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Midterm review of the EU framework for national Roma integration strategies

{SWD(2017) 286 final}

This midterm review takes stock of the progress since the launch of the EU framework for national Roma integration strategies (NRISs) in 2011. It is based on data on how the situation of Roma have changed and input from national authorities, civil society and other partners. The review confirms the added value of the framework, the relevance of EU Roma integration goals and the continued need for a combination of targeted and mainstream approaches.

The most important improvements prompted by the EU framework include:

- ✓ the commitment to addressing Roma integration as a priority at European and national levels
- ✓ structures for cooperation and coordination among Roma inclusion stakeholders
- ✓ the development, implementation and monitoring of national strategies and integration measures, and
- ✓ the mobilisation and alignment of legal, policy and funding instruments to fight discrimination and promote Roma inclusion

With the development of the necessary structures, the conditions are in place to make a difference in the life of Roma.

As regards real change in the situation of Roma between 2011 and 2016, however, it is clear that five years is too short a period to undo centuries of discrimination and deprivation. Progress is visible mainly in the area of education; in particular, the growing participation of Roma children in early childhood education and care points to strong potential for their later development. On the other hand, early school-leaving and poverty risk among Roma, though declining, are still far too high. The growing proportion of young Roma who are not in education, employment or training (NEET) is an alarming signal that translating results in education into employment and other areas requires a more effective fight against discrimination.

The review also identifies key priorities for Member States to address and ways to strengthen the EU Framework for NRIS.

1. DEVELOPING THE EU FRAMEWORK

In 2011, the situation of Roma,¹ Europe's largest minority (about 10-12 million people), came to the centre of political attention. In the context of the economic crisis, it became clear that tackling economic and social marginalisation and discrimination against Roma is not only a moral duty in line with fundamental EU values, but also, an economic imperative promising long-term benefits for ageing European societies. It was clear that action is needed at both national and EU levels. While Member States are primarily responsible and equipped to change the situation of their Roma communities, the Commission (in line with a call from the European Parliament)² proposed a new targeted European-level policy instrument: the EU framework for national Roma integration strategies (NRISs).³

The framework aims to close the gap between Roma and non-Roma in four key areas: education, employment, healthcare and housing. The Commission's proposal was followed up by Council and European Council conclusions⁴ marking an unprecedented EU-level commitment to a comprehensive approach to Roma inclusion. Key requirements included:

¹ In line with the terminology of European institutions and international organisations, the term 'Roma' is used here to refer to a number of different groups (e.g. Roma, Sinti, Kale, Gypsies, Romanichels, Boyash, Ashkali, Egyptians, Yenish, Dom, Lom, Rom, Abdal) and includes travellers, without denying the specificities of these groups.

² 2010/2276(INI).

³ COM(2011) 133.

⁴ EUCO 23/11, EPSCO 106665/11. In line with the Council conclusions, all Member States were invited 'to

- a commitment by all Member States to developing national strategies
- a combination of social inclusion and rights-based approaches, with the fight against discrimination becoming a horizontal requirement across all policy fields
- the involvement of regional and local authorities, civil society and Roma in the design, implementation and monitoring of NRIS
- adequate and sustainable funding (national budget to be supplemented by EU funds)
- monitoring of results, and
- mainstreaming Roma inclusion goals in public policies

In 2013, the EU Roma framework was strengthened by a Council Recommendation on effective Roma integration measures.⁵ The Recommendation sharpened the focus on anti-discrimination and extended work on Roma to new horizontal and structural areas. It also introduced, as of 2016, an annual reporting obligation on Member States, contributing to the development of a European system of monitoring. The December 2016 Council conclusions on accelerating the process of Roma integration⁶ confirmed the Member States' commitment and called for a midterm review of the EU framework.

2. MOBILISING EUROPEAN LEGAL, POLICY AND FUNDING INSTRUMENTS

Since the launch of the EU framework, legal, policy and funding instruments have been mobilised and aligned to promote Roma inclusion. Mainstream EU legislation (the Racial Equality Directive, the Council Framework Decision on combating racism and xenophobia)⁷ prohibits anti-Roma discrimination, hate speech and hate crime. The European Semester promotes reforms of mainstream policies that are conducive to Roma inclusion. The 2014-2020 European structural and investment funds (ESIFs) include several innovations to link policy priorities with European funding.

2.1. Fighting discrimination

Following the adoption of the EU framework, the Commission took a series of measures to fight Roma discrimination. It reinforced its monitoring of Member States' implementation of **anti-discrimination and anti-racism and xenophobia legislation**.

The Commission continuously monitors Member States' compliance with the anti-discrimination legislation. There is a particular focus on the fields of education and housing. Cases of systematic discrimination against Roma on grounds of their ethnicity are swiftly investigated. Infringement proceedings concerning discrimination against Roma children in education are ongoing.⁸ The Commission highlighted that placing Roma children in segregated schools or Roma-only classes with substandard school curricula, and diagnosing them with light mental impairment in disproportionate numbers on the basis of their social disadvantage, are in breach of the Racial Equality Directive.

prepare, update or develop their national Roma inclusion strategies, *or integrated sets of policy measures* within their broader social inclusion policies'. By 2012, all Member States except Malta had submitted strategies or integrated sets of policy measures. The terms 'NRIS' and 'strategy' also cover integrated sets of policy measures.

