

Europeanized Hypocrisy: Roma Inclusion and Exclusion in Central and Eastern Europe

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This article reflects on the outcome of Europeanization to date as it relates to Roma in Central and Eastern Europe, and seeks to explain the inherently contradictory policies and practices towards this population in the new EU member states today. It explores these policies and practices in five countries and argues that the EU's promotion of, and support for, improvements in the situation of Roma—alongside exclusionary practices in “old” EU member states and pre-existing attitudes in new members—has resulted in an incompatible mix of policies and practices that supports both inclusion and exclusion. Given this situation, continued EU pressure to improve the situation of Roma is unlikely, by itself, to bring about transformative change.

Keywords: Europeanization, EU, conditionality, Central and Eastern Europe, minority rights, Roma, discrimination

1. EU conditionality, Europeanization and the Roma

For more than a decade and a half, the European Union (EU) has singled out the Roma¹—an ethnic minority constituting as many as ten to twelve million people across Europe—as a group facing widespread discrimination and socio-economic exclusion that prospective member states must address. Over the years, prompted in large part by membership expectations, pressure and funds from the EU and other international organizations (as well as criticism by non-governmental organizations (NGOs)), governments in Central and Eastern Europe (CEE) adopted institutions, legislation and projects addressing discrimination, lack of political participation and

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socio-economic disparities of Roma. Thus, one might credit the EU with rather dramatic achievements in spurring these countries to improve the situation of this minority population. Yet discrimination, poverty, segregation and exclusion remain widespread problems among the Roma community, and have even increased in some cases; Roma also remain an under-represented minority in every country in which they live. This article reflects on the lasting outcomes for Roma of the EU's ongoing efforts since the 1990s to institute respect for, and protection of, ethnic minorities in CEE. It argues that the EU's promotion of, and support for, improved treatment of Roma has left these countries with an inconsistent mix of policies, practices and norms that support both inclusion and exclusion.

Literature on EU conditionality and post-accession 'compliance' has identified many ways in which the EU has affected government policies, institutions, discourse and practices, as well as civil society activities regarding minorities (including Roma) in CEE, often with the help of facilitating factors or actors (see for example, Arias and Gurses, 2012; Kelley, 2003; Krizsan, 2009; Ram, 2001, 2003, 2007; Rechel, 2009a; Schweltnus, 2005; Williams, 2002). While scholars have duly acknowledged the EU's differential impact on minority rights of candidate countries and various limitations to its influence (see for example, Guglielmo, 2004; Hughes and Sasse, 2003; Johnson, 2006; Ram, 2003: 46-51; Rechel, 2008; Schimmelfennig, Engert and Knobel, 2003; Sissenich, 2007; Vermeersch, 2003), few would argue that attention to Roma and specific efforts to improve their situation in CEE have not been influenced by the EU enlargement process. Indeed, many scholars and practitioners believe that the positive steps taken to improve the situation of Roma would not have occurred without the EU's influence.

As a result, real concerns have been raised about how removing EU conditionality upon accession has affected minority rights. Yet the EU still has the ability to influence policies and practices in its new member states, not only by adopting new policies applicable to all members, but also through mechanisms used before accession, including expressions of concern and expectations, monitoring of implementation of legislation, provision of funding and capacity building, and support for NGO advocacy and monitoring (Ram, 2012). In view of the EU's capacity to influence, as well as insufficient results on the ground, activists today often criticize the EU for not taking a stronger stance and doing more to help Roma in new (and old) member states, and the EU has indeed continued to take steps in this direction. This

article raises the question of whether greater EU efforts are likely to bring any substantial improvements for Roma given the uneven achievements of Europeanization to date. It argues that continued EU pressure on CEE countries to improve the situation of their Roma populations is unlikely, by itself, to bring about transformative change.

While the EU has consistently and increasingly expressed its concern about the situation of Roma in prospective (and now current) member states in CEE, these countries have in turn developed a model of minority protection that is akin to a multiple personality (or more correctly, dissociative identity) disorder. In countries across the region, important steps have been taken that support inclusion of Roma (such as anti-discrimination legislation, legislation protecting minority rights, equality bodies, consultative bodies, funds for preserving cultural identity, numerous projects to foster socio-economic improvements and some affirmative action measures). These co-exist in the same country, however, with exclusionary policies and practices (including continued segregation in housing and education, forced evictions, limited participation and discriminatory rhetoric by elected officials). These dual identities are continually reinforced by forces operating both above and below the state: imposed inclusionary efforts from the EU, models of exclusionary practices from old EU member states, and exclusionary attitudes and actions of segments of the media and the general public. As long as this paradoxical environment persists, substantive progress in improving the situation of Roma will continue to be exceptionally slow.

Europeanization in its various incarnations typically deals with the effects of the EU on domestic change in its member states (and beyond) through European integration, conditionality and other mechanisms. Whether through, or as a consequence of, Europeanization, we find member states 'adapt[ing] their processes and institutions to new practices, norms, rules, and procedures that emanate from the emergence of a European system of governance' (Börzel and Risse, 2000: 6). As Radaelli (2003: 36) states, 'not only can Europe affect formal political structures, it can also influence the values, norms, and discourses prevalent in member states'. Here, we might consider a broader definition of Europeanization that includes 'adaption to west European norms and practices' or 'the diffusion of cultural norms, ideas, identities, and patterns of behavior on a cross-national basis within Europe' (Featherstone, 2003: 6-7). Whether the diffusion of West European norms and

practices are considered part of a Europeanization process or a concomitant process, the older EU member states have indeed helped define the EU for its newest members, and models emanating from these states influence how EU norms and policies are interpreted, implemented and internalized. In order to understand the impact of Europeanization on Roma in CEE, this article surveys current government policies and practices as well as societal actions and attitudes in the five new EU member states with the largest Roma populations—Romania, Bulgaria, Hungary, Slovakia and the Czech Republic²—and considers how the EU as an institution, and its long-time member states, have contributed to the mixed landscape that exists today.

