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B6-0273/2005 }  
B6-0274/2005 }  
B6-0275/2005 }  
B6-0276/2005 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Jaime Mayor Oreja, Ewa Klamt and Livia Járóka, on behalf of the PPE-DE Group
- Hannes Swoboda, Martine Roure, Katalin Lévai, Claude Moraes and Jan Marinus Wiersma, on behalf of the PSE Group
- Viktória Mohácsi, on behalf of the ALDE Group
- Elly de Groen-Kouwenhoven, Milan Horáček and Gérard Onesta, on behalf of the Verts/ALE Group
- Vittorio Emanuele Agnoletto, Giusto Catania, Bairbre de Brún, Ilda Figueiredo, Miguel Portas, Sylvia-Yvonne Kaufmann and Erik Meijer, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- PPE-DE (B6-0272/2005)
- ALDE (B6-0273/2005)
- GUE/NGL (B6-0274/2005)
- PSE (B6-0275/2005)
- Verts/ALE (B6-0276/2005)

on the situation of the Roma in the European Union

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PE 357.318v01-00} RC1

## European Parliament resolution on the situation of the Roma in the European Union

*The European Parliament,*

- having regard to the celebration of International Roma Day on 8 April 2005,<sup>1</sup>
- having regard to the Constitutional Treaty signed by Heads of State and of Government on 29 October 2004 which includes the Charter of Fundamental Rights of the European Union as its second part,
- having regard to Articles 3, 6, 7, 29 and 149 of the EC Treaty, which commit the Member States to ensuring equal opportunities for all citizens,
- having regard to Article 13 of the Treaty of Amsterdam, which enables the European Community to ‘take appropriate action to combat discrimination based on racial or ethnic origin’,
- having regard to Directive 43/2000/EC, known as the Race Equality Directive, which bans discrimination on ethnic grounds,
- having regard to Article 4 of the Council of Europe Framework Convention on National Minorities and the European Convention on Human Rights and Fundamental Freedoms,
- having regard to Recommendation 1557 (2002) of the Council of Europe Parliamentary Assembly, particularly paragraphs 3 and 15 thereof, which underline the widespread discrimination against the Roma, and the need to strengthen the system for monitoring such discrimination and to resolve the legal status of the Roma,
- having regard to the document of the European Union (COCEN GROUP) adopted at the Tampere Summit in 1999 entitled ‘Situation of Roma in the Candidate Countries’, which underlines the need to raise awareness about the racism and discrimination faced by Roma,
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984,
- having regard to Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation,
- having regard to the Charter of European Parties for a Non-Racist Society,<sup>2</sup>
- having regard to the establishment of a Group of Commissioners responsible for fundamental rights, anti-discrimination and equal opportunities,<sup>3</sup> and awaiting the presentation of the

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<sup>1</sup> International Roma Day was established in 1971 at the First Romani World Congress.

<sup>2</sup> The ‘Charter of European Political Parties for a Non-Racist Society’ is the proposal of the EU Consultative Commission on Racism and Xenophobia to the political parties in the European Union. The text was adopted by this Commission on 5 December 1997.

<sup>3</sup> European Commission President José Manuel Barroso announced this initiative in his speech to the European

Group's agenda,

- having regard to Council Regulation (EC) No 1035/97 establishing a European Monitoring Centre on Racism and Xenophobia, to the EUMC's annual and thematic reports on racism in the EU and to the Commission Green Paper on equality and non-discrimination in an enlarged European Union (COM (2004)0379),
  - having regard to the recent publication by the Commission of a report drawing attention to very disturbing levels of hostility and human rights abuses against Roma, Gypsies and Travellers in Europe,<sup>4</sup>
  - having regard to the report currently before the Committee on Civil Liberties, Justice and Home Affairs on the protection of minorities and anti-discrimination (2005/2008 (INI)) and the Holocaust (RSP/2004/2634),
  - having regard to international legal instruments such as General Recommendation XXVII ('Discrimination against Roma') of the United Nations Committee on the Elimination of Racial Discrimination (CERD), and General Policy Recommendation 3 (combating racism and intolerance against Roma/Gypsies) of the European Commission against Racism and Intolerance (ECRI),<sup>5</sup>
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas 8 April has been designated International Roma Day and is considered to be the annual day of celebration for Roma, as well as an opportunity for raising awareness about Europe's largest ethnic minority and the extent of its social exclusion,
- B. whereas the 12-15 million Roma living in Europe, 7-9 million of whom live in the European Union, are suffering racial discrimination and in many cases are subject to severe structural discrimination, poverty and social exclusion, as well as multiple discrimination on the basis of gender, age, disability and sexual orientation,
- C. underlining the importance of urgently eliminating continuing and violent trends of racism and racial discrimination against Roma, and conscious that any form of impunity for racist attacks, hate speech, physical attacks by extremist groups, unlawful evictions and police harassment motivated by Anti-Gypsyism and Romaphobia plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action for its eradication,
- D. recognising that the failure to combat racial discrimination and xenophobia against Roma, especially by public authorities, is a factor encouraging the persistence of the problems in society,

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Parliament on 26 October 2004, saying that the Group (which he will chair) will be handed the task of monitoring all Commission actions and major initiatives in these areas as well as acting as a political driving force.

