



UNITED NATIONS

**THE ROLE OF
THE UNITED NATIONS
IN ADVANCING ROMA INCLUSION**

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This is a Joint Position Paper produced by the Roma Regional Working Group of the United Nations Development Group working in the Europe and Central Asia Region, established by the UN Regional Directors' Team.

The situation of the Roma¹ has been repeatedly identified as very serious in human rights and human development terms, particularly in Europe. Although less well documented, Romani communities in Asia, Africa and the Americas also face serious human rights challenges.

The United Nations has made regular and constructive contributions to Roma inclusion efforts at the international, national and local levels. Human rights issues facing Roma have been prominently represented in international processes such as the 2001 World Conference Against Racism and its follow-up. The UN Human Rights Treaty Bodies, the ILO Supervisory Bodies, the Special Procedures mechanisms of the Human Rights Council, and the Human Rights Council itself (as well as its institutional predecessor, the Commission on Human Rights) have been at the forefront of identifying human rights issues facing Roma since the mid-1990s. The UN Committee on the Elimination of Racial Discrimination (CERD) has issued a General Recommendation concerning discrimination against Roma.²

The Millennium Development Goals (MDGs), targets resulting from the Millennium Declaration in 2000,³ further frame development work around a number of sectors crucial for Roma inclusion. Without development opportunities, the human rights agenda rests on shaky ground, and vice versa. A human rights-based approach to development entails the right of each individual to have the opportunities to realize his or her talents, potential and aspirations. It requires *inter alia* that progress is achieved in all sectors of society on an equal basis, and with the full inclusion and participation of the most vulnerable. As a result, in Europe, concerns about Roma exclusion have been at the heart of concerns about inequality in MDG implementation.

At national level, UN agencies in the field have carried out various types of substantive work according to their respective mandates and areas of competence. A number of UN entities are engaged at the regional and national levels in activities aimed at improving the social, economic and legal situation of Roma within their respective areas of specialization.⁴ The work undertaken in support of policy and law development and improved service delivery, monitoring, the creation of partnerships, awareness-raising as well as data collection and research has in many cases been fundamental for advancing Roma inclusion.

The comparative advantage of the UN system on matters relating to Roma inclusion is derived from several core elements. As the guardian of the international human rights system, the UN has a unique role in supporting and strengthening national and local authorities and others to ensure effective domestic implementation of human rights. More particularly, UN entities frequently have operational strengths in the field in particular countries, making them well-placed to assist authorities in securing Roma inclusion. Additionally, the UN integrates expertise in minority empowerment, social inclusion and sector-specific interventions in a comprehensive human development paradigm that is the appropriate framework for addressing a multidimensional challenge such as Roma exclusion.⁵

There is a growing awareness that improving the situation of the Roma means developing policies that identify and tackle all aspects of Roma social exclusion through an integrated approach, safeguarding the respect, protection and fulfilment of human rights, including economic, social and cultural rights, through real and accessible opportunities. Four key sector-specific areas have been identified as crucial as regards Roma inclusion: employment, housing, access to education, including early development and learning, and health.



Furthermore, anti-discrimination approaches and the empowerment of Romani women are fundamental cross-cutting themes in these four areas. These areas are interrelated; conditions related to one necessarily affect another. Approaches which neglect current patterns and practices of discrimination or stop at nominal eligibility without real access to opportunities or which do not pay sufficient regard to gendered aspects of Roma exclusion have been shown generally to fail. In addition, the demographic structure of the Roma population, fifty per cent of which is estimated to be under 18 years old, demands priority investments in the younger generation in order to break the cycle of exclusion.

The Decade of Roma Inclusion has focused, since its inception, on these four areas and two cross-cutting themes:⁶ the Roadmap of the Platform for Roma Inclusion identified the key issues related to each of these,⁷ and the European Commission's 2011 Communication refers to specific goals in these areas.⁸ It is noteworthy that specialized UN agencies exist covering each of these thematic areas. These four areas are by no means exhaustive; Roma inclusion also depends on eliminating bias from legal systems, ensuring effective political participation, ending stereotypes in the media and a range of other measures. The range of potential areas for UN assistance in this regard is very broad.

