



CENTRAL COUNCIL of German
Sinti & Roma

Alliance against Antigypsyism

Policy Paper

*Developing measures to combat antigypsyism after 2020:
Guidance for European and national stakeholders*



ROMA EXCLUSION IN EUROPE
DO YOU KNOW, DO YOU CARE

May 2019

Published by

Alliance against Antigypsyism

The Alliance against Antigypsyism is an occasional coalition of organizations that promote equality of rights for Roma. The aim of the Alliance is to advance the understanding of antigypsyism as the specific form of racism towards Roma, Sinti, Travellers and other groups that are routinely stigmatized as ‘gypsies’ in Europe’s public and political domain. Learn more about the Alliance at

www.antigypsyism.eu



CENTRAL COUNCIL [of German Sinti & Roma]

This paper is a result of the work led by European Roma Grassroots Organisations (ERGO) Network and Central Council for German Sinti and Roma drafted with the technical assistance of Roma and pro-Roma organisations: European Network against Racism (Belgium), Sozialfabrik (Germany), National Federation of Gypsy Liaison Groups (NFGLG, UK), Center for Policy Studies (CPS – CEU, Hungary), Dr. Ismael Cortés Gómez (Spain), Life Together (The Czech Republic), Romano Centro (Austria), Documentation Centre (Germany), RROMA (Macedonia), Roma Active Albania, European Roma Rights Centre (ERRC, Belgium), Roma Education Fund (REF, Budapest), La Voix des Roms (France), Fundación Secretariado Gitano (FSG, Spain), European Roma Institute for Arts and Culture (ERAC, Germany), Slovo 21 (The Czech Republic), Jaw Dikh Foundation (Poland), Pavee Point (Ireland), Federación de Asociaciones Gitanas de Cataluña – FAGiC (Spain), Romanipe (Canada), Centre de Médiation des Gens du Voyage et des Roms (Belgium), Open Society Policy Institute (OSEPI, Belgium), European Public Health Alliance (EPHA, Belgium), Eurodiaconia (Belgium), Romodrom (The Czech Republic) and Romanonet (The Czech Republic).

Contents

I. Introduction	5
A. Background	5
B. Purpose of the Policy Paper	5
C. Antigypsyism – The Working Definition.....	6
D. The EU Roma Framework Post-2020.....	7
II. Policy recommendations and measures to combat antigypsyism	9
Recommendation 1: Recognise the existence of antigypsyism	9
Recommendation 2: Recognise the historical responsibility	9
Recommendation 3: Improve the institutional and policy framework	10
Recommendation 4: Collect data and monitor antigypsyism.....	11
Recommendation 5: Condemn and fight hate speech in the public discourse and media	11
Recommendation 6: Sanction and punish hate crime.....	12
Recommendation 7: Support victims and enable access to justice	13
Recommendation 8: Improve and implement anti-discrimination legislation	13
Recommendation 9: End all forms of structural antigypsyism in all parts of society	14
Recommendation 10: Enable free movement	16
Recommendation 11: Antigypsyism – a ground for seeking asylum, refugees and internal displacements	16
Recommendation 12: Strengthen Roma leadership, participation, empowerment and self-organisation	16
III. Key EU policies and legislative documents, reports and studies that contribute to the debate (non- exhaustive list)	18

I. Introduction

A. Background

There are many examples of current antigypsyist acts in almost all the European countries. In Belgium, for example, a huge police action took place in the morning of 7 May 2019 resulting in a massive arrest of Belgian Roma Travellers accused of trafficking of illegally obtained vehicles. The last action of this kind took place during the Second World War when 351 Roma Travellers from Belgium were transported to Auschwitz Birkenau. Today we see again a targeted action of the federal police towards the entire Roma Travellers community in Belgium. The situation in France in relation to antigypsyism is dire, vulnerable members of the Roma community are being targeted in racial attacks. On March 16th this year a rumour first appeared on social media platforms causing a series of attacks to be carried out against members of the Roma community. Since the attacks started, a Roma organization La Voix des Roms and its partners have recorded 38 assaults: assault and battery in the street, death threats, shots near living quarters, arson, etc. Today Bulgaria also has a problem to ensure equality, justice and protection of its Roma ethnic minority. Attacks on Roma neighborhoods are repeatedly organized by ethnic Bulgarians. Slovakia and Czech Republic are book examples of structural racism - segregation in education resulted in infringement procedures, and yet we see no results of these processes.

