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The EU's Roma Strategy

The adoption of the EU's first Roma Strategic Framework 13 years ago marked a crucial milestone in the European Union's commitment to the inclusion of Roma. It also stood as one of the major successes during the 2011 Hungarian EU Presidency. In 2020, the EU adopted its second Roma strategic framework, however, the situation of the Roma remains a challenge to be addressed in the EU with significant horizontal and sectoral challenges. The situation of Roma is of particular importance to Hungary, where their integration and inclusion align with the country's key economic interests. Although Roma integration may not be a key priority during the 2024 Hungarian EU Presidency, it is anticipated that the Presidency will draw significant attention to Hungary, and therefore, it potentially may facilitate more effective European-level discussions on crucial Roma policy issues.

Introduction

The Roma constitute Europe's largest national/ethnic minority. According to the 2012 estimate by the Council of Europe, there were 11.2 million Roma citizens in Europe, with nearly 6.2 million residing within the European Union. The Council of Europe data reveals significant proportions of the Roma in four EU member states: Bulgaria (9.94%), Romania (9.02%), Slovakia (8.63%) and Hungary (7.49%). Three other member states have a Roma population exceeding one percent of the total population: the Czech Republic (1.90%), Greece (1.63%), and Spain (1.55%). The Roma population is concentrated in the Central European region, with over half of the EU's Roma population residing in Bulgaria, Romania, Slovakia and Hungary. Consequently, this issue holds particular importance in this region.

The protection of the rights of Roma, their integration and inclusion, has been a consistent agenda item in the different EU institutions over the past decades. With the adoption of the EU Roma Strategic Framework in 2011, the EU's Roma policy reached a new level. Even though there are several concerns about the effectiveness of this strategic framework, both politically and legally it is highly relevant, which may lay the foundation for future progress in the social integration and inclusion of the Roma.

From July 2024, Hungary will hold the rotating presidency of the Council of the European Union. One of the major achievements during Hungary's first EU Presidency in 2011 was the adoption of the EU's Roma Strategic Framework. However, in relation to the upcoming Presidency in 2024 we cannot expect similar achievements in this policy field. Firstly, because the second strategic framework for the period 2020–2030 was

¹ Council of Europe 2012.

already adopted in 2020. Secondly, the 2024 Hungarian EU Presidency overlaps with the renewal of the EU institutions following the European elections in June 2024, namely the European Parliament, European Commission and the European Council. This complicates the promotion of legislative dossiers and non-legislative strategic documents for the Hungarian Presidency simply because the legislative work in the EU will be practically suspended for the time of the renewal of the respective EU institutions. Nevertheless, progress can be achieved in Roma policy during the 2024 Presidency. The Presidency's implementation itself can facilitate the organisation of numerous informal events and meetings suitable for more effectively addressing the challenges faced by the Roma.

Legal foundations and historical development of the EU Roma Strategy

The protection of national and ethnic minorities is a sensitive political issue in Europe, with many EU member states preferring to handle it within their own jurisdictions. Therefore, minority protection falls outside the framework of EU competencies outlined in Articles 3–6 of the Treaty on the Functioning of the European Union (TFEU). Nevertheless, several EU legal bases can be invoked for the protection of minorities, including the Roma. According to Article 2 of the Treaty on European Union (TEU), "the Union is founded on the values of [...] respect for human rights, including the rights of persons belonging to minorities".

The most important basis in the primary EU law for the protection of the rights of Roma is the prohibition of discrimination. While Article 21 of the Charter of Fundamental Rights of the European Union prohibits discrimination based on ethnic or social origin, language and membership of a national minority, the provisions of the Charter are addressed to the institutions and bodies of the Union and to the Member States only when they are implementing Union law. Therefore, the Charter does not apply to situations that most adversely affect minorities, specifically deprivations of rights at the member state level. Additionally, Article 19 of the TFEU generally provides an opportunity to combat discrimination based on other protected characteristics, allowing the Council to take measures to combat discrimination based on 'ethnic origin'.