When approaching policies aimed at strengthening human development and the social inclusion of the Roma, there is general consensus that a number of complementary areas need to be tackled concurrently, including:

- **Civic and political participation:** Roma are dramatically underrepresented at the local, regional, national and international levels, and Romani civic involvement is ghettoized, leading to exclusion from decision-making and a democratic deficit.
- **Social inclusion, social protection, and access to services key for the realization of economic and social rights:** The international human rights framework, the Millennium development agenda and the European social model set out similar visions of systems to ensure protection of the vulnerable and excluded and their access to services key for the enjoyment of their rights. In practice though, Roma frequently lack access to key social services and goods. In many cases, effective access requires strengthened social structures, as well as the removal of barriers to services available to the general public and fundamental for the realization of economic and social rights.
- **Individual and community empowerment, including (but not limited to) economic empowerment:** At present, hundreds of thousands of Roma in Europe lack possibilities to earn a livelihood. Equal dignity entails the possibility of earning an income, contributing to the production of goods and services and capacity to have access to (consume) the same, as well as other measures to ensure the standing of the person in the wider community, and the community, in society as a whole. Individual and community empowerment of course extends well beyond economic empowerment. Expertise on a range of methodologies and approaches to individual and community empowerment exists in various UN agencies.

The human rights of Roma and Roma inclusion have been increasingly prominent on the agenda of the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe. The European Court of Human Rights has repeatedly found Council of Europe Member States in violation of the provisions of the European Convention on Human Rights in cases related



to the treatment of Roma. 2011 was an important year for EU engagement in the area, with the adoption of an EU Framework for National Roma Integration Strategies up to 2020.⁹

The strengthened commitment of the European institutions to Roma inclusion globally provides the UN with an opportunity to increase significantly the range and scope of its Roma rights and Roma inclusion work worldwide, and in EU Member States, accession and neighbouring countries in particular. The ultimate goal is to provide Roma communities and individuals with real opportunities to be respected members of their societies as well as equal citizens of their countries, capable of enjoying their rights and meeting their responsibilities as citizens. Enhanced cooperation between different institutional actors can help achieve this goal. UN agencies can bring in useful expertise in a number of crucial areas, building on the work already undertaken in various countries:

- 1. Putting legal instruments to work:** The period from 1989 to the present has seen an extensive development and enrichment of the international human rights law framework, including in areas key for Roma inclusion, such as anti-discrimination law. Action by regional systems such as the European Union¹⁰ and the Council of Europe has added weight to these developments. The effective transposition into domestic law of international human rights law, Council of Europe treaty law, as well as of EU law and standards, as well as the development of effective institutions to support these strengthened legal norms, is a vital aspect of Roma inclusion work. UN agencies have assisted national efforts to develop and implement anti-discrimination law frameworks, including anti-discrimination enforcement bodies, and strengthened their outreach in Romani communities and civil society on this issue. UN agencies have also provided training to judges and lawyers in this area.
- 2. Assisting in the improvement and implementation of national strategies for Roma inclusion:** UN agencies in the field have provided technical expertise and logistical support for the development of Roma inclusion policies in a number of countries; support has also been directed towards adjusting mainstream policies to the special circumstances of vulnerable groups such as the Roma. The UN has also assisted in general social inclusion policy processes in EU frameworks, such as by supporting the development of National Action Plans for social inclusion targeting a number of vulnerable groups including Roma. UN agencies assist in creating ownership and inter-sectoral linkages, fostering responsibilities in administrations and supporting monitoring mechanisms by highlighting successful examples from other instances and countries. In May 2012, a report on the situation of Roma in 11 EU Member States, prepared jointly by the EU's Fundamental Rights Agency (FRA), UNDP and the World Bank, provided comprehensive data on the socio-economic status of Roma (compared to their non-Roma neighbours) while also examining discrimination and rights awareness. The data also served as background for the European Commission's simultaneous Communication on progress in this area, as reflected in the National Strategies for Roma Integration.¹¹ But the strategies need to be followed by concrete action. Too often, capacity in this regard is still poor, particularly at the local level where the real problems are and need to be addressed. For the national strategies to succeed, they need to be operationalized into tangible, results-oriented interventions also at the local level.¹² The field presence of several UN agencies provides the opportunity to assist countries in this process at multiple levels of government.