Moreover, as the Roma Civil Monitor project¹ reports, despite some progress with respect to commemorating the Roma Genocide at the European and/or national level, the National Roma Integration Strategies fail to recognize the multiple dimensions of antigypsyism and the perspective of the historical legacy of exclusion. Across the EU, there is very little knowledge and acceptance of the Roma genocide, resulting in a lack of recognition of Roma both as victims and those who took part in resisting the Nazi regime.

B. Purpose of the Policy Paper

Antigypsyism is the root cause of exclusion of Romani people. It is a specific form of racism against Roma, Sinti, Travellers and others stigmatised as 'gypsies' by the majority societies. The manifestations and dimensions identified in "Antigypsyism – A Reference Paper" range from hate crimes, hate speech and discrimination in diverse public contexts, to racist policies and

¹ Roma Civil Monitor, <https://cps.ceu.edu/roma-civil-monitor>

institutional practices.² This policy paper promotes *a comprehensive approach to combat antigypsyism* in all its dimensions and manifestations. It offers *guidance to combat antigypsyism that can be used for developing the EU post-2020 Roma Framework* and the renewed national Roma policies. By drawing on and complementing recommendations from various discussions with different stakeholders and existing legislation and policy documents, Alliance against Antigypsyism³ aims to:

- **Guide EU institutions to design the future EU Roma Framework and inspire Member States and enlargement countries⁴ to adapt or renew their targeted policies aiming to ensure equality for Romani communities;** it is essential to prioritize the fight against antigypsyism in the post-2020 EU Roma Framework and to mainstream it into relevant mainstream EU post-2020 policies, as well as transpose it at the national level;
- **Set out a comprehensive approach to counter antigypsyism** by addressing institutional settings and public policies, institutional practices, public discourse and anti-discrimination bodies, monitoring and data collection 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 and leadership of Roma;
- **Guide civil society organisations, especially Roma and pro-Roma organisations,** to develop plans to advocate for policy change and to take effective actions to identify, register, monitor, prevent and combat antigypsyism.

C. Antigypsyism – The Working Definition

*Antigypsyism is a historically constructed, persistent complex of customary racism against social groups identified under the stigma ‘gypsy’ or other related terms, and incorporates: a homogenizing and essentialising perception and description of these groups; the attribution of specific characteristics to them; and discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages.*⁵

Until the present days in European societies, antigypsyism is supported by high levels of social acceptance and a lack of recognition and understanding of its existence and its manifestations. This creates the main obstacle for effective counter-measures. In order to dismantle this

² Alliance against Antigypsyism, *Antigypsyism - A Reference Paper*, 2017, available at <http://antigypsyism.eu/wp-content/uploads/2017/07/Antigypsyism-reference-paper-16.06.2017.pdf>

³ Read more about the Alliance at http://antigypsyism.eu/?page_id=55.

⁴ In the following text, we will use ‘national governments’ or ‘states’ to refer to both the governments of the Member States and of the enlargement countries.

⁵ Alliance against Antigypsyism, *Antigypsyism - A Reference Paper*

acceptance, the states have to take action to counter antigypsyism in the political sphere and within their societies at every level. In order to better fight antigypsyism it is essential:

1. To understand that antigypsyism is not a 'minority issue'. In order to combat antigypsyism, our attention needs to shift from 'the Roma' to ideology and behaviour of mainstream societies;
2. To empower those dramatically affected by antigypsyism; Roma leadership, participation and empowerment are crucial in order to overcome the long-lasting effects of antigypsyism;
3. To understand that 'Roma inclusion' will remain illusory as long as we do not confront antigypsyism as the root cause of exclusion.
4. To recognise that antigypsyism is not only about what is being said and done, but also about what is not being said or done.

