UNDERSTANDING THE EU ROMA POLICY

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1. INTRODUCTION

In 2001, following the Lisbon Treaty and the decision to foster the wide-ranging democratic process in the Union, the EU adopted a White paper on Governance\(^1\) setting the markers for the debate on the future of Europe.\(^2\) Introducing the five principles of good governance, namely:

- **Openness** of EU institutions
- **Participation** of EU citizens in the drafting and implementation of policies
- **Accountability** of all actors
- **Effectiveness** of decisions and measures, and
- **Coherence** of EU policies,

the White paper has outlined the frameworks of the envisioned policy process.

To bring about the expected outcomes, four key changes have been identified as needed:

- **Better involvement** of the citizens in the policy-making process so that the top-down approach is overcome, and policy instruments deliver better results
- **Redefining the political strategy of the institutions** so that the sectoral thinking in the EU is replaced by an overall strategic approach
- **Refocused EU policies** towards clearly defined long-term objectives
- **Refocused institutions** to achieve better coordination and control on the attainment of political objectives and clearer responsibility regarding policy execution.

Ten years later, in 2011, the Council of the European Union, recalling “that the European Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities...,” and “that combating social exclusion, discrimination and inequality is an explicit commitment to the European Union,” introduced the Framework for Roma Integration Strategies up to 2020. Despite that the challenges faced by the largest European minority\(^4\) have attracted the political attention at EU level yet in the 1990s and hence they have become a part of the Enlargement policy and conditionality, the Framework marked the transition from a general concern about Roma towards coordinated efforts for bringing about a positive change.

Identifying four areas of existing huge gaps between Roma and the rest of the population, the document has set up the European goals for each one of them.\(^5\) Aiming to overcome the high drop-out rate,\(^6\) the key objective in the field of **education** was defined as “all Roma children to complete at least primary school.” In the field of **employment**, the aim is also to close the current gap between the employment rates.\(^7\) Reducing inequalities in life expectancy rates and decreasing levels of infant mortality, has been defined as goals in the field of **healthcare**\(^8\), and in the field of **housing** –
ensuring adequate access to essential services and improving living conditions. The Framework envisages that EU Member States translate these EU goals into national goals, which should be achieved by 2020.

Within the two years after the Member states submitted their NRIS, the EC managed to issues country-specific recommendations, to analyse the progress made and to produce several reports on the implementation of the NRIS. Certainly, this is an achievement that needs to be acknowledged. Notwithstanding that all these efforts seem promising there are several major issues that if not addressed promptly, sooner rather than later would create significant impediments to policy making and would certainly hamper the achievement and/or the sustainability of the planned and expected results.

Assuming that the EU Roma policy is a product of this new approach to policy making in the 21 century, the current paper will explore its structural and functional coherence through some major policy theories. The paper aims also to inspire a debate whether the current policy design could contribute to the achievement of the expected outcomes and for bringing about a real positive change in the life of the 10-12 million EU Roma.

2. FROM CONCERNS ABOUT ROMA TO EU ROMA POLICY

While in the 1990s, in the context of the ethnic violence that Europe faced after the end of the Cold War, the Roma-related issues were included as a part of the EU enlargement policy and conditionality to accession. At the beginning of the 21st, as a result from the Eastern Enlargement impact on the Union, the agenda shifted towards the prioritization of social cohesion and development.

Regardless of some earlier national and EU initiatives, systematic efforts at European level to advance Roma inclusion into mainstream societies could be noted only after 2004. Assessing the documents on Roma-related issues developed and promoted at international level, it appears that all of the key EU policy documents have been produced after 2004 (total of 14 till 2012) and the Council of Europe adopted only 8 out of 32 Roma-related texts before the turn of the Millennium.

With the official acknowledgement that the EU policies for active inclusion should also address the specific situation of Roma, the targeted policy making process gained pace over the next few years. In January 2008, the European Parliament adopted a Resolution on a European strategy on the Roma, where it

6. Urges the Commission to develop a European Framework Strategy on Roma Inclusion aimed at providing policy coherence at EU level as regards the social inclusion of Roma and […]to shape a comprehensive Community Action Plan on Roma Inclusion with the task of providing financial support for realizing the objective of the European Framework Strategy on Roma Inclusion;
7. Urges the Commission comprehensively to shape a Community action plan on Roma inclusion […]
The first EU summit to address the problems faced by the Roma took place later in 2008 and included almost 400 people - high-level national officials, Roma leaders and human rights advocates – to discuss the paths for better and more efficient Roma integration policies and measures. The figures reported at the summit revealed that in 2000-2006 the EU spent €275m on projects specifically geared to Roma inclusion and a further €1bn - on disadvantaged groups, in general, including Roma. Stressing the needs for exchange of good practices and experience between the Member States in the sphere of inclusion of Roma, the Conclusions of the Council of Ministers of (2914th Council Meeting, December 2008) advanced the development of an EU Roma inclusion policy. In 2009, during the Czech Presidency of the EU, the ten Common Basic Principles (CBP) of Roma Inclusion were adopted after several years of discussion between a variety of stakeholders and European institutions. The Conclusions of the Council of Ministers of Employment, Social Policy, Health and Consumer Affairs of 8 June 2009 (2947th Council Meeting) called for close cooperation between Member States in accordance with their respective competences and the identified principles of inclusion.

