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| From:            | Secretary-General of the European Commission,<br>signed by Mr Jordi AYET PUIGARNAU, Director |
| date of receipt: | 17 June 2015   |
| To:              | Mr Uwe CORSEPIUS, Secretary-General of the Council of the European<br>Union                  |

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Delegations will find attached document COM(2015) 299 final.

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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**Report on the implementation of the EU Framework for National Roma Integration  
Strategies 2015**

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**Report on the implementation of the EU Framework for National Roma Integration  
Strategies 2015**

**PROGRESS AND BARRIERS**

**1. Introduction: Working together — Commission support to Member States**

The exclusion many Roma continue to face is in strong contradiction with the fundamental values of the European Union (EU). Anti-Gypsyism and lack of trust between Roma communities and mainstream society is deeply rooted in history, while efforts at the EU-level to remedy the situation have only started in the last decade. The EU Framework for National Roma Integration Strategies up to 2020<sup>1</sup> set out a comprehensive approach, where fighting discrimination of Roma and promoting their social and economic inclusion are closely interlinked. In line with the EU Framework, the Member States have adopted National Roma Integration Strategies (NRIS)<sup>2</sup> tailored to the size and situation of their Roma populations. The 2013 Council Recommendation on effective Roma integration measures provides specific guidance to enhance and implement integration measures.<sup>3</sup>

Although the integration of Roma is primarily the responsibility of the Member States, the European Commission has stepped up its policy support under both the EU Framework and the European Semester of the Europe 2020 strategy, and linked EU funding to policy priorities. To promote mutual learning and cooperation, the Commission facilitates the Network of National Roma Contact Points. Bilateral meetings between the Commission and the Member States allow detailed discussions with the involvement of all relevant authorities and civil society in the specific Member States.<sup>4</sup> The European Roma summit in 2014 brought together all stakeholders to take stock of the developments since the launch of the EU Framework, shifting the focus to implementation at the local level.

The Commission has reviewed the progress made in the Member States on reinforcing the structural preconditions necessary for the effective implementation of their strategies,<sup>5</sup> namely cooperation and monitoring mechanisms and the fight against discrimination. For the first time,

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

<sup>2</sup> In line with the EPSCO Council conclusions of 29.05.2011, Member States were invited 'to prepare, update or develop their national Roma inclusion strategies, or integrated sets of policy measures within their broader social inclusion policies', 10658/11.

<sup>3</sup> Council Recommendation on effective Roma integration measures in the Member States, OJ C 378, 14.12.2013.

<sup>4</sup> Bilateral meetings took place in BG, CZ, EL and FR. Further bilateral meetings on NRIS implementation also took place in HU, SK and RO as part of Europe 2020 fact-finding and missions on the use of EU funds for Roma.

<sup>5</sup> The 2013 Communication was the last to look closely at these preconditions, while the 2014 Communication focused on the four policy areas of the EU Framework, as well as the fight against discrimination.

it has also examined how Member States plan to use the new possibilities offered by EU funds for the 2014-20 period. This report is based on contributions from Member States<sup>6</sup> (except Belgium, who did not provide a contribution), civil society,<sup>7</sup> and reports drafted by the network of experts of the Fundamental Rights Agency (FRA). Besides a general assessment of the current state of play as regards the structural preconditions, the report also showcases practices from Member States in these areas.

## 2. Progress in the Member States — the Commission's assessment

The EU Framework set new expectations for both the Member States, responsible for implementation, and the European Commission, for its monitoring and coordinating role. Despite the Framework's 10-year perspective, many stakeholders developed hopes for large-scale short-term improvements in Roma living conditions, while the economic crisis contributed to the further deterioration of the situation, especially in countries with the largest Roma communities. Although achieving social and economic integration takes time, some progress has been made towards reversing this trend as the necessary structures for sustainable and tangible change have been set up.

### 2.1. The European Semester guiding approaches to funding Roma integration

The Commission steers and monitors Member States' actions on Roma inclusion in the framework of the European Semester to ensure that Roma integration strategies are aligned with mainstream policies. The **country-specific recommendations** (CSRs) adopted by the Council related to Roma inclusion in 2012, 2013 and 2014 (addressing inclusive education, poverty reduction and labour market activation measures, and the implementation of NRIS) have served as **a basis for identifying funding priorities** in the Commission's negotiations with Member States on the use of EU funds.<sup>8</sup> In 2015 the Commission proposed CSRs on promoting the participation of Roma children in quality inclusive early childhood and school education for the five countries with the largest Roma communities and most acute challenges (BG, CZ, HU, RO, SK).<sup>9</sup>

The Commission encouraged Member States to use EU funds both to target Roma by explicit measures and to integrate Roma inclusion into other relevant areas, such as education,

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<sup>6</sup> Member States will be referred to by the following abbreviations: AT-Austria, BE-Belgium, BG-Bulgaria, CY-Cyprus, CZ-Czech Republic, DE-Germany, DK-Denmark, EE-Estonia, EL-Greece, ES-Spain, FI-Finland, FR-France, HU-Hungary, HR-Croatia, IE-Ireland, IT-Italy, LT-Lithuania, LU-Luxemburg, LV-Latvia, MT-Malta, NL-Netherlands, PL-Poland, PT-Portugal, RO-Romania, SE-Sweden, SI-Slovenia, SK-Slovakia, UK-United Kingdom. MT does not have a Roma population in its territory.

