

**Second Plenary Assembly of the European Roma and Travellers' Forum**  
**Opening Ceremony, 10-12 a.m., 6 November 2006, Strasbourg, Palais de**  
**l'Europe, Room 1**

**“Roma must be partners in implementing their rights”**

*Keynote speech by Thomas Hammarberg*  
*Commissioner for Human Rights of the Council of Europe*

1.

“Where shall I put my children to bed tonight”. This question was asked by a desperate mother of six whom I met in Patras one day in the end of September. She told me that her simple shack had been bulldozed away that very morning and now she did not know where she and her family could go.

The family is Roma.

This is not the only case of deprived housing rights that I have come across since I took office seven months ago. Several cases of evictions have been reported to me: Dorozhny in Kaliningrad, Russia, Elbasan in Albania, and yet others from Bulgaria, the Czech Republic, France, Turkey, and the United Kingdom. These were alarming allegations and ought to be investigated.

In most cases the decisions were taken by *local* authorities. The tenants were not given adequate notice or offered a real alternative. It is clear that several of these evictions violated European and international standards on housing rights, including the right to security of tenure. Local autonomy does not mean autonomy from human rights protection.

Poor housing conditions and evictions are in fact a major cause of Roma exclusion in our societies. Roma and Travellers are disproportionately

represented among the homeless and those living in sub-standard housing. Roma ghettos and shanty towns can still be found on our continent today.

The social and spatial exclusion of Roma today is intimately linked to Europe's shameful history of discrimination and persecution of the Roma, including the *porrajmos*.

## 2.

In February this year my predecessor, Alvaro Gil-Robles, published a report on the human rights situation of the Roma, Sinti and Travellers in Europe.

It documented the persistent and multiple discrimination experienced by all too many Roma women, men and children in housing, education, health-care and employment. The disproportionate number of Roma children in special schools, forced sterilizations of Romani women, and particularly high unemployment rates among Roma men and women are parts of this pattern of long-term discrimination and prejudice.

The difficulties Roma refugees face in applying for asylum is also underlined in the report. During my visit to Germany last month, I raised the problem of the "tolerated" (*Duldung*) status of failed asylum seekers among whom there are many Roma families from Kosovo. This insecure status which may have lasted over 15 years in certain cases weighs heavily on children who have led their entire lives in Germany, go to school and have friends there.

Anti-Gypsism, anti-Ziganism or Romaphobia which is often manifested by extreme forms of hate speech and violence show the persistent nature of prejudice against Roma. This is an institutionalised form of racism which has to be continuously combated by constant vigilance.

There is no place for racism and xenophobia in a democratic society. International and European human rights standards clearly provide for equality before the law and prohibit discrimination on the grounds of ethnicity.

Governments, therefore, have a positive duty to bring about equality of opportunity for all. Improved access to housing, education, employment and health care is key for many Roma.

I intend to review the implementation of the recommendations made in the first Commissioner's report on Roma, Sinti and Travellers. The result will determine the priorities for my work on this issue.

### 3.

National action plans to improve the situation of Roma are one means of addressing these issues and I am aware that new plans have been drawn up in connection with the Decade of Roma Inclusion, 2005-2015. Through its recommendations, the Committee of Ministers of the Council of Europe has given clear guidance to governments on how to implement these action plans.

Legislation against discrimination is another avenue towards equality.

Protocol 12 to the European Convention is important as prescribes a general prohibition of discrimination. More countries need to ratify the protocol to ensure even protection across Europe.

The European Court of Human Rights and the Collective Complaints Mechanism of the European Social Charter have become the last line of redress against serious human rights violations faced by the Roma.

In a growing number of countries, the establishment of low-threshold complaints bodies such as specialised ombudspersons and anti-discrimination tribunals has already made it easier for the Roma, among others, to access genuine justice.

The European Commission against Racism (ECRI) and the Framework Convention for the Protection of National Minorities closely monitor the situation of the Roma in virtually all member states.

The individual complaints mechanisms of the UN Human Rights Conventions have also addressed many complaints raised by the Roma, including forced evictions and sterilizations.

### 4.

All too often Roma themselves have been excluded from the discussion on how their situation might be improved – instead *gaje* “experts” have been

dominating. This is not a human rights approach. Roma must be seen as partners in implementing the agenda for securing their own rights.

Active partnerships of authorities and Roma are essential for the preparation and realisation of national action plans.

Civil society organisations which represent the Roma in a broad way is essential for this process. Such organisations are necessary at local, national and international level. Those existing should be respected by the authorities.

It is important that multiple voices among Roma communities be heard, including those of women and young Roma.

The European Roma and Travellers Forum carries a heavy responsibility in representing the different Roma communities in Europe. Your voice should be listened to.

## 5.

To sum up:

- The national action plans for the benefit of Roma have to be continuously monitored. This will be a theme for my country visits.
- The co-operation of Roma NGOs and this Forum with my office is important in keeping us well informed. The specialized Commissions of the Forum could make an important contribution.
- The Forum is invited to participate in the review of how governments have responded to the recommendations made in the first Commissioner's report on the rights of Roma.
- Roma rights will continue to be a priority of my mandate as Commissioner. The silence around violations of Roma rights has to be broken.