programmes include measures aiming at combating antigypsyism.

**Recommendation 9: Guarantee the right to asylum**

The European Commission should change the status of the Balkan countries as 'safe countries of origin'. The EU should recognise structural discrimination and widespread, often violent, antigypsyism Roma are currently facing in the Western Balkan countries. The



catastrophic situation of the Roma returnees to the Western Balkan countries contributes to worsening the situation, thus increasing migration pressure in a vicious circle. The European Commission should recognise that antigypsyism is the main cause for leading Roma to leave their countries and apply for asylum in Member States.

**Recommendation 10: Funding**

The European Commission should ensure that the post-2020 Multi-Annual Financial Framework (MFF) is explicitly connected to policy priorities of the EU Roma Framework including the fight against antigypsyism, in particular by ensuring that EU financial schemes and programmes (ERDF, ESF, including FEAD, Erasmus+, Europe for Citizens, Horizon 2020/Framework Program for Research and Innovation) foster / cover the fight against antigypsyism, making possible to implement preventive and accompanying measures and carry out monitoring and research on antigypsyism. Common Provision Regulations on ERDF funds should mention the EU Roma Framework especially since this will result in thematic investment priorities in order to create conditions for the Member States to allocate specific national budget for the implementation of the Framework/measures.