<sup>7</sup> For this year's assessment, civil contributions were received from the Decade of Roma Inclusion Secretariat Foundation through civil coalitions in four Member States (CZ: Open Society Fund; HU: Chance for Children Foundation, Habitat for Humanity Hungary, Hungarian Women's Lobby, Metropolitan Research Institute, Partners Hungary Foundation, Romaversitas Foundation; RO: Resource Centre for Roma Communities, Soros Foundation, Civil Society Development Foundation, Iulius Albert Rostas; SK: Centre for the Research of Ethnicity and Culture), Amalipe, ERIO, ERRC, ERTF, Eurocities, Eurodiaconia, Pavee Point Ireland, Romano Centro Austria, Asociación de Enseñantes con Gitanos, Fundación Secretariado Gitano, RSG UK and the Consejo Estatal del Pueblo Gitano. The work of the Council of Europe Commission Against Racism and Intolerance has also been taken into account.

<sup>8</sup> Article 4(1), REGULATION (EU) No 1303/2013 (CPR).

<sup>9</sup> [http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index\\_en.htm](http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_en.htm).

employment or social inclusion. **Inclusive reform of mainstream policies** is crucial, since priorities highlighted by the country-specific recommendations, such as inclusive education cannot be reached by targeted actions alone.

Over €80 billion (in current prices) have been allocated to **investment in human capital in the fields of employment, education, and social inclusion, including access to health care and health promotion via the European Social Fund (ESF)**. This puts an end to the gradual decrease of the ESF share within cohesion policy funding in the past 25 years.<sup>10</sup> On average, Member States have allocated 25 % of the ESF's total budget (€20 billion) to measures aimed at **social inclusion**. This is well above the 20 % required for each Member State. In this area, a specific investment priority for the **integration of marginalised communities** such as marginalised Roma communities has been established to allow for explicit but not exclusive targeting<sup>11</sup> and better monitoring of results.

Additionally, on the basis of the Partnership Agreements, Member States have decided to devote around €20 billion of their **European Regional Development Fund (ERDF)** allocations to **inclusive growth**, including €10.8 billion for **promoting social inclusion and combating poverty**. Within this framework, a number of investment priorities can be used for funding Roma inclusion, such as **investment in social, health or education infrastructure** and providing support for the **physical, economic and social regeneration of deprived communities**.

As regards the **European Agricultural Fund for Rural Development (EAFRD)**, one of the six rural development priorities targets **the socio-economic development of the rural economy and population** and contributes to social inclusion in rural areas, where many Roma live. The Local Development Strategies under LEADER have proven to be an effective tool for Roma integration (BG, CZ, HU, RO, SK).<sup>12</sup> Although negotiations are still ongoing, it is already confirmed that programmes of the most directly concerned Member States (BG, CZ, HU, RO, SK) include measures targeting the integration of marginalised groups including Roma. There are no EAFRD resources earmarked on the basis of ethnicity; it is therefore not possible to give quantified data.

In line with recommendations under the European Semester, all five Member States with CSRs on Roma (BG, CZ, HU, RO, SK) set out in their Partnership Agreements how they will use the possibilities of each fund to tackle Roma integration. They, as well as several others (BE, EL, ES, FR, IT), have selected the new ESF investment priority on **the socio-economic integration of marginalised communities**. This will help to monitor and ensure that the funds reach Roma.

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<sup>10</sup> Cohesion policy funds include the ESF, the ERDF and the Cohesion Fund. 18 Member States have decided to allocate additional funds to the ESF, beyond the required 23,1% minimum: AT, BG, CZ, DE, EE, EL, IE, IT, HR, HU, IT, LV, LT, PL, PT, SE, SI, SK.

<sup>11</sup> In line with the common basic principles on Roma inclusion adopted by the Council in 2009, targeting Roma should be explicit without being exclusive in nature. This means focusing on Roma as a target group without excluding other marginalised groups who live under similar socio-economic conditions.

<sup>12</sup> LEADER is a community-led local development method for mobilising and developing rural communities through local public-private partnerships (local action groups). It helps rural people, groups and enterprises to consider the potential of their area and to encourage the implementation of integrated and innovative local development strategies.

A new conditionality<sup>13</sup> has been set to ensure that Member States spending EU money in this area<sup>14</sup> meet the pre-conditions for ensuring that such investment will lead to effective results. Requirements include:

- an effective policy framework with achievable goals with respect to improved access for Roma to education, employment, healthcare and housing;
- appropriate targeting of disadvantaged micro-regions, segregated neighbourhoods or the most deprived communities;
- strong monitoring to evaluate the impact of targeted and mainstream measures on Roma;
- involvement of civil society, regional and local authorities;
- capacity-building support to stakeholders.

Member States who do not meet these criteria must submit an action plan towards meeting all conditions by 2016.

