

EUROPEAN COMMISSION

> Brussels, 7.10.2020 COM(2020) 620 final

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

A Union of Equality: EU Roma strategic framework for equality, inclusion and participation

{SWD(2020) 530 final}

Where is the essence of humanity when every single day Roma people are excluded from society and others are held back simply because of the colour of their skin or their religious belief?

Commission President von der Leyen, State of the Union 2020

Europe has a duty to protect its minorities from racism and discrimination. We must replace antigypsyism with openness and acceptance, hate speech and hate crime with tolerance and respect for human dignity, and bullying with education about the Holocaust. Above all, we must promote diversity as a wonderful gift that makes Europe strong and resilient. This is why the Commission calls on all Member States to join the pledge to end racism and discrimination, which blatantly affects our large ethnic Roma minorities. We urge Member States to commit to a new EU Roma strategic framework for equality, inclusion and participation to bring social fairness and more equality in all senses of the word.

Statement by President von der Leyen, Vice-President Jourová and Commissioner Dalli ahead of the 2020 Roma Holocaust remembrance day

I. INTRODUCTION

Building a Union of equality is one of the major priorities of the Commission. The EU has legal instruments and a comprehensive policy to build a true Union of equality. Nevertheless, as underlined in the EU anti-racism action plan 2020-2025¹, discrimination on the grounds of racial or ethnic origin persists. This is particularly true for Roma², who often remain marginalised. Many of the continent's estimated 10-12 million Roma³ continue to face discrimination, antigypsyism⁴ and socioeconomic exclusion in their daily lives.

In 2011, the Commission adopted an **EU framework for national Roma integration strategies up to 2020**⁵. It primarily aimed at tackling the socioeconomic exclusion of Roma in the EU and enlargement countries by promoting equal access to education, employment, health and housing. It called on Member States to design national Roma integration strategies, to appoint national Roma contact points⁶ and to set national goals. Two years later, the Council adopted a Recommendation on effective Roma integration measures in the Member States, which provided guidance to Member States on how to strengthen implementation of their national strategies⁷. The Western Balkan region voluntarily aligned with the EU framework for national Roma integration strategies up to 2020.

¹ A Union of equality: EU anti-racism action plan 2020-2025 - <u>COM(2020) 565 final</u>.

² The reference to 'Roma', as an umbrella term, encompasses a wide range of different people of Romani origin such as: Roma, Sinti, Kale, Romanichels and Boyash/Rudari. It also encompasses groups such as Ashkali, Egyptians, Yenish, Dom, Lom, Rom and Abdal, as well as traveller populations, including ethnic Travellers or those designated under the administrative term *gens du voyage* and people who identify as Gypsies, Tsiganes or Tziganes, without denying their specificities.

³ <u>Council of Europe 2012 estimates.</u>

⁴ Antigypsyism (a form of racism against Roma) is a historically rooted structural phenomenon that appears at institutional, social and interpersonal levels. It has its origins in how the majority views and treats those considered 'gypsies'. It is rooted in a process of 'othering' that builds on negative as well as positive, exoticising stereotypes. While there is consensus about the understanding of antigypsyism among proponents of the need to reinforce the fight against it, there has been a debate about the term. The European Parliament (in its 2015, 2017 and 2019 and 2020 resolutions), the Commission (in its annual communications between 2015 and 2019, and its 2018 conclusions paper), the Council (in its 2013 recommendation and 2016 conclusions) and the Council of Europe have recognised antigypsyism as a barrier to inclusion, and hence the importance of tackling it. The Commission uses the spelling proposed by the Alliance against Antigypsyism, while accepting that different terms might be appropriate in different national contexts.

⁵ <u>COM(2011) 173 final</u>.

⁶ National representatives appointed to act as contact point for the national Roma strategy with the authority to coordinate its development and implementation at national level. Following adoption of the EU framework they were appointed in all Member States, except Malta which does not have a Roma community.

 ⁷ Council Recommendation of 9 December 2013 on effective Roma integration measures in the Member States (OJ C 378/1, 24.12.2013).

These two instruments were important⁸ for placing Roma inclusion high on EU and national agendas and mobilising EU policy, legal and funding instruments. Nevertheless, overall **progress in Roma integration has been limited** over the past 10 years, even if there are significant differences across policy areas and countries⁹. Education is the area that progressed the most, notably by reducing early school-leaving and improving participation in early childhood education and compulsory schooling. However, cases of segregation of Roma pupils in education have increased¹⁰. Poverty risk and self-perceived health status of Roma improved but medical coverage continues to be limited. Access to employment did not improve, and the share of Roma youth not in employment, education or training has even increased. Especially due to inadequate and segregated housing the housing situation remains difficult. There is evidence of Roma by the general population. However, antigypsyism, hate crime, trafficking in Roma, in particular women and children, continue to be a matter of high concern¹¹.

The conclusion of the EU framework for national Roma integration strategies provides an opportunity to step up action to address this persistent failing. This is all the more important as the COVID-19 pandemic has revealed the **extreme exposure of excluded and marginalised Roma communities to negative health and socioeconomic impacts**.

To achieve more and faster progress, this Communication sets out a new EU Roma strategic framework, promoting effective **equality**, socio-economic **inclusion** and meaningful **participation** of Roma. Whilst Member States are on the front line to drive real change for Roma, which requires a strengthened political commitment, the EU can help them to shape an effective approach and equip them with the right tools. This strategic framework draws on the findings from the evaluation of the previous framework, extensive consultations¹², annual assessments of the implementation of national strategies¹³ and analysis of the reasons for the limited effectiveness of past measures¹⁴. It responds to calls from the European Parliament, the Council and civil society for a strengthened post-2020 EU initiative¹⁵. It recognises that not all Roma are socially excluded, but all can experience discrimination and disempowerment. It takes an intersectional approach, sensitive to the combination of ethnicity with other aspects of identity and the ways in which such intersections contribute to unique experiences of discrimination¹⁶.

This EU Roma strategic framework also contributes to several other initiatives. It is a direct contribution to implementing the EU anti-racism action plan, the European pillar of social

⁸ As demonstrated by the evaluation of the framework: <u>COM(2018) 785 final</u>, <u>SWD(2018) 480 final</u>.