Despite all the efforts at national and international level over the past decade, Roma continue to occupy the periphery of mainstream national member-states and ‘European society’, facing deep poverty, poor health, social exclusion and discrimination. The global financial and economic crises that hit Europe in 2008 emphasised the severity of these problems and the vulnerability of Roma. The minority communities appeared among the most affected by the crisis especially in terms of lack of financial buffers (savings), shortage of the low-qualified jobs and a low level of flexicurity. The collapse of certain economic sectors in Member States affected not only local communities but also migrant workers and their families residing in the different home EU countries.

Acknowledging the need for a new approach to development based on long-term sustainability, on economy of knowledge and higher added value, on higher levels of flexicurity through investments in human capital, the European Commission introduced the Strategy Europe 2020. Its targets however projected with regard to European Roma clearly indicated the economic and social disparities between mainstream society and the Roma minority as well as the regional disparities within the European Union. The increased awareness that the social and economic exclusion of this large group of European citizens has not only imminent but also a long-term negative impact on the Community as a whole because of the accumulation of negative costs (in terms of human capital and productivity) has resulted in the decision to join efforts at the European level.

In 2011, pursuing the goals set in the European Platform against Poverty and Social Exclusion, the European Parliament Resolution on a European strategy for Roma inclusion (2010) and the recommendations made in a range of EU policy documents, the European Commission invited all Member States to develop and present their National Roma Inclusion Strategies (NRIS) or sets of policy measures. The supportive EU Framework for Roma integration instructed the Member States to tailor their national strategies with reference to the identified goals at EU level projected in the key policy documents but also in compliance with the specific country-related needs of Roma as marginalised and disadvantaged groups. By March 2012 all member state governments provided the Commission with the required documents.
Aiming to shift from the scattered, project-based and unrelated interventions to integrated and coordinated approaches for enabling positive change and providing further support to Member States, the European Commission assessed the submitted national strategies. The assessment has focused on examination of the NRIS’s consistency with the structural requirements specified in the EU Framework (in terms of content, covered areas, compliance with EU policies), and on the technical assurance planned (including the involvement of all important national stakeholders, the creation of a robust monitoring system, the appointment of a national contact point, ensuring the protection of fundamental rights). It also has addressed the provisioned usage of EU funding and resources secured for ensuring the effective and sustainable implementation of the strategies, and the strategic thinking as projected in the documents.

In a set of specific summaries, the Commission provided its recommendations to the Member States outlining the identified key priorities for each of the areas of focus:

In the area of **education**, Member States are expected to
- eliminate school segregation and misuse of special needs education
- enforce full compulsory education and promote vocational training
- increase enrolment in early childhood education and care
- improve teacher training and school mediation
- raise parents’ awareness of the importance of education

In the area of **employment**:  
- provide tailored job search assistance and employment services
- support transitional public work schemes combined with education as well as social enterprises employing Roma or providing them with specific services
- support a first work experience and on-the-job training
- eliminate the barriers, including discrimination, to (re)enter the labour market, especially for women
- provide stronger support for self-employment and entrepreneurship

In the area of **healthcare**:  
- extend health and basic social security coverage and services (also via addressing registration with local authorities)
- improve the access of Roma, alongside other vulnerable groups, to basic, emergency and specialised services;
- launch awareness-raising campaigns on regular medical checks, pre- and postnatal care, family planning and immunisation;
- ensure that preventive health measures reach out to Roma, in particular, women and children;
- improve living conditions with a focus on segregated settlements

In the area of **housing**:  
- promote desegregation;
- facilitate local integrated housing approaches with special attention to public utility and social service infrastructures;
• where applicable, improve the availability, affordability and quality of social housing and halting sites with access to affordable services as part of an integrated approach

Furthermore, the European Commission has established that the aimed integrated approach would require:
• development of monitoring systems by setting a baseline, appropriate indicators and measurable targets
• coordination between the different layers of governance, between regional and local authorities
• involvement of civil society, including Roma organisations
• ensuring that all Roma are registered with the appropriate authorities
• fighting against racism and discrimination including multiple discriminations
• building public understanding of the common benefits of Roma inclusion

Pursuing the agenda set, the progress reports delivered by the Member States are regularly monitored, and the European Commission provides further recommendations. On the basis of the first assessment in 2012, at the end of 2013 the European Council adopted a recommendation on effective Roma integration measures in the Member States.

3. PROFILING THE EU ROMA POLICY

Assessing the EU policies targeting Roma inclusion in order to achieve better understanding of the system (or the lack of such) requires that several aspects are analysed. First, it is important to verify the appropriateness of the term “EU Roma policy”.

