

# Guiding principles of the long-term Roma social and minority policy strategy

Discussion paper

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## **PREFACE**

According to par. 4 of Governmental Resolution No 1047/1999. (V.5.) on the package of medium-term measures intended to improve the living conditions and the social position of the Roma, the Inter-Ministerial Committee on Roma Issues was given the task to draft a comprehensive, scientifically based long-term social and minority policy strategy with the involvement of the National Gypsy Self-Government in order to promote the social integration of the Roma and to improve their living conditions and social position.

The aim of the long-term strategy is to promote the social and economic integration of the Roma population living in Hungary and to ensure simultaneously the appropriate conditions for the preservation of their minority identity. One of the fundamental aims of the long-term strategy is to establish and maintain a social consensus, ensuring it is as wide reaching as possible. In this interest I am submitting the present discussion paper to start a social debate.

Several years of professional work preceded the formulation of the discussion paper on the guiding principles of the long-term Roma social and minority policy strategy. The discussion paper was adopted by the Government in its resolution No 1078/2001.(VIII.13.). In elaborating the strategy, the Office for National and Ethnic Minorities relied on Roma related research findings, on proposals received from politicians and representatives of the national and local Roma self-governments, municipal governments and civil organisations, on the principles and priorities of line ministries in connection of the long-term strategy, on the papers compiled by the expert of the Council of Europe and on the scientific basis laid down by the Minority Research Working Group of the Hungarian Academy of Sciences.

Besides sectorial priorities indicated in the field of education, the improvement of the labour market situation and the development of family welfare conditions, the strategy has specified further basic principles.

I think it is important to stress that governmental efforts aimed at the formulation of the long-term strategy are unique in Europe. Thus, besides its outstanding significance in Hungarian internal policy, the Roma long-term strategy is equally extremely important because of its international connections. In the course of the debate to come it is necessary to locate every point of engagement, and in the interest of the successful implementation of the strategy I would like to win the support of majority society, too. Every person must be able to have a part as a creator of the strategy, while at the same time every single person, organisation and public institution must be aware of the responsibilities stemming from such a strategy.

Through the formulation of the long-term Roma strategy the Hungarian Government continues its conscious policy aimed at the improvement of the situation of the Roma minority. Following the public debate the Government will submit the long-term strategy to Parliament, and by so doing it will declare that the resolution of problems afflicting the Roma can only be achieved through the common consent of society, based on consensus, and with the mutual acceptance of responsibilities.

Having this in mind, I kindly ask you to take an active part in the social debate.

Budapest, 12 July 2001.

Dr Ibolya DÁVID

Minister of Justice

## **1. Reasoning for the necessity of a long-term strategy**

### **1. The social situation of the Roma**

The poor living conditions and disadvantaged social situation of the Roma inhabitants living in Hungary is a well documented, carefully researched and analysed problem in Hungary. Social indicators for the Roma population are considerably worse than the national average, and a large majority of Roma live amidst uncertain conditions, in defencelessness under the subsistence level.

Unemployment, which took off in 1989-1990, hit the Roma particularly hard: they more than any other group found themselves ejected from the labour market, and they found it hardest to adjust to the new market conditions.

The proportion of Roma inhabitants completing primary school has improved, but as regards gaining secondary and higher educational qualifications the Roma still fall far short of their non-Roma counterparts.

The disadvantaged situation of the Roma minority in Hungary is of a compound nature. It is a social handicap in that they have a low level of qualifications, average family sizes are large, while their state of health and the prejudice displayed towards them impede their social mobility. The majority of Roma live in parts of the country with underdeveloped infrastructures afflicted by economic crisis, and in poorly situated settlements with worse-than-the-average conditions. In the majority of cases the above problems are present together, and this plays its part in further increasing the marginalisation and exclusion of the Roma population.

The cumulative impact of all these unfavourable factors further aggravates the situation of the Roma minority. Those Roma families whose members have lost jobs providing at least a modest livelihood are no longer able to pay the rent on their flats and the public utility charges. This leads to a position where they are forced to live in unhealthy conditions or in accommodation to which they hold no legal title. Thus they become ever more distanced from public services, schools and job opportunities. They become increasingly excluded, and the poverty in which they live feeds on itself to an ever-increasing degree.

It is not possible to simplify the situation of the Roma as either a problem of poverty or a question of minority policy. In examining the question it is apparent that in their case there are unique features of exclusion which derive not only from economic processes and social disadvantages but from the judgement and attitude of society as a whole.

As regards the Roma population, the handling of social affairs and the mixing of minority policy measures frequently lead to the isolation and segregation of the Roma minority and the ethnicisation of their social problems. The critical social problems faced by the Roma inhabitants have to be handled within general social policy frameworks. Endeavours have to be made over the long term to ensure that questions of social policy and questions of minority policy are clearly differentiated when implementing measures affecting the Roma minority.

It is unacceptable to permit the reinforcement of the attitude which makes the Roma responsible for their own poverty, with references to their mistakes and difference. However, similarly unacceptable is the attitude where through the denial of responsibility on the part of communities and individuals blame for every single problem afflicting the Roma is placed on majority society.

## **2. Emergence of Roma minority representation**

Parallel with the marginalisation of the Roma there is also a democratisation process taking place in society, and which also has its positive impacts on Roma inhabitants. Over the past few years opportunities for Roma interest representation and the enforcement of these interests have grown considerably; the National Gypsy Self-government, the local Roma minority self-governments and civil organisations play a considerable role here.

As a result of the institutionalisation of minority rights and as a consequence of the implementation of different state measures, there is in Hungary today a well established Roma intellectual stratum concerned with interest representation activities, and which takes an active part in the shaping of state and local policies as well as in the work of a variety of public institutions and civil organisations.

As in every democratisation process, here too it is apparent that there is competition and rivalry between the different organisations and individuals representing the Roma. Division is detrimental to the Roma communities too. Conflicts which, not infrequently, degenerate into personal charges

only serve, on the one hand, to increase prejudice against the Roma, and on the other hand they often result in a situation where the organisational or individual interests tied up in the argument impair the opportunity to enforce the interests of the communities, and weaken the strength and eventual success of common interest representation.

The social foundations of the participation and commitment of the Roma are given in the formulation and realisation of the long-term strategy. The Roma communities have the right and they also increasingly demand to take an active part in the resolution of decisions at various levels affecting on the Roma minority.

Without their support and co-operation the strategy cannot be realised. On the other hand, their input and participation opens the opportunity for long-term mutual deliberation and joint action.

### **3. Medium-term governmental measures, and the continuous, professional implementation and further development of related annual action plans**

Government Resolution 1047/1999 (V. 5) on the Package of medium-term measures to Improve the Living Standards and Social Position of the Roma was approved by the civic Government in 1999. By so doing, it declared that it was ready and willing to change the situation of the Roma population in Hungary and it considered the promotion of the social integration of the Roma as a priority task.

In order to ensure the proportionate implementation of the tasks defined in the package of medium-term measures the portfolios draw up annual action plans with the aim of promoting the concrete realisation of these tasks. In order to see through the tasks set out on an annual basis the portfolios must allocate financial resources in their own budgetary chapters.

In order to promote the social integration of the Roma population the Government has established a coherent system in which the different elements are built one on the other. The Inter-Ministerial Committee on Roma Issues was set up with responsibility for co-ordinating the series of tasks defined in the above-mentioned package of medium-term measures and in the annual action plans of the portfolios. The Public Foundation for Roma in Hungary (which has an independent board of trustees and its own system of support) has been contributing to the improvement of the living conditions and social status of the Roma inhabitants since 1996.