D. The EU Roma Framework Post-2020

The EU Framework for National Roma Integration Strategies up to 2020⁶ was launched in 2011. In December 2018, the Commission published a Communication⁷ reporting on the mid-term evaluation of the EU framework.⁸ The evaluation shows that the EU framework has been important for the development of EU and national instruments and structures promoting Roma inclusion, while it also highlights that antigypsyism continues to be a matter of high concern that has not been addressed: “[f]ighting discrimination and antigypsyism should be a separate priority area of the framework with a specific non-discrimination goal alongside the four Roma integration goals. At the same time, it should also remain a cross-cutting priority with specific objectives in each of the four policy areas”.⁹

⁶ European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS An EU Framework for National Roma Integration Strategies up to 2020”, 2011, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444910104414&uri=CELEX:52011DC0173>

⁷ European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”, 2018, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1544112037077&uri=CELEX:52018DC0785>

⁸ European Commission, “COMMISSION STAFF WORKING DOCUMENT: Evaluation of the EU Framework for National Roma Integration Strategies up to 2020 - Accompanying the document COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL - Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”, 2018, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1544109661990&uri=CELEX%3A52018SC0480>

⁹ European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”

The European Parliament took a position on a post-2020 strategy in its report of October 2017 on the “Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism” (2017/2038(INI)) which highlights the persistent antigypsyism in the political sphere and societies across Europe.¹⁰ In 2019, a follow-up on the Parliament report was published – a study commissioned by the Parliament and conducted by the Center for European Policy Studies - “Scaling up Roma Inclusion Strategies; Truth, reconciliation and justice for addressing antigypsyism”.¹¹ Another important document followed by the European Parliament on Roma, setting the ground for the post-2020 strategic framework –“Motion for a resolution on the need for a strengthened post-2020 Strategic EU Framework for National Roma Inclusion Strategies and stepping up the fight against anti-Gypsyism”.¹²

Addressing antigypsyism is one of the problems that have never or seldom been addressed by the mainstream policies either. Regarding the legislative frameworks, the Racial Equality Directive¹³ together with the Council Framework Decision on combating racism and xenophobia by means of criminal law of 2008¹⁴ and other instruments have provided a limited normative ground for monitoring and combating antigypsyism. In practice, Roma do not benefit equally from these legal instruments.

The EC evaluation as well as the results of the Roma Civil Monitor project underline that future policy processes must properly address the diversity among Roma groups, including in relation to Roma migrants, EU mobile Roma, Roma children and Roma women, both when it comes to the participation of these groups and specific policy measures.

Based on realities of Roma people across Europe, building on the recommendations adopted by the European Parliament, the EC evaluation of the EU Roma Framework and other relevant

¹⁰ European Parliament, “Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism”, 2017, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2017-0413&language=EN&ring=A8-2017-0294>

¹¹ European Parliament, “Scaling up Roma Inclusion Strategies; Truth, reconciliation and justice for addressing antigypsyism”, 2019, available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608859/IPOL_STU\(2019\)608859_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608859/IPOL_STU(2019)608859_EN.pdf)

¹² European Parliament, “Motion for a resolution on the need for a strengthened post-2020 Strategic EU Framework for National Roma Inclusion Strategies and stepping up the fight against anti-Gypsyism”, 2019, available at https://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B8-2019-0098&format=XML&language=EN&fbclid=IwAR2rYIp8PQr_hLht29UQuXg-grgsnKjb3b_XTekwAgUWTOF7JbDdW5yk1WQ

¹³ The Race Equality Directive, 2000, available at http://europa.eu/rapid/press-release_MEMO-07-257_en.htm?locale=en

¹⁴ Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, 2008, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3AI33178>

documents¹⁵, the Alliance against Antigypsyism proposes the following recommendations and measures to fight antigypsyism.

II. Policy recommendations and measures to combat antigypsyism

Recommendation 1: Recognise the existence of antigypsyism

EU institutions and national governments should officially recognise the existence of antigypsyism as a specific form of racism against Roma, Sinti and others stigmatised as ‘gypsies’.

EU institutions and national governments should:

- officially use the working definition on antigypsyism proposed by the Alliance against Antigypsyism and follow-up on the recommendations created by (pro-) Roma civil society and the European Parliament, as well as the evaluation results of the European Commission;
- prioritise the fight against antigypsyism in the post-2020 EU Roma Framework and the national targeted policies, and mainstream it in all relevant institutional structures, policies and legislation, including funding instruments;
- explicitly name antigypsyism among the different grounds of discrimination and as a form of racism prohibited at EU level.