As it was mentioned above, the official document that pushed forward the EU targeted efforts towards Roma inclusion – the Presidency Conclusions of 2007 - make a specific reference to Roma but in the context of the overall policies for active inclusion. The First Roma Summit of 2008 was viewed as an awareness raising activity that would contribute to the identification of “policies that work” and would provide an input for the debates at EU level and for further action. The Framework, adopted in 2011, provides that the Commission would support the regional and national level efforts of the Member States to improve the social and economic inclusion of Roma through its financial instruments, mechanisms for involvement of civil society and institutional accountability, and through monitoring the progress made by each country. It is, therefore, an instrument for coordination of Member state policies and a product of the active European involvement in the process aiming at Roma integration. The Council Conclusions of May 2014 also suggest that the EU is expected to be the driving engine for the development and implementation of national-level policies for Roma inclusion throughout the Member States, while the European Commission would be responsible for the monitoring of the implementation and the assessment of its success. And although paragraph 29 of the document stipulates that EC should ensure that Roma inclusion becomes a horizontal cross-cutting issue, there is no clear reference to an ‘EU Roma policy’. Strictly speaking, the concept of ‘EU Roma policy’ is very rarely used official EU documents and communications.
Without any clearly stated reasons for this terminological uncertainty, which could hardly be taken for a mistake or coincidence, one could only speculate that placed beyond the policy definition, the process and its mechanisms are formally not to be assessed through the adopted in 2001 guiding principles for EU policies (e.g. openness, participation, accountability, effectiveness and coordination). This certainly would limit the possibility of challenging the openness of the EU decision making process, the proforma involvement of stakeholders in the process of defining the key goals and objectives as well as the four priority areas (e.g. the Roma Summits), and the delegated to the Member States responsibility for the effective implementation. Certainly, another reason could be that EU is being careful to fall into the trap of positive discrimination and to provoke the aspirations of other minorities to claim for a specific policy to protect their rights.

Acknowledging that this terminological issue can constitute a debate per se, the current analysis will not explore it further and will focus on the assessment of the EU Roma policy through the theoretical policy models questioning whether the current policy design is contributing or hampering the achievement of the specified objectives.

The interplay of problems, issues, goals and actors that currently constitutes the field of the Roma-targeted activities throughout the EU, suggests that the EU Roma policy can be viewed as a system, following the theoretical perspective outlined by David Easton. Multiple players at multiple levels are currently focused on the coordination of the variety of actions and initiatives to ensure the achievement of the identified objectives. The goals set by the EU Framework as common policy objective for all member states, which need to become guiding principles for the development of the national strategies are in the core of the system, which functionality has been planned and ensured from the centre. The operational procedures are transferred to the periphery where the member states are expected to implement effective measures in order to achieve the prescribed objectives.

However, examining the interconnectedness of the different components, it appears that EU Roma policy has characteristics of a system only when assessed through the centre-periphery point of view. To achieve the goals formulated by the centre all the individual units (member states) need to be actively involved. The centre coordinates and regularly tunes the work of the units and balances between the particular situations and the common functionality. Malfunctioning of one of the components would eventually have a negative impact on the general performance of the system; and certainly, the effective functioning of the system would be challenged if a single unit fails to comply with the centrally defined requirements or drops out. The centre, therefore, needs to keep the periphery in balance and regularly to verify its dynamic relation with the centre.

When the processes are examined from a bottom-up (periphery-centre) perspective, the situation looks rather different. By transferring the responsibility to the Member States to transpose the common objectives into specific national policies, to develop national strategies, and to implement them through the national mechanisms over the particular territories, the EU Roma policy has in fact constituted autonomous sub-systems. The effectiveness of the established sub-systems will not necessarily suffer if any of them is detached from the others or the centre. Malfunctioning of a sub-system would hardly affect the functioning of the rest although it would destroy the cohesion from a central point of view.
Considering all the above, the EU Roma policy does not seem a system of the type of a ‘living organism’. It rather possesses the characteristics of an environment or a meta-system. Examining it further, the theoretical approach of Shakun outlines other interesting aspects to reflect upon. In Shakun’s view, policy making is the design of a purposeful system to deliver values. Values are viewed as nonoperational goals, which are delivered in the form of operational goals defined by specific operations and performance measures. A key element in the system is the two-direction referral process between values (non-operational goals) and operational goals, which enables the redefinition of the two components and the adaptation of the system to the changed environment.

Projecting the theory over the examined case, it appears rather difficult to qualify the EU Roma policy as a purposeful system since the operational level per se is transferred beyond the policy frameworks. Setting up the four priority areas of intervention and the goals that all national governments should aim at, the EU has delegated the responsibility to the Member States to identify the appropriate operational measures, the mechanisms for their implementation and the system for their monitoring and evaluation. Referring to the theory, this set-up hampers the referral process between the non-operational goals (values) defined at EU level and the operational goals at the 27 national levels. This break in the process limits the possibility for the adaptation of the system. Furthermore, even if at the current stage there might be similarities between the operational goals of the 27 states future significant discrepancies can be expected due to the lack of synchronization between the functioning and the performance of the sub-systems. Then, a process of adaptation would require development of sub-policies at central level to accommodate the diversity in the stages reached by the Member States. In the same time, from a bottom-up perspective, the fact that the non-operational goals are defined at central level limits the possibility of a sub-system to eventually adapt the referral values and therefore to perform as a purposeful system.