<sup>4</sup> 'The Situation of Roma in an Enlarged Europe', commissioned and published by DG Employment and Social Affairs, 2004.

<sup>5</sup> General Recommendation no 3, 'Combating racism and intolerance against Roma and Gypsies'.

- E. whereas the Roma community is still not regarded as an ethnic or national minority group in every Member State and candidate country, and thus does not enjoy the rights pertaining to this status in all of the countries concerned,
- F. whereas, while many Member States have quickly transposed into national law Directive 2000/43/EC,<sup>6</sup> a number have failed to do so or have done so incompletely or incorrectly,
- G. whereas the Romani Holocaust (Porajmos) deserves full recognition, commensurate with the gravity of Nazi crimes designed to physically eliminate the Roma of Europe, and calling in this connection on the Commission and the authorities to take all necessary steps to remove the pig farm from the site of the former concentration camp at Lety u Pisku and to create a suitable memorial,
- H. whereas a large number of Roma were, and continue to be, victims of war and targets of ethnic cleansing in Kosovo, Croatia, Bosnia and Herzegovina,
- I. deploring the fact that a significant number of Roma asylum seekers have been expelled, or threatened with expulsion, from the host EU countries, in contravention of the principle of *non-refoulement* as set out in the 1951 Geneva Convention and associated protocols,
- J. regretting that Roma continue to be underrepresented in governmental structures and public administration in Member States and candidate countries where they constitute a significant percentage of the population; whereas these governments have undertaken to increase the number of Roma working in decision-making structures but have yet to make significant progress,
- K. recognising the need to ensure effective Roma participation in political life, particularly as regards decisions which affect the lives and well-being of Roma communities,
- L. stressing that in no case should new citizenship laws be drafted and implemented in such a way as to discriminate against legitimate claimants to citizenship or to withhold citizenship from long-term Roma residents of the Member State or candidate country concerned,
- M. whereas in a number of countries there exist clear indications that police forces and other organs of the criminal justice system are affected by anti-Romani bias, leading to systemic racial discrimination in the exercise of criminal justice,
- N. whereas Roma are regularly discriminated against in the provision of health care and social security; noting with concern cases of segregation in maternity wards and the sterilisation of Roma women without their informed consent,
- O. whereas substandard and insanitary living conditions and evidence of ghettoisation exist on a wide scale, with Roma being regularly prevented from moving out of such neighbourhoods,
- P. having regard to the racially segregated schooling systems in place across several Member

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<sup>6</sup> OJ L 180, 19.7.2000, p. 22.

States, in which Roma children are taught either in segregated classes with lower standards or in classes for the mentally handicapped; recognising that an improvement in access to education and opportunities for academic achievement for Roma is crucial to the advancement of Romani communities' wider prospects,

- Q. whereas on average Roma communities face unacceptably high levels of unemployment, so that specific measures are required to facilitate access to jobs,
- R. having regard to the difficulties faced by the Roma population in having their culture fully acknowledged, and deploring the fact that in most Member States and candidate countries the mainstream media continue to under-represent Roma in their programming while simultaneously reinforcing a negative stereotype of Roma citizens through news items and television and radio shows; noting that new communication technologies, including the internet, can also help to combat Romaphobia,
1. Condemns utterly all the forms of discrimination faced by the Roma people;
  2. Calls on the Council, the Commission, the Member States and the candidate countries to consider recognising the Roma as a European minority;
  3. Welcomes the recent declaration by Commission President Barroso regarding the importance of eliminating discrimination against Roma people and the role which the Lisbon Strategy could play in improving opportunities for Roma<sup>7</sup>, and urges the European Parliament, Council, Commission, Member States and candidate countries publicly to take steps to combat Anti-Gypsyism/Romaphobia in all forms, be it at local, national, regional or EU level;
  4. Urges the Commission to include the issue of combating Anti-Gypsyism/Romaphobia across Europe among its priorities for the 2007 European Year of Equal Opportunities for All, and calls on political and civil society at all levels to make it clear that racial hatred against Roma can never be tolerated in European society;
  5. Urges the Commission to further ensure, in the framework of the political requirements of the Copenhagen criteria, that candidate countries make real efforts to strengthen the rule of law and protect human and minority rights, particularly those of the Roma population;
  6. Calls on the European Commission to prepare a communication on how the EU, in cooperation with the Member States, can best coordinate and promote efforts to improve the situation of the Roma, and to adopt an action plan with clear recommendations to the Member States and candidate countries to bring about better economic, social and political integration of the Roma;
  7. Commends Member States for quickly transposing into national law Directive 43/2000/EC,<sup>8</sup> and urges those which are currently subject to 'non-communication' infringement procedures to take steps to rectify their lack of progress; calls on the Council to agree under the