National governments should:

- operationalise the term ‘antigypsyism’ at all levels of public institutions;
- educate law enforcement officers, teachers, judiciary and civil servants, social workers and other state employees in close collaboration with Romani and anti-racist civil society organisations, experts and activists to identify antigypsyism in order to effectively prevent and counter antigypsyism.

Recommendation 2: Recognise the historical responsibility

EU institutions and national governments should recognise the historical dimension of antigypsyism and demonstrate responsibility of the institutions towards Romani communities.

¹⁵ Other key reports that contribute to the debate are listed in section III of this paper.

EU institutions and national governments should:

- recognise the racist and systematic character of the Roma genocide;
- recognise and promote 2 August as Roma Holocaust Memorial Day;
- include Roma and other groups persecuted during WWII in all remembrance activities;
- establish structures that advance truth, recognition and remedy for antigypsyism.

Recommendation 3: Improve the institutional and policy framework

EU institutions and national governments should enhance and implement institutional and policy frameworks to fight antigypsyism as the root cause of Roma exclusion.

EU institutions and national governments should:

- address antigypsyism as a key priority of post-2020 EU Roma Framework and national strategies to advance the existing 'socio-economic' approach; include concrete, targeted, proactive and reactive measures to respond to antigypsyism and all its manifestations, as well as address antigypsyism as a horizontal priority (in education, employment, health and housing);
- establish clear targets and specific and measurable indicators that would be used for monitoring and evaluation of the implementation of measures to respond to all manifestations and dimensions of antigypsyism;
- recognise the diversity among Romani individuals and communities, including by considering the belonging to a specific group, gender, age, socio-economic situation, migration status, sexuality, disability, as people experience intersection of antigypsyism and other forms of oppression.

EU institutions should:

- establish, confirm and increase the budget for combatting antigypsyism; and a specific sum or percentage earmarked for marginalised Romani communities and Roma civil society that is challenging institutional and systemic antigypsyism;
- adjust funding requirements in order to enable local Roma organisations to be eligible and access EU funding as leading beneficiaries;
- adequately address and monitor antigypsyism in enlargement countries as one of the benchmarks in fulfilling the criteria for accession negotiations; implement measures to combat antigypsyism through Instrument for Pre-Accession (IPA) and similar programmes.

National governments should:

- assign clear responsibilities and dedicate human and financial resources to coordinate and implement strategies against antigypsyism on all levels, based on non-tokenistic and high-level participation and leadership of Roma civil society;
- meaningfully involve Roma and pro-Roma organisations in the monitoring committees of managing authorities in Member States and enlargement countries, to ensure better transparency of use of EU funding instruments.

Recommendation 4: Collect data and monitor antigypsyism

EU institutions and national governments should strengthen the research and monitoring of antigypsyism to investigate the causes, manifestations and effects of antigypsyism.

EU institutions and national governments should:

- support European, governmental, academic and civil society structures that research, collect data and monitor antigypsyism at all levels; invest financial and other resources to strengthen the role of civil society as watchdog organisations of fundamental rights and empower civil society to advocate for changes and feed into relevant policy and legislative processes;
- invest efforts into analyzing the impact of antigypsyist behaviour and structural antigypsyism on Roma living in deep poverty, Romani women, elder persons, youth, children, Roma migrants and EU mobile Roma, LGBT+ and persons with disabilities.

National governments should:

- establish expert working groups on antigypsyism that make proposals and recommendations to policy-makers;
- encourage and support national human rights institutions, equality bodies and ombudspersons in equality data collection and reporting on cases of antigypsyism;
- establish an obligation of the relevant institutions at national and local level to collect disaggregated data on hate-speech and hate crimes committed with antigypsyist motivation, including intersectional data, to allow analysis of trends.

Recommendation 5: Condemn and fight hate speech in the public discourse and media

EU institutions and national governments should counter and sanction hate-speech in public discourses: in the media, academia, among politicians, state authorities and civil servants, in particular by fostering counter-narratives for inclusive society and by ensuring the meaningful participation of Roma in supervisory structures.