Referring to the history of the process that has brought forward the Roma-topic and has placed it high on the EU policy agenda, the stages model seems rather appropriate to contribute to the analysis. Explored by number of theorists and referred to as “linear model,” “sequential model,” “heuristic stages model” or “public policy cycle”, the model suggests that the policy process is a chain of procedures that starts with a definition of a (problematic) issue, develops while addressing it and ends with a re-definition of a new agenda. Although some authors identify nine different stages of the policy process, the simplified five-stage model of Howlett and Ramesh will be considered below.

Perhaps in contrast to a range of other policies, the agenda setting stage can be clearly identified. As it was discussed above, the EU public interest in Roma issues grew only after the waves of Enlargement, when the poorest communities of Europe started enjoying the right to free movement stemming from the EU citizenship. At the end of the 2007, the problematic situation was publically acknowledged, and the Roma issue was introduced in the formal agenda. And over the next years, the policy has been formulated, and the priority areas for their specific goals have been finalised in the EU Framework for Roma integration.

The analysis of the stage of adoption (decision-making) however looks rather problematic. The decision made at EU level was that there would not be a central decision of how the formulated policy goals are to be achieved but that member states would be required to develop national
policies for implementation of the EU Roma policy. And hence, in 2011 all the member states were invited by the European Commission to submit their National Roma Integration Strategies. The decision-making process with regard to the achievement of the EU-determined policy objectives has been ascribed to the national governments.

Problems emerge therefore also with the analysis of the implementation stage. The implementation obviously occurs at the level of each Member state. If applying the theoretical stage model, the analysis needs to shift from the wider EU level to the fragmented space of the 28 member states since it is here where the policy’s implementation parameters are established. And yet, although contributing to the achievement of the common EU goals, those national-level parameters could hardly be accepted as EU Roma policy parameters.

This discrepancy and mismatch between levels could also be seen as a factor for the shortfalls that EU has been accounting for over the last years. According to the stage theory, among the several factors in the implementation stage that determine the effects and outcomes of a policy are:

- The type and complexity of the problem addressed,
- The magnitude of the expected change and the groups targeted by the policy,
- The human and financial resources devoted to implementation, and
- The administrative structures and regulations that will be put in place to support implementation of the policy.

As the analysis will discuss in the next section, despite the significant lack of understanding of the complexity of the problem and the unclear definition of groups targeted by the policy and their size, both national governments and the EU allocate significant resources to implementation of projects and initiatives targeting Roma.

Although the policy implementation is fully delegated to member states, the stage of evaluation is performed at EU level. First, the EC assessed the NRIS submitted in 2012 and adopted the earlier mentioned Communication “National Roma Integration Strategies: a first step in the implementation of the EU Framework”. The assessment report of 2013 “Steps forward in implementing National Roma Integration Strategies” focused specifically on the structural preconditions needed in each country while the 2014 report looks at the overall progress in all key areas.

According to the stage model, the purpose of the evaluation is to verify whether the policy implementation and its effects are aligned with the objectives that were set out. And although the EC might not have developed indicators and efficient system for evaluation of the policy progress towards the specified policy goals, it clearly has a functioning system for monitoring the compliance and performance of Member States.

Similarly to the system-theories, the stage model also reveals that the EU Roma policy fails beyond the theoretical frameworks for policy analysis at the level of the (transposed) operational component. Assessing the policy through theories that focus on the agenda-setting process (such as the streams model) or on the dynamics of problems, solutions and actors (such as the ‘garbage can’ model) would hardly contribute to the understanding of the identified structural problem.
In the same time, two further ‘cognitive’ challenges, revealing another problematic aspect, might bring insights of how the EU Roma policy needs to be approached and analyzed.

4. WHO IS THE EU ROMA POLICY FOR?

Although this question might look provocative, the critical analysis of the EU Roma policy reveals that if fails to provide a clear answer to two basic questions:

- Who are the Roma? – so that all actors in the policy chain refer to the same target group, and
- What is the scope? – so that policy makers could estimate the needed coverage, resources, timeframes and to develop adequate budgets and action plans

The text below will focus on only two of the identified cognitive challenges, which are considered key factors are hampering the effectiveness of the policy making targeting Roma at EU level. In the same time, they have also become triggers for the analysis to defragment the theoretical frameworks and to address the discourse critically.

Roma from the EU point of view

Over the last two decades the concepts of “Roma issues”, “Roma policies”, “Roma inclusion” have become so popular that their meaning is often taken for axiom and nobody questions the underlying connotations. Nevertheless, a disclaimer of the European Commission yet in 2010 points out that:

... the term "Roma" is used – similarly to other political documents of the European Council, European Parliament etc. – as an umbrella term including also other groups of people who share more or less similar cultural characteristics and a history of persistent marginalisation in European societies, such as the Sinti, Travellers, Kalé etc. The European Commission is aware that the extension of the term "Roma" to all these groups is contentious, and it has no intention to "assimilate" the members of these other groups to the Roma themselves in cultural terms. Nonetheless, it considers the use of "Roma" as an umbrella term practical and justifiable within the context of a policy document which is dealing above all with issues of social exclusion and discrimination, not with specific issues of cultural identity.