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<sup>7</sup> Commenting at the launch of the 'Lisbon Scorecard V' on 17 March 2005.

<sup>8</sup> OJ L 180, 19.7.2000, p. 22.

Luxembourg Presidency the proposed EU Framework Decision on racism and xenophobia, which would make hate crimes punishable throughout the EU, and on which the European Parliament must be reconsulted;

8. Calls upon Member States and candidate countries to strengthen national legislation and administrative measures that expressly and specifically counter Anti-Gypsyism/Romaphobia and prohibit racial discrimination and related intolerance, whether direct or indirect, in all spheres of public life;
9. Calls on the Member States and candidate countries to exchange best practice in order to encourage the promotion of Roma culture;
10. Calls upon Member States to take appropriate action to eliminate any racial hatred and incitement to discrimination and violence against Roma in the media and in any form of communication technology, and calls on the mainstream media to establish best practices for hiring staff who reflect the composition of the population;
11. Calls on Member States and candidate countries to develop a strategy to increase the participation of Roma in elections as voters and candidates at all levels;
12. Underlines the need to guarantee equal social and political rights to migrants of Romani origin;
13. Underlines that the lack of official documents is a serious obstacle to the exercise of basic rights by Roma throughout Europe, as well as to their access to services which are crucial to social inclusion;
14. Urges all Member States and candidate countries to take concrete measures to improve Roma access to labour markets with the aim of securing better long-term employment;
15. Calls on Member States in which Roma children are segregated into schools for the mentally disabled or placed in separate classrooms from their peers to move forward with desegregation programmes within a predetermined period of time, thus ensuring free access to quality education for Roma children and preventing the rise of anti-Romani sentiment amongst schoolchildren;
16. Recalls that it adopted a resolution in 1989 on the education of Roma, Sinti and Travellers' children, and considers that ensuring that all Roma children have access to mainstream education remains a priority;
17. Urges Member States and candidate countries to introduce special scholarship and trainee programmes for disadvantaged Roma students;
18. Calls on Member States and candidate countries to take steps to ensure equal access to health care and social security services for all, to end all discriminatory practices, in particular the segregation of Roma in maternity wards, and to prevent the practice of non-consensual sterilisation of Romani women;

19. Considers that the current ghettoisation in Europe is unacceptable, and calls on Member States to take concrete steps to bring about deghettoisation, to combat discriminatory practices in providing housing and to assist individual Roma in finding alternative, sanitary housing;
20. Urges governments in regions with Roma populations to take further steps to integrate Roma civil servants at all administrative and decision-making levels in line with previous commitments and to allocate the necessary resources for the effective operation of such positions;
21. Calls on the Commission to publicly encourage national governments to ensure that, when funding programmes are aimed at Roma, Roma actors are fully involved in the design, implementation and monitoring of such projects;
22. Supports the continuing moves within the EU institutions towards incorporating the Roma-to-Roma approach, as developed by the OSCE, in the future hiring of staff for Roma- as well as non-Roma-related vacancies;
23. Calls on political parties, at both national and European level, to review their party structures and procedures with the aim of removing all barriers that directly or indirectly militate against the participation of Roma and incorporate policies geared to full Roma integration into their mainstream political and social agenda;
24. Urges the EUMC and, upon its creation, the Fundamental Rights Agency to devote more attention to the Anti-Gypsyism/Romaphobia in Europe and to allocate the necessary resources to monitor racial abuse and human rights violations against Roma;
25. Urges all Member States to support initiatives to strengthen Roma self-representation and active participation in public and social life and enable Roma civil organisations to make their voices heard;
26. Calls on the Commission to raise the Roma issue to a pan-European level, in particular with candidate countries, as the Roma live in every part of Europe;
27. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States and candidate countries.