⁵ OJ C 378

⁶ 14294/16

⁷ 2000/43/EC, 2008/913/JHA

⁸ CZ, HU, SK

The Commission also monitors Member States' transposition of the Council Framework Decision on combating racism and xenophobia, and fights racist and xenophobic stereotypes and hate speech and hate crime, including when addressed to Roma. Under this framework the Commission entered dialogue with Member States leading to changes in legislation, established an EU high-level group on combating racism and xenophobia to foster cooperation between relevant actors and reached agreement with the main social media providers on a code of conduct on countering illegal hate speech online.

Several important steps have been taken to recognise and fight **antigypsyism**, as a specific form of racism against Roma and one of the root causes of Roma social exclusion and discrimination:

- the 2013 Council Recommendation highlighted the need to fight antigypsyism and encouraged Member States to adopt measures to prevent or compensate for disadvantages suffered by Roma (positive action)
- a 2015 European Parliament Resolution⁹ called on Member States to recognise the Roma holocaust officially and designate a European memorial day
- antigypsyism was further discussed at the 2015 European platform for Roma inclusion
- European Roma and pro-Roma civil society produced a reference paper on antigypsyism¹⁰
- the 2016 Council conclusions referred to antigypsyism and to the recognition and commemoration of Roma genocide, and
- the above mentioned high level group combating racism and xenophobia aims to , prevent and counter, *inter alia*, antigypsyism

The Commission has also worked to tackle **multiple discrimination** against Roma children and women, as groups exposed to high risks of violence, trafficking in human beings (THB),¹¹ exploitation, and underage and forced marriage, and to ensure that they are better protected. Promoting the empowerment of both groups, as well as Roma youth, was at the core of the above-mentioned Council conclusions.

2.2. Promoting inclusive reform through the European Semester

Through the European Semester exercise, the Commission steers and monitors Member States' action in order to make mainstream policies more inclusive of Roma. Since 2012, the five Member States most concerned (i.e. with the largest Roma communities and most acute challenges)¹² have received country-specific recommendations (CSRs) on Roma inclusion. These increasingly focused on education, calling for systemic measures to promote Roma children's participation in quality inclusive mainstream education. CSRs steered funding priorities in the 2014-2020 programming period.

2.3. Mobilising EU funding

The EU framework called on Member States to make full use of EU funds for Roma inclusion. In **2007-2013**, the funds took a **mainstreaming approach** to disadvantaged groups/regions,

⁹ 2015/2615(RSP).

¹⁰ www.antigypsyism.eu

¹¹ The *EU strategy towards the eradication of trafficking in human beings 2012–2016* (COM(2012) 286 final) led to relevant deliverables, such as a 2015 study on high-risk groups for trafficking in human beings and the *Report on the progress made in the fight against trafficking in human beings* COM(2016) 267 final and SWD(2016) 159 final.

¹² BG, CZ, HU, RO, SK

without explicitly targeting Roma, so the precise amounts of funding for Roma inclusion cannot be quantified. Disadvantaged groups could receive funding from the European Social Fund (ESF) mainly in the area of social inclusion, but also in the areas of employment and education. The amount allocated to the integration of disadvantaged people (including Roma) into employment was around €10 billion. The amount allocated under the European Regional Development Fund (ERDF) for social infrastructure (benefiting Roma among others) was around €17 billion. The ERDF Regulation was amended in 2010 and the Commission issued guidance in 2011 to support integrated housing interventions for Roma communities. Rural development policy supported the inclusion of marginalised minorities, including Roma.

For the **2014-2020 programming period**, the EU framework and the European Semester have ensured that there is a **strong linkage between policy and funding** priorities. The link between implementation of CSRs and the ESIFs ensures that mainstream policy reforms serve inclusion goals. For example, the Commission asked Member States that received CSRs calling for enhanced Roma participation in education to select the investment priority ‘socio-economic integration of marginalised communities such as Roma’ and to mainstream Roma inclusion under other relevant priorities (most importantly, ‘fighting early school-leaving and promoting equal access to quality early childhood, primary and secondary education’). Inclusive education cannot be achieved by targeted actions alone, but requires reforms of mainstream education. The 2014-2020 rural development programmes of the Member States most concerned provide support under priority 6 "promoting social inclusion, poverty reduction and economic development in rural areas" which includes measures to address the specific needs of marginalised groups including, but not limited to Roma.¹³ The Commission also encouraged the involvement of NRCs in the planning of EU funds, including as members of monitoring committees.

For 2014-2020, several new tools have been introduced (in addition to the ‘socio-economic integration of marginalised communities’ investment priority) to improve the effectiveness of the ESIFs as regards social inclusion, including that of Roma:

- a new set of requirements to ensure that Member States that allocate EU funds for Roma inclusion, have national strategic Roma inclusion policy frameworks and meet the pre-conditions for their effective implementation
- a more robust partnership principle (as part of a European code of conduct) to guide cooperation with civil society, local authorities and social partners in the planning, implementation and monitoring of EU-funded interventions
- increased earmarked funding for capacity-building for civil society organisations
- obligatory minimum allocation ratios for investment in social inclusion
- support for the physical, economic and social regeneration of deprived communities that may involve stronger integrated housing measures
- territorial and integrated approaches addressing the specific needs of geographical areas most affected by poverty and target groups at highest risk of social exclusion, facilitated by a multi-fund approach
- enhanced results-oriented monitoring arrangements (common indicators focusing on outputs and results) and reporting on a Roma-specific investment priority, and
- guidance for Member States on the use of EU funds to tackle segregation

¹³ *Ibid* – Targeting is made during the selection process prioritizing projects addressing problems of marginalised groups in rural areas, mainly under measure 7 "Basic services and village renewal in rural areas" and measure 19 "Community-led local development."