⁹ Report on the evaluation of the EU framework for National Roma Integration Strategies up to 2020, <u>COM(2018)</u> <u>785 final.</u>

¹⁰ Under Council Directive <u>2000/43/EC</u> of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (the 'Racial Equality Directive'), the Commission has initiated infringement procedures against three countries (CZ, HU and SK) for school segregation of Roma children.

¹¹ Report on the evaluation of the EU framework for National Roma Integration Strategies up to 2020, COM(2018) 785 final.

¹² See accompanying SWD(2020) 530 final, Annex 1.

¹³ <u>COM(2019) 406</u>, <u>SWD(2019)320</u>, <u>all annual reports</u>.

¹⁴ <u>A meta-evaluation of interventions for Roma inclusion</u>.

¹⁵ See European Parliament 2020 2019, Council, civil society.

¹⁶ According to Article 10 of the Treaty on the Functioning of the European Union (TFEU), when 'defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation'. The European Institute for Gender Equality defines 'intersectionality' as an 'analytical tool for studying, understanding and responding to the ways in which sex and gender intersect with other personal characteristics/identities, and how these intersections contribute to unique experiences of discrimination'. This definition applies equally to any form of discrimination.

rights¹⁷ and to the achievement of the UN Agenda 2030 and the Sustainable Development Goals¹⁸.

Achieving equity and inclusion calls for increased use and better channelling of resources, and the **involvement and partnership** of Roma communities, all government levels, sectors and stakeholders (national governments, EU institutions, international organisations, civil society and, as well as industry and academia). Close cooperation between the European and the national level is particularly crucial. At EU level, this strategic framework sets out ambitious common objectives and targets. At national level, governments should develop strong national Roma strategic frameworks to make long-term commitments and work hand in hand with the EU institutions on Roma equality, inclusion and participation. As proposed in the 2016 Council conclusions,¹⁹ the Commission is adopting **a proposal to review and replace the 2013 Council Recommendation.**

II. COMMON OBJECTIVES FOR ROMA EQUALITY, INCLUSION AND PARTICIPATION

The evaluation of the current framework and the conclusions drawn from it by the European Parliament, Council, and several Europe-wide and national civil society organisations²⁰ show a **need to renew and step up the commitment to Roma equality, inclusion and participation** at both European and national level. A strengthened commitment is necessary to tackle persistent discrimination, including antigypsyism, and to improve inclusion of Roma people in education, employment, health and housing²¹. Roma people should be involved from the design to the implementation of measures. At the same time, action should acknowledge the diversity and needs of specific groups within the Roma population.

The Commission therefore sets **seven objectives** at the EU level for the period up to 2030. Three of these objectives are horizontal in the areas of equality, inclusion and participation. The other four are sectoral objectives in the areas of education, employment, housing and health. To implement these objectives effectively, they need to be backed up with the ability to measure progress. For this reason, and for the first time, the Commission proposes quantitative EU

¹⁷ Principles 1 (quality and inclusive education), 3 (equal opportunities) and 20 (access to essential services) are particularly important for Roma and guide the use of EU funds for both targeted and mainstream measures.

¹⁸ The Agenda's ambition of 'leaving no one behind', there is significant scope to improve the situation of Roma in Europe. By addressing the situation of Roma, the EU can move closer to achieving the sustainable development goals (SDG). SDGs 1-2 (reducing poverty and hunger), 3-4 (supporting health and wellbeing and quality education for all), 6-7 (access to clean water and sanitation, and affordable and clean energy), 10-11 (reducing inequality within and among countries, and inclusive and sustainable cities and communities) and 16 (inclusive societies, access to justice for all and effective, accountable and inclusive institutions) are particularly important entry points.

¹⁹ The 2016 Council conclusions asked the Commission to propose a post-2020 initiative, and include therein a proposal for a revision of the 2013 Council Recommendation <u>Accelerating the process of Roma integration</u>.

²⁰ European Parliament resolution of 17 September 2020 on the implementation of National Roma Integration Strategies: combating negative attitudes towards people with Romani background in Europe (<u>P9 TA(2020)0229</u>); European Parliament resolution of 12 February 2019 on the need for a strengthened post-2020 Strategic EU Framework for National Roma Inclusion Strategies and stepping up the fight against anti-Gypsyism (<u>P8 TA(2019)0075</u>); EPSCO Council Conclusion of 24 October 2019 on the Economy of Wellbeing (<u>13432/19</u>), inviting the Commission to *renew* the commitment on Roma inclusion. Additionally, at the High-Level Conference on the EU Framework for National Roma Integration Strategies held in Bucharest on 4-5 March 2019, participants called on the Commission to propose an ambitious new post-2020 EU framework, and on Member States and enlargement countries to step up their commitments to Roma integration. Information from the Presidency (<u>7003/19</u>, 14.3.2019).

On the need for a clearer focus on fighting antigypsyism and discrimination in the post-2020 EU framework, see expert recommendations developed in the aftermath of the Conference 'How to address anti-Gypsyism in a post-2020 EU Roma Framework?' (Vienna, 27.11.2018).

