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234. Calls for the timely adoption of the UN Declaration on the Rights of Indigenous Peoples; to this end, advocates the prompt resumption of the proceedings of the Working Group on the draft Declaration; in this respect, calls on the Commission and the Council to fully support the cause of indigenous populations and to take into account the conclusions of that Declaration;

235. Welcomes the proposed revision of the EU's Code of Conduct on Arms Exports under the Luxembourg Presidency and calls on the Council to take steps to ensure that all Member States abide strictly by its provisions, to provide the necessary resources for monitoring and enforcement, and to further promote and work towards a global arms trade treaty;

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236. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the accession countries, the United Nations, the Council of Europe, the OSCE and the governments of the countries mentioned in this resolution and the offices of the main human rights NGOs based in the EU.

**P6\_TA(2005)0151**

## **Roma in the European Union**

### **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 EC Treaty, which enables the European Community to take appropriate action to combat discrimination based on racial or ethnic origin,
- having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin<sup>(2)</sup> which bans discrimination on ethnic grounds,
- having regard to Article 4 of the Council of Europe Framework Convention for the Protection of National Minorities and the European Convention for the Protection of 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 adopted by the COCEN Group in advance of the Helsinki European Council 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 Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation<sup>(3)</sup>,

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

<sup>(2)</sup> OJ L 180, 19.7.2000, p. 22.

<sup>(3)</sup> OJ L 303, 2.12.2000, p. 16.

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- having regard to the Charter of European Political Parties for a Non-Racist Society <sup>(1)</sup>,
  - having regard to the establishment of a Group of Commissioners responsible for fundamental rights, anti-discrimination and equal opportunities <sup>(2)</sup>, and awaiting the presentation of the Group's agenda,
  - having regard to Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia <sup>(3)</sup>, to the Monitoring Centre's (EUMC) 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 its resolution of 27 January 2005 on remembrance of the Holocaust, anti-Semitism and racism <sup>(5)</sup>,
  - 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, and General Policy Recommendation No 3 of the European Commission against Racism and Intolerance on Combating racism and intolerance against Roma/Gypsies,
  - having regard to the comprehensive Action Plan, adopted by OSCE participating States, including EU Member States and candidate countries, focused on improving the situation of Roma and Sinti within the OSCE area, in which the States undertake inter alia to reinforce their efforts aimed at ensuring that Roma and Sinti people are able to play a full and equal part in our societies, and at eradicating discrimination against them,
  - 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, suffer 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,
- 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 the countries concerned,
- F. whereas, while many Member States have quickly transposed into national law Directive 2000/43/EC, a number have failed to do so or have done so incompletely or incorrectly,

<sup>(1)</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 that Commission on 5 December 1997.

<sup>(2)</sup> Commission President José Manuel Barroso announced this initiative in his speech to the European 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>(3)</sup> OJ L 230, 21.8.1997, p. 19.

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

<sup>(5)</sup> Texts Adopted, P6\_TA(2005)0018.

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- G. whereas the Romani Holocaust 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. recalling that a large number of Roma were victims of war and of ethnic cleansing and continue to be victims of persecution in parts of regions of the former republic of Yugoslavia,
- I. deploring the fact that a significant number of Roma asylum seekers have been expelled, or threatened with expulsion, from the host Member States, 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 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;

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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>(1)</sup>, and urges the 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 parties 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 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 2000/43/EC 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 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 the access of Roma 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;

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<sup>(1)</sup> Commenting at the launch of the 'Lisbon Scorecard V' on 17 March 2005.

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16. Recalls the resolution of the Council and of the Ministers of Education meeting within the Council of 22 May 1989 on school provision for gypsy and traveller children<sup>(1)</sup> and considers that ensuring that all Roma children have access to mainstream education remains a priority;
17. 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;
18. Welcomes the formation of the European Roma and Travellers Forum, and the work of groups within the Parliament focused on Roma and minority issues; recognizes the importance of cooperation with such bodies when creating Roma policies in Europe;
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. Welcomes the Decade for Roma Inclusion Initiative to which five Member States and candidate countries are signatories and calls on the Commission to work in cohesion with those governments concerned to align relevant EU programme funding to realize this initiative;
22. 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;
23. 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;
24. 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;
25. Urges the EUMC and, upon its creation, the Fundamental Rights Agency to devote more attention to anti-gypsyism/romaphobia in Europe and to allocate the necessary resources to monitor racial abuse and human rights violations against Roma;
26. Urges all Member States to support initiatives to strengthen the Roma's ability to represent themselves and participate actively in public life and society as a whole and enable Roma civil organisations to make their voices heard;
27. 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;
28. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States and candidate countries.

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<sup>(1)</sup> OJ C 153, 21.6.1989, p. 3.