In Hungary, even despite continuing economic growth, financial constraints impeding the realisation of the long-term Roma strategy are likely to remain. For this reason it is critical to carefully think through and determine the most rational method of utilising available financial resources, all the while taking into consideration the different demands.

This is why it is necessary to have a rational, scientifically-based long-term Roma strategy spanning several government terms and founded on the widest possible social consensus.

The strategy is not being established in order to replace the package of medium-term measures, and it is not designed to delay the implementation of the medium-term tasks. Indeed, quite the contrary. Rather it is aimed at providing a long-term guarantee for the successful realisation of these measures.

As has already been mentioned in the Preface, through the drafting, debate and passage of the long-term strategy the Government and the National Assembly declare that the improvement of the social situation of the Roma – the largest minority living in Hungary – is an outstanding governmental task as well as a responsibility of society as a whole.

In addition to declaring a commitment to political responsibility, the success of the long-term strategy also depends on increasing the scope of competence of the Roma minority and their opportunities to take responsibility, while the operation of the existing institutional system must be made more efficient and the competence of the central administrative body dealing with the Roma minority must be strengthened. Furthermore, it is important to establish a monitoring system carrying out systematic evaluation and assessment, and new and concentrated resources must be ensured in order to carry out these tasks.

## **2. Basic principles of the long-term strategy**

### **1. Social solidarity, equity**

Hungarian citizens wish to live in a country where everyone, including those who live right on the fringes of society, has the opportunity of making a living and improving themselves. A country where everyone has the opportunity of working, where earnings from work provide a reasonable standard of living, and where the educational system brings up generations of young people capable of competing on the market.

The citizens of Hungary want a country where a minority-friendly social environment and stable legal frameworks, including sanctions where necessary, prevent and halt discrimination of any kind, and where social solidarity opens new opportunities to those generations, strata and minority groups which were seriously marginalised in earlier decades.

Solidarity must manifest itself in measures offering genuine equality of opportunity. Without strong and lasting solidarity the Roma are not capable of improving their own situation, while durable solidarity consciously taken on and backed up by financial resources can form the basis for a proportionate increase in shouldering responsibility.

### **2.2. Partnership, undertaking responsibilities**

We have to seek a solution to common problems together. The paternalistic attitude apparent in majority and minority groups must be further reduced, and in its place it is essential to create concrete conditions whereby Roma society and its leaders become increasingly responsible for and primary shapers of their own fate.

In the course of drafting and implementing the strategy, the principle of partnership must be asserted at both central and local level. Standardised measures passed from above are unable to take into consideration the variety and complexity of local issues, and for this reason their efficiency is reduced.

The Roma and their representatives must be involved in common deliberation and action in every area of the strategy. The single most important factor dictating the success of measures affecting the Roma is to achieve a position where every person concerned is fully committed to such efforts.

### **2.3. Subsidiarity, decentralisation, development at local level**

In accordance with general trends, over the long term programmes at local level must dominate in the area of the improvement of the position of the Roma population. Until now centralised initiatives and model programmes have constituted the majority, but they only stand a chance of achieving the mass impact desired if, based on the principle of decentralisation and subsidiarity, the demand for programme-type deliberation and action is established at county, microregion and settlement level too, backed up by appropriate state financing.

In order to achieve this, the several examples of valuable co-operative forms at national level must be made more decisive at intermediate and local level. In addition, the system of contacts of the minority self-governments, Roma civil organisations and local authorities must be further regulated.

The principle that the resolution of local problems should primarily be the interest, duty and responsibility of the local communities must also be validated.

Thus local and regional demands and requirements can only be answered efficiently by an institutional system built from the grassroots up and operating on the basis of the principle of subsidiarity.

#### **2.4. Preserving and passing on the values of Roma culture**

Cultural diversity has been a characteristic feature of Hungary for centuries. The fulfilment of the cultural autonomy of minorities is a conscious and resolute purpose. The preservation of minority cultural values – and within this, the culture of the Roma minority who until now received the least actual opportunity for such – is an important, common task of us all, as is the nurturing of the Roma languages and the passing on of these to future generations.

This activity must not be restricted solely to the Roma population. By learning about Roma culture and Roma communal values in general, majority society can significantly contribute to lessening prejudices present in certain groups within society, and can increase the level of social solidarity and tolerance.

#### **5. Maintaining respect for human rights, the banning of discriminatory practices**

In the area of the maintenance and enforcement of respect for human rights, the state bears primary responsibility over the long term too. In order to ensure this it is necessary to continually develop minority protection and – within this – particularly anti-discrimination legal frameworks, in addition to ensuring their enforcement when necessary. Based on its experiences and positive practice Hungary must continue to play the role of initiator in the field of the development of international norms for minority protection.

#### **6. Openness, transparency**

The social integration of the Roma population of Hungary and the related programmes and projects can only be conducted in harmony with the principles of complete transparency and openness. The written and electronic press as well as the other tools of the modern information society have, and will continue to be of key importance in this. It is important that in this field, too, an ever-increasing proportion of well qualified, Roma-origin experts with an understanding and knowledge of Roma traditions and culture are involved in the work.

#### **7. Complexity, programme harmonisation**

The management of the differentiated, compound problems of the Roma inhabitants demands a complex, multidimensional approach. As such, complex and harmonised measures have to be taken – including highlighting priorities – in the educational, employment, agricultural, regional developmental, health, social, anti-discrimination and communication portfolio programmes defined in the package of medium-term measures and in the portfolios' annual action plans, and during their implementation.

## **8. Concentration of resources, financial guarantees to ensure the continued sustainability of programmes**

On several occasions programmes which have started to operate successfully have been forced to be suspended or prematurely wound up due to a lack of financial resources. In other cases the lack of a stable financial background has thrown programmes into uncertainty, with their continuation requiring that programme managers seek resources from month to month.

In the interest of handling the problems outlined above and in order to guarantee the sustainability of successful projects the line ministries must provide long-term targeted support alongside their defined priorities.

In order to provision those tasks holding out the promise of the greatest efficiency and to achieve a complex target system, developmental resources must be utilised in a more concentrated fashion.

Thus the effective realisation and continued development of these programmes requires a separate, and considerable resource concentration over and above the resources available to the portfolios. This could primarily supplement the decentralised support systems, and open the door to launching other development programmes impacting on the Roma minority.

In the field of the financing of programmes already running, efforts must be made to ensure that the annual incremental growth in resources surpasses that of inflation, and that through specific funds that provide the necessary co-financing part, multiply disadvantaged communities are able to access housing, rural and regional development aid, labour market etc. resources guaranteeing considerably greater opportunities.

## **2. Priorities of the strategy**

In order to achieve the general aim of the strategy several priorities have been defined. These priorities can be finalised following the conclusion of social debate.

In line with the programme of the civic Government, the strengthening of the self-supporting capacity of families – and this applies equally to Roma families too – is of determining importance. The three sectorial priorities of the long-term Roma strategy i.e. education, improving their labour market situation, and developing family welfare conditions, serve this aim.

Over and above the sectorial priorities, on the bases of which the definition and the implementation of the tasks of the package of medium-term measures take place, it has also become necessary to determine comprehensive horizontal priorities spanning the sectorial priorities in the interest of strengthening social cohesion. Such horizontal priorities are the prevention of the social exclusion of the Roma and reinforcing the capacity of the Roma to take a role in public life.

The priorities are of decisive significance throughout the entire period of the realisation of the strategy, they are asserted at once and at the same time, and in this manner they serve the strategy's goals.