The Race Equality Directive was adopted based on Article 19 of the TFEU,² addressing racial or ethnic discrimination in the fields of employment, education, social protection and access to healthcare. It urges member states to promote equal treatment, though the inclusion of positive state measures has been omitted. While the directive does not explicitly refer to the Roma, it can be considered a legal source for the protection of Roma rights, as EU documents adopted during the implementation of the EU Roma Strategy

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

regularly refer to this directive. According to Balázs Vizi, the Race Equality Directive is the strongest legal instrument available to ethnic minorities in EU law,³ even though it does not define the concept of 'racial or ethnic origin'.

The legal regulation concerning the Roma is quite contradictory; they are simultaneously considered 'racial', 'ethnic', 'national' and 'socially disadvantaged' groups. According to András Pap, behind this murky conceptualisation lies the uncertainty of policymakers.⁴

The EU law distinguishes between 'membership of a national minority' (Article 21 of the EU Charter for Fundamental Rights) and 'racial or ethnic origin' (Article 19 of the TFEU). While the phrase 'rights of persons belonging to minorities' in Article 2 of the TEU encompasses both, they are separated concerning the prohibition of discrimination. The European Union Agency for Fundamental Rights supports this view, stating that Article 19 of the TFEU does not apply to discrimination based on national origin,⁵ although there is a different academic stance on this matter.⁶

As a result, the EU treats the protection of Roma as ethnic or racial minorities differently from the protection of other national minorities. While the Race Equality Directive can be identified as a secondary legal basis for the protection of Roma, there is no single secondary legal act in the EU aimed at preserving the culture, language and identity of national minorities. This distinction is evident in EU policies: while the European Commission supports the social equality and integration of Roma (as reflected in the EU Roma Strategic Framework), initiatives aimed at preserving the cultural diversity of national minorities have been fundamentally rejected in recent decades by the EU institutions, and more specifically the European Commission⁷ (see, for example, the rejection of the Minority SafePack Initiative).⁸

The protection of Roma rights and the overcoming of discriminatory practices against them have been on the agenda of the European Parliament on several occasions over the past decades, manifested in reports and resolutions. In 2015, on the occasion of the Roma Day, the European Parliament adopted a resolution on combating anti-Gypsyism in Europe and EU recognition of the memorial day of the Roma genocide during World War II.⁹ In 2017, resolutions were adopted on fundamental rights aspects in Roma integration in the EU and fighting anti-Gypsyism, ¹⁰ and in 2022, a resolution on the situation of Roma people living in settlements in the EU.¹¹ The 2017 Resolution paid special attention to the negative experiences of the implementation of national Roma strategies, and urged the Commission to place greater emphasis on Roma integration in the next Roma strategic

- ³ Vizi 2013: 40.
- ⁴ Pap 2015: 32–47.
- ⁵ European Union Agency for Fundamental Rights 2010.
- ⁶ Toggenburg 2006; De Witte 2000: 19; Varga 2014: 140.
- ⁷ Malloy–Vizi 2022.
- ⁸ Tárnok 2021.
- ⁹ European Parliament 2015.
- ¹⁰ European Parliament 2017.
- ¹¹ European Parliament 2022.

framework, while also called on member states to make more ambitious commitments to integrate the Roma. In 2023, the European Parliament adopted a resolution on the educational segregation and discrimination of Roma children, urging the European Commission and member states to address the issue.¹²

The EU's Roma Strategy: From the 2011 to the 2024 Hungarian EU Presidency¹³

The promotion of Roma integration was one of the priorities of the 2011 Hungarian EU Presidency.¹⁴ A significant milestone in the EU's Roma policy was the adoption of the EU Roma Strategic Framework,¹⁵ a major success during the 2011 Hungarian EU Presidency.¹⁶ To enhance its effective implementation, the Council adopted recommendations in 2013 regarding efficient national measures targeting Roma integration,¹⁷ building upon the provisions of the Race Equality Directive. Following the adoption of the Roma strategy in 2011, the European Commission issued its annual monitoring reports.¹⁸