In June 2016, the Court of Auditors published the results of its audit on EU policy initiatives and financial support for Roma inclusion, concluding that significant progress in setting out EU policy initiatives promoting Roma inclusion had led to clear improvements for the 2014-2020 period. The Court called for additional efforts to ensure that the new tools improved results on the ground. It also made specific recommendations regarding the use of the ESIFs, data collection and monitoring.¹⁴

The Commission has mobilised **directly managed EU funding** to finance projects fostering Roma inclusion and fighting discrimination across Europe:

- The Rights, Equality and Citizenship Programme funds local, national and transnational projects on Roma inclusion and anti-discrimination
- The Europe for Citizens Programme supports projects commemorating the Roma holocaust
- The Employment and Social Innovation (EASI) Programme promotes social policy innovation aimed at Roma inclusion
- Erasmus+ helps develop lifelong learning measures for Roma inclusion
- The Public Health Programme supports initiatives to promote equal access to healthcare, and
- The Horizon 2020 research and innovation programme and the Seventh Research Framework Programme fund research on social inclusion, education, including research projects on the mobility of Roma to Western Europe and the impact of educational policies on Roma

2.4. European mainstream policy initiatives

European mainstream policy initiatives in the fields of education, employment, social and health can help to promote Roma inclusion.

The 2011 Council Recommendation on **policies to reduce early school-leaving**¹⁵ recommends the inclusion of targeted measures for the most vulnerable groups, including Roma. As a follow-up to the Paris Declaration¹⁶, the Commission stepped up its support for **inclusive education**. One of the priorities is to foster the education of disadvantaged children and young people, including Roma, by ensuring that education and training systems address their needs.

The **youth guarantee** and youth employment initiatives of 2013 are particularly relevant for Roma. They played a crucial role in helping to get young people back into work or education, but the Commission has acknowledged that more effort must be made to support ‘hard-to-reach’ young people, such as Roma. Key categories of the **European pillar of social rights** include equal opportunities and access to the labour market, fair working conditions, and social protection and inclusion.

The Commission’s initiatives targeting Roma **health** are taken forward under a range of general and specific policies. The 2014 Roma health report constitutes an important contribution to improving the knowledge base and mechanisms for monitoring and reporting on the health status of the Roma, with a focus on countries with large Roma populations.¹⁷

¹⁴ EN 2016, no. 14

¹⁵ 2011/C 191/01

¹⁶ 17.03.2015, informal meeting of EU education ministers

¹⁷ Roma Health Report 2014

2.5. Involving all stakeholders at European level

If Roma exclusion is to be overcome, all relevant stakeholders must join forces, fulfilling their responsibilities in the light of their mandates, competences and capacities. In order to promote mutual learning, dialogue and cooperation, the Commission has facilitated and financially supported stakeholder dialogue through the European platform for Roma inclusion, the NRCP network and regular consultation meetings with EU umbrella Roma and pro-Roma NGOs and international organisations. Over the years, the participatory approach and cooperation with international organisations have been reinforced.

2.6. Promoting awareness-raising, Roma participation and capacity-building for civil society and local authorities

The Commission has stepped up its efforts to promote awareness-raising, Roma participation and empowerment, and capacity-building for civil society and local authorities. Its **'For Roma, with Roma'** campaign supported targeted communications activities to combat prejudices and discrimination against local Roma populations.

The Commission has launched **joint programmes with the Council of Europe**:

- JUSTROM gives Roma and traveller women greater access to justice
- ROMED promotes inclusion by training intercultural mediators
- ROMACT builds local authorities' capacity to develop and implement inclusion measures
- ROMACTED promotes good governance and Roma empowerment at local level in Western Balkans and Turkey

The Commission has launched a **pilot programme to build capacity among local civil society actors** in order to strengthen their involvement in the monitoring of NRISs.

In 2016, the Commission and the Slovak Presidency organised a high-level event on Roma youth empowerment, which confirmed the urgent need to **empower young Roma** and actively involve them in Roma inclusion policy.