### **3.1. Strengthening the self-supporting capacity of families – sectorial priorities**

#### **3.1.1. Education**

### What justification is there for giving education key priority?

Preparedness for the economic and social relations of the information society will define national economic processes in Hungary over the 21<sup>st</sup> century.

It is essential to improve the human resources base of the transfer of knowledge. In a modern, knowledge-based economy an innovative attitude and the possession of a developed understanding of science and technology are preconditions to maintaining a competitive edge.

Educational and training programmes founded on research have to prepare citizens of Hungary to meet the challenges of the day and ensure that they always remain competitive in the role they take within society.

The acquisition of higher school qualifications represents a channel of social mobility through which the social status of the individual/group/community can be changed.

The current social indicators of the Roma minority – including educational indicators - can be said to be well below the social average. Increased emphasis on education and training can achieve a considerable change in living conditions. This is the reasoning for allocating education a priority role in the long-term strategy.

### The clear differentiation of measures designed to compensate for social disadvantages and those strengthening minority identity in order to prevent segregation processes.

Within the education and training of young Roma simultaneous efforts must be made to overcome the social disadvantages they face as well as to preserve, nurture and develop the Roma cultural identity. A clear and unequivocal line must be drawn between providing compensation for disadvantages stemming from poverty and the realisation of Roma minority educational programmes launched on the basis of the Act on Minority Rights and the Act on Public Education.

It is vital to continually monitor the efficiency of the educational supplementary normative support provided for the Roma minority. Furthermore, it is important to examine just how appropriate the supplementary support is in the realisation of the aims defined in the Act on Minority Rights and the Act on Public Education, and just how far it goes towards preventing segregation processes and promoting the social integration of Roma youth.

The conditions for native language education in the Roma languages must be provided in the course of pre-school and school instruction and education. Although regulatory conditions for Roma native language education are already in place within the framework of minority education, further efforts are required in the 'standardisation' of these languages, as well as in the area of the training of pre-school instructors and teachers speaking the Roma languages.

### Making three-year long pre-school instruction general

Among the long-term tasks it is important to mention making three-year long pre-school instruction general for Roma children, in close co-operation with the families and using minority teaching programmes adjusted to local needs. Until the motivation systems which make this possible are in place, further endeavours are needed in the area of the observance of current statutory requirements i.e. participation in classes preparing children for school life.

### Ending discrimination resulting in transfer to special schools

According to a report drafted by the Parliamentary Commissioner for National and Ethnic Minority Rights the procedure resulting in the transfer of children to schools with a non-standard curriculum or to institutions for the teaching of handicapped children may be employed to discriminate against Roma children. Heeding this warning, considerable steps

have been taken to modify the related legal regulations, but further efforts are needed to ensure the prevention and cessation of these types of disadvantage as well as any possible violations of law in practice. The transfer procedures and the activities of institutions must be continuously monitored in order to guarantee that any potential violation of the law is prevented.

Simultaneously, particular attention shall be paid to the elaboration and employment of means and methods providing for differentiated activities and the development of children from groups with socio-cultural disadvantages – and particularly Roma children – attending majority primary schools in order that instead of pre-schools and primary schools initiating relocation to institutions for the teaching of handicapped children, the handicaps of these children are rather tolerated and managed.

#### *Improving opportunities for the continuation of studies at vocational secondary school or secondary school*

The expansion of secondary schools is involving increasing numbers of young Roma of secondary school age, but still the proportions remain restricted. Here too it is important that the proportions approach those typical of young people in majority society. In order to promote this aim the system of student hostels/dormitories and the opportunities of distance learning must be further developed. Where called for, the establishment of new nationality school centres is also justified.

#### *Creating the right conditions for marketable vocational training for Roma youth*

The basic principles related to the education and instruction of young Roma as outlined above are equally applicable in the area of vocational training. It is critical that vocational training opportunities for young Roma guarantee them marketable skills and trades.

#### *Promoting the strengthening of a Roma intelligentsia, increasing and supporting participation in higher education*

The pace of development of the stratum of Roma intellectuals lags behind the average in majority society. Although the number of Roma citizens who can be placed among the tax-paying middle classes characteristic of civil societies is increasing, it still remains low.

The social integration of Roma communities could be given a tremendous boost if an increasing number of young Roma participated in higher education in a form whereby, having completed their studies, these graduates could integrate into the division of labour in society and into Roma public life whilst preserving their identity.

#### *Developing the training and further training of teachers and others in the caring professions in order to reduce discrimination and prejudice afflicting the Roma*

The training and further training of teachers must be continued in a resolute and targeted way in order to allow them to actively and successfully assist Roma youth in all areas of education and vocational training. Due to instances nationwide of school discrimination it is necessary to build two elements into the teacher training and further training systems: on the one hand, studies on the Roma of Hungary, and on the other hand, information for current and prospective teachers about the content and forms of discriminatory practices, about what can be done to remedy such practices, how to recognise prejudice and the methods by which it can be avoided.

It would be useful to encourage the introduction of systems which would permit teachers to deal with young Roma, or small groups of Roma youth on a "tailored-made" basis that is suited to the individual/group, alongside the standard educational systems. The aim of these systems would be to close gaps and nurture talent.

Besides helping teachers this activity must be reinforced in other areas of the caring professions as well, thus as regards professionals in midwifery, nursing, obstetrics, and

special development and social sectors. Here too there is need for the training and employment of an ever greater number of young Roma.

Unfortunately, contra-selection is apparent among Roma minority educational, instruction professionals and those engaged in other caring sectors. To counterbalance this, it would be useful to consider supplementing the support systems with new elements providing preferences to employers and incentives to professionals concerned.

#### *Ensuring quality, guaranteeing identical quality education to Roma and non-Roma students alike*

Every child has to receive the education commensurate with his/her capabilities, and the principle of genuine equality of opportunity in studies must be validated in every area of education. It must be ensured that Roma children receive education of identical value and quality to that received by their non-Roma fellow students.

Quality assurance must be introduced throughout the entire educational system. Over the long term there is a return on the resources devoted to education, and for this reason there must be constant appraisal in this field.

Alternative educational projects, model educational institutions, the system of state and foundation scholarships established to support the studies and further studies of Roma youth, and initiatives organised to assist higher educational studies constitute important results achieved in the field of education over the last decade. Further research examining the results and failures of the projects is required, and it is necessary to introduce the regular monitoring and evaluation of these projects in addition to their continued development based on the foregoing.

### **3.1.2. Improving the labour market situation**

#### *What justifies giving key priority to the improvement of the labour market situation?*

Compared to their proportion within the total population, Roma are represented in a greater proportion among those excluded from the labour market, and within this, there is a higher incidence of registered, long-term unemployment among the Roma.

A large part of unemployed and inactive persons from the Roma minority have been unemployed for more than one year, and of these it is likely that the majority will still not be able to find work even if the economy continues to grow.

There are five fundamental reasons for the high rate of long-term unemployment suffered by the Roma: lack of schooling, regional disadvantages, the disadvantageous – from the viewpoint of the Roma – outcome of economic structural transformations, discrimination, and the low efficiency of active employment policy measures among the Roma, due in large part to the non-registration of unemployed Roma.

According to the conclusions of researchers, over the last few years not only have the majority of Roma lost their jobs, as well as been excluded from the labour market, to a degree far exceeding that of the average in Hungarian society, but those Roma who have been able to hold on at some level to their position in the labour market have only been able to do so by being forced to renounce any chance of regular work.

Due to the wide expansion of unstable employment, social disintegration has touched a significant proportion of those who even have work; the lack of regular work results in a loss of control over one's life, and serious existential problems.

