

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 315 (2011)¹

The situation of Roma² in Europe: a challenge for local and regional authorities

1. Many of the 10-12 million Roma living in the 47 member states of the Council of Europe suffer extreme marginalisation and live in very poor conditions. They are denied full access to their social rights, such as quality education, employment, health care and housing. Not only are their human rights not respected, they are also trampled under foot. In addition, they suffer widespread discrimination and anti-Gypsyism, and are victims of hate speech, harassment and violence.

2. Member states are responsible for protecting the human rights of all members of society and, considering that economic and social rights are human rights, they must ensure they are also accessible to the Roma population without discrimination.

3. Achieving the social inclusion of Roma has been included in the policy programmes of many member states although national responses have been variable. National action plans full of good intentions have been drawn up, but their impact has been limited.

4. Local and regional authorities have been criticised for inaction or for failing to carry out central government policies on Roma issues; however, government policies have not always included provisions for translation into local action and the division of competencies between the different levels of government is not always clear.

5. Local and regional authorities may also face obstacles such as limitations to their legal competencies or inadequate financial means.

6. In the light of the above and of the conclusions of the Summit of Mayors on Roma organised by the Congress on 22 September 2011 in Strasbourg, the Congress of Local and Regional Authorities of the Council of Europe recommends that the Committee of Ministers of the Council of Europe call on member states to:

a. consider recognising Roma as a “national minority” (where this has not yet been done) in order to ensure that Roma have protection under international law (and in particular the Framework Convention for the Protection of National Minorities – ETS No. 157), especially as regards their access to rights at the local level;

b. ensure that national strategies on Roma issues incorporate appropriate provision for effective implementation at the local level, including by ensuring that local and regional authorities have the necessary powers and responsibilities to undertake this task, as well as access to sufficient resources and expert support;

c. support local and regional initiatives for Roma inclusion and establish appropriate frameworks for close co-operation to ensure that national strategies to promote Roma inclusion are implemented effectively at local level;

d. support in this regard the establishment of a European Alliance of Cities and Regions for Roma Inclusion, decided by the Summit of Mayors on Roma;

e. explore how Roma can contribute to and benefit from social security and taxation regimes;

f. include representatives of local and regional authorities in the design and monitoring of national strategies/action plans for Roma, making use of national networks of municipalities and/or regions;

g. implement General Policy Recommendation No. 13 on combating anti-Gypsyism and discrimination against Roma, adopted by the European Commission against Racism and Intolerance (ECRI) in June 2011;

h. prohibit in law and practice the segregation of Roma children (whether in mainstream or special schools or classes) and issue guidelines for national and regional inspection institutions on how to identify and report situations of segregation. Additional resources must be given to regional and local authorities in order to ensure that all children, including Roma children, can develop to their fullest potential in integrated mainstream schools;

i. adopt national guidelines, which set out the process that must be followed for all evictions, based on the UN Basic Principles and Guidelines for Development-based Evictions and Displacement. Such guidelines would provide a framework for local/regional authorities in order to ensure an end to forced evictions, which currently disproportionately affect Roma communities;

j. actively and publicly condemn and counter any public manifestation of anti-Gypsyism in the form of hate speech, discrimination, threats, intimidation and physical violence, whether by individuals or organised groups, and take steps to ensure that the law is enforced effectively and in a non-discriminatory manner by police or other responsible agencies. Governments have to exercise due diligence to prevent, investigate, punish and provide redress for racially motivated crimes by private individuals or groups.

7. The Congress requests that the Committee of Ministers reiterate its call for all member states to implement its recommendations on Roma and particularly its Recommendation CM/Rec(2008)5 on policies for Roma and/or Travellers in Europe.

8. The Congress recommends that the Committee of Ministers, in line with the political priority given by the Council of Europe to social inclusion of Roma and respect for their human rights, set up, in co-operation with the Congress, a European programme for capacity building at local and regional level, to complement the Council of Europe Roma mediators training programme (ROMED) and operate in the context of a pan-European framework of co-operation between local and regional authorities, and in particular the planned European Alliance of Cities and Regions

for Roma Inclusion. Voluntary contributions could be the basis for the launch of this programme.

1. Debated and adopted by the Congress on 19 October 2011, 2nd Sitting (see Document CG(21)8, explanatory memorandum), rapporteur: J. Warmisham, United Kingdom (L, SOC).

2. The term "Roma" used at the Council of Europe refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as "Gypsies".