The Member States have chosen a **number of key tools** available under the new ESIF framework in order to improve **the efficiency of EU funds for Roma inclusion**, as follows:

- **territorial and integrated approaches** addressing the specific needs of geographical areas most affected by poverty and target groups at highest risk of social exclusion (which is also made easier when following a multi-fund approach);<sup>15</sup>
- support for **physical, economic and social regeneration** of deprived communities in urban and rural areas which may reinforce integrated housing measures;
- **result orientation** with indicators focusing on results;
- **the partnership principle** to guide cooperation with civil society, local authorities and social partners in the planning, implementation and monitoring of EU-funded interventions;
- **thematic concentration**, to ensure that investments focus on a limited number of priorities;
- reinforced **capacity building** for civil society organisations;
- use of global grants to ensure more effective delivery of funds;<sup>16</sup>
- simplified cost options to reduce administrative burden and improve the accessibility to funds for small (local) projects.

Member States have mapped challenges following a territorial approach, targeting Roma in an explicit but not exclusive way (e.g. CZ, EL, FR, HU, HR, IT, RO, SK, SE).<sup>17</sup> The planned integrated approaches should systematically replace fragmented, project-level interventions.

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<sup>13</sup> So called ‘thematic ex ante conditionalities’ are preconditions for the effective and efficient use of ESIF.

<sup>14</sup> Via the Roma-specific ESF investment priority or ERDF investment priorities used for Roma integration.

<sup>15</sup> E.g. integrated urban development, community-led local development and integrated territorial investments.

<sup>16</sup> Global grants make it possible for Member States to entrust the management and implementation of parts of their programmes to intermediary bodies, including NGOs, with proven experience on the ground. Some Member States with large Roma communities (e.g. SK and RO) plan to use global grants.

<sup>17</sup> CZ identified socially-excluded municipalities to follow an integrated approach. HR is working on an atlas of Roma communities. FR targets illegal settlements. HU has identified the most disadvantaged micro-regions that receive special support, following an integrated approach that targets all key policy areas simultaneously. SK defined the municipalities with most deprived settlements and will provide ‘take-away packages’ of support, following an integrated approach covering key policy areas simultaneously. In IT the association of cities mapped the extent of challenges to Roma integration.

### *Examples of planned 2014-20 EU funding approaches*

**Bulgaria:** The partnership principle proved effective in involving Roma civil society in the planning of operational programmes (OPs) most relevant for Roma inclusion. National authorities took over many of their proposals. Participation of Roma civil society within the monitoring committees will continue during implementation. Positive elements include: combination of mainstream and targeted approaches; clear objectives; support for comprehensive local interventions, including addressing negative stereotypes. Challenges include: need for strengthening coordination at national level and building capacities of municipalities; limited ambition of the objectives and budget allocation for the targeted investment priority.

**Slovakia:** Roma will be targeted under the multi-fund human resource development OP which combines investment into people (ESF) and infrastructure (ERDF), earmarking €450 million and prioritising 150 municipalities with the most deprived marginalised Roma communities. A comprehensive approach will involve outreach activities, early childhood education and care, financial literacy and health awareness initiatives, social housing, preschool facilities, community centres and social enterprises. Implementation will be guaranteed by national authorities through bigger and longer interventions and complemented by smaller-scale projects by municipalities or NGOs. Roma integration is also mainstreamed into other investment priorities (e.g. inclusiveness of education, youth employment and antidiscrimination). Combining ERDF and ESF under one OP and managing it with one intermediate body (Interior Ministry) should ensure stronger synergies and effective coordination and avoid some of the shortcomings experienced during the 2007-13 period.

**Spain:** Roma will be targeted through specific and mainstream measures both in the regional and national OPs. The national social inclusion and social economy OP includes the Roma-specific investment priority and envisages measures in the areas of employment, education, housing, health and social inclusion. Planned actions vary, from personalised labour integration pathways to measures to fight early school leaving, vocational training and the development of integrated actions. Some regions have programmed the Roma-specific investment priority under the ESF together with the investment priority on support for physical, economic and social regeneration of deprived communities in urban and rural areas under the ERDF, allowing for integrated approaches in the fields of housing, employment, education and health.

The next step is to **ensure the effective implementation** of the planned measures. It is crucial to have sufficient administrative capacity, including at local level, in order to absorb available funds. The ROMACT and ROMED programmes, which are joint initiatives of the Commission and the Council of Europe, develop models for **administrative capacity building** of local authorities as well as Roma communities.

Several **improvements** can be identified compared to the 2007-13 period already at this stage of negotiations:

- **Integrated and multi-fund approaches based on explicit but not exclusive targeting**<sup>18</sup> are more present.
- Stronger efforts have been made to **address the lack of administrative capacity**, although the use of tools such as global grants and technical assistance is still suboptimal.
- There has been a shift from a fragmentation of resources (short-term actions with a limited impact) towards **longer-term interventions** with higher potential for real social impact.

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<sup>18</sup> In the countries with the largest Roma communities, the following OPs follow a multi-fund approach: in SK and HU the human resource development OPs, in HU the territorial OPs, in CZ and BG the education OP.