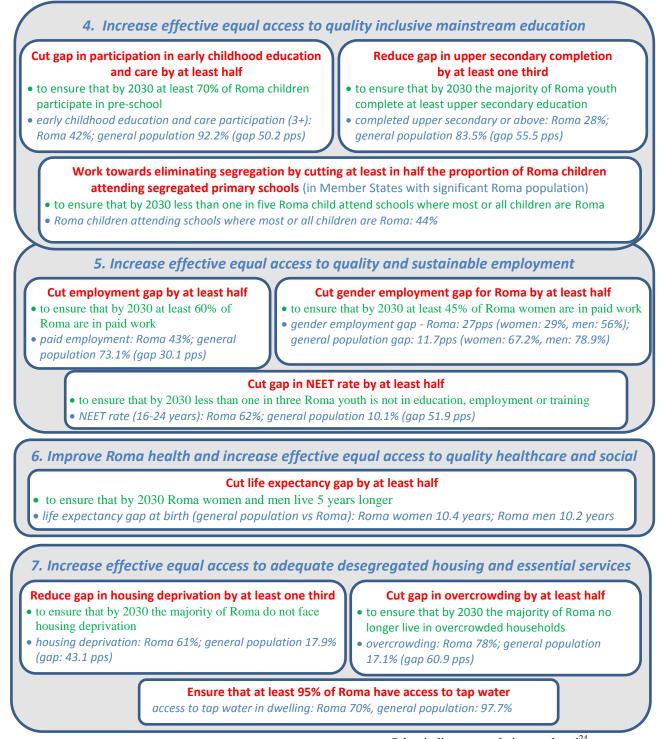
headline targets to monitor achievement towards these objectives. While such targets require minimum progress to be achieved by 2030, the long-term aim remains to ensure effective equality and to close the gap between Roma and the general population. These targets are the fruit of experience with surveys among Roma communities and result from an in-depth consultation involving the EU Agency for Fundamental Rights (FRA), Member States as well as Roma and pro-Roma civil society²². The charts below set out the seven objectives, the EU-level targets, the progress to be reached and the current situation.²³



²² See accompanying SWD(2020) 530 final.

²³ For further information on indicator labels and data sources, see Annex 2 and the report on the <u>Monitoring framework</u> for a post-2020 EU initiative on Roma equality, inclusion and participation by the working party on Roma indicators and reporting (coordinated by the EU Agency for Fundamental Rights (FRA), involving national Roma contact points, national statistical offices and the Commission).





Other indicators are being explored²⁴.

²⁴ Other indicators are being explored by the working party on Roma indicators and reporting coordinated by FRA. They concern for example material and social deprivation, access to health and social services, housing segregation.

III. Renewed and strengthened national action for equality, inclusion and participation

Meeting the objectives of this strategic framework needs action at both EU and national level. This complementary approach is the only way to drive a change on the ground. Member States hold the main competences in the areas covered by this framework and a structured approach is needed. While the situation of Roma varies across countries, there is a need to increase commitment and accountability at national level to bring a real change in Roma everyday life. This includes involvement of civil society and all relevant stakeholders in the preparation of national Roma strategic frameworks.

Taking forward national action through national Roma strategic frameworks

Member States are invited to develop, adopt and implement national Roma strategic frameworks including:

- common features
- minimum commitments which should apply to all
- possible additional commitments depending on the national context
- o more ambitious commitments for Member States with large Roma populations

Proposals for these elements are set out below. Where possible, specific national targets should be set. The Commission will assist this process with all necessary guidance. It will also support

national measures including by enforcing equality legislation, mainstreaming Roma equality, inclusion and participation in EU policy initiatives, mobilising EU funds for Roma and combating antigypsyism.

Member States are invited to complete the development of these national frameworks by September 2021, and to share these with the Commission.

Together with this Communication, the Commission is adopting a proposal for a **Council Recommendation** on Roma equality, inclusion and participation, which sets out a list of specific measures to be taken by Member States in order to achieve the EU objectives. The two are therefore complementary. The proposed Recommendation also guides capacity-building of and partnerships between stakeholders, including national Roma contact points, equality bodies, civil society and the regional and local actors. In addition, it provides guidance for ensuring a better use of EU and national funds, as well as effective national monitoring, reporting and evaluation of national Roma strategic frameworks.

III.1. Guidance for national action following a common but differentiated approach

In order to help Member States developing meaningful and effective national Roma strategic frameworks, the Commission proposes a series of common features, as well as minimum commitments for all national strategic Roma frameworks. Moreover, as the proportion of Roma, as well as their national contexts, varies considerably from one Member State to the other, the Commission proposes additional and more targeted commitments. This recognises the diversity of situations in Member States and allows for a common but differentiated approach.

First, the Commission proposes that all national Roma strategic frameworks have the following common features:

✓ Strengthen focus on equality to complement the inclusion approach: Addressing the four policy areas (education, employment, healthcare and housing) through an integrated

approach remains key for Roma inclusion, but there is also a need for a clear focus on equality. In particular, the fight against discrimination and antigypsyism should be a key objective and cross-cutting priority in each policy area, complementing the inclusion approach. This joint focus should ensure that Roma have effective access to economic and social justice and equal opportunities.

- ✓ Promote participation through empowerment, cooperation and trust: Meaningful Roma participation must be ensured in all stages of policy-making. Roma political, economic and cultural engagement should be promoted with a sense of belonging as full members of society. Empowerment and capacity-building of Roma, civil society and public authorities must be ensured, building cooperation and trust between stakeholders and between Roma and non-Roma communities.
- ✓ Reflect diversity among Roma: Member States should ensure that their strategic frameworks cover all Roma on their territory and reflect the needs of diverse groups through an intersectional approach. They should bear in mind how different aspects of identity can combine to exacerbate discrimination. They should set quantitative and/or qualitative targets to ensure that diversity in terms of age, gender, sexual orientation, mobility and other personal characteristics is reflected.
- ✓ Combine mainstreaming and explicit, but not exclusive Roma targeting²⁵: National Roma strategic frameworks should combine mainstreaming and explicit but not exclusive targeting, ensuring that mainstream services are inclusive and providing additional targeted support to promote effective equal access for Roma to rights and services. They should serve as planning instruments for using national and EU funds for Roma-targeted action and inclusive mainstream reform.
- ✓ Improve target-setting, data collection, monitoring and reporting: Working towards achievement of the EU-level headline targets and corresponding quantitative and/or qualitative national targets can trigger real progress towards Roma equality, inclusion and participation. Data should be collected regularly to feed into reporting and monitoring, improve transparency and accountability, and promote policy transfer and learning²⁶.

Second, operationalising the common features, building on the experiences with the current framework and following the widespread consultations²⁷ carried out over the past two years, the Commission invites all Member States to **include in their national Roma strategic frameworks, as a minimum, the following commitments**:

²⁵ See the <u>common basic principles</u>. Principle 2 (explicit but not exclusive targeting) 'implies focusing on Roma as a target group but not to the exclusion of other people who share similar socio-economic circumstances'. Principle 4 (aiming for the mainstream) refers to the aim 'to insert Roma in the mainstream of society (mainstream educational institutions, mainstream jobs, and mainstream housing). Where partially or entirely segregated education or housing still exist, Roma inclusion policies must aim to overcome this legacy. The development of artificial and separate 'Roma' labour markets is to be avoided'.