3. ASSESSING EFFORTS AND RESULTS IN THE MEMBER STATES

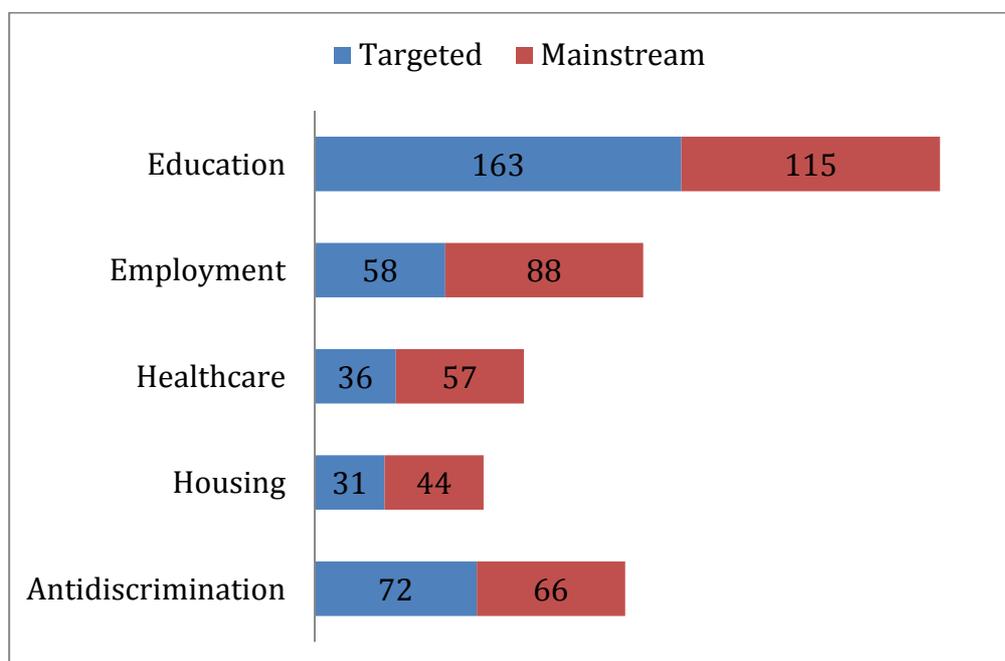
The political commitment of Member States, translated into national strategies, was a significant first step towards improving the livelihoods of Roma. National approaches to Roma inclusion vary across Member States according to the size and socio-economic situation of local populations. In its annual reports, the Commission has identified the priorities to be addressed by Member States in order to secure effective implementation. These include setting quantifiable targets, indicators and budget allocations, monitoring the impact of mainstream measures on Roma, cooperation with local authorities and civil society, and the involvement of Roma in all phases of the policy process. Member States have addressed some of these challenges, in particular with respect to their institutional arrangements, stakeholder cooperation, monitoring and funding. However, the impact of their measures on the situation of Roma in education, employment, healthcare and housing remains limited.

3.1. Substantive policy areas

The EU framework sets goals to improve Roma access to education, employment, healthcare and housing, and to fight discrimination in these areas. Changes in the situation of Roma (from

2011 to 2016)¹⁸ are reviewed below on the basis of Member States' reports on integration measures, main successes and implementation challenges.

Measures reported by Member States in the key policy areas and antidiscrimination



3.1.1. Education

Education is the main area in which the situation of Roma improved. It is also the most prominent area in Member States' policy mix for Roma inclusion. There is clear progress in the fight against **early school-leaving**, with declining rates among Roma in all surveyed Member States (most significant improvements in ES, SK, BG, CZ and RO). This is in line with Member States' policy focus: a majority of Member States implemented early school-leaving strategies and several met their Europe 2020 target in this area as a result. However, despite the improvements Roma continue to be strongly over-represented among early school-leavers, with rates up to 24 times higher than in the population as a whole.

The other clear improvement is in **early childhood education and care**, where the participation of Roma children grew in most Member States (significant progress in BG, EL, ES, SK and HU, but deterioration in PT and RO). The greater recognition of the importance of early education is reflected in the high number of measures and increased investment in this area, supported by legislative changes such as introducing compulsory kindergarten years (BG, CZ, FI, HU and LT). However, dedicated financial support is required to help the most deprived families with the indirect costs of early childhood education (fees, food, clothing, transport, etc.). Small improvements have been registered in **compulsory education**, with more than 9 in 10 Roma children covered by compulsory schooling provisions attending education in most Member States (not EL and RO).

While education is the area in which the most progress has been made, important systemic challenges remain. Eliminating **segregation in education** and putting an end to the inappropriate placement of Roma in special needs schools have been highlighted as priorities under the EU framework, the 2013 Council Recommendation, the Racial Equality Directive

¹⁸ Based on the FRA's 2011 Roma pilot survey and the EU-MIDIS II survey in 2016, see SWD in annex.

and the European Semester. There are still trends of persisting, sometimes even growing, segregation, with one to two thirds of Roma children attending schools where most or all children are Roma (SK, HU, BG: 60 % or above; EL, HR, ES, CZ, RO: 29-48 %).¹⁹ This can be explained only partially by residential segregation. Despite the increasing number of Member States investing in measures promoting **inclusive teaching and learning methods**, active desegregation measures are lacking in several of the countries most concerned and in some cases EU funds have even been used for segregated facilities. Evidence that integrated school settings and mixed classes are mutually beneficial for Roma and non-Roma is still not widely acknowledged. Too little attention is given to other key areas that are indispensable for improving employability, such as second-chance education and skills development in line with labour market needs.

Among successes in the area of education, NRCPs mention:

- ✓ legislative reform
- ✓ inclusive structures
- ✓ increasing participation by Roma (especially in early, but also compulsory and vocational, education)
- ✓ improved multicultural competences
- ✓ support for Roma students and teachers, and
- ✓ reaching out to parents

Among remaining challenges, they cite:

- ✗ still-high, though declining, early school-leaving rates
- ✗ difficulty of promoting effective transition for Roma to upper secondary and tertiary education
- ✗ language deficiencies, and
- ✗ discrimination

3.1.2. Employment

Improvements in education have not yet been effectively translated into employment. Although Roma employment levels have risen in some Member States (PT and HU), changes elsewhere are smaller or even negative. The **NEET rate** among young Roma remains alarmingly high and has actually risen in several Member States (51-77 % in ES, HR, BG, SK, RO, CZ and HU, with only PT showing a clear decline). One reason for the lack of progress could be that measures focus on the supply side, i.e. employability (through vocational training, lifelong learning, etc.) and do not proportionately address barriers on the demand side, e.g. by **monitoring and fighting discrimination**. Mainstream measures could also target Roma better. The strong employment gap between Roma women and men (widest in EL, RO, PT and HU)²⁰ is not sufficiently addressed. Avenues to **mobilise the private sector** and incentivise employers to recruit Roma, who in several Member States represent a significant and growing proportion of the working-age population, should be further explored, e.g. through the explicit targeting of Roma under the youth guarantee and social considerations in public procurement.