From a Hungarian perspective, it is noteworthy to highlight the role played by Lívia Járóka, the first Roma woman representative in the European Parliament, in the adoption process of the strategic framework. She was the rapporteur for the European Parliament's report on the EU strategy for the integration of Roma, ¹⁹ leading to the adoption of a resolution on 9 March 2011.²⁰

The first Roma strategic framework had limited success in achieving progress at the EU level. The European Commission notes that while there was progress in reducing early school dropout rates and the risk of poverty, and there was a slight decrease in experiences of discrimination, significant setbacks occurred in several areas. For instance, there was an increase in cases of educational segregation, and the proportion of young Roma not engaged in employment, education, or training also rose. The Commission's assessment indicates that access to healthcare remains restricted, and the situation of segregated housing has not improved. Furthermore, the Commission highlights that the Covid-19 pandemic revealed the extreme vulnerability of excluded and marginalised Roma communities to negative health and socio-economic impacts. Page 12.

- ¹² European Parliament 2023.
- ¹³ Tárnok 2023: 95–111.
- ¹⁴ Government of Hungary 2010; Vizi 2011: 123–134.
- ¹⁵ European Commission 2011.
- ¹⁶ Gazdag 2011: 72–85.
- 17 Council Recommendation of 9 December 2013 on effective Roma integration measures in the Member States.
- European Commission 2013; European Commission 2014; European Commission 2015; European Commission 2016; European Commission 2017; European Commission 2018; European Commission 2019.
- ¹⁹ European Parliament 2011a.
- ²⁰ European Parliament 2011b.
- ²¹ European Commission 2020.
- ²² European Commission 2020.

Considering these experiences, the European Commission, within the framework of the Action Plan against Racism, adopted the second Roma Strategic Framework for the period 2020–2030 in the fall of 2020.²³ Subsequently, the Council adopted a new recommendation to enhance the implementation of the strategy.²⁴ While the first Roma strategy primarily aimed at addressing the socio-economic exclusion of Roma, the second strategic framework is built on three pillars: social equality, social inclusion and social participation of Roma.

The strategy outlines a total of 7 objectives, with the first three (Equality, Social Inclusion, Participation) being horizontal, and the next four (Education, Employment, Housing, Healthcare) being sector-specific. The strategy also defines minimum targets to be achieved by 2030:

	Objectives	Minimum target to be achieved by 2030
1	Fight Against Anti-Roma Sentiment and Discrimination	Reduce the proportion of Roma experiencing discrimination by at least half. Decrease by at least one-third the proportion of the general population uncomfortable with Roma neighbours.
2	Poverty and Social Exclusion Reduction	Halve the poverty gap between Roma and the general population. Halve the poverty gap between Roma children and other children.
3	Promotion of Participation Through Engagement, Cooperation and Trust-Building	Involve at least 90 NGOs and make them capable of coordinated, EU-level monitoring of Roma civil society. Ensure full participation of Roma NGOs, as full members of national monitoring committees, in programs addressing the needs of Roma communities. Double the proportion of Roma reporting incidents of discrimination. Encourage participation of Roma in local, regional, national and EU-level political life.
4	Improving Equal Access to Quality Inclusive Mainstream Education	Reduce existing differences in participation in early childhood education and care by at least half. Reduce existing differences in higher secondary education attainment by at least one-third. Efforts to eliminate segregation by reducing by at least half the number of Roma children attending segregated primary schools.
5	Enhancing Actual Equal Access to Paid and Sustainable Employment	Reduce employment gaps by at least half. Reduce gender-based employment gaps among Roma by at least half. Halve the NEET (Not in Education, Employment, or Training) ratio.
6	Improving Roma Health and Ensuring Equal Access to Quality Healthcare and Social Services	Reduce differences in life expectancy by at least half.
7	Increasing Actual Equal Access to Adequate, Desegregated Housing and Basic Services	Reduce existing differences in inadequate housing conditions by at least one-third. Halve the proportion of Roma living in cramped housing conditions. Ensure at least 95% of Roma have access to piped water.