The definition is anything but precise. The clear message, however, is that Roma are considered people who are socially excluded and discriminated but not necessarily people sharing cultural identity. And although in 2013, the concept evolved to emphasise the similarities between Roma and ‘the other groups’, again it did not clarify what are those “similar cultural characteristics“ that constitute them as a group:

(6) For the purposes of this Recommendation, as in other political documents of the European Parliament and of the Council, the term ‘Roma’ is used as an umbrella term which includes groups of people who have more or less similar cultural characteristics, such as Sinti, Travellers, Kalé, Gens du voyage, etc., whether sedentary or not.

It is commonly known that there is no single and unite Roma community not only at the EU level but also at the national level within and beyond the EU. The term Roma is therefore used as a collective
noun to refer to the representatives of groups of people who do not have a common identity, do not speak common language, do not share a common (single) religion, and do not share common past. Roma (possibly) have some similar racial features, similar cultural predispositions and traditions and certainly are largely marginalised, experiencing extreme poverty, social exclusion and discrimination.

On the basis of this vague profile of the target group, at least three dimensions of conceptualisation of Roma policies could be identified. Depending on the particular approach to Roma and the adopted leading perspective, the policies logically promote and develop different priorities. The key problem, however, is not only in the simultaneous existence of the diverse and sometimes clashing approaches, but that the lack of coherent terminology and langue at policy level challenges the feasibility of elaborating a meaningful strategy for achieving a real positive change and for efficient use of resources.

**Roma as an ‘economically targeted audience.’**

This recently introduces perspective promoted officially by the MEP Livia Jaroka in 2010 with her report on the EU strategy for Roma inclusion calls for addressing the ethnic-based discrimination through increasing the awareness of the majority about the benefits from Roma inclusion as contrasted to the costs of non-inclusion. Taking into account that the average age of the 10-12 million Europeans from Roma origin is about 25.1 years (vs. 40.2 years for EU-27), the reasons to address this group of people as an ‘important and growing source of an increasing workforce’ become apparent.

The lack of appropriate education and skills is a structural objective for the vast majority of working-age Roma to participate successfully in the labour market; therefore the annual lost for the EU countries in terms of productivity and fiscal contributions accounts for hundreds of millions of Euro. The current policy approach advocates that by fostering inclusion of Roma into mainstream society and bringing the levels of employment to the EU average there could be expected a 4-5 % GDP increase – more than the defence budget of any European country. Hence the investments to overcome ethnic-based discrimination and marginalization of European Roma and to reduce the levels of the socio-economic deprivation and exclusion would have a significant positive economic impact on the EU and a greater return in a longer term perspective.

Addressing Roma as ‘economically targeted audience’ appears as a step forward from the common basic principles on Roma inclusion adopted as a key policy toolkit at EU level. But before looking at the problems of elaborating strategies for Roma inclusion through defining the targeted communities on the basis of common economic attributes instead of ethnicity, it is worth considering the challenges associated with the perspective discussed here.

Developing policies with an ultimate goal to contribute to the benefits for the states and the majority are if not discriminatory, at least provocative in terms of viewing the investments in what should be a basic human right (as education is) as a calculated profit. No matter the underlying objective facts and pragmatic approaches, looking at the human development through the perspective of *people*
serving economic purposes is by any means contradictory to all concepts of equality, freedoms and rights. It is, therefore, obvious that such an approach to Roma needs significant reconsideration.

**Roma as a vulnerable group**

Aiming to overcome the debates whether there is a need for specific policies targeting Roma or not, through the EU has embarked on promoting an ‘explicit but not exclusive approach’. Elaborating upon this Principle 2, the document suggests that:

*This approach implies focusing on Roma people as a target group without excluding others who live under similar socio-economic conditions. Policies and projects should be geared towards ‘vulnerable groups’, ‘groups at the margins of the labour market’, ‘disadvantaged groups’, or ‘groups living in deprived areas’, etc. with a clear mention that these groups include the Roma. This approach is particularly relevant for policies or projects taking place in areas populated by the Roma together with other ethnic minorities or marginalised members of society.*

The shortfalls of this approach are quite a few. Referring to Roma as to a vulnerable group alongside the others suffering socio-economic deprivation shifts the policy focus from from the ethically-based to the structural obstacles to Roma inclusion, which, in fact, is the goal. At first place, this is problematic first because there is a contradiction in terms. If the concept of Roma is the politically-correct replacement of offensive ethnonyms, if it is generally accepted as an umbrella notion ‘unifying’ the great diversity of various Roma peoples, and if the term is used in national and regional Constitutions to identify a particular ethnic minority, then there is no mechanisms to revoke the underlying ethnic component.

Secondly, the Roma activists promoting the value of Roma identity as a horizontal line that would enable the positive identification of stakeholders and would foster the fight against wide-spread prejudices and discriminatory practices, cannot accept that the community of Roma should be regarded within the same category as ‘people with disabilities’ for example. Apart from the fact that such classification is contributing to the reinforcement of existing negative stereotypes about Roma it is certainly destructive to the idea of self-identification of people from Roma origin who do not belong to any of the deprived socio-economic categories.