2. The coexistence of inclusion and exclusion

In large part due to the EU, governments in new member states from CEE appear to have developed a “split personality” on minority rights and minority inclusion. While policies differ across the region, informed by political constituencies and specific domestic concerns (for example, Hungary’s concern for the rights of ethnic Hungarians in neighbouring countries), one can easily identify actions that are both supportive and damaging to Roma integration in virtually every country. The EU’s top-down and often half-hearted push for improving the situation of Roma in prospective member states has facilitated a landscape of progressive sounding programs on paper, supportive statements, and even many positive actions, but a lack of significant tangible results. While the pursuit of EU membership no longer provides an incentive for reform, these Potemkin villages still stand and countries continue to maintain policies, institutions and projects that support inclusion of their minority populations. Yet, at least for Roma, these icons of inclusion are engulfed in a field of exclusion—reinforced by media, society and norms exported from long-time EU member states (the EU-15)—that largely nullifies the value of the EU’s inclusionary efforts (see Figure 1). This cycle continues with advocacy by NGOs for the EU to strengthen its demands; when it does so, these demands are then incorporated into the same exclusionary environment. Inclusive actions do bring some positive effects and incremental change, but the status quo largely remains. If it were not for the EU’s push to CEE governments to pay greater attention to problems faced by Roma, inclusionary actions would almost certainly be less visible, and exclusion

could be even worse. On the other hand, imposed inclusion has not erased—and has sometimes even triggered—exclusionary actions and attitudes.

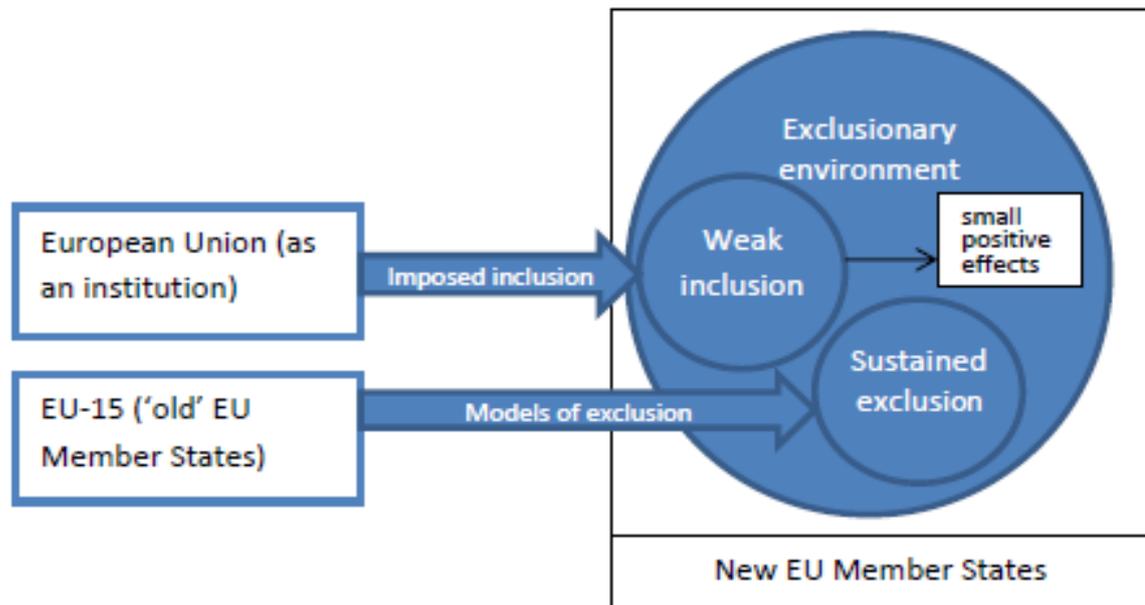


Figure 1. Europeanization of Roma rights

3. The state: fostering Roma inclusion

Continually criticized by the EU, the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE), NGOs, and others for the situation of their Roma populations, encouraged by EU (and NGO) funds, and sometimes specifically required by EU law, CEE governments have put into place a wide variety of laws, institutions, programs, projects and consultative bodies that support the inclusion of their minority populations, and Roma specifically. As Bernd Rechel (2009a: 7) states, ‘a convergence [among CEE countries] in terms of minority protection can be observed in the adoption of anti-discrimination legislation, the ratification of the Council of Europe FCNM [Framework Convention for the Protection of National Minorities], the adoption of programmes for the integration of Roma, and the establishment of governmental bodies for minority issues. All of these policy issues can be directly related to pressure from the EU’ (see also Ram, 2001, 2003, 2007). Countries have used these and other actions to demonstrate their efforts to help their Roma citizens to the EU and other international bodies.

3.1 *Constitutional guarantees and other legal rights*

From early on in their transitions to democracy, most CEE countries developed protections for the rights of minorities in their constitutions, which were further developed in subsequent law (often after contentious debates and revisions, especially over language rights). The Czech Republic's Charter of Fundamental Rights and Basic Freedoms (part of its 1992 constitution), for example, guarantees citizens belonging to national or ethnic minorities the right to develop their own culture, to use and be educated in their own language, and 'to participate in the resolution of affairs that concern national and ethnic minorities', among others.³ Slovakia's constitution (1992, as amended) guarantees the same rights to its citizens belonging to national minorities or ethnic groups. The Romanian constitution (1991, amended 2003) proclaims a 'right to identity', specifically guaranteeing 'the right of persons belonging to national minorities to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity' (Art. 6). Romania also guarantees national minorities (including Roma) a seat in parliament if they fail to meet the 5% electoral threshold to gain seats. Bulgaria does not recognize national minorities in its constitution (1991, as amended), and indeed bars ethnically-based political parties; however, it guarantees the right to develop one's own culture and use one's own language (along with the mandatory study and use of Bulgarian), and it prohibits ethnic or racial discrimination.

Hungary's new constitution adopted in 2011 ('The Fundamental Law of Hungary') affords certain rights to 'nationalities living in Hungary' including the right to preserve their identity, use and be educated in their language, promote their culture, establish local and national self-government, and contribute to the work of parliament. A 2013 amendment—allegedly added to address hate speech against Roma and Jews—barred free speech from being used to denigrate 'the dignity of the Hungarian nation or of any national, ethnic, racial or religious community' (Art. IX). Hungary's 1993 Act on the Rights of National and Ethnic Minorities (known as the 'Minorities Act') also recognized 'Gypsies' as one of the 13 native ethnic groups subject to special protections to preserve their 'national or ethnic identities'. It set out rules for the protection of minority cultures and languages, and the establishment of local and national minority self-governments to represent and protect their interests.

Before joining the EU, all of the prospective members from CEE (except Latvia⁴) also ratified the Council of Europe's FCNM, which protects a variety of

minority rights. To date, all except the Baltics and Bulgaria have also ratified the Council of Europe's European Charter for Regional or Minority Languages. All of these documents today serve as part of the edifice of inclusion that supports the rights of Roma and other minorities.