- There is **better alignment** of EU funds **with policy priorities** (such as those highlighted within the Europe 2020 framework), although Roma are mostly targeted by social interventions and not enough in the areas of employment and education.<sup>19</sup>

*Conclusion:*

*The amount of EU funding available for Roma inclusion will not be a constraint. The effective use of funds to improve education, employment, health and housing remains a challenge. Where funds are allocated for Roma integration, they must be used in an integrated way. Consistent use of both soft and hard measures<sup>20</sup> must also be ensured. EU-funded actions to improve the educational prospects of Roma children must go hand-in-hand with inclusive reforms of education systems. Since segregation in education and housing is one of the most significant challenges in this area, the Commission will issue new methodological guidance on how the EU funds can promote desegregation. It will also closely monitor the implementation and fulfilment of conditions and will support the most affected Member States, involving National Roma Contact Points to improve the use and monitoring of EU funds for Roma inclusion when implementing their 2014-20 operational programmes.*

## **2.2. Cooperation and coordination: the role of NRCPs, local authorities and civil society**

The EU Framework called on Member States to set up, implement and monitor their NRIS in close cooperation with civil society and local authorities and to appoint a National Roma Contact Point (NRCP) to coordinate and monitor implementation. The Council Recommendation recalled that NRCPs need to have adequate mandates and resources to fulfil this coordination role.

Several Member States (CZ, EE, ES, HU, LT, PL, RO, SK) have revised or are revising their national strategies or action plans, or have developed new, broader inclusion strategies to address identified gaps and meet requirements related to the 2014-20 financial programming period. Involvement of and consultation with civil society and local authorities on these new strategies and action plans took place in some Member States, but should have been more substantial.

The Commission finds that the involvement of local authorities in implementation varies widely.<sup>21</sup> Key competences of the local level actors in addressing challenges such as housing and education are increasingly recognised and their better involvement shows in the translation of national strategies into **local action plans**. While such action plans have been drawn up or are being revised/planned in several Member States (BG, CZ, EL, ES, HU, IE, IT, PL, RO, SE, SI, SK), the necessary finances and capacity building to support their implementation and monitoring still need to be ensured, as has been the case with the Spanish Roma Development plan (co-financed by the government, autonomous communities and local authorities for comprehensive social inclusion projects targeting Roma). Such an approach helps the progressive alignment of national, regional and local policies. Other Member States without such local action plans also set up **coordination structures to serve as consultation forums on implementation and monitoring** (AT, EE, FI, FR, DE, HR, LV, LT, NL, PT, SE, UK). In other

<sup>19</sup> These findings were also confirmed by the analysis carried out within the EURoma ESF Learning network: 'Reinforcing Policy Learning for Roma Inclusion' <http://www.euromanet.eu/about/index.html>.

<sup>20</sup> Measures that invest in people should go hand-in-hand with investment in infrastructure.

<sup>21</sup> Also confirmed by the report prepared by the 'Eurocities' Roma Task Force.

Member States (LU) Roma-specific coordination structures are missing, but structures targeting the integration of broader or partially overlapping groups are in place. The weakness of both horizontal (across sectorial ministries) and vertical (with regional and local levels) coordination structures and the involvement of Roma are most acute in Romania, although a dialogue on the revision of the strategy has been initiated.

Regarding civil society involvement, the Commission finds progress in at least one aspect: there are clearly more Roma civil organisations aware of the national strategies and local action plans. They have made great efforts to strengthen their participation in implementation and monitoring. Significant barriers to involvement of Roma civil society remain, despite existing small-scale examples of civil society capacity building (e.g. ES, HR, PT). The legitimate representation of Roma and the **broad and transparent involvement of civil society** are still not ensured in most Member States. Some Roma organisations have only recently entered the civil society scene and are perceived as inexperienced and fragmented. It is especially urgent to strengthen their capacity and ensure their transparent involvement in local-level implementation and monitoring.

#### *Examples of cooperation and coordination with local authorities and civil society*

**Austria:** The involvement of local authorities and civil society is ensured by multi-layered structured dialogue: The Roma dialogue platform organised by the NRCP involves representatives of national, regional and local levels, civil society and academia. The panel of human rights coordinators of the provincial government offices and ministries exchanges experiences with measures for Roma integration as a fixed agenda item. The Technical Committee for Integration of Austrian Cities and Towns also deals with Roma integration thanks to cooperation between the NRCP and the Austrian Associations of Cities and Municipalities.

**Germany:** Several federal states provide support to local authorities and Roma and Sinti communities. The Land of Baden-Württemberg signed a state contract with the national association of German Sinti and Roma in November 2013 establishing a Council for German Sinti and Roma Affairs involving relevant stakeholders and providing state financial support of €500 000 a year. Examples from other federal states include the Berlin Strategy for Integration of Foreign Roma, the North Rhine-Westphalia package of measures to support municipalities affected by immigration, and the Munich integration measures. Recently, an Advisory Committee on German Sinti and Roma was set up to ensure dialogue with representatives of the federal states, federal ministries and Sinti and Roma associations at the central German Government level.