Recently, national employment levels have started to rise in several of the Member States most concerned. Revived economic growth offers a long-awaited opportunity for Roma to (re-)enter the open labour market, provided Member States apply smart policies with effective incentives.

¹⁹ EU-MIDIS II (selected findings).

²⁰ *Ibid.*

Where entry-level wages are extremely low, social benefits not linked to activation measures can constitute an unemployment trap.

According to the NRCs, the single most important success factor is:

- ✓ targeting Roma through mainstream employment services, e.g. via individual support or reaching out through Roma fieldworkers/labour officers

Among challenges, the NRCs refer to:

- ✗ lack of skills and competences
- ✗ discrimination
- ✗ need to impress on employers the importance of diversity management and anti-discrimination, and
- ✗ better targeting Roma women

3.1.3. Health

In the field of health, basic social security coverage remains a challenge, without significant improvement in the countries most concerned, where around half of the Roma population are still without **basic medical insurance coverage** (BG and RO, but an improvement of over 30 percentage points in EL). This is in spite of measures focusing on removing barriers that prevent Roma from accessing the healthcare system, which often include a lack of civil documentation. The self-perceived **health status** of Roma has generally improved (with the biggest increases in RO, BG, HU, PT and EL), which points to some success from other health measures, such as those promoting health awareness, access to vaccinations, medical check-ups, pre- and post-natal care and family planning. Improved perceptions of health could also be linked to the declining rate of Roma suffering from hunger on a regular basis in most countries. The civil delivery of services and targeting of Roma women are strongest in the field of health, but health reforms generally fail to target Roma needs explicitly.

These findings are confirmed by NRCs, who mention among successes:

- ✓ health awareness
- ✓ promotion of a healthy lifestyle
- ✓ focus on prevention
- ✓ health literacy
- ✓ Roma health mediators
- ✓ civil participation, and
- ✓ cross-sectoral, multi-stakeholder cooperation

Challenges raised include:

- ✗ lack of health coverage and general practitioners in Roma-populated areas
- ✗ under-use of health services
- ✗ mental and physical health problems
- ✗ teenage pregnancies, and
- ✗ need for more Roma health professionals

3.1.4. Housing

In the field of housing, small improvements regarding Roma **access to basic amenities** can be observed, with the rate of Roma living in households without tap water, toilet, shower or bathroom decreasing in several Member States (especially BG, RO, SK and CZ). Access to electricity supply is also improving slightly, with rates above 90 % in most Member States (not PT and EL). However, in several Member States (CZ, ES, IT and PT), Roma increasingly experience discrimination when it comes to access to housing. In the NRISs, Member States focused on promoting non-discriminatory **access to social housing**, with some also adopting **desegregation** measures. However, some of the countries most concerned do not report measures fighting segregation, while others do not address non-discriminatory access to social housing at all. Both areas are of utmost importance for further robust action, potentially financed from EU funds in line with the Commission's guidance on desegregation. This is especially important in the context of frequent evictions in several Member States.

Successes mentioned by NRCs (which tend to be pre-conditions for future change) include:

- ✓ housing allocations for marginalised communities under the 2014-2020 ESIF operational programmes
- ✓ surveys on the housing situation, and
- ✓ new action plans or strategic documents on housing

Among challenges, they refer to:

- ✗ the limited availability and low quality of social housing
- ✗ discrimination in the housing market, and
- ✗ segregation and ghettoisation

Priorities to be addressed by Member States:

- Promote effective equal access for Roma to quality inclusive mainstream education through legislation, inclusive reforms of public education, sustainable funding and explicit desegregation measures combined with inclusive teaching and learning methods
- Monitor and fight discrimination in the labour market as a pre-requisite for improving Roma employment levels. Develop a comprehensive package of mainstream and targeted measures addressing both the supply and the demand side of the labour market. Tackle the gender gap in employment by explicit measures targeting Roma women
- Ensure minimum basic social security coverage as an urgent priority, including by solving civil documentation issues, and improve access to other quality healthcare services. Exploit results in Roma participation in early childhood education and care by improving health services and providing free vaccination and medical check-ups for Roma children and their families
- Address spatial segregation with a complex integrated long-term approach. Prevent forced evictions on ethnic grounds and offer alternative housing to evicted families (including through ESIF investments) to avoid homelessness and greater exclusion, and
- Introduce safeguards to ensure effective equal access for Roma to mainstream measures and quality services in education, employment, health and housing. Target the specific needs of Roma in the context of public policy reforms

3.2. Use of EU funds

In 2014-2020, Member States allocated a total of €42.3 billion in ESIF funding to promote social inclusion and fight poverty and discrimination, enabling actions targeting the socially disadvantaged (including, but not limited to Roma):

- €21.2 billion from the ESF, i.e. 25.6 % of the total ESF budget – well above the minimum 20 % required under the Regulation
- €11.9 billion from the ERDF, and
- €9.2 billion from the European Agricultural Fund for Rural Development (EAFRD)

12 Member States allocated €1.5 billion (i.e. 3.5 % of the total allocation for social inclusion) to the priority **explicitly targeting Roma**. In addition, 11 Member States allocated a total of €447 million to combating discrimination.