3.2 Support for Roma culture, education and integration

While not a guaranteed, stable source of funding, government funds have also been available in all of these countries to help preserve Romani culture. For example, the Czech government currently subsidizes the Khamoro World Roma Festival in Prague, the Museum of Romani Culture in Brno, the publication of Roma periodicals and electronic media (e.g. *Romano hangos* and *Radio Rota*), and activities of a number of Romani NGOs (including, for example, the Romea news service). Government subsidies are also provided for Romani language print media and cultural activities in Slovakia. In Hungary, the Public Foundation for National and Ethnic Minorities provides financial support for several Roma papers (e.g. *Lungo Drom* and *Amaro Drom*), and (along with the Ministry of National Cultural Heritage) cultural events organized by Roma organizations and minority self-governments. Bulgaria's Ministry of Culture and National Council for Ethnic and Demographic Issues have provided funds for projects to preserve and develop Romani culture such as the Roma Cultural Information Centre (Tomova and Andreeva, 2012). Finally, in Romania, Romani culture is supported in various ways by the Ministry of Culture as well as the National Centre of Roma Culture (NCRC), which was established by the government in 2003.

Some countries have also adopted affirmative action or 'positive discrimination' measures to help rectify or offset the disadvantages and discriminatory practices long faced by Roma. For example, since 1992, and more broadly since 1998, Romania has had reserved spaces for Roma in both secondary and higher education, supporting the enrolment of over 10,000 students in secondary and vocational education from 2000 to 2006 and over 1,400 students at universities (Bojinca *et al.*, 2009: 11). It also established a number of affirmative action programs to support Roma teachers (Fox and Vidra, 2013). Hungary has incorporated affirmative action into its tertiary education, and provides free textbooks, some social benefits, mentoring and scholarships to Roma students (Roma Education Fund, 2010: 16). The Czech Republic has subsidy programs to support primary and secondary school education. In 2013, Slovakia adopted an amendment to its anti-discrimination

legislation allowing positive discrimination (‘temporary equalization measures’) with the goal of ‘ensuring equal opportunities in practice’ in employment, education, health care and housing, thereby addressing social and economic disadvantages that may stem from racial or ethnic origin as well as other factors (Lajčáková, 2013). All of the countries examined here have also taken advantage of external funding to support Roma education, especially the thousands of scholarships provided for Roma university students in CEE through the Roma Education Fund, as well as EU funds.

In addition, various local and national government positions and institutions have been established to support integration of Roma and other disadvantaged populations, such as Hungary’s State Secretariat for Social Inclusion (established in 2010) and the Czech Republic’s Agency for Social Inclusion in Roma Localities (established in 2008). Numerous Roma projects have also been funded in all of these countries (often also with external funds) to support Roma integration, including in the fields of education, housing, health and employment. Many of these projects have had successful results, although typically on a small scale. Prior to enlargement, they were supported by over 100 million euros through the EU’s PHARE program (European Commission, 2005). Following enlargement, the EU’s new member states continue to have access to billions of euros in EU funds to support Roma inclusion efforts, and Romania, Bulgaria, the Czech Republic, Slovakia and Hungary (as well as seven other member states) all allocated specific amounts of EU funding for Roma in their National Roma Integration Strategies.

3.3 Consultative bodies and other alternative political spaces

The EU has also continually pressed CEE countries to include minorities and civil society in the development of policies that affect them. These countries established a variety of consultative or advisory bodies and positions to do just that. Today, for example, Romania maintains a Council for National Minorities that includes representatives of each national minority group, and a National Agency for Roma, which carries out its work in co-ordination with seven regional offices. The Czech Republic has a 12-member Council for National Minorities and a Government Council for Roma Minority Affairs, both of which include Roma representatives; Slovakia has an Advisory Council for Minorities and Ethnic Groups (with Roma holding two of the fifteen seats reserved for minorities) and an Office of the Plenipotentiary of the Government of Slovakia for Roma Communities; and Bulgaria

has a National Council for Cooperation on Ethnic and Integration Issues. Hungary's consultative body is the Roma Coordination Council, while Roma (and other minorities) are also able to make some decisions regarding education, language, media and culture at the local, regional and national level through the country's extensive minority self-government system. The Hungarian government (2004: 9) reports that almost 1,000 settlements elected local Roma self-governing bodies in 2002, and thousands of Roma are actively involved in them.

3.4 Anti-discrimination legislation, equality bodies and Roma strategies

Finally, as mandated by the EU, all of these countries adopted anti-discrimination legislation in accordance with the EU Racial Equality Directive (Directive 2000/43/EC). Thus, discrimination on the basis of race or ethnic origin is barred in employment, education, social security, healthcare and access to goods and services, including housing, in all of these countries. Under this Directive, all EU member states also created or designated an Equality Body to promote equality and provide assistance to victims of discrimination, among other functions. In line with a European Commission proposal and subsequent Council conclusions in mid-2011, they have also all recently adopted National Roma Integration Strategies for improving Roma inclusion in their countries (following up on previously adopted Roma strategies), and the European Commission monitors progress on these strategies.

Overall, as Romanian Roma activist Nicolae Gheorghe (2010: 8) explains, the EU was successful in getting governments to pay attention to Roma issues and to adopt measures to help improve their situation:

[The] political pressure [from the EU] raised the profile of the [Roma] issue considerably and things started to happen in rapid succession: a government strategy was developed for the sake of EU Accession in 2001; a National Agency for the Roma was set up, as well as a Roma political party with representation in Parliament; and Roma representatives were appointed to local government offices. During the pre-accession period [...] scores of Roma NGOs were set up, and a small Roma intellectual elite emerged, and they became vocal in their demand for human rights and minority rights.

The EU provided an impetus and funds to candidate countries to do something to address the problems faced by Roma in their countries (as reported by the EU and others), and today one can find an array of inclusive efforts. What the EU did not do, however, is substantially change views on the need for minority rights when they

were not already present, or erase fundamental prejudices regarding Roma. As an advisor on Roma issues to the Romanian Prime Minister states, Romania has a Roma Strategy, ‘but only because Brussels demanded it. It is just a paper’ (Draghici, 2014). Thus, rather than replace exclusionary elements, the result of the EU’s efforts is that weak inclusion now co-exists with exclusionary practices; in some cases, exclusion has even emerged in reaction to external demands and has been tacitly endorsed through the practices of old EU member states.

4. The state: perpetuating Roma exclusion and deterring real participation

Laws and government institutions supporting equal rights, anti-discrimination, socio-economic inclusion, Romani culture and education, and Romani participation meet countervailing forces from CEE governments in the form of right-wing parties, racist statements by public officials (at the national and local level), token participation, and policies and practices that perpetuate social exclusion.