One key to success is to have **effective coordination mechanisms** to support implementation and monitoring. All Member States appointed NRCPs to carry out this coordination role and their mandate, competences, human and financial resources have been developing. Several NRCPs have been involved in planning the use of EU funds for Roma inclusion in the 2014-20 period (e.g. BG, HU, SK, ES, RO),<sup>22</sup> although operational coordination in designing calls and implementation is still to be ensured. NRCPs made steps towards establishing formal coordination structures involving at least some of the relevant stakeholders (such as the working group with regional and local authorities in ES the Consulting Group on Roma Communities Integration in PT, the national traveller partnership in IE or the working groups involving municipalities set up by the DIHAL in FR). Similar structures formally exist in most other

<sup>22</sup> In some cases (e.g. PL) the involvement of the NRCP in planning EU funding for the 2014-20 period decreased due to growing decentralisation.

Member States, but the broad involvement of local and civil actors is not ensured and the activities of these bodies often lack transparency or regularity.

*Conclusion:*

*NRCPs are better integrated within government structures and increasingly involved in planning the use of EU funds. Nevertheless, more financial and human resources and a strengthened coordination mandate are necessary to improve their efficiency. Existing coordination structures need to be transformed into effective national cooperation mechanisms. Such cooperation mechanisms are needed to ensure broad and transparent involvement of all relevant stakeholders, systematic good practice exchange, as well as to support local implementation and monitoring. The Commission will provide financial support for the development of national platforms for Roma inclusion and will continue to support cooperation between NRCPs via the NRCP-network. It will work with civil society organisations in key thematic areas of the EU framework, and will build on the work of the European Platform for Roma Inclusion as a key tool within the European policy cycle. It will do this by linking the Platform closely with national Roma Platforms and giving it a role as a forum showcasing thematic debate on reports from Member States and civil society and feeding the annual assessment on NRIS implementation.*

### **2.3. Stepping up efforts to fight against discrimination**

Despite the Commission's efforts to fight discrimination, racism and xenophobia, in many Member States, especially those with the largest Roma communities and which have been strongly hit by the economic crisis, anti-Gypsyism, far right demonstrations, hate speech and hate crime have been on the rise. Politicians and public authorities often failed to publicly condemn such negative trends.<sup>23</sup> In other Member States heated debates on free movement and social rights contributed to negative stereotyping of Roma. As a result, in several Member States majorities hold unfavourable views of Roma (IT: 85 %, FR: 66 %, EL: 53 %, UK: 50 %).<sup>24</sup> In some cases, targeted actions to support Roma have further increased distrust between Roma and mainstream society, which shows a lack of effective awareness-raising on the mutual benefits of Roma integration.<sup>25</sup>

**Targeted actions combined with political will must go hand-in-hand with legal tools to effectively fight prejudice, discrimination, hate speech and hate crime.** The Commission is committed to its role as guardian of the Treaties. As such, it guarantees that EU anti-discrimination legislation is properly transposed and enforced. This is the necessary starting point in the fight against discrimination. In January 2014, it adopted its assessment on the application of the EU's anti-discrimination directives,<sup>26</sup> and concluded that Roma-specific

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<sup>23</sup> Report by Council of Europe Commissioner for Human Rights, following his visit to Hungary, Strasbourg, 16 December 2014, [https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH\(2014\)21&Language=lanEnglish&Ver=original&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383](https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH(2014)21&Language=lanEnglish&Ver=original&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383).

<sup>24</sup> 2014 Global Attitude Survey, Pew Research Center, <http://www.pewglobal.org/2014/05/12/chapter-4-views-of-roma-muslims-jews/>.

<sup>25</sup> Social housing projects targeting Roma met with opposition by majority population in BG.

<sup>26</sup> 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

problems often derive from how the legislation is applied at regional or local level. Moreover, these problems in application are sometimes combined with problematic rules in legislation.

The Commission has therefore stepped up its efforts to ensure the correct **implementation and application of anti-discrimination legislation** towards Roma in the Member States, including at local level. It proactively assesses any problem coming to its attention that may reveal a breach of the Directive. In this context, a number of investigations on discrimination against Roma concerning access to education<sup>27</sup> or housing are underway.

Discrimination starts at a very early age. **Segregation of Roma children in education** continues to persist: many marginalised Roma children attend segregated schools or classes (SK: 58 %, HU: 45 %, EL: 35 %, CZ: 33 %, BG: 29 %, RO: 26 %).<sup>28</sup> In CZ and SK, more than 20 % of Roma children up to the age of 15 attend special schools and classes for children with mental disabilities. This shows that, without an inclusive reform of public education policies, targeted measures cannot bring about the needed shift in societal attitudes towards Roma. Fighting unequal chances for Roma must start by ensuring equal access to quality inclusive education for Roma children and effectively addressing barriers both on the demand and supply side, such as lack of parents' awareness of the importance of education and lack of teacher training in managing diversity in the classroom. The Paris Declaration<sup>29</sup> also calls for the mobilisation of education sector to prevent and tackle marginalisation, intolerance, racism and radicalisation and to preserve a framework of equal opportunities for all, including by ensuring inclusive education for all children.