Thirdly, undertaking the socio-economic approach to define Roma as a targeted group of particular policies, then the logical question about the validity of the generalisation that Roma are vulnerable (unemployed, uneducated, poor, etc.) emerges. Certainly there are people from Roma origin who do not live in ghettos, who are well educated, employed and quite affluent. Should they be also considered a targeted audience or the Roma policies would exclude those Roma because they do not fit the outlined categories? Obviously the socio-economic perspective challenges the possibility for a positive self-identification of these ‘other’ groups of people and also excludes them from the Roma-construct.

And lastly, using ethnic/identity markers for socio-economic terms pushes forward the provocative feeling for hidden racist rhetoric. And this becomes visible as soon as ‘Roma’ is replaced with another
concept denoting a group of people sharing common racial features and increased levels of socio-economic deprivation. It would hardly be welcome throughout the EU if “Black”, “Yellow”, “Arab” people also become social categories for the purposes of economic analysis or policies for inclusion. This also leads to the question whether the definition of a ‘vulnerable group’, as introduced by the Social Protection and Social Inclusion Glossary, should not be reconsidered to exclude the reference to ethnic minorities alongside the socio-economic categories.

Roma as an ethnic minority

From the discussion above one could expect that the text would advocate addressing Roma as an ethnic minority. This, however, is also a problematic perspective when the focus falls on the policies approaches to this targeted group of EU and non-EU citizens.

The challenges arise at least from two points. The first one is certainly the lack of homogeneity of the constituency of the Europe’s largest ethnic minority. Despite the fact that there is no internationally agreed definition of the concept minority, following the provisions of the United Nations Minorities Declaration of 1992 there are both objective factors (shared ethnicity, language or religion) and subjective factors (including that individuals must identify themselves as members of a minority). So, taking the objective markers, people from Roma origin all over Europe are regarded as sharing certain ethnic similarities but many more differences about language, religion, traditions, identity and even notion of a ‘common past’. On the basis of the geographical spread authors recognise the existence of five main groups, on the basis of the historical ancestry – there are two theories for their initial lineage and further for the subsequent waves of migration to Europe. But what more important, however, is that these theories are not only a platform for academic reflections but also they serve as a basis for the self-identification of the stakeholders. Anthropological research even suggests that the general assumptions that Roma living in a same location constitute a community by default are false and that the kin-relations are the basis of the social identification and interaction among people. Taking into account the examples from the field that Roma are not a single community then what would be the grounds to address Roma as ‘a minority’? Would not it be more correct to introduce the plural term ‘minorities’ as a basis for conceptualising future policies at both national and EU levels?

If however the subjective factors for defining minority are taken into account, then the ongoing project for creating/promoting the Roma identity could provide grounds for approaching Roma as a minority group. But such a perspective to defining the target group of the developmental policies would clash instantly with the cultural rights that minorities are entitled to following the provisions of the international legal frameworks. It is, however, arguable whether the efforts to impose the modernisation standards without the explicit consent of the targeted groups, might well be contested an assimilatory practice.

Determining the scope
Apart from the problems arising from the lack of a clear definition of the target group, ‘Roma policies’ face a second significant challenge with regard to the lack of statistical data to help establishing the relevant number of policy addressees. Although planning of national and/or EU policies without a reference to the potential direct beneficiaries is possible at the level of the conceptual strategy design, it is highly arguable whether such theoretical platforms could be implemented successfully in practice. Transforming the outlined objectives into an appropriate set of measures, procedures and achievable results require a realistic action plan supported by the relevant resources. Planning and budgeting activities about Roma at any level higher than this of a local community is essentially problematic when the size of the targeted audience is unknown.

To a large extend, the lack of ethnically disintegrated data with regard to Roma in Europe, results from the established mechanisms for protection from discrimination and the fundamental right for self-identification. Although collecting ethnic data is prohibited by law in a number of EU countries, some states rely on the offered possibilities for citizens to indicate voluntarily their origin, belonging or mother tongue at census or other official surveys. In cases as Italy for example, despite that the census questions do not include any that could help establish the ethnic origin and affiliation of a person, data about the linguistic (and respectively) the ethnic diversity in the country is collected for the purposes of the management of the educational system.

Alongside the objective law-based restrictions and challenges to collect ethnically-disintegrated data, there are subjective factors that put off people from disclosing their origin and identifying themselves as belonging to the Roma ethnicity. It is arguable whether the low level of ethnic awareness among Roma is a factor of a significant impact of obtaining official data about the size of the population. Apart from the existing administrative obstacles and/or registration irregularities, fears of discrimination or reprisal and memories from the negative historical experience have been identified as key factors for the reluctance of Roma to identify themselves as such.