4.1 *Discriminatory rhetoric*

While adopting and implementing positive actions for Roma, high-profile officials in most CEE countries have also made discriminatory remarks against this population, and few politicians speak out strongly against such rhetoric. For example, in Hungary, Zsolt Bayer, the right-wing co-founder of the currently ruling Fidesz party (and friend of Prime Minister Viktor Orbán), recently published an editorial in which he stated—in response to a bar fight that reportedly included Roma—that ‘a significant portion of the Gypsies are unfit for co-existence, not fit to live among human beings. These people are animals and behave like animals [...] These animals should not exist. No way. This must be solved, immediately and in any way possible’ (ERRC, 2013). Previously, he reportedly stated that ‘whoever runs over a Gypsy child is acting correctly if he gives no thought to stopping and steps hard on the accelerator’ (Verseck, 2013). Many more racist remarks can be found in the discourse of members of Jobbik, the extreme right party that gained 17% of the vote in Hungary’s 2010 elections, earning 47 of the 386 seats in parliament.⁵ Prime Minister Orbán has at times rejected Jobbik’s arguments, but appears to do so without conviction or strong words (see MTI, 2013). In response to Bayer’s recent comments, the Deputy Prime Minister indicated that there was ‘no room in Fidesz for people who consider groups of people to be animals’, later back-tracking that he ‘cannot presume that [Bayer]

really believed what he wrote' (Hodgson, 2013). Meanwhile, a Fidesz spokesperson emphasized that protests against Bayer's comments were misplaced, and should rather be directed at those who commit violent crimes (Hodgson, 2013).

Similarly, in the Czech Republic, as reported by the Council of Europe's Commissioner for Human Rights (2011: 3), 'racist and notably anti-Roma discourse is still common among mainstream politicians at both the national and local level. Extremist political parties have resorted to particularly aggressive manifestations of this type'. A Czech politician and former Minister of Education notes the pervasiveness of such rhetoric in a recent interview:

Anti-Gypsyism and xenophobia permeated the highest circles of Czech politics, including the government and the Czech President himself. Racism has nested within all parliamentary parties and such rhetoric is used as a mobilisation tool wherever there is a receptive audience. Every single parliamentary party has its MPs, mayors or leaders that play this dangerous game. (Liška, 2012)

As he points it, 'such a powerful mainstream current of intolerance' makes it extremely difficult to change negative public attitudes towards Roma.

In Romania, anti-Roma remarks have been made by, among others, current (and past) President Traian Băsescu, who in 2007 derided a Roma journalist and then called her a 'stinking Gypsy'. His subsequent remarks at a 2010 news conference—when he stated that 'very few [Roma nomads] want to work' and 'many of them traditionally live off what they steal'—recently earned him a fine from Romania's anti-discrimination agency (CNCD, 2014). Other public officials have also been criticized for negative statements about Roma, including Prime Minister Victor Ponta, and the Mayor of Craiova, who in 2007 compared Roma to monkeys in a zoo (Scicluna, 2007).

The EU's expectations of equal rights for minorities and social inclusion efforts to help Roma have done nothing to diminish the anti-Roma attitudes of such public officials—and sometimes even breed resentment. For example, in Slovakia, Prime Minister Robert Fico recently characterized some demands for minority rights as 'blackmail', emphasizing 'we did not establish our independent state to give preferential treatment to minorities, however much we appreciate them, but to privilege the Slovak nation-state in particular [...] It is a curious situation when minority problems are being intentionally foregrounded everywhere to the detriment of the Slovak nation-state' (Rorke, 2013; Balogová, 2013). He also suggested that Roma children should be taken from their parents and put in boarding schools, noting

that the only problem with such necessary ‘extreme measures’ was the negative reaction they would get from abroad and from ‘sanctimonious’ human rights activists (Bikár, 2013). It is not likely that his opinions on Roma changed much from back in 2002—in the wake of allegations of forced sterilizations of Romani women—when he promised as part of an election campaign to ‘actively effect [*sic*] the irresponsible growth of the Roman[i] population’ (Scicluna, 2007), or in 2001 when he indicated that ‘we have a great mass of Roma who do not want anything except to lie in bed and survive on social security’ (Guglielmo, 2004: 46).

Some officials merely tend to alter their rhetoric depending on who is listening. Hungary’s ruling party, for example, has been criticized for ‘speak[ing] with two tongues’, rejecting right-wing extremism when addressing an international audience ‘to maintain a good reputation abroad’, but supporting such views in the local media (historian Kristián Ungváry, cited in Verseck, 2013). As Bernard Rorke (2013) of the Open Society Foundations Roma Initiatives Office in Budapest states, ‘[i]t’s hard to reconcile the fine sentiments contained in the government’s Roma integration strategy [submitted to the European Commission], with its equivocation in the face of statements that disparage, dehumanize, and degrade Roma’. Hungary’s 2011 constitution (and subsequent amendments) also appears to be a push-back against minority rights and EU expectations. Besides raising concerns among many observers (including the European Commission, the European Parliament and the Council of Europe) about democracy, human rights and the rule of law in Hungary⁶, it did not go without notice that ‘minorities’ *per se* are no longer even mentioned in this constitution. Instead, it recognizes ‘the nationalities living with us’ as ‘part of the Hungarian political community’, and affords them some rights. The constitution itself is proclaimed as the fundamental law of the ‘Hungarian nation’, a nation that extends beyond the country’s borders.

When looking to long-time EU member states to assess where the lines of acceptable rhetoric within the EU regarding Roma might be drawn, CEE governments are further reassured that they are no different from their West European counterparts.⁷ Anti-Roma comments coming from public officials in long-time EU member states, including (but not limited to) France, Italy and the UK, compete with their CEE counterparts in demonstrating intolerance towards their Roma communities. These reached new levels in some countries with the fear-mongering triggered by the impending removal of employment restrictions on citizens from

Romania and Bulgaria in January 2014. France's Interior Minister at the time (now Prime Minister) Manuel Valls indicated that, 'these people have lifestyles that are extremely different from ours' and agreed that only a minority of Roma wanted to integrate into French society (Beaudoux, 2013). He previously emphasized that Roma must return to their home countries as 'France cannot welcome all the misery of Europe' (*Le Point*, 2012). In the UK, Prime Minister David Cameron's (2013) response to a barrage of anti-Roma discourse in his country was that 'free movement within Europe needs to be less free'. Long before this, in 2001, his country (with the approval of the Czech government) set up passport checks in Prague airport ostensibly to prevent Czech Roma from entering the UK. Italy's Interior Minister also expressed regret in 2010 that many Roma and Sinti in Italy are Italian citizens and thus 'have a right to stay and nothing can be done about it' (Council of Europe, 2012c: 43).