Defining an improvement in the labour market situation as a long-term priority is a basic condition for the social integration of Roma inhabitants, which taken together with the strengthening of the self-supporting capacities of families can promote the success of those tasks outlined in the area of education.

### Reducing the lack of schooling, training

In the course of improving the labour market situation it is necessary to connect - with the co-operation of municipal governments and training centres - public utility works and training programmes.

In the field of labour market training it is vital to raise the proportion of training schemes employed to supplement deficiencies in school-type training.

The expansion of career guidance methods and the methods making students capable to participate in vocational training, as well as their increasing utilisation are indispensable elements in the intermediate level training of young Roma.

Labour market vocational training and the training of the 'elite' taking place either within or outside school frames can only be built on the results achieved in public education. However, the educational, social, economic and other portfolios have to place increased emphasis on ensuring that a greater number of young Roma are able to participate in professional and higher educational training.

### Reintegrating the long-term unemployed back into the labour market

Those forced into long-term unemployment require complex reintegration programmes which couple the formation of reasonable living conditions with the ability to earn a livelihood, supplementary general training, professional training, employment and, through these, social rehabilitation.

Municipal governments should be called upon to draft programmes for the long-term unemployed which build on the co-operation of job and training centres, and endeavour to bring together training programmes and public utility works projects.

In the interest of ending long-term unemployment it is very important that the job centres do not offer their services solely to registered unemployed Roma, but they get in touch with unregistered unemployed Roma too.

With an eye to the disproportionately low level of employment among the Roma population it is critical that targeted Roma employment programmes are maintained in the long term in addition to those programmes open to all disadvantaged sections of society. In order to increase the number of Roma with jobs, there is a need to draft and launch special programmes that are adjusted to the requirements of the Roma and are formulated by them. To ensure that targeted Roma programmes get off the ground, employers and trainers dealing with Roma must receive support in the form of financial preferences.

A secondary, subsidised labour market engaged in the employment of the adult Roma population will be indispensable over the long term. Public works programmes and locally organised municipal government public utility employment can provide the unskilled and those with low educational level with work opportunities and a wage. These programmes currently have, and will continue in the future to have a considerable role to play in the provision of a livelihood for the affected families, because this type of work will be offered by companies of the business sector to an ever lesser extent as a consequence of rapid technological development.

### Enterprise development programmes supporting Roma inhabitants

A qualitative change in Roma employment can be expected in the long term only when the opportunity is given for the Roma to become competitive in the framework of market relations.

The reinforcement of an entrepreneurial mentality can be primarily achieved by the exploitation of local level job creation opportunities, the increased employment capacity of

(community) micro- and small enterprises operating in those areas not fully served by the market, and the development of community public utility enterprises.

It is necessary to expand the interest-free refundable and non-refundable subsidies available to Roma enterprises (naturally after examination of the business plan and the feasibility of the enterprise) coming from resources serving equality of opportunity and regional equality, as well as from the resources of the Public Foundation for the Roma in Hungary and the National Employment Public Foundation.

#### *Supporting employers taking on Roma through the provision of financial preferences*

Positive discrimination measures are required which would provide employers with preferences (e.g. the partial or full assumption by the state budget of contributions connected to wages, tax preferences). Thus by encouraging employers these measures would promote the employment of Roma workers.

#### *Increasing the number of state and municipal government Roma employees*

Within the range of duties of the municipalities, and primarily social-type services, there are numerous jobs and tasks which do not necessarily require high qualifications. At present Roma employment in these positions is not at an appropriate level. The employment of Roma workers in these sorts of duties must be increased, by ensuring the relevant training where necessary.

In order to increase jobs for Roma it would be also necessary to establish a municipal work organisation management section which would be qualified to further develop the present public utility work institution, and which would be able to exploit those employment opportunities which conform to the regional development programmes.

Regional development and regional policy could offer job opportunities to the unemployed or inactive Roma living in disadvantaged regions.

It is particularly necessary to ensure that an ever wider range of Roma intellectuals and professionals holding the appropriate school qualifications receive the opportunity to fill public official and civil service positions.

### **3.1.3. Development of family welfare conditions**

The living conditions of disadvantaged strata of the population are closely related to the social, economic, and educational situation. All these factors fundamentally determine and in the long run influence the state of health. Indicators for the living conditions and state of health of groups of the population living under accumulated burdens remain well below those living in the upper sections of society. One aspect of poverty and deprivation is health inequality.

A high proportion of Roma families live in poor conditions detrimental to health. The majority of their dwellings have only minimum services, and their environment is characterised by poor hygiene conditions, and a low level of infrastructural and public utility supplies.

The inappropriate diet is linked to a low level of income, and a great many suffer from infectious, coronary-vascular, respiratory and addictive diseases. The proportion of chronic patients and disabled is high, while the average life expectancy at birth is considerably less than in other similar sections of society.

Poor living conditions, the low educational level of parents and reproductive traditions are disadvantages apparent even at the earliest stage of life, starting from development in the womb, to be accompanied by further risk factors in infancy and childhood.

Over the long term the successful education of disadvantaged Roma children and an improvement in the labour market situation for future generations is only conceivable through the creation of the appropriate background. In the short term the work capacity potential can only be interpreted in direct proportion to the state of health of individuals.

The 'production' of human capital (which may also be expressed in national economic terms), that is the capacity to study and work, the sense of filling a useful position in society, are all components in improving the social situation of the Roma. Health protection and improvement (health development), the prevention of illness, the early identification (prevention) and cure of disease, the arrest of any further deterioration in the state of health, and the highest possible level of rehabilitation all bring results measurable in the improvement of state of health indicators.

Within the health sector developments must be made in providing access to health service supply, in improving communication between the health services and Roma families, and in health education activities. Based on research findings, it is important to improve the efficiency of the screening system and to develop services which have been scientifically proven to improve the state of health. By strengthening the midwifery service it will be possible to achieve better co-ordination of activities conducted in the interest of improving the health of disadvantaged Roma families, as well as the development of contacts between institutional systems.

Outstanding attention has to be given to ensuring a healthy start to life, and to the rearing of children. Help must be provided to mothers, women and families so that – with due consideration to the prevailing circumstances – a healthy lifestyle outlook can be built into family life.

Working in harmony with the National Health Programme, the public health conditions of families living in disadvantaged settlements must be improved. The preferential provision of recommended, non-obligatory, chargeable inoculations against certain diseases in groups of the population at increased risk as well as the extermination of pests hazardous to humans must be ensured within the frame of the programme organised with the co-operation of the National Health and Medical Service. Parallel with the closure of run-down colonies and neighbourhoods and colony-like residential areas, and in order to look after the health of those living in non-colony settlements, the National Health and Medical Service continues to operate its monitoring system in order to screen and prevent factors damaging to health.

On the basis of the experiences and results of the social flat construction programme worked out and launched as part of the Széchenyi Plan, as well as the flat building programme of the National Gypsy Self-government, methods for the expansion of the programmes improving the housing opportunities of those in the most dire of situations in society must be further concretised.

In the medium term a start must be made on the colony closure and colony rehabilitation programme (with a capital injection of around HUF 50 billion). On the one hand this can provide considerable infrastructural developments in colony-like residential areas, and on the other hand it can – with due attention to local community demands – ensure a quality improvement in housing and public health.

Over the long term though, the organisation of colony closure programmes is not in itself sufficient since experience shows that only putting a stop to the regeneration of colony-like residential areas can bring about substantial and long-lasting change.