Source: Compiled by the author based on European Commission 2020

²³ European Commission 2020.

²⁴ Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation.

Based on the Roma strategic framework, member states are required to adopt their national Roma strategies, encompassing common features and minimum commitments applicable to all member states. More ambitious commitments are expected from member states with significant Roma communities, namely Bulgaria, Romania, Slovakia and Hungary. On 3 September 2021, the Hungarian Government approved the Government Action Plan for the Implementation of the National Social Inclusion Strategy 2030 for the years 2021–2024.²⁵

Opportunities and challenges in EU Roma Policy

Under the EU law and policy, and more specifically the EU's Roma Strategic Framework and the Racial Equality Directive, the protection of Roma people is seen as a matter of social policy, integration and inclusion. Therefore, the issue is not approached from the perspective of cultural diversity. The preservation of Roma identity, language and culture is thus not part of the EU objectives, which can be considered a significant shortcoming. According to Article 3(3) of the TEU, the Union "shall respect its rich cultural and linguistic diversity and shall ensure that Europe's cultural heritage is safeguarded and enhanced". This includes Roma culture, language and identity (as well as the language and culture of any other national minority), but this aspect is missing in the documents adopted so far.

The inclusion of Roma in the different Roma programs, including cultural programs, research, as well as in shaping the Roma policy, formulating and implementing strategies, are particularly important. This approach is clearly reflected in the slogan of the European Roma movement: "Nothing About Us, Without Us." However, this is not happening in many cases, neither at the national nor European Union level. At the EU level, it would be important to involve Roma civil organisations and experts more effectively in European decision-making processes, especially through consultations involving Roma experts, advocacy and cultural organisations, particularly by the European Commission. In the Hungarian context, inclusion would be especially important.²⁶

The active participation of civil society, especially Roma advocacy organisations, Roma experts, and other organisations dealing with the situation and rights of Roma, remains an underutilised opportunity in various processes. A specific opportunity is for Roma civil organisations to participate in the monitoring mechanism of national Roma strategies submitted by member states. From 2023, member states must submit reports on the implementation of their national Roma strategies every two years. Civil organisations play a role in the implementation mechanism, as representatives of civil society can express their opinions on the implementation of national strategies in reports (shadow reports).

²⁵ Government of Hungary 2021.

²⁶ RIXER 2023: 161–205.

Significant levels of discrimination against Roma continue to exist in Hungary and other EU member states. This extends to the use of terms such as 'Gypsy crime' and discrimination against Roma in the labour market and housing. Special attention should be given to effective action against hate crimes targeting Roma.

An ongoing challenge at the European level, affecting Hungary significantly, is the provision of assistance to Roma fleeing the Russian–Ukrainian war in host countries. According to estimates by civil organisations, since the Russian occupation of Ukraine, approximately 100,000 Ukrainian Roma refugees have arrived in neighbouring European countries, especially in Hungary, primarily consisting of Hungarian-speaking Roma from Transcarpathia (Zakarpattia region of Ukraine).²⁷ Some of these Roma refugees speak Ukrainian, while others speak minority languages, including Hungarian or their own dialect, posing challenges for host countries in terms of housing and employment. In addition, these individuals are in a particularly disadvantaged situation, as ethnic discrimination significantly complicates their lives in addition to their refugee status.