²⁶ For a human-rights-based approach to data collection, national authorities are encouraged to consult the *European handbook on equality data* (2016 revision), *Guidelines on improving the collection and use of equality data* (2018) and *Data collection in the field of ethnicity* (2017). Member States are encouraged to allocate the necessary resources for such data collection and take advantage of the support of the FRA to strengthen their capacities to this end.

²⁷ See the accompanying SWD(2020) 530 final.

The **national strategic framework** should set out:

- a) national baselines and targets towards the EU objectives and targets based on a comprehensive needs-assessment;
- b) targets and measures for specific groups (Roma children, women, young people, older Roma or those with disabilities, EU mobile citizens, non-EU nationals, stateless Roma) to reflect diversity among Roma, including gender-responsive and child/age-sensitive measures;
- c) measures to tackle antigypsyism and discrimination (e.g. through national anti-racism action plans);
- d) measures to ensure the socio-economic inclusion of marginalised Roma, in particular in the areas of education, employment, health and housing;
- e) a combination of targeted and mainstream measures taking account of specific local challenges and explicitly addressing the barriers that deprive Roma of equal access to mainstream policies²⁸;
- f) a dedicated budget for implementation and monitoring²⁹ making full use of social innovation and private capital;
- g) mechanisms for reporting, monitoring and evaluating progress towards set targets;
- h) a system of policy-relevant consultation and cooperation with Roma and pro-Roma civil society, sectoral ministries, equality bodies, other national human rights institutions and other stakeholders; and
- i) capacity-building to promote the active participation of civil society in all stages of policy-making and ensure its involvement in national and EU platform processes³⁰.

The National Roma Contact Points (NRCP) should:

- a) be given a mandate, sufficient resources and staff to ensure ongoing coordination and monitoring; and
- b) present a regular progress report and participate in core activities of the NRCP network managed by the Commission³¹.

Third, in addition to these common features and minimum commitments, additional national efforts, according to specific national contexts, can be important. Challenges in Roma equality, inclusion and participation vary depending on the size of the Roma population and their share of the overall population, as well as on the wider economic context and the legacy of exclusion and discrimination. They also vary depending on where and how Roma live (rural, urban, mobile, segregated areas) and specific aspects such as transnational mobility, migration or issues associated with civic documentation. These different challenges can be reflected in national Roma strategic frameworks, with differentiated objectives, levels of investment and types of policy solution. Depending on the national context (such as options for data collection, use of targeted or mainstream EU funding, relative size and specific needs of their Roma population), the Commission invites Member States to make additional commitments as follows:

²⁸ The <u>Common basic principles</u> for Roma inclusion provide a framework for the successful design and implementation of actions to support Roma inclusion. Principles 2 and 4 deal with combining targeted and mainstream measures.

²⁹ Member States programming ESF+ specific objective on promoting the socio-economic integration of marginalised communities such as Roma must fulfil all requirements in Annex IV to the <u>Commission proposal for the 2021-2027</u> <u>Common Provisions Regulation</u> concerning the thematic enabling condition on national Roma strategic frameworks. Several other EU funding instruments, such as cohesion policy funds can be used for Roma equality and inclusion.

³⁰ These platforms bring together governmental and civil society stakeholders. They aim to stimulate cooperation and exchange of experience on successful Roma inclusion.

³¹ Already in the 2011-2020 period, a network of National Roma Contact Points was created, allowing for exchange of information and experience among Member States at the European level.

The national strategic framework should also set out:

- a) national quantitative and qualitative targets for all seven EU objectives and associated targets (depending on data availability);
- b) how EU and national funds and financial instruments will be invested for Roma; and
- c) how institutional or administrative reforms will contribute to equality and inclusion.

The **National Roma Contact Points** (**NRCP**) should also carry out a mid-term evaluation and review of the national strategic framework.

Fourth, where Roma make up a significant proportion of the population (i.e. well above 1%)³², promoting their equality and inclusion is not only important in terms of fundamental rights but also has clear economic significance. In countries with a larger share of Roma people, this group represents a growing proportion of the school-age population and the future labour force. Progress in socioeconomic inclusion for the Roma has the potential to reduce labour and skills shortages in times of adverse demographic developments and reduce social expenditure. Investment in better education and upskilling of a previously excluded labour force can positively affect productivity growth. Ensuring that Roma people can deploy their potential to contribute to the economy and society in general will lead to better social and economic outcomes for all.

This justifies the need for more intensive commitments and EU support, in particular the use of EU funds for both targeted action and inclusive mainstream reforms. In this respect, Member States with a significant Roma population are invited to make full use of the proposed ESF+ specific objective on promoting the socio-economic integration of marginalised communities such as the Roma. They are also encouraged to do more to ensure that the available funding effectively reaches the Roma. This also requires data collection disaggregated by ethnicity and sex to support policy design, monitoring and review.

In addition to the minimum commitments and those deriving from the national context, the Commission therefore invites Member States with significant Roma populations to include in their national Roma strategic framework more ambitious commitments, according to which:

The **national strategic framework** should also:

- a) present a plan or set of measures for preventing and fighting antigypsyism and discrimination, segregation in education and housing, and anti-Roma prejudices and stereotypes (including online);
- b) mainstream Roma equality and inclusion at regional and local levels; and
- c) set out how EU and national funds and financial instruments will be invested for inclusive mainstream policy reform and targeted action.

The role of the **NRCP should be strengthened**, so that it can:

- a) count on a dedicated team and institutional mandate that ensures political weight, effective cross-sectoral coordination and mainstreaming of Roma equality and inclusion at regional and local levels;
- b) be involved (by EU fund managing authorities) in the coordination of crossgovernmental discussions on the distribution of EU funds for Roma, and in systematic monitoring of their use (e.g. through monitoring committees, Roma inclusion impact screenings);

 ³² Four EU countries host large Roma populations (Bulgaria: 9,94%, Romania: 9,02%, Slovakia: 8,63%, Hungary: 7,49%). Czechia has a smaller Roma population (1,90%), as do Greece (1,63%) and Spain (1.55%). See Council of Europe 2012 estimates.