4.2 Discriminatory practices

Alongside discriminatory rhetoric, governments have also paired their inclusionary laws, institutions and projects with exclusionary practices such as segregated education and housing. The EU has done little to halt such practices. For example, the Czech Republic continues to place Roma into separate 'practical schools', formerly called 'special schools' and generally intended for students with mental disabilities. This is despite constant EU and NGO criticism of the discriminatory practice, and long after a European Court of Human Rights ruling against it (*D.H. and Others v. The Czech Republic*, Grand Chamber, no. 57325/00, November 13, 2007). One third of Roma children still attend such schools, significantly limiting their future opportunities, including the possibility of finding employment (Kostlán, 2012b).⁸ In Bulgaria, Hungary and Slovakia, Roma are also disproportionately found in separate schools (including special schools for the mentally disabled) or segregated classes, despite legislation adopted in the latter two (and Romania) that prohibits segregated education (Council of Europe, 2012c), as well as a European Court of Human Rights ruling against Hungary for this practice (in *Horváth and Kiss v. Hungary*, no. 11146/11, January 29, 2013).

Forced evictions of Roma from their homes also continue in many of the EU's new members, despite some government efforts to resolve the problem. Roma have been subject to forced evictions in recent years in all five countries examined here (ERIO, 2013; Council of Europe, 2012c). For example, in Baia Mare, Romania, over

100 Roma families were evicted in 2012 from a two-decades old informal Roma settlement, had their homes demolished and were relocated to an abandoned factory on the edge of town where some succumbed to toxic fumes. The mayor, who thereby fulfilled his campaign promise to relocate the Roma (and had previously built a wall to separate another Roma community), won a ringing endorsement in the elections a few days later, with 86% of the vote (Hakim, 2013; Marinas, 2012). Another 100 people, more than half of them children, were also rendered homeless when their dwellings were destroyed in late 2013 in another Romanian town.

In all of the countries examined here, many Roma also live in segregated housing or settlements (Council of Europe, 2012c), and in some cases the problem has increased. For example, the Czech government reported in 2006 that one third of Roma in the country lived in ghettos, and at least 90% of those living there were unemployed (*Hospodářské noviny*, 2006); in mid-2011, it found that the number of ghettos in the country had increased to as many as 400, encompassing tens of thousands of people, mostly Roma (ROMEIA, 2011a). While some local authorities are helping to improve this situation, the Council of Europe's Human Rights Commissioner (2011: 10) indicates that 'many local authorities are at the origin of the worst practices'. In Bulgaria, the 'countless urban ghettos' were also among the recent complaints of Roma activists (ROMEIA, 2012a). Meanwhile, in Slovakia (as in Romania) local authorities have built numerous walls separating Roma communities from non-Roma neighbours (Council of Europe, 2012c). It should be noted, moreover, that in all of these countries many Roma live in sub-standard housing, lacking basic amenities such as electricity or indoor toilets (FSG, 2009, 26; FRA, 2012), and government efforts have done little to alter this situation.

Looking to Western Europe to assess acceptable practice in the EU again leads to reassurance that such exclusion is an acceptable norm in EU member states. For example, Greece has received three rulings against it by the European Court of Human Rights in cases regarding segregation of Roma schoolchildren (*Sampanis and Others v. Greece*, no. 32526/05, June 5, 2008; *Sampani and Others v. Greece*, no. 59608/09, December 11, 2012; *Lavida and Others v. Greece*, no. 7973/10, May 30, 2013). The problem of school segregation of Roma, or prevention of their enrolment, has also been reported in Portugal, Spain and Finland (Council of Europe, 2012c; Santiago, 2012). Forced evictions of Roma are at least as prevalent, if not more so, in some West European countries than in CEE countries. In France, Socialist President

François Hollande continued the policies towards Roma of his predecessor with a ‘record number of evictions’ in 2013 (Amnesty International, 2013). In Italy, over 1,000 Roma in Rome (some of whom were Italian citizens) were forcibly evicted under the “Nomad State of Emergency” declared by Prime Minister Berlusconi in 2008 and the mayor’s “Nomad Plan”; many were relocated to segregated camps on the outskirts of the city. Roma have also been forcibly evicted in Spain and the UK (ERIO, 2013; Council of Europe, 2012b). Besides Italy, segregated housing or Roma settlements can be found in France, Greece, Portugal and Spain (Council of Europe, 2012c). Thus, it is perhaps understandable that when the Romanian mayor of Baia Mare was interviewed about his forced evictions of Roma in 2012, he explained that the step was temporary and not discriminatory, and ‘this is just the first step in a project that aims to become the way, at an [*sic*] European level, of integrating the Roma people’ (Marinas, 2012).

The European Commission itself has done little to counteract perceptions that these types of actions are acceptable in the EU, despite the strong rhetoric in response to France’s actions in 2010 (see Ram, 2014: 216-217). In fact, despite occasional criticism of some long-time EU members’ anti-Roma practices, European Commissioner for Justice, Fundamental Rights, and Citizenship Viviane Reding sometimes appears to commiserate with them and to blame the Roma for their situation. Most recently, she emphasized that Roma must be ‘willing to integrate and to be willing to have a normal way of living’ (*Novinite.com*, 2014), echoing the words of the French Interior Minister and suggesting (at least to some) that Roma prefer to live in poverty and exclusion. Similarly, at a conference held in the European Parliament, Reding pronounced: ‘Let me name the problem – the problem are [*sic*] the Roma people... Let’s be honest, this is our problem’ (Nicolae, 2014). Such statements make anti-Roma rhetoric and shallow implementation of EU-promoted inclusionary practices appear entirely appropriate.

4.3 Token participation

While discriminatory rhetoric and practices in CEE reinforce Roma exclusion, even the actions taken to increase Romani participation often appear to be purely symbolic. Despite, or regardless of, guaranteed representation in some countries’ parliaments, few Roma are elected to them anywhere (Pajic, 2012), and this has changed little over the last ten to fifteen years. While advisory or consultative bodies have certainly

provided a vehicle for some Roma to make their opinions known to their governments, participants have no mandate from Roma to represent them, and they tend to have little power or resources to make a difference. Some suggest these bodies were established merely so that governments could showcase their efforts to integrate Roma to the EU and other external audiences (see for example, Oprescu, 2000: 73-74). Thus, the EU provided an incentive to include Roma in policy making that affected them, but not necessarily to do so effectively.