Leaving the underlying reasons aside, the lack of reliable official statistical data about Roma is per se a significant challenge to policy making. The common practice at regional, national and EU levels over the past decades has been to develop strategies and to plan policy measures on the basis of officially collected data (mostly referring to reported self-identification) and/or on the estimated average size of the targeted population. Shortfalls of such an approach can be expected due to the significant gaps between the minimum and the maximum of the estimated numbers and due to the unreliability of the official data.

The visualisation of the Council of Europe minimum and maximum estimates alongside the officially reported numbers of Roma in the EU countries suggests that planning of strategies and the respective resources for their implementation should refer to the average levels (official or calculated figures) only if the gap between those and the highest estimates of the size of the communities is insignificant.
The Roma-related policy-making in countries such as Romania, Hungary, Spain, Slovakia, France or Greece certainly needs to address or at least to consider the discrepancy between the levels. Because, taking the case of Romania as example, a policy planned for 1 200 000 people would hardly achieve significant positive results if the real number of the targeted beneficiaries is higher with another million of people. Respectively, the EU level policies should also be developed and implemented with awareness about the possible shortfalls in relation to the mismatching scope of the provisioned measures and the size of the targeted audience. The differences among the Member States about the size of the Roma communities also suggest that these are to be taken into consideration when policies are the allocation of funds is planned at EU level.

5. FINDINGS

Before explaining how the terminological confusion contributes to the understanding of the structural failures of the EU Roma policy, a summary of the findings in the first section will be presented below.

The assessment of the EU Roma policy through the theoretical models revealed a rather interesting situation:

- To understand the poor efficiency of the EU Roma policy, the first thing to assess is its structure and functionality. The agenda-setting process, the policy developments, the interplay between multiple actors are additional factors that need to be assessed if the analysis reveals that there are no deformities in the policy design.
- The EU Roma policy can be viewed as a system but not of the ‘living organism’ type. It performs as a meta-system that units could function independently, which suggests that their compliance is a preference and not a necessity (i.e. a political and not a ‘survival’ choice)
• EU Roma policy is not a purposeful system since its structure obstructs the dynamic balance between the operational and non-operational goals. The same is also valid for the sub-systems (member states policies) since the non-operational goals are external to them.
• The EU Roma policy has clear stages, although the stages of adoption (partially) and implementation (fully) have been 'outsourced'.

Translated from the language of theory to the language of the case study, the findings suggest that:
• The EU has formulated the objectives and has taken measures to address the identified problems. It has however delegated the responsibility for policy implementation (and obviously for achieving the expected outcomes) to the national governments.
• In the same time, EU has overtaken the evaluation procedure aiming to ensure the coordination and the coherence among the national policies. And yet, the non-organic structure of the system do not allow for a general synergy between its units. National Roma policies currently resemble mismatching pieces of a puzzle.
• Despite the fact, that the Member States are expected to deliver and implement policy programmes, they are not the primary holders of the policy formulation and the policy agenda. This, as it becomes clear from the NRIS submitted to the EC, has created a type of resistance of some national governments to the recommendations and policy formulations at EU level.
• The current structure of the Roma-targeted-efforts at EU level, in fact, constitutes the EU as the owner of the policy process and primary policy designer while the Member States are allocated the role of service-providers.
• All of the above is certainly hampering the effectiveness of the policy and the achievement of real positive changes.

Furthermore, the lack of clear definition of the target group and its size challenge the feasibility of the EU Roma policy as a whole since these factors have direct negative impact on the designing of adequate action plans and their budgeting.

As it was stated above, the presented terminological perplexity enables the understanding by provoking critical reflection about the discourse. The fact that the skilful policy-making of the EU has allowed for a policy lacking fundamental components evokes the question “why” which in its turn focuses the attention not on the examined frameworks but on the context and on the role of the frameworks within that context.

Then the mistake that has been currently dominant for the analysis of the EU Roma policy becomes more than visible. The EU Roma policy is not a new theoretical phenomenon but a case of misinterpreted goals. The current policy goals that the experts are referring to are goals-by-proxy. The real goals of the EU Roma policy are silent or at least not explicitly communicated. Looking at the document that has officially launched the policy from the perspective of this new idea, a different picture reveals:

50...In this connection the European Council, conscious of the very specific situation faced by the Roma across the Union, invites Member States and the Union to use all means to improve their inclusion...
The real policy goal of the EU Roma policy is to make member states do something about the situation of Roma! And to ‘facilitate’ the process, the EC has defined the four priority areas for intervention and the particular objectives within each. Now, considering the EU Roma policy through the theoretical frameworks it certainly appears as a purposeful system with clear and coherent stages. Obviously, it does not need any conceptual clarification about the profile or the size of Roma in Europe because they are not the direct target group.

Whether the EU Roma policy should be considered a good example of the good governance policy making, as defined in the White Paper, is an interesting question for further debates. In conclusion, the analysis has shown that the EU Roma policy is not aiming at changing the situation of Roma but at making the member states change it. Analysing effectiveness of the EU Roma policy, therefore, requires that the focus is placed on assessing the impact that EU has managed to achieve the particular member states. The quality of the policy design should, therefore, be evaluated on the progress achieved at the national level. Needless to say, since 2011 all the member states but one have become actively involved in the EU-designed policy. And yet, although the EU Roma policy could be evaluated as successful at a political level, it still fails to bring any positive change in the situation of Roma in Europe. But, within the frameworks of the policy analysis, this concern falls beyond the real direct policy goals of the European Union.