Widespread **discrimination targeting Roma** at later stages in life must also be addressed. The majority of marginalised Roma (54 %) feel discriminated against when looking for paid work (CZ: 74 %, EL, IT, FR, PL: 64-68 %).<sup>30</sup> Discrimination of Roma in education, housing and employment constitute structural barriers preventing their full participation in society. Thus antidiscrimination measures targeting employers, teachers, the media, police, social service providers, other civil servants, trade unions and society-at-large are of primary importance. A limited number of countries have put in place measures in this area, following approaches that would be relevant for other Member States to explore.<sup>31</sup>

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Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ('Employment Equality Directive').

<sup>27</sup> In September 2014 the Commission launched the first infringement proceeding due to discrimination of Roma children in education (CZ). In April 2015 a second procedure has been launched (SK).

<sup>28</sup> Roma survey – Data in focus: Education: the situation of Roma in 11 EU Member States, FRA, 2014. The survey question refers to all/many of classmates being Roma. Since the sampling methodology covers areas where Roma live in higher density than the country average, answers could reflect a higher proportion of Roma children in a school or kindergarten. Nevertheless the data is indicative in terms of cross-country comparison.

<sup>29</sup> Declaration on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education adopted by Commissioner Navracsics and Education Ministers on 17 March 2015, see [https://ec.europa.eu/commission/sites/cwt/files/dp\\_mobilisation\\_europeenne\\_20150317.pdf](https://ec.europa.eu/commission/sites/cwt/files/dp_mobilisation_europeenne_20150317.pdf)

<sup>30</sup> Roma survey — Data in focus: Poverty and Employment: the situation of Roma in 11 EU Member States, FRA, 2014.

<sup>31</sup> E.g. FI: Network of employers signing a Diversity Charter, testing a model monitoring discrimination in the workplace, dissemination of information material ('Would I employ a Roma?' handbook). PT: Anti-discrimination measures put in place by the High Commission for Migration, including a 30-strong trainer team undertaking awareness-raising actions, the 'Racism on Internet' website which allows citizens to file complaints on racial discrimination, and training and recommendations for the media on addressing ethnicity, migration and religion.

### *Examples of fighting discrimination*

**Croatia:** As part of the Croatian model of inter-institutional cooperation in combating hate crime, a system for collecting data on discrimination and equality was set up. Numbers show a good police track record in identifying the perpetrators of anti-Roma hate crimes. Most reported cases are solved within the year in which they were reported. A law on Free Legal Aid in force since 1 January 2014 simplifies the process of providing primary legal aid.

**Ireland:** In September 2014, the Irish Immigrant Support Centre (NASC) delivered a pilot anti-racism training to 20 police officers in Cork, Ireland. The training focused on raising awareness and promoting discussion about the impact racism has on migrant and ethnic minority communities and how to prevent discriminatory ethnic profiling. Migrant speakers from Roma, Muslim and African communities shared their experiences and participated in the discussion. Lessons learned will be used to develop a training toolkit that will be rolled out nationally.

**Italy, Portugal, Spain, Romania:** The transnational NET-KARD Project ran in 2013-14. It was financed under the EU Fundamental Rights and Citizenship Programme and was coordinated by the Fundación Secretariado Gitano. Its overall objective was to prevent anti-Roma discrimination and improve assistance to victims by promoting cooperation among key actors, and improving and transferring existing methodological experience. The project's main result is a series of practical guides on fighting anti-Roma discrimination for lawyers and jurists, police services, Roma associations and media professionals.

The Council Framework Decision<sup>32</sup> on combating racism and xenophobia is a legislative tool for **combating hate speech and hate crime** also targeting Roma, as it obliges Member States to penalise hate speech and hate crime based on racist or xenophobic motivations. In January 2014, the Commission adopted a report on the implementation of the Framework Decision and concluded that a number of Member States had not yet transposed fully and/or correctly all of its provisions, and that there were some gaps in relation to the racist and xenophobic motivation of crimes.<sup>33</sup> The Commission therefore considered that the full and correct legal transposition of the existing Framework Decision constituted a first step towards effectively combating racism and xenophobia in a coherent way across the EU.<sup>34</sup>

Although **awareness-raising and antidiscrimination measures** are a precondition to the success of Roma inclusion, these measures are not prioritised enough within most NRIS. Awareness-raising and antidiscrimination actions targeting the general public (SI, LV, LT), employers (IT, FI, PL), civil servants (HR, IE, IT) or the media (PT) and the use of local antidiscrimination offices raising rights awareness among Roma and supporting victims of discrimination (BG, NL) could become more widespread. The white paper on abuses and violations against Roma and the Commission against anti-Gypsyism producing educational material for schools (SE) is a notable effort in this field. Fighting anti-Gypsyism as a specific form of racism targeting Roma is also closely linked to coming to terms with one of the darkest parts of European history, the Roma Holocaust.

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<sup>32</sup> 2008/913/JHA.

<sup>33</sup> [http://ec.europa.eu/justice/fundamental-rights/files/com\\_2014\\_27\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/com_2014_27_en.pdf).

<sup>34</sup> As of 1 December 2014, the Commission has acquired full enforcement powers in relation to Framework Decisions, including Framework Decision 2008/913/JHA.