- c) ensure national consultation and dialogue empowering Roma (in particular young people and women); and
- d) ensure that public policies and universal services reach out to Roma effectively, including those living in remote rural areas (e.g. emergency and medium-term measures in times of crisis, legislative reform, policy planning on education, employment, healthcare, housing, other areas of socio-economic inclusion, social services, transport, minimum income systems, anti-discrimination legislation).

Finally, in designing and implementing national Roma strategic frameworks, Member States are advised to consider the **common basic principles** of Roma inclusion³³. Annex 1³⁴ provides additional **guidance for policy planning and implementation** when fighting antigypsyism and multi-generational poverty³⁵, promoting Roma participation and empowerment, reflecting diversity among Roma and combining targeted and mainstream approaches. It also sets out guidance to better **meet emerging challenges**, such as tackling the disproportionate impact on Roma of crises such as the COVID-19 pandemic, ensuring digital inclusion and delivering environmental justice. In addition, it provides guidance on promoting (awareness of) Roma art, history and culture and social innovation and policy experimentation.

The Commission will support Member States in developing and implementing their national Roma strategic frameworks not only through financial support and coordination measures, such as mutual learning or capacity-building, but also through methodological support³⁶ and assistance from the structural reform and support programme (SRSP) to develop monitoring and evaluation systems³⁷. Member States can also get support from the FRA, equality bodies and other national human rights institutions and national statistical institutes to ensure/improve regular data collection capacities at national level³⁸. EU support will be modulated according to the level of Member States' commitments.

III.2 Reporting and monitoring of national action and progress towards targets

In order to ensure more effective data collection, reporting and monitoring of progress on both EU targets, as well as of the national targets proposed above, the Commission proposes for the first time the use of a **portfolio of indicators** (see Annex 2). This would be of real value to mutual learning between Member States. This portfolio has been developed by a working party on Roma indicators and reporting coordinated by the FRA, involving national Roma contact points, national statistical offices and the Commission. It will also enable reporting on measures set out in the proposed Council Recommendation.

³³ <u>Common basic principles</u>.

³⁴ Annex 1 uses experience from the evaluation of the EU framework, <u>input from three expert reports and civil</u> <u>positions feeding reflections on post-2020 policies for Roma</u>, and expertise from Commission services.

³⁵ An ongoing Commission project, to be finalised by end 2020, is analysing the root causes of the transmission of poverty and exclusion across generations and suggest measures to tackle it. Another ongoing Commission-Fundamental Rights Agency project will be analysing data for insights on the links between discrimination and vulnerability in Europe at subnational level; the weight of discrimination in the relative risk of socio-economic exclusion, and whether Roma have been more affected by and vulnerable to the COVID-19 pandemic in specific territorial contexts. The findings may provide an evidence base for comprehensive action addressing both socio-economic disadvantage and discrimination.

³⁶ In particular from the Commission's Joint Research Centre for randomised impact evaluations of selected targeted or mainstream flagship interventions but also from the Fundamental Rights Agency to assess the pertinence of intended measures.

 ³⁷ Romania for example currently receives technical support under the Structural Reform Support Programme to develop a monitoring and evaluation system for the implementation of the Roma inclusion strategy.

³⁸ To establish the principle of self-identification in individual-based data collections, e.g. census, large-scale surveys and administrative data where applicable.

Reporting and monitoring of national action will be done both at EU and national levels. In **2022, the Commission will take stock of national Roma strategic frameworks,** assess the commitments made by the Member States and provide guidance for any improvement needed.

Member States are asked to report on implementation of national Roma strategic frameworks every two years from 2023 onwards, including measures to promote equality, inclusion and participation and making full use of the portfolio of indicators. The reporting should focus on implementation of the commitments set out in the national frameworks, including achievement of national targets, where appropriate. These reports should be made public, to increase transparency and promote policy learning. The strategic frameworks and finalised reports should also be discussed in national parliaments.

The Commission requests the **FRA** to carry out the **regular Roma survey** in four-year cycles starting in 2020 to provide the necessary baseline, mid-term and end-term data to measure change.³⁹ The FRA is also asked to support Member States' data collection and reporting efforts including through the working party on Roma indicators and reporting, and feed the Commission's monitoring and analysis of national progress.

National reports will serve, together with input from civil society and FRA data, as a basis for the Commission's **periodic monitoring reports**, issued every two years. The Commission will also carry out a mid-term and an ex-post **evaluation** of the EU Roma strategic framework.

IV. EUACTIONS

Member States are key actors to enable change on the ground for Roma. EU action and support will complement national efforts to promote progress towards the EU objectives and targets by 2030.

IV.1. Enforcing EU legislation

Action to fight antigypsyism and discrimination against Roma rests on an established EU legal framework, including the general principles of non-discrimination and equality set out in the Treaties, reaffirmed in the EU Charter of Fundamental Rights,⁴⁰ as well as the Racial Equality Directive⁴¹ and the Council Framework Decision on Racism and Xenophobia⁴². As underlined in the EU anti-racism action plan 2020-2025, a comprehensive system of protection against discrimination requires first and foremost the effective enforcement of the legal framework, to ensure that individual rights and obligations are respected in practice. This work goes broader than Roma, but will be of direct benefit to Roma communities.

The Commission will continue to monitor and enforce the application of the **Racial Equality Directive**, by investigating systematic discrimination and launching infringement proceedings, if necessary, to prompt changes in national legislation and policy. Over the last years, a particular focus was put on discrimination against Roma children in education. The Commission will provide guidance and training, and offer financial support for the collection of equality data and the effective implementation and enforcement of the Directive, including through the representation of victims' interests. As announced in the EU anti-racism action plan, the

³⁹ In 2021 the survey will be extended to Serbia and North Macedonia.