EU institutions and national governments should:

- publicly condemn and apply adequate sanctions against stigmatising and racist rhetoric from high-level officials and politicians;
- Parliaments should build cross-party coalitions to combat racism in the parliaments.

National governments should:

- fully implement the Framework Decision on combating racism and xenophobia, EU Code of Conduct on Countering Illegal Hate Speech Online, the Audiovisual Media Services Directive, as well as the General recommendation No. 35 of the UN Committee on the Elimination of Racial Discrimination (CERD): Combating racist hate speech;
- counter antigypsyism in the media, by state authorities and civil servants, in academia and other spheres by ensuring creation and revision (where necessary), and implementation of specific national legislation on hate speech; for example, there should be increased sanctions for reoccurring hate speech;
- ensure the participation of Roma, Sinti, Travellers and other groups experiencing antigypsyism in all relevant institutions, such as public media boards, ethics commissions etc.;
- implement, support and finance civic educational training on countering hate speech for journalists, social workers, people from the cultural sector, teachers, students, pupils etc.;
- systematically monitor antigypsyist speech, collect equality data and report on hate-speech against Roma;
- foster counter-narratives in school curricula, through civic educational programmes and media campaigns;
- support civil society to monitor and report on hate speech against Roma, including online and work with relevant authorities to have on-line hate speech removed;
- amend legislative frameworks to enable the right for civil society to litigate against antigypsyist speech.

Recommendation 6: Sanction and punish hate crime

National governments should apply all available tools and mechanisms to prevent and/or prosecute hate crimes.

National governments should:

- fully implement the Framework Decision on combating certain forms of expressions of racism and xenophobia by means of criminal law and respect for the Charter of

Fundamental Rights of the European Union prohibits discrimination, thus obliging EU Member States to combat crimes motivated by racism, xenophobia, religious intolerance or by a person's disability, sexual orientation or gender identity;

- ensure that antigypsyist crimes and misdemeanours are recognised by police, prosecutors and the courts as motivated by antigypsyism and prosecuted as such;
- monitor hate crimes committed with antigypsyist motivation to allow analysis of trends by national authorities, judiciary and civil society, and of the development of institutional responses and the adequate protection of victims;
- train state officials in order to recognise antigypsyism as bias motivation, including intersections of antigypsyism with nationality, language, religion, gender, age, mental or physical disability, sexual orientation; this should be made mandatory, especially for judges.

Recommendation 7: Support victims and enable access to justice

National governments should ensure access to justice for Roma facing discrimination, hate speech and hate crime and support the victims.

National governments should:

- ensure that Roma get support and assistance in filing complaints about hate crimes, hate speech, misdemeanours and discrimination, and in accessing justice;
- set up and/or support programmes and/or initiatives for supporting the victims of antigypsyist crimes, speech, discrimination and misdemeanours;
- undertake the necessary measures to prevent prosecutors or courts being either remarkably lenient against non-Roma perpetrators committing crimes and misdemeanours against Roma victims, or remarkably harsh when a suspect or perpetrator is Roma;
- monitor cases in the judicial system of Romani people complaining on an ethnic or racial basis; underreporting of hate crimes, hate speech, discrimination and misdemeanours committed against Roma should be investigated;
- commission research on discrimination faced by Roma committed by prosecutors and courts and other relevant justice institutions.

Recommendation 8: Improve and implement anti-discrimination legislation

EU institutions and national governments should improve the anti-discrimination legislation and policies aiming at fostering equal treatment of Roma. Roma are particularly affected by the lack of effective implementation of court judgements and infringement procedures.

EU institutions should:

- launch infringement proceedings against Member States that, through legislation, policies or practice breach Roma rights (for example the right to affordable and quality housing, free from (the risk of) forced evictions and segregation);
- put pressure on the Member States and 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) move forward until governments take effective and comprehensive measures to end discrimination and segregation of Romani children in education.