## **2. Strengthening social cohesion – horizontal priorities**

### **1. *Preventing the social exclusion of the Roma***

The majority of society is totally unaware of, and, thus, reluctant to accept, the rules governing the culture and lifestyle of the Roma. In an increasingly uniform society there is ever less opportunity for their characteristics and differences to be

appreciated. Everywhere one can find prejudicial and stereotypical views formed about the Roma.

Clearing out prejudices apparent in majority society and establishing a tolerant, receptive social atmosphere promoting the integration of the Roma is thus at least as important as the actual integration of the Roma communities in all areas from education to employment and living conditions.

The formation of harmonic relations between different social groups must be supported by the state with every means at its disposal. These means must not employ restrictions, bans or punishments to achieve their goals.

The gradual construction of contacts between the different groups and communities, and the proliferation of positive examples can provide stronger bases for the creation of social confidence and trust.

Some aspects of the lifestyle have an extraordinarily large part to play in the process of exclusion. This frequently becomes a source of friction in relations with the majority environment, and the basis for prejudices directed at the Roma as a whole. This has nothing to do with questions of Roma traditions and Roma culture, and this is why efforts must be made to avoid merging one into the other. Thus it is desirable to reinforce those institutions – family help centres, child welfare services, advisory networks – which are qualified to inspire interest in and expound cultural requirements.

#### *The role of the media in reducing prejudice and forming a realistic picture of the Roma*

The media has a key role to play in changing stereotypes held about the Roma and in creating a realistic picture of them.

It is necessary to encourage the presentation in the written and electronic media of successful local initiatives and processes promoting the social integration of the Roma. Space must be given in the media to news about the participation of Roma communities and organisations in the life and development of their settlements and regions. It is vital to air examples which reflect the commitment of Roma leaders, entrepreneurs and intellectuals to their own communities and wider society. Another requirement is the regular appearance of Roma-origin journalists and public personalities on public service and commercial television, and not only in minority broadcasts.

#### *Values created by the activities of Roma artists and intellectuals*

Majority society must be informed of the many assets that Roma intellectuals, writers, poets, musicians and artists have contributed to national and universal culture. A broad spectrum of society must be informed about Roma culture, its cultural and social customs and traditions.

#### *Dialogue and co-operation as a means of reducing prejudice*

Attention must be directed towards ensuring that central, regional and local authorities are more receptive to dialogue with Roma

organisations and families. The exemplary behaviour of public institutions can promote a positive change in public opinion.

Young people are particularly susceptible to stereotyping and prejudices. It is far easier to shake off age-old stereotypes in youth than it is later on in life. This is why increasing contacts between Roma and non-Roma communities of young people must be promoted both within educational frameworks and through other schemes – joint programmes, festivals, sports etc. – and more possibilities must be given for these young people to get to know each other.

#### Reduction and prevention of discrimination in everyday life

In order to reduce instances of discrimination in everyday life, not only should violations be documented and investigated, but increasing emphasis must be placed on the formation of a sense of solidarity towards the Roma in the public service media, and in the formation of general public opinion.

It must be made abundantly clear to majority society that it is in no one's interest to maintain the marginal situation of the Roma. The frequently criticised relation of policing bodies vis-à-vis the Roma minority demands the decisive and consistent continued implementation of the ongoing change of attitude.

#### Heightening the role played by the churches

The non-Roma population has to be won over to the strong condemnation of discrimination against the Roma, an understanding of the educational and housing problems faced by families with many children living in extraordinarily difficult conditions, the establishment of institutional forms of social support and donations, and the organisation of more open and regular missionary work by the churches. In this, the local representatives of the churches can have an outstanding role to play in forming better and more efficient communication.

Gaining the support of public opinion is a precondition to the success of the long-, medium- and short-term strategic programmes.

## **2. Strengthening the role of the Roma in public life**

### Why is the strengthening of the role of the Roma in public life afforded priority?

Experiences over the past decade prove that the measures introduced with the aim of improving the situation of the Roma minority can only be successful if their drafting and implementation is achieved with the co-operation and active participation and input of Roma communities.

This is why it is a priority to increase Roma participation in social processes and in relevant local, county and national decision-making and implementation.

Autonomy, competencies and responsible behaviour associated with the role must be strengthened in order to ensure the efficient activities of Roma minority representatives.

### Continued development of the Roma minority self-governments

With regard to the compounded problems of the Roma there must be a review of the operation and development of the minority self-government system created by the Minority Act, as well as the situation of the Roma minority self-governments.

The enormous demands for social subsidies represent a particular headache for the Roma minority self-governments, which dispose neither of the jurisdiction nor the means to resolve these pressures.

In addition to the increasing number of Roma representatives, the improvement of their efficiency when participating in decision-making processes is also particularly important.

As such, concrete, concise and clear areas of authority have to be defined during the course of modifying the Minority Act. Co-operation between the minority self-governments and the municipal governments must be promoted, the legitimate operation of the minority self-government must be improved, and efficient forms of monitoring must be evolved.

The conclusion of investigations to date shows that where there is good co-operation between the municipal government and the minority self-government the incidence of illegal rulings is lower. Practical experience proves that minority self-governments that got established on the basis of the activities of properly functioning civil organisations operate more efficiently. In these settlements the communities have elected the best people for the job, those who, from then on, will act in the interest of Roma residents within the frames of the self-government system. The National Gypsy Self-government and the local minority self-governments are the legitimate partners of national and local authorities.

Continuous and efficient co-operation with the civil sphere is also in the interest of these minority self-governments.

#### *Training Roma self-government representatives*

The low level of school qualifications and limited experience of the public sector represent considerable drawbacks for self-government representatives. Because of this Roma representatives are not always capable of successfully acting as counterparts in negotiations with public authorities and institutions. Everything must be done to improve the professionalism of Roma, primarily those who are elected representatives of municipal governments or minority self-governments, so that they are able to better represent the interests of their communities.

From this it follows that a more systematic training system must be established with the involvement of professionals engaged in adult training. Municipal government representatives and civil servants as well as representatives of the minority self-governments and civil organisations must be involved in these training sessions.

Furthermore, there is definite need for the establishment of a network of professionals and experts made up by the Roma themselves, and which is accessible at any time on the Internet. This programme can be linked to the creation of the database featuring in the PHARE programme of the Office for National and Ethnic Minorities.

#### *Involving Roma interest representation bodies in the work of regional development centres and in the realisation of micro-regional and local programmes.*

In future the realisation of regional and rural development programmes will take place within medium-term regional programmes, in a fashion similar to that set up in the European Union, through Regional Development Councils. The frameworks for co-operation between the Regional Development Councils and the county Roma minority self-governments (that will probably be established) must be defined.

Due to the decentralisation and separation of the various supply, service and support systems and in the interest of establishing an appropriate flow of information, it is vital to

ensure that the county Roma minority self-governments get directly involved in the work of the Regional Development Councils, both organisationally and in the decision-making process.

The Roma minority self-governments and Roma professional organisations must be increasingly involved in the work of the regional development centres and the implementation of micro-regional and local programmes.

*The formation and realisation of governmental Roma policy can only take place in conditions of partnership together with Roma representatives*

The complexity of the Roma programmes also includes the active participation of the more than half a million Roma living in Hungary in the shaping of their fate.

Any significant change can only be achieved if governments devote particular attention to this issue over the long term and keep it on the agenda. It is vital to create the conditions for full equal rights of the Roma and a closing of the gap economically.

The Hungarian governments in power at any particular time undertake to ensure the necessary budgetary means to implement the defined tasks. In order to implement the programmes they make continual efforts to create consensus among the parliamentary parties concerning the Roma question.