⁴⁰ See in particular Articles 2, 3(3) of the Treaty on European Union (<u>TEU</u>), articles 8, 10, 19 and 67(3) of the Treaty on the Functioning of the European Union (<u>TFEU</u>), and articles 20 and 21 of the <u>Charter</u>.

 $[\]frac{41}{42} \frac{2000/43/EC}{2008/012/UU}$

⁴² <u>2008/913/JHA</u>

Commission will report on the application of the Directive⁴³ in 2021 and follow up with any possible legislation by 2022. Moreover, the Commission will continue to support the work of equality bodies, which accord a high priority in their work⁴⁴ to seeking improvement in the situation and experience of Roma. The Commission will monitor the implementation of the Commission Recommendation on standards for equality bodies⁴⁵. The role and independence of equality bodies and the potential need for new legislation to strengthen the role of these bodies will be an important theme in the 2021 report.

The Commission will also continue its work on preventing and combating racism and xenophobia, in particular by reinforcing recording and reporting of hate crimes with the support of the FRA, enhance the training strategies of law enforcement and strengthen the support for victims of hate crime. According to FRA⁴⁶, Roma experience a high rate (30% of respondents of Roma origin) of hate-motivated harassment. The Commission reiterates its commitment to ensure full and correct transposition and implementation of the Council Framework Decision on Racism and Xenophobia, and where necessary launch infringement procedures⁴⁷. As a prerequisite for the fight against antigypsyism, the minimum standards set on the criminalisation of hate speech, and the denial, condoning or trivialisation of the Holocaust need to be fully and correctly transposed into the legislation of Member States. As other people with a minority ethnic or racial background, Roma are affected by online hate speech, and antigypsyism is one of the most commonly reported ground of hate speech. The Commission will continue to cooperate with IT companies to counter illegal hate speech online, and extend efforts to other social media platforms⁴⁸. The Framework Decision is complemented by the Victims' Rights Directive⁴⁹, which amongst other things aims to ensure justice, protection and support for victims of hate crimes and hate speech. The EU strategy on victims' rights (2020-2025) addresses the specific needs of victims of hate crimes, including $Roma^{50}$.

IV.2. Mainstreaming Roma equality in EU policy initiatives and mobilising EU funds for Roma⁵¹

Mainstreaming Roma equality, inclusion and participation in all relevant Commission initiatives will be key to achieving the objectives set out in this strategic framework. When developing policies, from socio-economic inclusion to Artificial Intelligence, from the Green Deal to digital inclusion and from addressing hate speech to migration policies, integrating the equality dimension also includes ensuring that EU and national policies **serve the interests of all Roma people**. As part of its activities towards promoting equality for all and equality in all its senses, the Commission's internal Task Force on Equality will strive to ensure that the fight against discrimination on grounds of racial or ethnic origin and its intersections with other grounds of discrimination, is integrated into **all EU policies, legislation and funding programmes.** When implementing the EU anti-racism action plan 2020-2025, the perspective of Roma will always be considered. Guidance and training on mainstreaming will support all involved in the integration

⁴³ The report will also cover the application of <u>Council Directive 2000/78/EC of 27 November 2000 establishing a</u> general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16).

⁴⁵ <u>C(2018)3850 final.</u>

⁴⁶ FRA, 2017, Second European Minorities and Discrimination Survey.

⁴⁷ EU anti-racism action plan 2020-2025, <u>COM(2020) 565 final.</u>

⁴⁸ See work on <u>Code of conduct on countering illegal hate speech online</u>, <u>C(2018) 1177 final</u>.

⁴⁹ 2012/29/EU.

⁵⁰ <u>COM(2020) 258 final.</u>

⁵¹ See Annex 3 of the SWD for more information on relevant mainstream EU policy initiatives and the use of EU funds.

of an equality perspective into every stage of EU interventions, and more active consultation of organisations representing Roma will be promoted throughout the Commission's policy cycle.

The Commission internal **Roma taskforce**⁵² will continue to engage different Commission services at various levels in key priority areas, such as the effective use of EU funds to promote Roma equality and inclusion.

As part of **NextGeneration EU**, the new Recovery and Resilience Facility will support investments and reforms essential to a lasting recovery and foster economic and social resilience and cohesion. In order to receive support, Member States will have to draw up recovery and resilience plans addressing the economic and social impacts of the crisis, the digital and green transitions and the relevant priorities identified in country specific recommendations under the European Semester. This support will give possibilities to Member States to foster the inclusion of marginalised groups, including Roma and other people with a minority racial or ethnic background. The Commission's proposals for the **multi-annual financial framework** promote the inclusion of Roma and the fight against discrimination, in particular through the European Social Fund Plus (ESF+), the European Regional Development Fund (ERDF) and the European Agricultural Fund for Rural Development (EAFRD). In 2019, the Commission highlighted the importance of Roma inclusion in several **European Semester** country specific reports⁵³; this should be reflected and addressed in the 2021-2027 programmes.

The Commission's proposals for the **Common Provisions**, the **ESF+**, the **ERDF**, and the **EAFRD regulations**⁵⁴:

- ✓ provide financial support for the implementation of national Roma strategic frameworks and measures, including human capacity, infrastructure and capacity building activities;
- ✓ provide for all programmes to promote equal opportunities for all, without discrimination on the basis of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, throughout their preparation, implementation, monitoring and evaluation;
- ✓ request fulfilment of thematic (national Roma strategic policy framework, national strategic policy framework for social inclusion and poverty reduction) and horizontal (Charter of Fundamental Rights) enabling conditions throughout the 2021-2027 period;
- ✓ require that at least 25% of ESF+ resources foster social inclusion, ensuring that a minimum amount targets those most in need; and
- ✓ stress the 'partnership principle', i.e. the involvement of all relevant stakeholders, including bodies representing social inclusion, non-discrimination and fundamental rights, civil society organisations, in the preparation and implementation of programmes and partnership agreements and in monitoring committees.