Some of the participants in such advisory bodies have begun protesting their token role. For example, in mid-2011, over 50 experts, many from NGOs and agencies working on Roma issues, resigned from the Czech Ministry of Education's Working Group on implementation of the National Action Plan for Inclusive Education. They complained that the ministry's approach to inclusive education was 'more and more obviously becoming mere rhetoric intended to calm the international community' (ROMEIA, 2011b). Similarly, in Bulgaria in 2013, the largest Roma-led NGOs dropped out of the government's consultative body, the National Council for Cooperation on Ethnic and Integration Issues, demanding the establishment of a body with a 'real consultative process', rather than one that merely pretends to listen to Roma (Amalipe, May 2013).⁹ Aware of the EU's expectation that governments consult Roma civil society, a member of this group subsequently queried EU Commissioner Reding on what the 'European Commission intends to do to encourage the national governments to [engage in] genuine dialogue with Roma NGOs and civil society organizations in general', and to promote 'real civil dialogue' at the international level. Reding's telling response—which disregarded the question—was that she has been 'urging' member states to help Roma, but that 'Roma communities must [also] help themselves get out of this difficult situation!' (Amalipe, July 2013). Thus (whether intended or not), the message was sent to both government and civil society that the status quo of very limited 'real' participation was acceptable to the EU and, if Roma are unhappy with it, it is up to them to fix it.

Even Hungary's minority self-government (MSG) system, which at times has been touted as a possible model for other countries, has not brought about a substantial improvement in Roma lives, Roma inclusion or even broad-based participation. While it has increased participation of Roma to some extent,¹⁰ it has hardly enhanced social inclusion of Roma, largely because its mandate is limited to cultural autonomy (basic education, media, language and promotion of culture)

(Curejova, 2007).¹¹ The language provisions are simply not very helpful for a community that largely speaks Hungarian at home, and local self-governments do nothing to directly address either discrimination or socio-economic inequalities. As one study states, ‘the MSGs tend to marginalize Romani issues by depositing them in a parallel, fairly powerless, quasi-governmental structure rather than addressing them through established governing bodies’ (NDI, 2006: 6). Some observers have argued that Hungary’s Minority Law and the minority self-governments it established are not only ‘largely inappropriate for addressing the situation of Roma’ but have ‘reified the exclusion of non-white minorities in Hungary’ (Cahn, 2001). Given special but weak rights, Roma remain separate and unequal. Moreover, given the reasonable provision to allow ethnic minorities to “self-identify”, the system has never been clearly representative since the majority population can also vote, and anyone claiming to be Roma can run, sometimes perversely leading to anti-Roma individuals representing the Roma population (Klípa, 2012; NDI, 2006: 11).¹² The Roma MSGs could hardly be considered representative in any case because only a small fraction of the Romani population in Hungary, probably less than 15%, even voted for them (NDI, 2006: 13-14).

Overall, given their limited budgets, scope and power, in addition to their lack of real ‘representation’, consultative bodies and self-governments have done relatively little to advance the inclusion of the Romani population in CEE. This token representation may nonetheless appear more than sufficient if one looks to the long-time EU member states, including those with large Roma populations. Here, there are no members of parliament who have identified themselves as Roma in any country (Council of Europe, 2012c: 211), and few consultative mechanisms that include Roma. Consultative mechanisms that exist (for example in Germany) are content to limit the Roma voice to one or two organizations. Even at the EU level, as of early 2014, there was only one Roma in the European Parliament (from Hungary),¹³ and the European Commission’s consultation with Roma is frequently deemed insufficient by civil society. For example, in a recent open letter to Viviane Reding, the European Roma Grassroots Organisations Network appealed to the Commission to ‘genuinely involve Roma Civil Society in the design and implementation of Roma Policies and Programmes at national and European level’. The network’s director explained that ‘we noticed that Roma are merely subjects, not actors in European policy-making’ (ERGO, 2013). Similarly, the president of the European Roma and Travellers Forum

rejected what he called ‘decorative’ Roma participation in the latest (2014) European Roma Summit, indicating ‘the Roma yearn for genuine and honest participation and not to serve as puppets in a show’ (ERTF, 2014).

5. Society: reinforcing minority exclusion

The exclusionary environment towards Roma in the countries examined here is due not only to government rhetoric and practices, but also to popular attitudes, media representations and the actions of strongly anti-Roma segments of the general population. Policy prescriptions and the rhetoric of elected representatives (or those that hope to be elected) both draw from, and feed into, the perceptions and actions of media and society. While a small group of activists and NGOs (some receiving EU funding) and a small but growing group of protestors call for ‘European’ norms of equality, the majority of the population in CEE countries typically maintain at least some negative attitudes towards Roma, and an extremist segment loudly proclaims and acts on their prejudices. Negative attitudes (or at least admission of them) may have been tempered in some cases by emerging norms of anti-discrimination, but are often reinforced by media reports on ‘Roma crime’ and are sometimes expressed through violent attacks against Roma (often unpunished, or only lightly so). Inclusionary expectations from the EU and inclusionary state policies cannot ultimately be effective if they are applied in an environment that does not recognize their value.

5.1 *Persistent discrimination and negative views of Roma*

Opinion polls reveal persistent negative views towards Roma among the general population in all of these countries. For example, in a 2012 survey by Romania’s anti-discrimination body, 43% indicated they had a negative or very negative opinion of most Roma (CNCD, 70). An EU survey found that only 34% of respondents in Romania and 28% in Hungary were ‘comfortable’ with having a Roma neighbour; this number was as low as 21% in Bulgaria, 17% in Slovakia and 9% in the Czech Republic (the lowest percentage in the 27 EU member states surveyed) (European Commission, 2008). The majority of people surveyed in a recent Eurobarometer in Slovakia (58%) and the Czech Republic (52%) also indicated they believed fellow citizens would be ‘uncomfortable’ with their children having Roma classmates. 46% felt this way in Hungary, but ‘only’ 35% in Bulgaria and 22% in Romania (European

Commission, 2012: 114). Moreover, over 80% of respondents in a 2012 survey by the Czech Academy of Social Sciences' Public Opinion Research Center perceived co-existence between the white majority and Roma as 'generally bad,' and more than half saw co-existence as problematic where they lived (*Czech Position*, 2012). Some opinion polls have also shown that negative attitudes towards Roma in the Czech Republic have tripled over the last 20 years (Liška, 2012).