The present methods of conciliation must be rethought and brought into line with the principle of partnership. Transparent and actual partnership based on debate must be built up by the Inter-Ministerial Committee on Roma Issues, as co-ordination forum. In addition to learning about and getting reports on a list of individual programmes of the portfolios, Committee sessions must also involve detailed professional debate.

In accordance with the principle of partnership, the bringing of Roma-related decisions by the different ministries must be reconciled, on a regular basis, with the elected representatives of the Roma in Hungary, the National Gypsy Self-government. Where this reconciliation concerns measures being taken by several ministries, debate must include representatives from all the ministries at the same time.

*Increasing the role played by Roma interest representation bodies in the European integration process*

In the course of realising the social integration of the Roma it is important to take full advantage of the opportunities soon to be made available to Hungary deriving from European Union integration. On the basis of the experiences of the ongoing PHARE programmes and regional co-operation forms representatives of the Roma communities have to be prepared to take immediate and effective advantage of the opportunities that will be made available by Union membership.

### **3. The procedural methods for the formulation and implementation of the long-term strategy**

#### **4.1. Expediting the social debate on the guiding principles and priorities of the strategy, summarising and classifying the proposals and expectations arising in the course of the debate in society**

Following the instruction of the Government the Office for National and Ethnic Minorities is conducting a wide-ranging social debate on the discussion paper outlining the guiding principles and priorities of the long-term strategy.

All the players in Roma affairs, Roma representatives, representatives of public authority and members of majority society are being involved in the social debate.

In order to obtain as wide a conciliation as possible, the Government-approved discussion paper is passed in written form to all individuals and organisations who have until now already undertaken a role in the formation of the strategy through their opinions and interest.

Regional conferences are also being organised in addition to requesting written opinions of the strategy.

Following a full debate in society the redrafted material must be submitted for further reconciliation within an expanded session of the Inter-Ministerial Committee on Roma Issues and with the inclusion of experts, politicians and key Roma figures from public life.

#### **4.2. National Assembly resolution – legitimisation**

The final decision on the long-term strategy will come with the ruling of the National Assembly. The implementation of the strategy can be successfully achieved in harmony with the professional tasks of the portfolios, and with a governmental body having a strengthened role in the co-ordination. This governmental body could be the Office for National and Ethnic Minorities, but governmental tasks related to the Roma could be also managed within organisational frames other than the current ones.

##### ***1. Potential elements in the National Assembly resolution determining the eventual long-term strategy***

The long-term strategy, working within the framework of the outlined basic principles and priorities, will strengthen and stabilise medium- and short-term Roma-oriented schemes promoted by governments and the tasks involved in the acceptance, modification and implementation of their programmes.

It is necessary to define:

- the aim and the priorities of the strategy
- the schedule for the realisation of the strategy (e.g. 2×10 years)
- the terms and system of correlation of the long-term and medium-term programmes
- the role, responsibilities and scope of monitoring of legitimate Roma representatives, the Inter-Ministerial Committee on Roma Issues and the Office for National and Ethnic Minorities in the implementation of the medium- and short-term Roma programmes
- the form of the harmonised system of financing, the financial resources and the financial administrators related to the economic policy strategy required in order to implement the governmental action programmes
- the establishment of the quality assurance system of governmental, regional, micro-regional and local programmes materialising in the frame of the governmental action programmes,
- and/or the building of a monitoring system encompassing governmental programme packages.

##### **2. Monitoring, evaluation**

It is essential to evaluate the realisation of the long-term strategy. It would be reasonable to carry out evaluation every five years. It is necessary to gather calculable and

comparable indicators and data which enable constant examination of the changes. The monitoring of the long-term strategy, and the predicting of necessary corrections can best be achieved with research and monitoring examination techniques employing scientific methods.

The Minority Research Institute of the Hungarian Academy of Sciences is perhaps the most appropriate independent institution to carry out this work professionally.

Today the implementation of the package of medium-term measures does not have an exact evaluation procedure that would permit comparison of the results of individual programmes. Consequently, it may happen that support goes to some projects that are functioning with only restricted efficiency, and other programmes that have already produced encouraging results are bypassed. Serious and regular evaluation of the strategy can be ensured as follows:

- Formation of a monitoring committee connected to the Inter-Ministerial Committee on Roma Issues, with the involvement of representatives of the National Gypsy Self-government and experts.
- Organisation from time to time of a Roma Strategy Forum, at which the persons involved in the different programmes would review headway made towards the defined goals.

Based on evaluation and monitoring, programmes that are underachieving must be wound up, and in their place new initiatives must be supported. The appropriate conclusions must be drawn from those projects generating positive results, and these projects should be extended throughout the country.

The constant monitoring and evaluation of the realisation of the priorities outlined in the strategy as well as the introduction of modifications deemed necessary on the basis of feedback are indispensable conditions to the successful implementation of the long-term strategy.

Budapest, June 2001

## **Appendix**

# **Adjusting the long-term strategy to social processes**

## **1. Roma social indicators**

Due to the fact that data calculations and estimates are based on different criteria, there is no complete professional consensus as regards the judgement of the most important demographic characteristics of Roma society in Hungary. However, the results of every research project are consistent in referring to the fact that demographic indicators of the Roma in Hungary have differed considerably from the national average for many years now.

Over the past three decades the number of births in Roma communities in Hungary has considerably exceeded that of the average for the country. According to the calculations of some researchers, in the next 50 years the Roma population may exceed 900,000, as a result of which the national proportion of Roma amongst all those of school age and the young could be 20%.

Estimates suggest that life expectancy of Roma at birth is some 8-10 years shorter than the average in Hungary. Regional differences in mortality indicators match social-economic inequalities. In poor villages with significant numbers of Roma residents the average life expectancy at birth is under 60.

The Roma face major disadvantages even at birth, since they have a higher incidence of premature birth, lower birth weight, and infant mortality. The high number of those suffering from chronic and infectious diseases and disabilities, and the extremely high proportion of smokers, taken together with the above indicators, derive principally from poverty and poor living conditions, and is in line with indicators of disadvantaged poor populations. Living and housing conditions linked to poverty and social position, as well as environmental factors, influence to a large degree the state of health of the Roma, and affect the chances for the maintenance of a healthy life, the access to health service provision, successful participation in education, the opportunity to care for oneself and success on the labour market.

Education indicators for the 1990s show a major improvement, although looking at the primary school situation and compared to national data, the proportion of Roma pupils attending lower classes than other pupils of the same age is more than three times greater. The proportion of Roma students with secondary school-leaving certificates is a fraction of the national average, and Roma graduates can still be considered exceptional.

Roma minority education was launched in the early 1990s. The instruction and education of Roma children comprises all those tasks of public education provided for children and students belonging to this minority over and above the services which are due to all students.

From the very start the original purpose of the supplementary normative support provided for the implementation of municipal government duties was not merely to close the gap between Roma and non-Roma, but also to strengthen the identity of the Roma minority, to teach students about their own traditions and culture and to develop these in the framework of public education, as well as to ensure equality in schooling opportunities.

Lacking specific regulation and appropriate documentation as well as precedents, the majority of schools and maintainers restricted themselves to "closing the gap". The organisational and content conditions for Roma minority education were largely established at the same time as the reform of Hungarian public education, with the publication of Ministry of Culture and Education Decree 32/1997 (XI. 5) on the guidelines for the pre-school instruction of national and ethnic minorities and the school education of national and ethnic minorities in 1997. On the basis of these documents children in pre-schools not only participate in preparations for school life but also in Roma cultural education. In primary and secondary schools, and within the frame of Roma minority education, students take part in obligatory folk identity education and can, in accordance with their parents' wishes and depending on the individual circumstances, study one of the Roma languages and take part in programmes designed to close gaps and develop talent.