Member States have a key role in designing public policies and maximising the use of funding programmes to support Roma, as most of the EU budget is implemented by Member States in shared management. The Commission therefore invites Member States to target funds under the 2021-2027 multi-annual financial framework (MFF) and NextGeneration EU to tackle the challenges and address the needs of Roma, so as to implement the commitments taken in their national Roma strategic frameworks. The Commission will aim to ensure that country-specific challenges identified in the European Semester are properly addressed in the forthcoming partnership agreements, and that measures promoting equality and inclusion are implemented via operational programmes. The Commission will closely monitor that, in such Member States, a twin strategy of, on the one hand, making services inclusive and on the other hand providing

⁵² Created in 2010 and composed of representatives of DG JUST, EMPL, EAC, SANTE, NEAR, HOME, REGIO and AGRI.

⁵³ See <u>country reports</u> for BG, CZ, ES, HU, RO, SK and in particular their Annex D.

⁵⁴ COM(2018)375 final, COM(2018)382 final, COM(2018)392 final.

targeted programmes towards marginalised Roma communities is in place and reflected in the 2021-2027 programming documents. The enabling conditions applicable to specific EU funds in 2021-2027 proposed by the Commission aim to ensure respect for fundamental rights as well as Roma equality, inclusion and participation.

In order to enhance efficiency and effectiveness as regards the Roma-related interventions, the Commission will support transnational learning regarding both policy and funding, such as the EURoma network⁵⁵ of managing authorities and national Roma contact points.

InvestEU programme⁵⁶ under its social investment and skills window can also contribute to socio-economic inclusion of marginalised groups, including Roma. This can happen through innovative funding approaches such as social impact bonds and result-oriented projects including through blending with EU grants and/or financial instruments from sectorial programmes or combination of different streams of EU funding. The Commission will implement focused pilot initiatives with the aim of testing and demonstrating working approaches to concrete inclusion aspects (housing, employment, social security) through the use of innovative funding approaches, which could be taken up/expanded or replicated through larger programmes at national or EU level. Member States will be able to seek technical support to mainstream Roma equality in policy-making and reform processes through the Technical Support Instrument.

IV.3. EU action and support to promote Roma participation, inclusion and diversity

In the EU anti-racism action plan 2020-2025, the Commission committed to lead by example as an institution by taking steps to significantly **improve the representativeness of Commission staff through measures targeting recruitment and selection**. When carrying out these measures the Commission will ensure that they apply to Roma. The Commission invites the other EU institutions to take steps to foster diversity and inclusion in their respective workplaces.

The Commission will organise regular meetings with Member State representatives⁵⁷ and **EU-level civil society and international organisations**, with a stronger mutual learning mandate. It will also ensure regular exchanges between stakeholders. The Commission will continue to organise meetings on **cohesion policy** with civil society organisations ('structured dialogue') in 2021-2027. It will hold closed dialogue meetings with Roma civil society organisations on cohesion policy developments.

As proposed by the European Parliament⁵⁸, the Commission will launch a new cycle of Roma civil society capacity-building to enable **coordinated independent civil monitoring and reporting**, building on lessons from the <u>Roma Civil Monitor</u> project (2017-2020). Coordinated independent civil monitoring reports are planned in two-year cycles starting in 2022.

The Commission will seek to maximise the influence of the **European Roma platform**⁵⁹, bringing together national governments, the EU, international organisations and Roma civil society representatives and aiming to stimulate cooperation and exchange of experience. It will

⁵⁵ <u>Network</u> launched in 2007 by Spain's ESF managing authority.

⁵⁶ InvestEU Programme (2021-2027), see also Annex 3 of SWD.

⁵⁷ In the context of the network of National Roma Contact Points.

⁵⁸ <u>Preparatory action 2020 — Roma Civil Monitor — Strengthening capacity and involvement of Roma and pro-Roma civil society in policy monitoring and review.</u>

⁵⁹ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combatting-discrimination/roma-andeu/european-platform-roma-inclusion_en.

organise thematic, country and regional reviews of national strategic frameworks based on the findings of the Roma Civil Society Monitoring project and national monitoring reports.

Through its funding to the national Roma platforms the Commission will promote a reform of these platforms⁶⁰, in particular by making them more representative of the national Roma population. They should be extended to new stakeholders (e.g. children's rights organisations, the private sector) to enable new learning, tap into the potential of social innovation, change mentalities and bring about lasting social change. To encourage the **active engagement of Roma, particularly women and youth**, a platform representative should be elected to ensure transnational networking between national and European Roma platforms, while Roma youth should be offered dedicated traineeships or junior positions in national structures linked to the implementation of national Roma platforms. Synergies with other EU, national or international initiatives, in particular the civil monitoring project, should be used to foster mutual learning and policy transfer.

IV.4. EU action and support to promote equality and fight antigypsyism

To promote Roma equality by tackling antigypsyism the Commission will support activities **promoting positive narratives** and Roma role models, **combatting negative stereotypes**, raising **awareness on Roma history and culture**, and promoting **truth and reconciliation** under the **citizens**, equality, rights and values programme.

The Commission will run a joint campaign with UNESCO to tackle **disinformation**, **hate speech and conspiracy theories**, including those implicating Roma. It will continue to support the private sector through the EU Platform of Diversity Charters and explore ways of engaging with the media to build positive narratives and promote equality and diversity in all spheres. Building on existing experience⁶¹, the Commission will develop a series of seminars on racial and ethnic stereotypes, including against Roma, bringing together journalists, civil society organisations and representatives of people with a minority racial or ethnic background.

The Commission's **communication activities** will advertise the benefits of equality and diversity⁶². The Commission will organise a series of awareness-raising events focusing on Member States with large Roma communities, to fight stereotypes, promote cultural diversity, empower and highlight Roma children, young people and women as role models in diverse communities, and bring communities together.

Awareness of the consequences of multiple discrimination against Roma women will be aligned with the EU-wide communication campaign on **combating gender stereotypes**, which applies an intersectional approach to all spheres of life, as part of the gender equality strategy.