Such negative views have real practical effects. Among these are seats in parliament going to anti-Roma parties, and continued racism and discrimination in the media, public establishments, employment, education, housing, healthcare and elsewhere. For example, the Czech Republic's attempts to address the segregated schooling situation were halted in part by public opinion. When it appeared in 2012 that the government might try to close the 'practical primary schools', a petition signed by tens of thousands of people was submitted to the Czech Ministry of Education to prevent this. In response, the Prime Minister and the Director of the Czech Government Agency for Social Inclusion indicated there was no plan to close the schools, but only to 'transform' them. Meanwhile, the First Deputy Education Minister noted: 'it won't be possible to fulfill it [the government-approved Strategy for the Fight against Social Exclusion] completely, particularly where questions of public schooling are concerned' (ROMEIA, 2012b). *De facto* segregation of Romani schoolchildren in Bulgaria, Hungary and Slovakia is also sometimes the result of non-Roma parents removing their children from schools in which there are many Roma (Council of Europe, 2012c).

Discrimination against Roma reportedly remains high across CEE (and beyond), with 62% of Roma surveyed in Hungary indicating they experienced discrimination due to their ethnicity in the past year, and 64% in the Czech Republic, the highest level among the countries surveyed by the EU's Fundamental Rights Agency (FRA, 2009). The numbers were somewhat lower in Slovakia (41%) and significantly lower in Bulgaria (26%) and Romania (25%) (FRA, 2009).¹⁴ Nonetheless, about half of those surveyed by Romania's anti-discrimination body in 2012 believed that there was a large or very large amount of employment discrimination against Roma in Romania (CNCD, 2012: 48, 96). Outside Romania, Roma have reported employment discrimination in the Czech Republic, Hungary and Slovakia (Council of Europe, 2012c: 159).

5.2 *Anti-Roma violence and rhetoric*

The exclusionary environment in CEE countries is further reinforced by continued violent attacks against Roma and periodic anti-Roma marches, which in some countries increased in recent years. Overall, in 2012, at least three murders of Roma were reported in Bulgaria that appeared to be ethnically motivated, two in the Czech Republic, and three in Slovakia; there were also other violent assaults and arson attacks targeting Roma in a number of countries (OSCE, 2013; ERRC, 2012). In Hungary a group of NGOs recently protested in a letter that ‘six Romani people were murdered in a series of racially motivated violent attacks just a few years ago. Far-right groups regularly organise racist marches designed to intimidate and harass Romani people. There is a widespread climate of prejudice and hate against Romani people and discriminatory speech has become accepted in the public discourse’ (ERRC 2013). One recent anti-Roma march in Hungary reportedly gathered 1000 people, making their opinion clear by shouting ‘you are going to die here’ (P.C., 2012).

In some poor towns in northern Bohemia in the Czech Republic, anti-Roma marches on Roma ghettos became a regular weekend activity in late 2011, with demonstrators calling on the Romani population—the ‘undesirables’—to be kicked out (Johnstone, 2011). In one such march in Rumburk, ‘approximately 1,000 local residents and rightwing extremists [...] walked to the Romani settlement shouting anti-Roma and racist slogans’ (ERRC, 2011). As long-time Czech Roma activist Karel Holomek notes, the rhetoric mirrored that of the French electoral campaign, which also referred to ‘undesirables’ (Kostlán, 2012d). Hate marches, as well as anti-Roma media stories continued in the Czech Republic in 2013. In 2011 in Bulgaria, anti-Roma protests led by the right-wing Ataka party took place in over a dozen cities with banners proclaiming ‘Death to the Roma people!’ and ‘Turn the Roma people into soap!’ (ROMEIA, 2012a).

The racist attitudes towards Roma held by extremist groups are often supported by media representations of Roma. In the Czech Republic, for example, Roma activists have long complained about the biased news media, particularly the fact that whenever a crime is committed, the ‘ethnicity is listed, as a rule, only in cases when a crime is committed by Roma’ (Horváth, 2010). There have even been several recent cases in the Czech Republic in which the news media quickly reported attacks by Roma against Czechs that were later found to be stories fabricated by the

alleged victims (Kostlán, 2012a, 2012c). Clearly, this influences public perception of so-called “Romani criminality”. As the Council of Europe’s Commissioner for Human Rights noted in his report on the Czech Republic, ‘the media, both broadcasting and print, and especially the Internet, continue to provide a platform for anti-Gypsyism’ (Council of Europe, 2011: 3). Moreover, newspapers ‘regularly stereotype Roma as people who by definition refuse to work or pay rent, steal and are violent’ (Council of Europe, 2011: 11).

Similar practices occur in other countries. For example, the racist statements quoted above by the founder of Hungary’s ruling party appeared in an editorial in a Hungarian newspaper where the author was senior editor. The paper’s owner and editor-in-chief subsequently defended the editorial in a letter to readers emphasizing that the real problem was not racism but those who ignore brutal crimes committed by the Gypsies (*Hungarian Spectrum*, 2013; *Magyar Hírlap Online*, 2013). In Romania, 76% of respondents in a government survey said they had noticed ethnicity-based discrimination on television or in the press in the last year (CNCD, 2012: 48, 96; see also Council of Europe, 2012c). Thus, with widespread negative opinions of Roma, frequent large anti-Roma marches, and media endorsement or promotion of anti-Roma attitudes, it is more difficult for governments to promote Roma inclusion, or for any such government efforts to be effective.

In some ways, governments’ inclusionary efforts have themselves fostered exclusionary attitudes and practices. As with the backlash of some public officials against imposed inclusionary expectations, the general public often rejects what they perceive as special rights and funds accorded to Roma. Discourse against such ‘special benefits’ can be found, for example, in the Czech Republic, Romania and Bulgaria (see for example, Hurrell *et al.*, 2013: 20; Rechel, 2009b; Woodcock, 2007).

While general anti-Roma attitudes, discrimination and rhetoric might appear contrary to European values of equality promoted by the EU and espoused by long-time member states, indeed they are very much in line with the rest of Europe. Surveys indicate similar concerns among populations in Western Europe with having Roma neighbours and classmates, and a similar problem of employment discrimination (see European Commission, 2008, 2012; Council of Europe, 2012c). Moreover, as stated in a report of the Brussels-based European Association for the Defense of Human Rights (AEDH, 2012), Roma ‘are not only victims of social discrimination, but also of physical violence in all the European Union member states

(without any exception)’ and ‘anti-Roma racism is deeply rooted in the European societies’. As expressed by a Romanian member of parliament, such attitudes appear to be an accepted norm in EU member states:

Racism against Roma is not a deviation from what is considered normality in Europe but rather the accepted normality. Sarkozy, Lellouche, Fratini, Basescu, Meciar are just some of the numerous top European politicians to have used anti-Gypsyism as a way to boost their popularity. Opinion polls and research focused on racism in mass media prove without doubt that anti-Gypsyism is by far much more cherished than fought against in the EU. (Roma Virtual Network On-Line, 2011)

Weak norms and poor models in Western Europe have always hampered the ability of international organizations, including the EU, to promote minority rights in the East (see for example, Ram 2001, 87; Vermeersch 2003, 7), and this remains the case today regarding Roma inclusion efforts.