*Conclusion:*

*Political will, long-term vision, determined action and sufficient funding must be ensured to fight discrimination and segregation. Mainstream public policies in the fields of education, employment, healthcare and housing are in need of inclusive reform. European structural and investment funds can be mobilised to finance antidiscrimination and desegregation actions. The Commission continues to stress the role of national equality bodies as watchdogs against discrimination at national level, assisting Roma victims of discrimination.<sup>35</sup> The Commission will use all means within its competence to fight against discrimination, including infringement proceedings. It also supports transnational awareness-raising activities to fight discrimination and anti-Gypsyism at local level.*

## **2.4. Developing better monitoring and enabling policy adjustment**

The EU Framework called on Member States to include strong monitoring methods to evaluate the impact of Roma integration actions, including civil society monitoring. In 2014-2020 the use of EU funds requires output and result indicators for Roma inclusion. Member States who have chosen the investment priority on the socio-economic inclusion of marginalised communities such as Roma must demonstrate that they have a strong monitoring mechanism in place to evaluate the impact of EU-funded actions on Roma. These developments have clearly increased the pressure for progress in identifying indicators and building monitoring mechanisms that can be used in the context of both the NRIS implementation and EU funds.

Some significant steps have been taken towards consolidating both national and European monitoring and reporting mechanisms. In 2012, a Working Party on Roma Integration Indicators was set up. It is coordinated by the European Union Agency for Fundamental Rights (FRA) with the involvement of Member States and the Commission. Currently, 17 Member States participate in the Working Party.<sup>36</sup>

The Working Party has developed a **reporting and indicator framework to measure progress on the implementation of measures under the Council Recommendation**.<sup>37</sup> This framework aims to provide Member States with a tool for self-assessment and for communicating progress in their forthcoming annual reporting in line with the Council Recommendation. Use of the template will help to ensure consistency and increased transparency of national and European monitoring of NRIS. In addition to developing and testing the framework, the Working Party also serves as a forum for exchange of knowledge and experience on data collection.

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<sup>35</sup> E.g.: BG, CZ, EL, FR, PL, RO, SE, UK.

<sup>36</sup> AT, BE, BG, CZ, EL, ES, FI, FR, HR, HU, IE, IT, NL, PT, RO, SK, UK.

<sup>37</sup> While Member States' commitments under the Recommendation serve as a structure for the framework, other standards and commitments also serve as a context for Member State reporting in order to ensure that, in addition to Roma-targeted interventions, mainstream measures with significant impact on Roma inclusion are reflected in the results. These include the commitments under the founding treaties — to equality, fight against social exclusion and discrimination, the Charter of Fundamental Rights of the European Union and European antidiscrimination legislation, as well commitments in the fields of education, employment and the fight against poverty and social exclusion made under the European Semester of Europe 2020.

### *Examples of monitoring and data collection*

**Hungary:** The Hungarian Central Statistical Office included questions on ethnicity in large sample surveys. The method was tested during the 2011 census. The Labour Force Survey covering 68 000 people used two questions on ethnicity to measure dual ethnic identity. The European Health Interview survey conducted in 2014 used the same method. In 2014, ethnicity was also included in EU-SILC<sup>38</sup> covering 20 000 people. The information will make it possible to calculate the core outcome indicators for monitoring the implementation of the NRIS.

**Romania:** In November 2014, the Romanian Institute for Research on National Minorities started the implementation of the two-year project on mapping of Roma Communities for community-level monitoring. The €1 million project funded by the EEA and Norwegian Financial Mechanism 2009-14 is targeting local Roma communities, local level administration and civil society. The participation of the communities is an important element. Based on the data collected, a set of indicators for monitoring progress of Roma inclusion at the local level will be developed and applied to results-based monitoring.

**Slovakia:** A national project on monitoring and evaluation of Roma inclusion policies will be funded from the human resource development operational programme, covering monitoring consultation and data collection activities, analytical work and an information portal on NRIS. Impact monitoring based on data collection will be supplemented by administrative reporting and external evaluation, including by civil society.

Several Member States (BG, SK, RO) plan to use ESF to develop their monitoring systems. The growing participation of National Statistical Offices in work on setting up national monitoring mechanisms is a positive step. The reports of civil society coalitions<sup>39</sup> demonstrate the valuable contribution civil society can make to the monitoring of NRIS. Further capacity building to ensure **sustained civil society monitoring of NRIS implementation** will be provided under the forthcoming European Parliament pilot project. The impacts on Roma of reforming mainstream policies should also be monitored in countries with the largest Roma communities and the most acute challenges.

### *Conclusion:*

*Development of the necessary monitoring mechanisms is under way. The Council Recommendation will from 2016 serve as a framework for monitoring implementation by Member States, civil society and the Commission, bringing together a transparent system of monitoring Roma integration efforts. The Commission, together with the Fundamental Rights Agency, will support Member States in finalising and using the common reporting and indicator framework for their annual reporting on implementation of the Council Recommendation. Data collection (ethnically desegregated or socio-economic proxy data) is a priority. The next wave of the multi-country Roma survey to be conducted by the FRA<sup>40</sup> will support this.*

<sup>38</sup> EU Statistics on Income and Living Conditions.