Investment priority (IP)	Member States that selected the IP	Financial allocation
Socio-economic integration of marginalised communities such as Roma	AT, BE, BG, CZ, ES, FR, EL, HU, IT, PL, RO, SK	€1.5 billion The majority of funding (€1.2 billion) is concentrated in BG, CZ, HU and RO.
Combating all forms of discrimination and promoting equal opportunity	BE, CY, CZ, DE, ES, FR, EL, IE, PL, PT, SK	€447 million

Other relevant social inclusion priorities are active inclusion, access to affordable, sustainable and high-quality services, and health and social infrastructure. Roma can also be supported under the ‘education’ objective (e.g. early childhood education and primary schools) and the ‘employment’ objective (where relevant priorities include access to employment, and social entrepreneurship). Several Member States predominantly rely on EU funds to implement integration measures, without national investments or adequate monitoring and reporting of the impact of ESIF-financed interventions.

Priorities to be addressed by Member States:

- Ensure sustainable national funding of integration measures
- Measure and report the impact of integration measures on Roma school attainment, employment levels, desegregation, access to health, housing and quality services, and
- Use 2014-2020 funds to upscale, extend and multiply smaller-scale initiatives that proved successful in 2007-2013

3.3. Fighting discrimination

Member States have put in place legal frameworks prohibiting discrimination, hate speech and hate crime, but the **enforcement of EU legislation** with regard to Roma remains a serious challenge. Overall, the situation has not improved over the years. Discrimination and racism affecting Roma is still present and widespread in all key areas. Hate speech and hate crime continue significantly to affect the Roma community.

The lack of progress can be explained by several **persisting challenges**, including:

- ✗ lack of political will at national, regional and local levels to ensure non-discrimination and equal treatment
- ✗ administrative practices that can result in discriminatory practices or segregation
- ✗ lack of data
- ✗ under-reporting
- ✗ scarcity of case-law, and
- ✗ inadequate protection for Roma victims of discrimination and hate crime

Despite the lack of progress, some **positive developments** should be recognised:

- ✓ the adoption of new legislation and/or essential legislative amendments that have a direct impact on Roma, in particular in the area of education (HR, CZ, EL, HU, RO and SK)
- ✓ increased cooperation and networking between key actors, such as NRCPs, equality bodies, legal practitioners, civil servants, police, service providers (including teachers), municipalities and members of Roma communities
- ✓ efforts by national equality bodies to support Roma victims
- ✓ prevention, awareness-raising, promotion of anti-discrimination standards and activities sensitising people to the situation of the Roma, including possible vulnerability to become victims of trafficking in human beings, promoting best practices in countering hate crime, hate speech and negative stereotypes, and
- ✓ enforcement of national case-law on discrimination (Although in many Member States, court rulings and decisions recognising anti-Roma discrimination are not properly followed up.)

The Commission supports Member States' efforts in a number of ways, including work to enhance the role of national equality bodies and promote equality data collection.

Priorities to be addressed by Member States:

- Fully transpose and enforce anti-discrimination and anti-racism legislation and safeguards, e.g. by guidance targeting the regional and local levels
- Support the development and operation of effective and independent equality bodies, and
- Fight antigypsyism by specific measures, addressed to majority society and stakeholders, to counter negative stereotyping and stigmatisation of the Roma community, and support civil society

3.4. Involving all stakeholders at national level

Following the Commission's guidance, Member States started to put in place the structural pre-conditions for the successful implementation of their strategies, including **cooperation and coordination** with relevant stakeholders. They began investing in internal policy coordination, strategic planning and stakeholder dialogue. Within their respective administrative structures, they designated NRCPs to coordinate Roma-related policies. The NRCPs have become increasingly involved in coordination and contribute to policy-making and the use of national and EU funds. Strengthening their human and financial resources would allow them to perform their tasks more effectively.

Most Member States established mechanisms to coordinate Roma inclusion efforts. Dialogue structures have improved considerably thanks to EU financial support for the development of national platforms for Roma inclusion. In all, 15 Member States have taken an advantage of this to date and developed national consultation processes convened and managed by NRCPs.

However, important obstacles persist, such as a lack of capacity and sustainable funding, insufficiently transparent and inclusive **involvement of civil society**, and **local authorities' limited administrative capacity** to implement sustainable integrated measures.

Roma youth could be further encouraged to play an active role in shaping policies that directly impact them. Although the situation of Roma children and women is addressed by mainstream policies in the majority of the Member States, targeted interventions are also needed.

Priorities to be addressed by Member States:

- Strengthen NRCs' human and financial resources, and enhance their coordination role
- Promote capacity-building, sustainable funding and the transparent and inclusive involvement of Roma, civil society and local authorities, and
- Empower Roma youth, children and women as active players in the inclusion process

4. STAKEHOLDER ASSESSMENT OF ACHIEVEMENTS AND CHALLENGES

The Commission invited European and national NGOs, international organisations, experts and NRCs to provide their assessment of the key strengths and weaknesses of the EU framework, ways to improve it and priorities for action. Analysis of their contributions reveals a strong consensus on the achievements, challenges and priorities at European and national levels, suggesting that stakeholders appreciate the steps taken so far, but would like to see further reforms/improvements in addressing the challenges.

