

Recommendation Rec(2001)17 on improving the economic and employment situation of Roma/Gypsies and Travellers in Europe

(Adopted by the Committee of Ministers on 27 November 2001, at the 774th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members and that this aim may be pursued, in particular, through common action in the field of social cohesion;

Recognising that large groups of Roma/Gypsies and Travellers in Europe suffer from the effects of long-term unemployment and poverty, which could present a threat to the social cohesion of member states;

Noting that the persistent problems of poverty and unemployment are the result of discrimination against and social exclusion of Roma/Gypsies and Travellers, and are closely interlinked to problems in areas such as accommodation, education, vocational training and health;

Recognising that the labour market will not open up many job opportunities for Roma/Gypsies and Travellers in the near future without pro-active measures;

Considering that the economic problems of Roma/Gypsies and Travellers cannot be overcome unless member states consider equal opportunities as a policy priority for access to the labour market and income-generating activities;

Bearing in mind that policies aimed at addressing the problems facing Roma/Gypsies and Travellers in the areas of employment and economic activity should be comprehensive, based on an acknowledgement that employment is linked to other factors, namely educational and training aspects, accommodation and the fight against racism and discrimination;

Bearing in mind that Roma/Gypsy and Travellers groups are culturally diverse across Europe and that this diversity should be valued and encouraged at national and local level;

Bearing in mind that priority should be given to local action and initiatives;

Bearing in mind that social rights are an integral part of human rights as acknowledged in the revised European Social Charter;

Bearing in mind the Framework Convention for the Protection of National Minorities (ETS No. 157);

Bearing in mind Recommendation No. R (2000)4 of the Committee of Ministers to member states on the education of Roma/Gypsy children in Europe;

Bearing in mind Recommendations 563 (1969) and 1203 (1993) of the Parliamentary Assembly of the Council of Europe, in which mention is made of the educational needs of Roma/Gypsies in Europe;

Bearing in mind Resolutions 125 (1981), 16 (1995) and 249 (1993), and Recommendation 11 (1995) of the Congress of Local and Regional Authorities of Europe on the situation of Roma/Gypsies in Europe;

Bearing in mind General Policy Recommendation No. 3 of the European Commission against Racism and Intolerance on combating racism and discrimination against Roma/Gypsies in Europe;

Bearing in mind the publication of the book Gypsies and Travellers (1985), updated in 1994, Roma, Gypsies, Travellers, Council of Europe Publishing;

Welcoming the document prepared by the Specialist Group on Roma/Gypsies entitled "Economic and Employment Problems faced by Roma/Gypsies in Europe" (MG-S-ROM(99)5rev2);

Bearing in mind the Council of Europe "Training and guidance memorandum for the staff of employment services working with disadvantaged ethnic minority communities", as adopted by the European Committee on Migrations,

Recommends that in implementing their policies aimed at improving the economic and employment situation of Roma/Gypsies and Travellers, the governments of the member states should:

- be guided by the principles set out in the appendix to this recommendation;
- bring this recommendation to the attention of the relevant public and private bodies in their respective countries through the appropriate channels.

Appendix

Guiding principles for employment and economic policies concerning Roma/Gypsies and Travellers 1 in Europe

I. General principles

1. Roma/Gypsy communities and organisations should participate fully in the processes of designing, implementing and monitoring programmes and policies aimed at improving their economic and employment situation.
2. Governments should fully support empowerment and capacity-building among Roma/Gypsy communities to improve their economic and labour market situation.
3. Governments should promote, with a long-term commitment, employment and economic policies for Roma/Gypsy communities.
4. Central, regional and local authorities should develop flexible structures and approaches, together with communication strategies, adapted to the diverse situations of Roma/Gypsy communities.
5. In order to promote synergies and local partnerships, emphasis should be put on the need to reinforce co-ordination between the appropriate national, regional and local authorities and Roma and pro-Roma organisations. In addition, governments should make sure that international organisations of which they are members ensure effective co-operation and partnership at national and local

levels in their programmes for Roma/Gypsies.

6. Area-based and local development strategies should contain clear and specific sets of goals and rules targeting Roma/Gypsy communities.

7. Anti-discrimination legislation should be made more effective, bearing in mind that Roma face both direct and indirect discrimination. Therefore, NGOs providing legal assistance to Roma/Gypsies should be supported.

8. In the fight against discrimination, awareness-raising campaigns on the rights of job-seekers to equal access to the labour market could be launched. Information campaigns on the rights of employees in the workplace should also be supported.

9. The effectiveness of anti-discrimination laws would be improved by placing the burden of proof on the person against whom discrimination is alleged.

10. The collection of labour market information, where legally possible and with the agreement of Roma/Gypsies, should fully respect the provisions of the European Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data (ETS No. 108) to avoid further discrimination and exclusion.

11. Authorities should recognise and legitimise economic activities initiated by Roma/Gypsies and Roma/Gypsies economic contribution to income-generating.

II. Employment policies and access to the labour market

12. Governments should promote equal opportunities for Roma/Gypsies on the labour market particularly through non-discriminatory policies and approaches on the part of national employment services.

13. Where they exist, national action plans for employment should pay particular attention to the labour market problems of Roma/Gypsies and include specific measures to improve their situation.

14. The composition of central, regional and local government should reflect the structure of the communities that it serves, including Roma/Gypsies.

15. The employment of Roma/Gypsies at all levels of the public sector should therefore be promoted and partnerships with local Roma/Gypsies be established, in order to provide them with on-the-job training. If necessary, strategies need to be developed to improve the employment potential of Roma/Gypsies through training in generic skills.