Textbooks covering the subject of folk identity are only available from 2001. In principle the two Roma languages (Romani and Beash) can be taught, but their standardisation and the drafting of their requirements is currently in progress, and only after this will it be possible to guarantee the necessary documents and study aids. There is similarly a scarcity of language teachers. Furthermore, the efficient instruction and education of Roma children, whether within or outside the frameworks of minority programmes, raises the requirement that the teachers themselves get trained in Roma studies. Albeit slowly, workshops for Roma studies training have started up. However, Roma studies (romology) as a discipline has a long way to go before it achieves accreditation.

Despite all the difficulties, it is an undeniable fact that today Roma minority instruction and education is being organised in around 250 pre-schools and 500 primary schools in Hungary, with the participation of an estimated 20,000 pre-schoolers and 50,000 school pupils. Today a significant majority of Roma children complete primary school education. Some of the most important results in educational affairs over the last decade include the alternative educational projects, furthermore the state and foundation scholarship schemes supporting the education and further education of young Roma, and initiatives organised in order to assist participation in higher education. Several thousand youngsters are involved in these projects.

The Hungarian government realises further programmes assisting the social integration of young Roma and their educational success with PHARE support.

As a long-term goal, it is necessary to see that dealing with Roma children in education moves from being a primarily political and legal question to become a genuine educational question. This is all the more urgent since education is one, and perhaps the most important point in improving the general living circumstances of the Roma and in promoting their integration into society. Today it is acknowledged that school failure is not only a result of, but can actually be the cause of the social marginalisation of the Roma minority.

The Roma population is frequently cited as the big loser in the change of regime. Unemployment emerged in 1989-90 had a mass impact on the Roma, they found themselves excluded from the labour market to the greatest degree and they found the greatest difficulty in adjusting to the new market conditions.

This is closely linked to the fact that following the change of regime the first jobs to go were those that could be filled by people with low educational qualifications and that did not require any vocational training abilities. These were the jobs in which earlier the majority of the Roma worked.

The percentage of unemployed Roma men among all unemployed persons is 9.6%, and the same proportion for Roma women aged between 15-54 is 7.9%. Data for 1993 show that the proportion of Roma not registered as unemployed but still inactive was considerably higher (40-60%) than the national average (19-23%). Already seven years ago 60% of Roma without jobs had not had a stable working position for over two years. Since then the situation has continued to deteriorate, and this statement is backed up by every sociological research study.

Since the change of regime the 'human capital' of employees has received increasing significance on the labour market. The most important condition to increasing this capital is having marketable school qualifications. From the aspect of the acquisition of positions on the labour market, the fact of holding a secondary school-leaving certificate is in itself important, but it is of deciding importance for continuation into any higher educational institution.

Turning to national indicators, there are considerable variations in the regional distribution of the Roma in Hungary: just 10% of the Roma inhabitants of Hungary live in the capital, whereas this figure as regards the entire population of Hungary is 20%; on the other hand, the proportion of the Roma population living in villages is 20-25% higher than the national average of 38%.

There is an increasingly wide gulf in Hungarian society between those with a high income and the poorer strata. An ever widening gap divides the tax paying middle class citizens in work and excluded, marginalised groups which are either inactive or have escaped to the black economy. This exclusion process is not favourable to improving relations between Roma and non-Roma.

The ghettoisation process present in declining and ageing villages, depopulated small settlements and decaying urban areas only intensifies this exclusion, resulting in the gradual social isolation of the Roma.

Public opinion on the Roma minority is divided. The approach heavy with prejudice is more dominant than the tolerant view expressing solidarity with the Roma minority. The common opinion is simplified, takes a generalised approach, and frequently employs negative, prejudicial statements when talking about the different Roma communities.

It has to be stated as fact that there are instances of discrimination against the Roma population in everyday life, in the course of different institutional procedures and in the area of public administration.

Research conclusions indicate that in all likelihood without a complete change in the behaviour of majority society legal protection can merely win battles, while in the struggle where the stakes are the complete legal equality and security in law of the Roma there is no chance of gaining victory, even over the long term.

Results of sociological studies show that the proportion of criminals is no greater among Roma circles than it is among those marginalised sections of society with identical social status. Despite this, injurious and discriminative stereotypes abound in society associating the Roma with criminal forms.

## **2. Roma culture**

From a linguistic and cultural viewpoint the Roma minority is not homogenous. Several languages and cultures have to be taken care of at the same time. From a cultural and linguistic point of view the Roma in Hungary can be divided into three major groups. The first and largest group is the so-called "Romungro" Hungarian Roma who have Hungarian as their mother tongue. They constitute more than 70-75% of all Roma in Hungary.

The second large group comprises the Romani-speaking "Oláh (Vlach) Roma" at 10-15% of the Roma population. The third group is the Beash Roma who live primarily in the south-west of the country, speaking an archaic form of the Romanian language, and who represent 10% of the population. There is a noticeable slow decline in the use of the native language among the Oláh and Beash groups.

The Roma culture's relatively recent use of written records means the traditional values of Roma culture are collected on the basis of ethnographical research.

It is in the common interest of both the Roma and non-Roma population to preserve and present the cultural values of the Roma minority. For the Roma because their culture is an indispensable element in maintaining their identity, and for non-Roma because the integration of a people is only possible when they have a conscious identity, and at the same time the receptivity of majority society depends on an understanding of the culture of the integrating group.

Thus communities can become truly strong when they have institutions where they can openly profess and nurture their cultures, traditions and identities, teach their children, and organise their events and programmes in a motivating and supportive environment.

The values of Roma culture are not sufficiently present in the public consciousness, and they do not constitute a part of general culture. The desired aim is not to "close the gap" between minority culture and majority culture, but rather to achieve completely equal social integration, an important part of which is that majority society recognise and respect minority culture.

Roma folklore and art created by Roma artists must constitute a part of the national collective memory and history. It is not enough for it to appear as a cultural curiosity, as an isolated "Roma culture". The works by Tamás Péli, István Szentandrassy, Menyhért Lakatos, József Choli Daróczi, Magda Szécsi, Károly Bari and others are an organic part of Hungarian literature and fine art, their works form a part of Hungarian and European cultural heritage.

### **3. International environment**

#### **1. *The Roma minority in Europe***

There are an estimated 12 million Roma living throughout the world. Communities – both smaller and larger – of the at least 8 million Roma estimated to reside in Europe are to be found in virtually every European state. Around 70% of European Roma live in Central and Eastern Europe, where their proportion in certain countries approaches or exceeds 5% of the total population.

In spite of the fact that the history of the Roma has been linked with this continent for more than 500 years, majority societies frequently do not recognise them as an independent, full-right European people.

As a consequence of the discrimination, rejection and persecution that have afflicted the Roma for centuries they live amidst difficult circumstances in every country, pushed to the very fringes of society, and their participation in public life is severely restricted. The serious situation of Roma communities in numerous European countries threatens social cohesion.

Europe is increasingly concerned about the fate of the Roma. Despite well-meaning resolutions even the most fruitful local initiatives are unable to bridge the divide between the general resolve and the practical implementation. The authorities of individual states are beset with similar problems and similar difficulties in resolving these problems. As a consequence, consensus is beginning to take shape: the Roma minority shall no longer be excluded from the community of rights and values unifying European nations.