3. **Accumulating knowledge and awareness-raising:** UN agencies have helped to accumulate knowledge through data collection, surveys and studies and have contributed to raising issues such as Roma displaced persons, the economic cost of exclusion and Roma child poverty on the political agenda.
4. **Strengthening the work of National Human Rights Institutions (NHRIs) and civil society on Roma inclusion:** National Human Rights Institutions (NHRIs) and human rights-based civil society can play a crucial role in promoting effective Roma inclusion. UN agencies have a key role to play in the development and strengthening of the capacities of NHRIs and independent, human rights-based civil society, and in the work of these entities to strengthen Roma inclusion.
5. **Focusing on strengthening the rights of Romani women and girls:** In addition to widespread discrimination among society at large, human rights challenges within Romani communities constitute a considerable hindrance to the effective development of the human potential of Romani communities. UN work in particular focusing on Romani women and girls has proven effective at improving the inclusion of the most vulnerable in society. The UN has a continued role to play in working to tackle multiple discrimination issues facing Romani women and girls.
6. **Finding synergies between UN agency mandates and regional frameworks:** Throughout the previous decade, various UN agencies have found their niche in Roma inclusion work in various countries, as well as regionally, by undertaking activities such as:
 - Developing a mix of area-based and individual approaches to Roma inclusion at local level to support the emancipation of the Roma in economic terms as well as in terms of active citizenship, with a view to increasing their ability to earn an independent living, to participate in the formal labour market and to contribute to the financing of universal welfare policies.
 - Improving access to information, through research, data collection, and support to national statistical agencies.
 - Developing the capacities of Ministries of Finance and others involved in budget-making and budget-oversight processes to apply human rights-based approaches, as well as to take full advantage of opportunities available in EU and other regional frameworks to improve Roma inclusion.
 - Supporting small business or small agriculture projects or structures supporting such projects in Romani communities, with a view to strengthening the economic independence of marginalized Roma.
 - Strengthening the capacities of Roma – and in particular Romani women – to organize themselves, access economic opportunities, and take part in local, regional, national and international decision-making.
 - Supporting Roma access to affordable health care, curative as well as preventive, and to modern family planning methods.
 - Making a durable contribution to providing young Romani children with better early care and learning opportunities, ending segregation and sub-standard schooling for Romani children and reducing the levels of Romani children in formal care institutions.
 - Supporting voter mobilization efforts in Romani communities during electoral periods, as well as strengthening efforts at self-identification during population censuses.



- Providing capacity-building to local governments and Romani civil society organizations undertaking Roma inclusion work.
- Providing support for legal services and other efforts to resolve problems of access to citizenship, access to personal documents, and effective access to procedures for the recognition of refugee or other protection status. Efforts to ensure the provision to Roma of the necessary civic documentation that many are lacking, as well as the promotion of birth registration, play a fundamental role in preventing Roma from becoming “legally” marginalized and, in some instances, stateless.

As is evident from the above, UN action in the field of Roma inclusion encompasses a range of activities. In individual countries, the profile of the UN Country Team may be a key determinant for the type and scope of relevant action. In an era of heightened focus on common UN work, agencies are working towards finding modes of common action on Roma inclusion. Types of action and modes of engagement by the UN for Roma inclusion also depend on whether they take place inside the European Union; in an EU candidate country, the Western Balkans or Turkey; in an Eastern Partnership country; in Russia, or indeed entirely outside Europe. Regional initiatives tend to focus broadly on particular thematic approaches common to groups of countries, such as cross-border local development or data collection for regional comparison.