Thus, the exclusionary rhetoric and practices against Roma in CEE support and are reinforced by societal attitudes and actions. Exclusion at the state and societal levels in CEE also reflects exclusionary norms and practices in the old EU member states and is only weakly rejected by the European Commission. Given the practices of the majority of its members, EU bureaucracy is also clearly constrained in any demands or even criticism it can continue to dole out to its CEE members. As a result, effective implementation has continued to fall by the wayside in favour of positive platitudes, and commiseration that Roma are a common “European problem”. For example, as one Romani employee of a Czech NGO that supports Roma recently stated, it is ‘a great shame’ that the Czech Republic’s Strategy for the Fight against Social Exclusion (adopted in late 2011) has seen little implementation so far, especially as ‘many ways of resolving certain problems are well-described in the Strategy’ and their implementation ‘would move many things forward for the better’ (Horváth, 2012). Similarly, the head of a Roma NGO in Romania complained recently that a number of its EU-funded programs supporting Roma might have to be shut down since the Romanian government did not provide the funding it was expected to contribute (L.C., 2012). A large proportion of the EU funds available to member states for projects supporting Roma has even gone unused.¹⁵

Conclusion

Overall, although the EU has mandated, encouraged and financially supported inclusionary efforts towards ethnic minorities and disadvantaged populations (and

Roma specifically) in CEE—which has led to many inclusionary practices, policies and institutions—an exclusionary environment persists. This environment is perpetuated by official policies and rhetoric, but is also reinforced by media, society and West European models. As a result, substantial improvements in the lives of socially excluded Roma will be slow to emerge. EU efforts have had some positive effects, which could conceivably lay the groundwork for real change. Such efforts, however, have not motivated any broad-based grassroots demand for CEE governments to improve inclusion and equality of Roma, nor have they erased pre-existing anti-Roma attitudes and practices. Substantive change will remain difficult in such an environment. Moreover, observing how old EU member states have dealt with their native and migrant Roma populations, as well as the European Commission’s own mixed rhetoric regarding Roma, CEE governments can safely assume that the EU will accept their token responses if that is all they offer.

In sum, in their pursuit of EU membership, all CEE states with large Roma populations adopted a variety of inclusionary policies and institutions that have enabled the defence of equal rights, some Roma participation and various programs and projects supporting Roma integration. These include cultural rights and subsidies, consultative bodies, anti-discrimination laws, equality bodies, and sometimes limited local autonomy, limited guaranteed representation, or positive discrimination. Nevertheless, these policies are complemented by exceptionally exclusionary practices by both government and society that tend to negate these very efforts. It seems the new EU member states from CEE have been successfully socialized to West European norms and have ‘Europeanized’ their relationship with their Roma populations. Unfortunately, these norms endorse both inclusion and exclusion of Roma. It should not be overlooked that there have been some improvements in government policies and practices as well as popular attitudes towards Roma in some countries, and some Roma have certainly benefited from government and EU efforts. Nor should the EU be silent and ignore the problems that remain. Significant improvements in the situation of Roma in CEE, however, are not likely to occur without substantial change on the part of both government and society in both the East and the West. In the meantime, more EU efforts to support and encourage Roma inclusion are likely to contribute to more of the same: small inclusive measures in an exclusionary environment.

Notes

1. In this paper, use of the term Roma follows the practice of the EU, which uses it as an umbrella term for various groups sharing cultural characteristics and a history of marginalization in Europe.
2. According to the Council of Europe (2012a), the average estimates of the number of Roma in these countries are as follows: Romania: 1.85 million (9% of the population); Bulgaria: 750,000 (10%); Hungary: 700,000 (7%); Slovakia: 490,000 (9%); Czech Republic: 200,000 (2%). By comparison, the estimated Roma population in Croatia, Poland, Latvia, Slovenia, Lithuania and Estonia is extremely low.
3. The charter was declared a part of the new country's constitutional order by a December 1992 Resolution.
4. Latvia signed the Convention in 1995, but did not ratify it until 2005.
5. Discriminatory rhetoric has not been reserved for Roma alone. For example, Jobbik member of parliament Márton Gyöngyösi stated in parliament that Hungarian Jews are a 'security risk', a nationwide list of their names should be compiled, and 'Jews, particularly those in parliament and the government, [should] be evaluated for the potential danger they pose to Hungary' (Verseck, 2012).
6. See for example European Parliament, 2012; European Parliament, 2013; European Commission, 2013; Council of Europe Venice Commission, 2011.
7. CEE governments have frequently looked to practices in long-time EU member states to justify their own laws or practices to the EU. Some examples include Slovakia's 1994 Education Policy and Estonia's citizenship policy (Deets, 2000), Romania's 1995 Education Law (Ram, 2001: 76-77) and Hungary's defence of its proposed media law in 2010 and its 2013 constitutional amendment restricting freedom of speech.
8. Despite constituting only about 2% of the population, Roma represent 32% of the students in these schools (Bikár, 2012).
9. By the end of the year, Roma organizations were still decrying the government's dismissiveness and lack of interest in real consultation.
10. For example, the number of Roma local self-governments has grown from 771 in 1998 to 1,118 in 2006 (NDI, 2006: 10).
11. On various problems with the MSGs, see also Deets, 2002: 49-51.
12. The law was reformed in 2005 to try to prevent such perversions, but problems persist (NDI, 2006: 11-12, 14).
13. The results of the 2014 European Parliament elections will raise the number of Roma MEPs to two, one from Sweden and one from Romania.
14. This may be due in part to less awareness among Roma of their rights in these countries, as far more people in Bulgaria and Romania indicated they were unaware of any legislation preventing employment discrimination on the basis of ethnicity (FRA, 2010).
15. For the period 2007-2013, the EU made available approximately 26.5 billion euros for member states' social inclusion efforts, including those targeting Roma. Only about 172 million euros, however, were explicitly allocated for Roma integration (Reding, 2012).

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