National governments should:

- improve and implement legislation in the area of non-discrimination, in particular the Race Equality Directive, the Employment Equality Directive, legislation prohibiting discrimination during border controls etc., and close loopholes in order to guarantee the full equal treatment of Roma;
- provide National Equality Bodies (NEBs) with adequate mandate, personnel and resources to effectively address antigypsyism;
- ensure cooperation between the national human rights institutions, NEBs and other duty-bearers with Roma in order to address under-reporting;
- ensure that anti-discrimination offices and other relevant institutions providing advice to Roma reach adequate level of education and expertise on identifying, monitoring and combating antigypsyism;
- ensure, in cooperation with the NEBS that Roma and civil society organisations are aware of the existence and scope of the Race Equality Directive, the NEBs and other anti-discrimination legislation and offices.

Recommendation 9: End all forms of structural antigypsyism in all parts of society

EU Institutions and national governments should address and end any form of structural antigypsyism, including all forms of segregation, forced evictions, environmental racism and other manifestations of antigypsyism in education, employment, health and housing.

EU institutions should:

- reform relevant mainstream policies and programmes, such as the European Youth Guarantee and the Youth Employment Initiative by giving particular attention to access by Roma;

- ask national governments to put in place concrete strategies to combat antigypsyism in all spheres, including in education, health, housing and the labour market, both from the side of employers and from employment agencies.

National governments should:

- proactively address and end physical segregation of Romani communities in consultation with the people affected and with Romani civil society and experts;
- end all forms of segregation of Romani children and young people in education and professional training ensuring that they are placed in quality schools and classes and have an access to and equal participation in quality education;
- halt any forced evictions, demolitions of houses Roma live in, 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 quality and affordable housing, clean water, healthy environment, public transportation and sewage systems;
- set up a monitoring and corrective mechanism to counter the unequal access of Roma to health information, services and care; the severe lack of health insurance among Roma; and the racial abuse and discrimination against Roma women who are often placed in segregated, sub-standard maternity wards and face physical abuse, neglect, under- and mistreatment by medical staff when attempting to access sexual and reproductive rights; ensure that medical personnel and institutions that violate ethics are held accountable;
- compensate survivors of forced, coercive and involuntary sterilization, including financial reparations in a timely manner/urgently;
- educate the employment offices as well as potential employers on historical and present antigypsyism especially in order to counter the phenomenon during the recruitment process in order to raise their awareness and skills for non-discriminatory treatment of Roma clients and (potential) employees;
- ensure that the national youth employment policies, such as Youth Guarantee measures are delivered in reality for all young citizens of their countries and improve communication between labor offices, NGOs and young Roma to increase the number of Roma youth engaged within the programmes;
- implement, support and finance structures and programmes to counterbalance the disadvantaged social positions of Roma.

Recommendation 10: Enable free movement

The European Commission and national governments should ensure the right to the freedom of movement for all European citizens and should end any forms of antigypsyism that limits the citizens' rights to dignified lives.

National governments should:

- ensure that their national legislations are in line with the EU directive on freedom of movement and that their institutions respect Romani people's mobility rights;
- undertake the necessary measures so that Roma are aware of their mobility rights;
- regulate habitual residence conditions so they do not stop free movement.

Recommendation 11: Antigypsyism – a ground for seeking asylum, refugees and internal displacements

The European Commission and national governments should recognize that the catastrophic situation of internally displaced Roma and Roma returnees to the Western Balkan countries contributes to worsening the situation, thus increasing migration pressure in a vicious circle.

The EU and national governments should:

- respect refugees' rights including such things as freedom of religion and movement, the right to work, education and accessibility to travel documents; a key provision of the UNHCR 1951 Convention Relating to the Status of Refugees stipulates that refugees should not be returned or refouled to a country where they fear persecution;
- acknowledge that the status of the Balkan countries as 'safe countries of origin' does not mean that those countries are free from antigypsyism;
- recognise structural discrimination and widespread, often violent, antigypsyism Roma are currently facing in the Western Balkan countries;
- recognise that antigypsyism is a cause for leading Roma to leave their countries and legitimate ground for applying for asylum in Member States;
- ensure that Roma are not stateless and that their citizens' rights are respected.

Recommendation 12: Strengthen Roma leadership, participation, empowerment and self-organisation

EU institutions and national governments should treat Roma, Sinti and other groups experiencing antigypsyism as equal partners, support self-organisation and other forms of

empowerment, including promoting leadership and recruiting Roma for high-level positions in public administrations at all levels.