Approaches developed by the UN should also be consistent with the Common Basic Principles of Roma Inclusion, introduced at the first meeting of the Platform for Roma Inclusion and later endorsed by the Council of the EU.¹³ The Common Basic Principles seek to provide guidance and orientation to the various actors with a major stake in the implementation of policies and measures in fields which are relevant to social inclusion. Some of these principles, notably n°.2 *explicit but not exclusive targeting*, n°.4 *aiming for the mainstream*, and n°.7 *use of community instruments* have been explicitly mentioned by the European institutions in several documents and policy declarations.¹⁴ This set of common principles is relevant for guiding the positioning of the UN and has important implications for UN work. By working together, the UN family is in a strong position to support ongoing efforts aimed at Roma inclusion by providing a comprehensive and multi-faceted platform that would maximize the diversity of entry-points, approaches and technical expertise, thus enabling joint work with numerous stakeholders in different areas.

UN agencies have a long tradition of cooperation with civil society organizations, including Roma associations and leaders, both at the international and national levels. UN bodies can also strengthen alliances with various Roma rights and Roma inclusion civic organizations, given that a strong civil society movement supporting Roma inclusion is a prerequisite for more active Roma policies. Furthermore, the UN system is also well positioned to support other types of pro-Roma civil society organizations that are based on intercultural models and focused on the younger generations, including those that promote leadership roles for women.

To conclude, UN experience in working to support Roma inclusion is extensive, and is currently in a period of dynamic development. The range of interventions available to UN agencies to advance Roma inclusion is broad and rich. At the heart of all UN actions in this field is the commitment to combat discrimination in all its forms and enable the fullest possible participation and contribution of Romani people, women and men, young and adults, to the societies in which they live.

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NOTES AND REFERENCES

- ¹ In this paper, the term “Roma” is used to refer to a number of different groups (Roma, Sinti, Gypsies, Kale, Romanichels, Beash, Ashkalis, Egyptians, Yenish, Travellers, Dom, Lom, and others) identified as at risk of discrimination or social exclusion. UN approaches in this area are broadly harmonized with those of other International institutions, including the Council of Europe, the European Union, the OSCE, and others.
- ² CERD General Recommendation XXVII (2000): Discrimination against Roma, Contained in document A/55/18, annex V
- ³ See <http://www.mdgmonitor.org/>
- ⁴ International Labour Organization (ILO), the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP), the United Nations Commission for Europe (UNECE), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Population Fund (UNFPA), The United Nations Human Settlements Programme (UN-HABITAT), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children’s Fund (UNICEF), the United Nations Entity for Gender Equality and the Empowerment of Women (UNWOMEN) and the World Health Organization (WHO), as well as the World Bank (WB).
- ⁵ See for example UNDP, Marginalised Minorities in Development Programming: A UNDP Resource Guide and Toolkit, May 2010, available at: <http://hrbaportal.org/archives/resources/marginalised-minorities-in-development-programming-%E2%80%93-a-undp-resource-guide-and-toolkit>
- ⁶ See <http://www.romadecade.org/about>.
- ⁷ Spanish Presidency of the EU (2010) Integrated European Platform for Roma Inclusion Roadmap.
- ⁸ http://ec.europa.eu/justice/policies/discrimination/docs/com_2011_173_en.pdf
- ⁹ Ibid.
- ¹⁰ The “Racial Equality” Directive, the Directive on the right of citizens of the Union and their family members to move and reside freely and the Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, could potentially have implications for the situation of Roma EU citizens.
- ¹¹ EC Communication on “National Roma Integration Strategies: a first step in the implementation of the EU Framework”: http://ec.europa.eu/justice/discrimination/files/com2012_226_en.pdf
- ¹² Area-based development focus is an effective tool for addressing “explicitly but not exclusively” Roma exclusion. See UNDP, At Risk: Roma and the Displaced in Southeast Europe, <http://euro-peandcis.undp.org/ourwork/poverty/show/2180B041-F203-1EE9-B598F2648BEACB5D>
- ¹³ Council of the European Union (2009) op.cit.10 Common Basic Principles annexed to Council Conclusions.
- ¹⁴ European Parliament and Council of the European Union (2010) op.cit.