4.1. Achievements

There is broad consensus that the biggest achievement of the EU framework is putting Roma inclusion high on the European and national political agendas, creating **political commitment** to concrete, large-scale, long-term integrated action. Stakeholders widely believe that annual **monitoring and reporting** from the Commission, targeted policy guidance for Member States, data collection and the more recent reporting obligation of Member States are all crucial to keeping the issue on the policy agenda and improving knowledge and evidence-based policy-making.

The mobilisation of mainstream **European legal, policy and funding instruments** is another recognised result. Stakeholders attach great importance to the Commission's commitment to enforcing the **prohibition of discrimination** and its drive for **inclusive reform** of mainstream policies (through CSRs under the European Semester). Aligning **EU funding** with policy priorities in 2014-2020 is considered even more important. The new Roma-specific investment priority, the associated *ex ante* conditionality and the partnership principle under the European code of conduct receive most recognition.

The development of European and national **coordination** structures, creating spaces for Roma participation and cooperation between stakeholders are recognised. The designation of NRCs to coordinate the development, cross-sectoral implementation and monitoring of NRISs, and their increasing involvement in planning the use of the ESIFs and mainstream policies, are appreciated. The creation of the European platform for Roma inclusion in 2009 and the national platforms in 2015, and the role of equality bodies in the fight against discrimination are other strong points mentioned.

Finally, there is recognition of the fact that the EU framework has adapted over time to address emerging priorities and gaps. In particular, the growing EU-level recognition of **antigypsyism** and the Council Recommendation extending the framework to **new areas** stand out.

As regards the specific achievements of the NRISs, NRCs emphasise progress on the **horizontal and structural pre-requisites** of implementation:

- ✓ revising Roma integration strategies
- ✓ mainstreaming Roma inclusion in other areas
- ✓ drawing up local action plans
- ✓ local authorities becoming more active
- ✓ knowledge development (surveys, guidance, training)
- ✓ recognition of the Roma minority, language, culture and history
- ✓ developing coordination structures
- ✓ Roma participation, and
- ✓ legislative reform

Concrete progress in the situation of Roma is referred to much less frequently.

4.2. Challenges and priorities

The most important overarching challenge and priority is the still-limited impact of the EU framework in improving the **situation of Roma**. This is often linked to external factors, such as the economic crisis or the alarming rise of xenophobia and nationalistic, populist political movements. Other factors highlighted include the lack of local commitment and capacity to implement integration measures and access funding.

The perceived challenges underline the enduring importance of the **key policy areas**. Most stakeholders emphasise education (in particular, early education and desegregation) and housing (in particular, forced evictions and spatial segregation). However, translating improvements in employability into real employment and ensuring access to basic health services are also mentioned. Many civil stakeholders believe that the EU framework would benefit from a greater focus on anti-discrimination, in particular the fight against **antigypsyism** as a root cause of Roma exclusion.

Other challenges and priorities largely overlap with the achievements. Stakeholders refer to declining levels of **political commitment**, with emerging priorities, such as the refugee crisis, shifting Member States' attention away from Roma inclusion. As regards reporting by Member States, they call for more transparency, further development and closer involvement of civil society in **monitoring**, which should also facilitate peer learning. They call for more attention to **fighting discrimination**, e.g. by launching more infringement proceedings and imposing sanctions on non-compliant Member States. Regret is expressed at the fact that the Commission's Roma-targeted and mainstream policy guidance under the EU framework and Europe 2020 is **not enforceable**. There are calls to target Roma more explicitly under European and national programmes, such as the youth guarantee and Erasmus+. Many point to possible further improvements in the use of the **ESIFs** and call for NGOs and local authorities to be given direct access to funds, for better enforcement of *ex ante* conditionalities, sanctions for failure to uphold the partnership principle, better monitoring (through an increased role for the Commission and Roma themselves) and action to prevent the ineffective use of funds (e.g. training programmes not leading to employment) or their misuse (e.g. ESIF interventions financing segregated settings), including through a transparent complaint mechanism.

As regards coordination structures, challenges include NRCs' evolving but still-insufficient mandate, capacity and resources, insufficient **Roma participation** and the need to ensure more transparent and inclusive involvement, capacity-building and access to funding for **civil society**. Various stakeholders call for continued and more flexible support for national Roma

platforms, extending to more Member States and allowing transnational cooperation. There could also be greater coordination between the national and European Roma platforms. As regards the targeting of the EU framework and NRISs, some criticise the focus on marginalised Roma and recommend increasing investment in, and empowerment of, **Roma youth, women and children**, and paying more attention to the intra-EU mobility of Roma.

5. ROMA INCLUSION IN THE ENLARGEMENT PROCESS

The EU framework states that Roma integration goals apply equally to enlargement countries. The Commission included Roma integration as a key priority in its enlargement strategy.

Although Roma inclusion has been prioritised in the political agenda in the enlargement region since 2011, there has been limited progress on the ground. Most Roma still suffer from multi-dimensional social exclusion, notably in education, employment, health and housing. The integration difficulties faced by internally displaced Roma following the Balkan wars have not been fully addressed and are now exacerbated in some countries by the need to cope with returnees. In most countries, the lack of civil documentation still gives rise to real problems for some Roma.