The governments of Central and Eastern Europe are increasingly facing up to the questions arising in their states. Similarly to the methodical, systematised work undertaken by Hungary which, in line with declared intentions, will span several government terms, over the past 2-3 years – with a delay of a few years – Slovakia, the Czech Republic, Romania and Bulgaria have almost simultaneously formulated governmental objectives and passed complex measures. Despite all the problems that are apparent, Hungary is realising a pioneering, far-reaching Roma policy of importance in the region as regards the short-, medium- and long-term approaches to the handling of the question, the resources made available for the measures and the continuous co-operation established with the legitimate representatives of the Roma.

#### **2. *International organisations and legal frameworks***

From 1969 the Parliamentary Assembly of the Council of Europe, its committees as well as the Committee of Ministers, and as from 1977 the United Nations' Human Rights Commission devoted particular attention to the issue of discrimination against the Roma.

The Council of Europe has ranked the question of the situation of the Roma among its highest priority issues since 1993. The protection of minorities and the battle against racism, intolerance and social exclusion are listed among the aims. The Council of Europe encourages member states to take a comprehensive, all-embracing approach in resolving these difficulties. The standpoint of the Council is that long-term improvement of the situation can only be achieved if measures directed towards overcoming everyday difficulties are accompanied by long-term concepts targeted at

resolving the problem. The Council of Europe considers as inconceivable steps taken without the active input of the concerned communities.

For several years now the directorates of the Council of Europe have closely followed the complex and comprehensive Roma policy pursued by the Hungarian government. The Advisory Committees monitoring the implementation of the two most important European legal documents for the protection of minorities, the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, and consultants and experts of the European Commission against Racism and Intolerance as well as the Council of Europe formulate their views in the course of visits and discussions conducted on the spot. A Council of Europe expert assists activities in Hungary aimed at getting the long-term strategy approved, since according to his assessment the acceptance of the strategy expresses a longer term commitment, it is accompanied by longer lasting institutional and financial assumptions of obligations, in form too it places greater pressure on pursuing the question, and ultimately it is an indication of a social perspective which oversteps political boundaries and mere chance.

Over the recent past the Organisation for Security and Co-operation in Europe has similarly focused increasing attention on the Roma question. In 1998, the OSCE strengthened the Roma and Sinti Contact Point established along with the Warsaw Office for Democratic Institutions and Human Rights in 1994. Furthermore, the organisation declared it would further develop co-operation in Roma issues between the Council of Europe, the OSCE and the European Commission. In the first half of 2000 the OSCE's High Commissioner on National Minorities presented a wide-ranging report on the situation of the Roma in the OSCE area.

### ***3. European Union accession requirements, European Union appraisal***

The document Agenda 2000, which includes the opinion of the European Commission on the requests for accession of the ten associated Central and Eastern European states, draws attention to the fact that the Roma minority has to face discrimination and social difficulties in Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia.

In relation to the intention of Hungary to accede to the EU, the document establishes that Hungary ensures the rule of law, respect for and the protection of human and minority rights, but that alongside the above achievements the Roma living in Hungary frequently have to struggle against serious difficulties and their situation is fraught with numerous problems. Despite an improvement in the educational indicators of the Roma, inequalities of opportunity between the Roma and non-Roma have grown. In its regular report for 1998 the Commission of the European Union spoke appreciatively of the package of medium-term measures for the improvement of the living conditions of the Roma, passed in 1997, while at the same time it drew attention to the need to continue efforts to improve the situation of the Roma.

The 1999 regular report stated that the situation of the Roma had not deteriorated, but neither had it improved to any noticeable degree. The report includes a detailed summary of government steps taken to improve the situation of the Roma, and mentions positive examples of the development of Roma self-organisation and the preservation of their culture. At the same time it states that despite the measures, the situation faced by the Roma remains extremely difficult and appropriate financial resources must be linked to governmental measures.

The November 2000 regular report ascertains that, in harmony with the Accession Partnership short-term objective and the medium-term Roma action programme approved in April 1999, the Government has ensured special support in order to manage the difficult situation of the Roma minority. Measures have been instituted in the areas of education (support for scholarships and educational institutions), culture (the opening of Roma

community houses plays a vital role in the strengthening of local communities and the preservation of Roma culture), employment (public utility and public works programmes), housing, health and anti-discrimination (instances of discrimination are brought before the courts; the appointment of a commissioner responsible for educational affairs). However, the poor state of health and living conditions of the Roma population, discrimination apparent in regard to access to housing, and the transfer of Roma children to remedial schools remain problem areas.

It is particularly important to note that special budgetary resources of €19 million were made available for the implementation of the medium-term action programme in 2000. However, results from the package of measures can only be expected in the medium term while the situation of the Roma will continue to remain difficult.

For the countries concerned, the PHARE national programme is the most important means of providing European Union financial and professional assistance. In 1999 Hungary won PHARE support for an educational programme, and in 2000 the Roma social integration programme of the Office for National and Ethnic Minorities received assistance from PHARE. As from 1993, Hungary has received almost €2 million worth of support from the PHARE Democracy and PHARE Lien programmes which were set up to channel resources to projects run by non-governmental organisations.

The European Union as an organisation has not drafted its own legislation on the minority question. At the same time the protection of human rights is one of the basic principles of community law, and which - according to the Treaty of Amsterdam - the member states have to guarantee on the basis of the European Convention for the Protection of Human Rights and Fundamental Freedoms as well as the common constitutional traditions of the member states. Accordingly, acceptance of the Council of Europe treaties forms an important part of preparations for accession.

Parallel with this, the European Union has placed ever greater emphasis on steps to combat discrimination, and as a result of the noticeable increase of racism and intolerance in the past decade the battle against racial and ethnic discrimination has received particular prominence. Since Amsterdam, and based on Article 13 of the EC Treaty, the opportunity is available for Community-level measures transcending regulation at national level.

In November 2000 the Council of the European Union finalised the 2001-2006 Action Programme to tackle discrimination, in October 2000 agreement was reached on the directive ensuring equal treatment in employment, while on 29 June 2000 it approved the directive forbidding racially- and ethnically-based discrimination.

This latter directive defines the concepts of both direct and indirect discrimination, expressly forbidding them in training, employment and working conditions, and in the areas of organisational membership, social protection, social benefits, education and public services, and not only in relation to citizens of the Union but also to citizens of third countries residing in the territory of the EU. The directive provides the frameworks for legal redress. These frameworks can be made more efficient by conversion of the burden of proof, as well as the obligation to guarantee the protection of the injured party faced with reprisal. The directive states that an independent body must deal with the investigation of complaints related to discrimination. It makes it the duty of the member states to provide, in appropriate and widely accessible forms, information on national regulations promulgated in the interest of implementing the directive. The member states are obliged to pass or modify national legislation ensuring the implementation of the directive by 19 July 2003.

The directive formulates a minimum system of requirements, allowing the member states to ensure more rights to their citizens than those detailed in the system, but not less. As a country conducting accession negotiations with the European Union, Hungary must ensure that following accession the Hungarian legal system is in complete harmony with Community regulations in this respect as well. Thus the minister of justice established a working group in March 2001 charged with putting forward proposals to the Government

on any necessary modifications that Hungary's anti-discrimination legal provisions may require.

In 2000 a Protocol was appended to the European Convention for the Protection of Human Rights and Fundamental Freedoms, in which it was stated that nobody may suffer discrimination from any public authority on any basis whatsoever. The Protocol was opened for signature by the member states on the occasion of the meeting of European ministers dealing with human rights in Rome on 4 November 2000. Hungary was among the first states to join the protocol.

Hungary is a signatory to the European Convention for the Protection of Human Rights and Fundamental Freedoms as well as around 50 conventions of the Council of Europe including the Framework Convention for the Protection of National Minorities.