16. Central, regional and local authorities should exercise their power to achieve a similar goal in the private sector, for example, in the framework of labour policy measures, tax relief could be granted to private-sector employers who offer work experience and placement opportunities to Roma/Gypsies.

17. Particular emphasis should be placed on providing Roma/Gypsy women with opportunities to enter in the labour market and to gain access to income-generating and self-employment activities that would interest them.

III. Income-generating activities

18. Governments should remove barriers to the creation of small businesses in order to enable the development of Roma/Gypsy small and/or family enterprises.

19. Governments should also set up a legal framework for social enterprises, which can often provide a means of labour market and economic integration for excluded groups.

20. The development of income-generating activities by Roma/Gypsies should be supported by the following principles: partnerships between Roma and non-Roma NGOs, a bottom-up approach to policy and programme design, wide participation of all parties concerned, Roma and non-Roma co-operation, equal opportunities between women and men, accountability and transparency.

21. Central and local government and administrations should be aware of the possibilities for Roma/Gypsies to generate income in the fields of provision of services and production (including tourism, recreation, culture, transport, environmental repair, new aspects of recycling and disposal, agriculture and animal husbandry, etc.).

22. Governments should support the establishment of intermediary structures for initiatives at local level by providing assistance in research and assessment of local needs and resources, project development and management of business initiatives.

23. Authorities should offer incentives to encourage public services to sign contracts with Roma/Gypsy businesses to provide services.

24. Central and local authorities should support the introduction and development of local exchange and trading systems, credit unions and other alternative financial instruments.

25. Local authorities and NGOs should be encouraged to promote the creation of sustainable networks between industry and Roma/Gypsy projects, both at regional or national and at European levels.

26. Access of Roma/Gypsy trading organisations to foreign markets by co-operation with fair trade organisations should be promoted.

27. Governments should guarantee a fair stake in all privatisation processes to Roma/Gypsies, for example by facilitating effective and legal access to land for agricultural activities by setting up community land trusts.

IV. Financial instruments

28. Governments should be encouraged to provide long-term budgetary support for Roma/Gypsy development and income-generating programmes.

29. Financing strategies should include the support of Roma and pro-Roma/Gypsy organisations operating in the field of employment and income-generating activities at local, regional, national and international level.

30. Member states should participate in bilateral and multilateral exchanges and European and international development programmes targeting Roma/Gypsies in

central and eastern European countries (and where possible making financial contributions to them).

31. Central and local agencies should be given the necessary legal and budgetary means to support Roma/Gypsy community development initiatives.

32. International funding channels, such as the European Union, the World Bank, the Development Bank of the Council of Europe, the Stability Pact for South Eastern Europe and the UNDP, play an important role in providing resources, including grants and loans, for new policies and programmes. Funding projects should foster Roma participation, co-operation between government and civil society, the decentralisation of public administration sectors, and the provision of services by NGOs. Funding channels should also introduce some flexibility into their conditions in order to promote the development of community programmes and income-generating activities.

V. Training and education

33. Governments should introduce positive incentives such as grants and mentoring support to encourage young Roma/Gypsies to complete their secondary education and to attend higher education institutions or take up apprenticeships. They should also consider means to improve low levels of qualification and participation in higher education on the part of Roma/Gypsies.

34. Anti-discrimination training of persons involved in recruitment decisions in the private and public sectors and in national employment services should be encouraged. Training should combine information on statutory obligations and on good practices in governmental and company policies, with respect to equal treatment.

35. Roma/Gypsy culture and identity should be introduced as an integral part of the design and delivery of vocational education. For example, a system of accreditation should be developed for skills in traditional crafts and trades and regarded as equivalent to official qualification standards.

36. Vocational training programmes for Roma/Gypsies should respond to local or regional needs, for instance the improvement of Romani neighbourhoods, and to employment opportunities. Preference should be given to on-the-job training and product development. Market research should be part of the training.

37. Employment programmes (also referred to as public support programmes), including adult literacy training, should include the enhancement of skills and training as an integral part of their design to help improve the long-term employment prospects of participants.

38. The authorities should promote the recognition of skills and economic contributions of Roma/Gypsy communities (see paragraph 11).

39. Governments should set up qualification programmes targeting young Roma/Gypsies in the field of new technologies and knowledge.

40. Central and local authorities should support local leadership training for Roma/Gypsies, including economic, business, and management dimensions.

VI. Information, research and assessment

41. Roma/Gypsies should be given information about their rights and responsibilities in the employment field, about the different forms of help available from administrative bodies and about the functioning of social protection systems. Such information, which should be provided by public administrative bodies in co-operation with NGOs, should enhance the social and economic integration of Roma/Gypsies.

42. The member states should encourage innovative small-scale projects and research, in order to find local responses to local needs using available local potential, in co-operation with the appropriate bodies and individuals.

43. Labour market and economic development policies and programmes should be carefully monitored and evaluated. The evaluation of their impact on Roma/Gypsy communities should not only be limited to business success but also consider the wider implications for Roma communities.

44. A clear statement of objectives and the establishment of evaluation procedures are important factors in determining programme success. These elements should be included in the design phase of programmes.

45. Examples of good practice and successful instruments and tools should be documented and disseminated nationally and internationally.

Note ¹. The present recommendation covers Roma/Gypsies and Travellers, to be referred to as Roma/Gypsies in the text.