EU institutions and national governments should:

- ensure that Roma, Sinti, Travellers and others stigmatised as ‘gypsies’ and their organisations lead the design, implementation, monitoring, evaluation and refinement of policies and measures that concern them at local, regional, national and EU level, including by appointing them for high-level positions in public administrations; ensure that they also lead knowledge production on Roma;
- make sure that all social groups are represented, especially those subject to intersectional discrimination such as women, children, youth, elder persons, people living in deep poverty, LGBT+, people with disabilities and people with migration background, in any relevant process affecting their lives;
- enable, support and finance free, independent and diverse self-organisation of Roma, Sinti, Travellers and others, including organisations show-casing Roma arts and culture;
- foster sustainable educational and cultural programmes for informing the public about Roma communities, the extent and severity of the antigypsyism that they face in their everyday lives, but also about their diversity, their history, agency, arts and culture as contribution to majority society, and how the Roma civil rights movement is contributing to building up a more democratic Europe.

EU institutions should:

- highlight empowerment, leadership and equal participation of Roma in decision-making processes as well as Roma representation in high-level positions in the EU and national institutions as explicit priorities in the new EU Roma Framework and encourage participatory approach in all the stages of the policy cycle, including agenda setting and policy formulation.

III. Key EU policies and legislative documents, reports and studies that contribute to the debate (non-exhaustive list)

1. Ad Hoc Committee of Experts on Roma Issues (CAHROM), “Thematic report on combating anti-gypsyism, hate speech and hate crime against Roma”, 2013, available at <http://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800890fb&format=native>
2. Alliance against Antigypsyism, “Antigypsyism - A Reference Paper”, 2017, available at <http://antigypsyism.eu/wp-content/uploads/2017/07/Antigypsyism-reference-paper-16.06.2017.pdf>
3. Center for European Policy Studies, “Combating Institutional Anti-Gypsyism: Responses and promising practices in the EU and selected Member States”, 2017, available at <https://www.ceps.eu/publications/combating-institutional-anti-gypsyism-responses-and-promising-practices-eu-and-selected>
4. European Commission, “COMMISSION STAFF WORKING DOCUMENT: Evaluation of the EU Framework for National Roma Integration Strategies up to 2020 - Accompanying the document COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL - Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”, 2018, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1544109661990&uri=CELEX%3A52018SC0480>
5. European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Report on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020”, 2018, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1544112037077&uri=CELEX:52018DC0785>
6. European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS An EU Framework for National Roma Integration Strategies up to 2020”, 2011, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1444910104414&uri=CELEX:52011DC0173>
7. European Commission, EU High Level Group on combating racism, xenophobia and other forms of intolerance, “Antigypsyism: Increasing its Recognition to Better Understand and Address its Manifestations”, 2018, available at https://ec.europa.eu/newsroom/just/document.cfm?doc_id=55652
8. European Parliament, “Fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism”, 2017, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2017-0413&language=EN&ring=A8-2017-0294>
9. European Parliament, “Motion for a resolution on the need for a strengthened post-2020 Strategic EU Framework for National Roma Inclusion Strategies and stepping up the fight against anti-Gypsyism”, 2019, available at https://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B8-2019-0098&format=XML&language=EN&fbclid=IwAR2rYIp8PQr_hLht29UQuXg-grgsnKjb3b_XTekwAgUWTOF7JbDdW5yk1WQ
10. European Parliament, “Scaling up Roma Inclusion Strategies; Truth, reconciliation and justice for addressing antigypsyism”, 2019, available at [http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608859/IPOL_STU\(2019\)608859_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608859/IPOL_STU(2019)608859_EN.pdf)

11. Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, 2008, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A133178>
12. Fundamental Rights Agency, "A persisting concern: anti-Gypsyism as a barrier to Roma inclusion", 2018, available at <https://fra.europa.eu/en/publication/2018/roma-inclusion>
13. The Race Equality Directive, 2000, available at http://europa.eu/rapid/press-release_MEMO-07-257_en.htm?locale=en
14. The Roma civil monitor pilot project, "A synthesis of civil society's reports on the implementation of national Roma integration strategies in the European Union", 2018, available at <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-1-synthesis27-2017-eprint-fin.pdf>