The Commission's policy of promoting Roma integration in the enlargement region has involved:

- supporting all countries in developing a Roma integration **strategy and action plan**, and monitoring its implementation
- working with each Western Balkan government to organise a biennial Roma integration **seminar** with public authorities, civil society and international organisations. The implementation of seminar conclusions is monitored annually in the respective Association Agreement subcommittees
- putting Roma integration at the heart of the enlargement process by identifying concrete Roma-related targets in key policies such as the **visa liberalisation** roadmap and the **chapter 23 negotiations** (judiciary and fundamental rights), and
- mobilising EU **funding** for Roma inclusion (Under the 2007-2013 instrument for pre-accession (IPA I), the Commission allocated substantial funds for Roma inclusion and commissioned an independent evaluation to identify possible improvements for future financing. Under IPA II (2014-2020), it intends to enhance and better target Roma inclusion funding, with improved cooperation with international organisations.)

Since 2016, all enlargement countries have NRIS and action plans, and put in place NRCP and national Roma Platform structures. The Commission is fully committed to maintaining support for Roma inclusion stakeholders, with a particular emphasis on the involvement of civil society, cooperation with other donors and improved monitoring tools.

6. CONCLUSIONS

This review has confirmed the **added value of the EU framework**, the relevance of EU Roma integration goals and the continued need for a combination of targeted and mainstream approaches, whereby targeted measures can help to eliminate barriers to effective equal access for Roma to rights and services in mainstream public policies. The consultations with stakeholders confirmed their recognition of, and continued demand for, a European commitment based on an enhanced EU framework. This is equally valid for the enlargement countries.

In response to the Council's call to propose a post-2020 European strategic approach to Roma inclusion, the Commission will go beyond this review and launch a full in-depth evaluation of the effectiveness, efficiency, coherence, relevance and added value of the EU Framework for NRIS, covering all key elements of the European and national approaches to Roma integration, including the policy, legal and funding instruments that have been aligned and mobilised since the 2011 launch of the EU framework. The evaluation will further explore ways to develop the EU framework and feed into the planning for targeted and mainstream EU policy, legal and funding instruments post-2020.

The results of this stocktaking highlight the following conclusions as priorities for strengthening the implementation of the EU framework:

HORIZONTAL AREAS

- **Reinforce and distinguish the anti-discrimination and antigypsyism focus both under the EU Framework and NRIS**
- **Promote Roma participation and empower Roma children, youth and women**

Antigypsyism goes beyond the legal notion of discrimination. It can be addressed as a separate thematic area with specific measures, such as awareness-raising, informing about the mutual benefits of Roma inclusion and inter-ethnic community-building. Fighting antigypsyism should include measures to prevent and counter bias-motivated hate crime and hate speech targeting Roma. At the same time, it can also be considered a horizontal priority to be addressed through indicators or by promoting Roma participation in all key policy areas. The civil society monitoring project and Commission-facilitated peer learning between Member States and key stakeholders have the potential further to operationalise action in this area. Fighting antigypsyism and stereotypes by **targeting majority society** is a pre-condition for generating political will and for the success of any Roma inclusion intervention.

In order to ensure close interaction of **anti-discrimination** and social inclusion approaches, reporting under international human rights mechanisms could more systematically complement the monitoring of discrimination and antigypsyism under the EU framework, through closer cooperation with organisations such as the Council of Europe, the United Nations and the Organisation for Security and Cooperation in Europe. Further work by the EU's Agency for Fundamental Rights (FRA) on integrating rights-based indicators under the reporting framework and more in-depth analysis of the fight against discrimination and antigypsyism in each area of the framework are welcomed.

To promote **Roma participation**, specific groups that have an active role in driving Roma integration should be empowered further. This includes taking an integrated lifecycle approach in policy interventions targeting Roma youth, women and children, and improving their participation in all stages of the policy process and decisions affecting them.

STRUCTURAL AREAS

- **Reinforce partnership and support more inclusive coordination structures**
- **Consolidate a transparent system of reporting and monitoring to feed policy learning**
- **Support independent civil society**

Fora for **cooperation** at both European and national levels should be maintained and become more **transparent and inclusive**. More Member States should set up national Roma platforms, with more flexible support and closer links to the European platform. Concrete follow-up to the work of the EU high-level group on combating racism, xenophobia and other forms of

intolerance could contribute to better national-level responses to hate speech and hate crime targeting Roma.

More **transparent** national reporting, greater involvement of civil society in **reporting and monitoring**, and the development of a Roma integration **policy learning tool** to provide evidence-based policy guidance and support peer learning could enhance political commitment and accountability on Roma integration.

Direct EU funding, including under the rights, equality and citizenship programme, could be used more to support local **civil society empowerment and capacity-building**, improving access to funds, quality of implementation and independent monitoring.

KEY POLICY AREAS AND THE USE OF POLICY, LEGAL AND FUNDING INSTRUMENTS

- **Focus on a limited number of key areas to be addressed by the coordinated use of policy, legal and funding tools for visible results**
- **Ensure more effective use of and better access to EU funds**

While EU Roma integration goals in the key policy fields of education, employment, health and housing remain relevant, in order to accelerate the improvement of the situation of Roma communities, efforts should focus on a **limited number of critical areas and targets**, allowing for the combined use and aligned monitoring of targeted and mainstream policy, legal and funding tools. Setting a limited number of specific national quantitative targets with indicators for selected inclusive reforms and major targeted interventions under each area could help to focus action and achieve a greater impact.

A closer alignment of inclusive reforms of the mainstream policies with Roma integration priorities under NRIS and access to ESIF in specific areas, combined with reinforced conditionalities and partnership principle could focus attention and bring visible results.