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4 According to the Council of Europe estimates http://hub.coe.int/web/coe-portal/roma; Council of Council of Europe, Estimates on Roma population in European countries, Data available at http://hub.coe.int/c/document_library/get_file?uuid=3f6c4a82-0ca7-4b80-93c1-1ef14f5f6f68&groupId=10227
6 In some EU member states the rate of Roma children completing primary school is as low as 42% (Open Society Institute, International Comparative Data Set on Roma Education, 2008)
7 World Bank, Roma Inclusion: An Economic Opportunity for Bulgaria, the Czech Republic, Romania and Serbia, 2010
8 EC(2009) Solidarity in Health: Reducing Health Inequalities in the EU, 2009
9 In 2012 all the member states has submitted their NRI except Malta, which government has claimed that a national strategy would be irrelevant due to the insignificant number (if any) of Roma in the country

Up to € 26.5 billion of EU funding is currently programmed to support Member States’ efforts in the field of social inclusion, including to support efforts to help the Roma. For the European Social Fund, € 9.6 billion have been allocated in the period 2007-2013 for measures targeting socio-economic inclusion of disadvantaged people – among them marginalised Roma – and € 172 million have been explicitly allocated for actions aiming at integrating the Roma. In the case of the European Regional Development Fund (ERDF), more than € 16.8 billion are planned for social infrastructure; see also European Commission, European Roma Summit - MEMO/08/559, 12 September 2008, Brussels; http://ec.europa.eu/social/main.jsp?catId=88&langId=en&eventsId=105&furtherEvents=yes

See note 30

The Common Basic Principles, which advocate an integrated approach, were developed on the basis of several reports and recommendations by the EU Agency for Fundamental Rights the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) as well as the relevant European Parliament resolutions, but also by advocacy groups and Roma civil society organizations.

See note 16


See note 19


See note 11

Spanish Presidency of the European Union 2010; II European Roma Summit: Promoting Policies in Favour of the Roma Population, Held in Córdoba on 8 & 9 April 2010, Report - Commitment to advancing the mainstreaming of Roma issues in European and national policies on fundamental rights and protection against racism, poverty and social exclusion; improving the design of the roadmap of the Integrated Platform on Roma Inclusion and prioritizing key objectives and results; to ensuring that existing financial instruments of the European Union, in particular the Structural Funds, are made available to the Roma

See note 22

COM(2011) 173, see note 15


See note 23


See note 15


Ibidem

See note 11

See note 15

See note 16

See note 10

See note 3, §15 and §29-30


38 The White paper on Good Governance, see note 1
40 Although the non-participation of Malta in the processes has been legitimized by the lack of relevant target group, it still creates a negative precedent and a problem for the system.
42 Without Malta
47 See note 3
49 EC (2013), see note 10
50 EC (2014), see note 10
52 EC (2013) see note 10, p.8
54 Cohen Michael D, March, James D., Olsen, Johan P (1972), A Garbage can model of Organisational choice, Administrative Science Quarterly 17 (1) 1-25
56 See note 29
58 See note 4
61 Ibidem. According to the World Bank estimates, the lower bound of annual productivity losses ranges from 231 million Euro (Serbia) to 887 million Euro (Romania); the lower bound annual fiscal losses are between 58 million Euro (Serbia) to 370 million Euros (Bulgaria).
62 Livia Jaroka, see note 61
64 Livia Jaroka, http://fidesz.eu.hu/news_display/roma_a_step_forward_to_a_european_level_strategy_livia_jaroka_mep/
65 See note 64
66 Ibidem
67 Schleswig-Holstein, Romania, Hungary
68 Views, expressed by stakeholders at the Workshop on Roma issues organised by Naumann Foundation in Sofia (September 2014)
70 See note 30
http://www.ohchr.org/EN/Issues/Minorities/Pages/internationallaw.aspx

Romaninet- A Multimedia Romani Course For Promoting Linguistic Diversity And Improving Social Dialogue: Report On Roma People; Romaninet/ Education & Culture DG LLL Prorgamme


Henry Scicluna, ERTF – ECMI Roma Workshop; Flensburg 31.03-01.04.2014


International Covenant on Civil and Political Rights (Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966; entry into force 23 March 1976, in accordance with Article 49), available at http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx (article 27); The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992; http://www.ohchr.org/Documents/Issues/Minorities/Booklet_Minorities_English.pdf) is the document which sets essential standards and offers guidance to States in adopting appropriate legislative and other measures to secure the rights of persons belonging to minorities. Overall, States through their commitments under treaty law, and minorities themselves, or their representatives can influence the human rights monitoring and implementation procedures and work toward securing effective participation and inclusion.

E.g. Bulgaria


This approach becomes explicitly apparent when NRIS are assessed in a comparative perspective

See note 4


E.g. France, Belgium, Germany as communicated through the NRIS submitted to the EC in 2012