The Commission will:

- Enforce existing EU legislation protecting Roma against discrimination and racism and fill gaps where necessary;

⁶⁰ National Roma platforms are participation and consultation processes convened and managed by National Roma Contact Points to promote dialogue, mutual learning, cooperation and involvement in the development, implementation and monitoring of national strategic frameworks, with support from the Commission via regular calls for funding support. National Roma Platform processes should contribute to design, implementation, monitoring and policy review. The main mission of the Platforms is threefold: widen policy discussions on the implementation of national Roma strategic frameworks, deepen domestic accountability structures, and reinforce links between the local and national levels.

⁶¹ See <u>Media seminars - Stopping discrimination against Roma</u>.

⁶² e.g. from a Roma woman's perspective: <u>Equal opportunities — let's make it a reality for all</u>.

- Mainstream Roma equality in EU policy initiatives and mobilise EU funds for Roma equality, inclusion and participation;
- Take steps to improve the diversity of Commission staff;
- Launch a new cycle of Roma civil society capacity-building and strengthen European and national Roma platforms;
- Promote positive narratives and Roma role models, combat negative stereotypes, raise awareness on Roma history and culture, and promote truth and reconciliation.

V. **PROMOTING ROMA EQUALITY, INCLUSION AND PARTICIPATION BEYOND THE EU**

The EU and the Member States should promote Roma equality, inclusion and participation in their **external action**, in particular under their enlargement, neighbourhood, development and humanitarian policies.

The Western Balkan region represents a geostrategic priority for the EU. The Commission Communication of February 2020⁶³ calls for alignment with EU policies, including in support of the most disadvantaged. Western Balkan partners already aligned, voluntarily, with the EU framework for national Roma integration strategies up to 2020. And they have made some remarkable advances. At the Zagreb EU-Western Balkans Summit in May 2020, EU leaders reaffirmed their support for the European perspective of the Western Balkans and their determination to step up support for its political, economic and social transformation⁶⁴. They welcomed the Western Balkan partners' strong commitment to the primacy of democracy and the rule of law, including human rights, gender equality and minority rights⁶⁵.

The presence of Roma in Western Balkans is important and similar to EU Member States with a significant Roma population. There is a compelling case for addressing Roma equality, inclusion and participation in the EU and **Western Balkans** in the same way, including application of the same objectives for the period up to 2030. In July 2019, the Western Balkans prime ministers adopted a **Declaration on Roma integration in the EU enlargement process**, committing themselves to the concrete improvement of the situation of Roma as regards education, employment, health, housing, civil registration and non-discrimination by the time of their accession⁶⁶. The EU will continue to support implementation of the Declaration and the work on data collection, Roma-responsive budgeting and the mapping of Roma housing. Progressive alignment with EU objectives and methodology will be part of the European perspective for all countries seeking to join the EU.

The Western Balkans partners, similarly to the EU Member States' semester process, present annual Economic Reform Programmes (ERP), including reforms to boost competitiveness and improve conditions for inclusive growth and job creation. ERPs report on social inclusion, poverty reduction and equal opportunities, including Roma. The **2021-2027 Instrument for Pre-Accession Assistance** – once adopted – will continue to support reforms and alignment with EU requirements at regional and national levels. The economic and investment plan for Western Balkans identifies priority areas of investment to boost convergence, growth and competitiveness in the region, notably in support of marginalised groups and minorities, notably

⁶³ Enhancing the accession process - A credible EU perspective for the Western Balkans - <u>COM(2020) 57 final</u>.

⁶⁴ EU and Western Balkans Summit, 5-6 May 2020, Council Conclusions and <u>COM(2020) 315 final</u>.

⁶⁵ Zagreb Declaration.

⁶⁶ Increase Roma employment (from 16.5 to 25%), compulsory education completion (from 51% to 90%), provide health insurance (for at least 95%), housing legalisation, prevent discrimination, ensure full civil registration. <u>Poznan Declaration</u>.

Roma communities.⁶⁷ Additional relevant EU funds, related to COVID-19 recovery or other external relations support measures, such as the Neighbourhood development and cooperation instrument (NDICI), will also be mobilised to promote the inclusion of Roma⁶⁸.

The EU will continue to promote non-discrimination and equality across the world on the basis of the EU strategic framework⁶⁹ and EU Action Plans on Human Rights and Democracy (2020-2024)⁷⁰ and the EU Gender Action Plans⁷¹ and cover Roma issues in the implementation of the 2019 EU guidelines on non-discrimination in external action⁷². EU action will complement national initiatives and support civil society. Roma equality and inclusion will be a regular agenda item in human rights and other political dialogues with non-EU countries having a significant Roma population. The EU will maintain its active engagement on Roma equality in regional and multilateral fora, in particular the Council of Europe, the Organisation for Security and Cooperation in Europe and the United Nations.

VI. CONCLUSION

Roma have contributed to the cultural richness, diversity, economy and common history of Europe for centuries. The EU has a duty to protect its Roma minority from discrimination, antigypsyism and social exclusion. Achieving Roma equality, inclusion and participation requires all EU institutions, national governments and EU agencies, equality bodies and other human rights institutions to team up and take action in partnership with civil society and international organisations, and the full involvement of Roma themselves. The Commission invites the European Parliament to support this strategic framework and calls on the Council to work towards the swift adoption of the proposed **Recommendation for Roma equality, inclusion and participation**, ensuring that Member States and the Commission work hand in hand. Working together, we can make real progress by 2030 to bring about a Europe in which Roma individuals and communities, in all their diversity, have equal opportunities in all spheres of life, benefit from socio-economic inclusion and participate equally in society.

⁶⁷ COM (2020) 641 final adopted on 6 October 2020.

⁶⁸ Commission Communication on Support to the Western Balkans in tackling COVID-19 and the post-pandemic recovery (COM(2020) 315 final).

⁶⁹ 11855/12 Annex II, Council of the EU, 25 June 2012.

⁷⁰ EU Action Plans on Human Rights and Democracy 2012-2014 and 2015-2019; Joint Communication and EU Action Plan on Human rights and Democracy (2020-2024) as adopted by the College on 25 March 2020, adoption by the Council is foreseen in the last quarter of 2020.

⁷¹ Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020 <u>SWD (2015) 182</u> and its planned successor.

⁷² <u>EU Human Rights Guidelines on Non-discrimination in External Action.</u>