<sup>39</sup> Coordinated by the secretariat of the Decade for Roma Inclusion covering 11 Member States (BG, CZ, ES, HU, CR, FR, DE, IT, RO, SK, UK) where, according to the Council of Europe's estimates, close to 90 % of Roma in the EU live.

<sup>40</sup> Survey by the FRA with fieldwork ending in 2015.

### 3. The situation in enlargement countries

The EU Framework underlines that Roma integration goals are equally relevant to enlargement countries. The Enlargement Package 2013<sup>41</sup> identified Roma inclusion among the ‘fundamentals’ that should lead future enlargement policy. The Commission also indicated that work on Roma integration will be intensified and that there will be more and better targeted funding under the Instrument for Pre-Accession Assistance (IPA II). The strengthened monitoring of the implementation of Roma integration strategies and action plans concentrated on the policy areas of the EU Framework and civil documentation. Roma integration seminars continued in the Western Balkan countries and Serbia.<sup>42</sup> For Montenegro, Roma integration was also included in the EU accession negotiations.<sup>43</sup>

The Commission recently launched an evaluation of IPA I to support the commitment to using more funds more efficiently for Roma integration under IPA II (2014-20). It assesses programming, implementation and monitoring and the overall impact on the situation of Roma and gives recommendations for the future. In December 2014, the Commission approved the multi-country IPA ‘Roma integration 2020’ programme.<sup>44</sup> The programme will provide tools and expertise to support the commitments at political and policy levels, ensuring structured civil society involvement. In October 2014, the Commission presented the ‘Award for Roma Integration in the Western Balkans and Turkey’ to raise awareness of the challenges faced by Roma and the contribution made by NGOs. The award recognised innovative and successful projects for Roma inclusion.<sup>45</sup>

### 4. The way forward

Four years have passed since the launch of the EU Framework and three years since the submission and first assessment of Member States’ strategies. The Commission’s review identifies clear improvement on aligning (revised) National Roma Integration Strategies with EU funding instruments for the 2014-20 period. Progress is also visible in several Member States through empowering National Roma Contact Points. This has been done by increasingly involving them in planning funding and in decision-making to align Roma inclusion and mainstream policies. A reinforcement of their financial and human resources and coordination mandate is still necessary. Translating national strategies into action at local level is in an early phase and needs to be supported with sustainable funding, capacity building and full involvement of local authorities and civil society, and robust monitoring to bring about the much needed tangible impact at local level, where the challenges arise. Further key priorities to be urgently addressed include the capacity building of civil society, the need to turn formal coordination

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<sup>41</sup> The annual ‘Enlargement Package’ takes stock of progress made by each candidate and potential candidate country.

<sup>42</sup> In 2014, seminars involving all relevant stakeholders were organised in Albania, Montenegro and the former Yugoslav Republic of Macedonia; follow-up to the seminars’ conclusions was monitored by the Stabilisation and Association Subcommittees.

<sup>43</sup> Under chapter 23 on ‘judiciary and fundamental rights’ the Commission monitored more than 50 Roma integration measures that are included in chapter 23 of the action plan. Roma are covered in the annual progress report based on information sent by the administration and civil society.

<sup>44</sup> It will be implemented by the Regional Cooperation Council.

<sup>45</sup> Winners included seven projects by mostly grassroot NGOs from enlargement countries.

[http://europa.eu/rapid/press-release\\_IP-14-1064\\_en.htm](http://europa.eu/rapid/press-release_IP-14-1064_en.htm).

structures into effective coordination and cooperation mechanisms with full involvement of all stakeholders, and stepping up the fight against discrimination, segregation and anti-Gypsyism to ensure effective equal access for Roma to education, employment, health and housing. This has also been confirmed by the discussions and conclusions of the March 2015 meeting of the European Platform for Roma inclusion.<sup>46</sup>

**The Commission encourages Member States** to take the following actions in order to achieve tangible and sustainable results towards the integration of Roma across the EU:

- Set up **national Roma platforms** or transform existing structures of coordination to promote mutual learning at local level and ensure broad involvement of all stakeholders and Roma communities in implementation and monitoring.
- Make full use of the **new tools and funds available under the European Structural and Investment Funds**.
- Enforce **antidiscrimination legislation**.
- **Fight segregation** as a matter of urgency, also within the context of broader efforts to address diversity and promote tolerance in line with the Paris Declaration.
- Monitor and fight **hate speech and anti-Gypsyism**.
- Make full use of the **reporting and indicator framework** for their own national monitoring of both NRIS implementation and the use of ESIF, as well as for reporting to the Commission under the Council Recommendation.
- Examine whether the **successful and proven practices** in their territory could be scaled up to multiply their impact and reach out to a significant number of Roma.
- Support the achievement of Roma integration goals through **inclusive mainstream policy reform and sustainable national funding**.

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<sup>46</sup> [http://ec.europa.eu/justice/events/roma-platform-2015/platformconclusions\\_en.htm](http://ec.europa.eu/justice/events/roma-platform-2015/platformconclusions_en.htm).