Social and economic situation of Roma in Hungary

The Council of Europe's estimate from over a decade ago indicates that there were 6.2 million Roma living in the European Union, in four EU member states with a significant proportion of Roma population (Bulgaria with 9.94%, Romania with 9.02%, Slovakia with 8.63% and Hungary with 7.49%).²⁸ This highlights the importance of the Roma issue for Central Europe, including Hungary. It is advisable to rely on this estimate rather than official census data when considering the actual number of Roma. In Hungary, the 2011 census data indicated that 315,583 people identified as Roma,²⁹ while in 2022 only 209,909 individuals did so.³⁰ In contrast, the Council of Europe's estimate suggests that approximately 750,000 Roma lived in the country ten years ago. The European Commission also refers to the Council of Europe's 2012 estimate in its second EU Roma Strategic Framework. According to a 2017 study, the number of Roma in Hungary is estimated to be 876,000.³¹

In the past decade, the situation of Roma in Hungary has improved in some areas, while stagnation or deterioration is observed in others. Overall, the integration of Roma continues to face significant challenges. While there was an increase in the percentage of people living in poverty or social exclusion from 2009 to 2013 (29.6% in 2009, 34.8% in 2013), there has been some improvement in the processes since 2013.³² The situation caused by the Covid-19 pandemic, both at the EU and Hungary levels, highlighted vulnerabilities in the progress of Roma integration, especially in education and employment.

²⁷ Romaversitas Alapítvány 2023.

²⁸ Council of Europe 2012.

²⁹ Hungarian Central Statistical Office 2014.

³⁰ Hungarian Central Statistical Office 2023.

³¹ PÉNZES et al. 2018: 21.

³² LAKNER 2023: 3-16.

Significant challenges persist in Hungary regarding early school dropout rates. While the European Commission notes progress in early school-leaving at the EU level,³³ it remains a major issue in Hungary.³⁴ Dropout rates are highest in vocational secondary schools.³⁵ According to a civil monitoring report on the government's integration strategy commissioned by the European Commission, half of Roma students drop out of the education system, only 24% complete secondary school, and a mere 5% go on to university. In comparison, for non-Roma, the corresponding numbers are 35%, and nearly 75% completing secondary school.³⁶

In the field of education, the number of Roma higher education specialised colleges of advanced studies is a positive development, where Roma students receive special assistance for their academic progress. However, this does not address the dropout rates in vocational secondary schools, even though, according to Anikó Bernát, "escaping poverty in the long term can only be achieved by increasing educational attainment and acquiring valuable skills in the labour market".³⁷

Despite positive developments in Roma higher education scholarship programs, the issue of segregated education remains significant in the country. In some areas, majority society children are transferred to central schools in larger settlements, leaving only Roma children in smaller settlements, resulting in actual segregated schools ('white flight').³⁸

One of the notable advancements is the identification of increased employment rates for Roma, rising from 34% in 2014 to over 45% by 2020.³⁹ However, questions remain about the competitiveness and sustainability of these jobs contributing to this employment increase. Programs aimed at improving Roma employment, skills development and entrepreneurship, supported by EU and domestic funding in the 2010s, stalled due to the Covid-19 pandemic.⁴⁰

The situation of Roma women, as a particularly disadvantaged group, deserves special attention. This issue has largely remained invisible even to a significant circle of experts,⁴¹ although it has a substantial impact on the country's social and economic development. Significant challenges persist in the employment of Roma women.

While there has been measurable improvement in housing conditions over the past decade, nearly four times as many Roma still live in overcrowded housing compared to non-Roma.⁴² Hungary has one of the highest levels of residential segregation of Roma

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European Commission 2020.
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³⁴ Bernát 2019: 207–209.

³⁵ LAKNER 2023: 8.

³⁶ Király et al. 2021: 5.

³⁷ Bernát 2014: 263.

³⁸ Gaál 2018: 68–91; Holle 2023.

³⁹ Lakner 2023: 10.

⁴⁰ Kardos 2023.

⁴¹ Balogh 2013: 17–28.

⁴² Kollár 2021: 13.

within the European Union.⁴³ The health status of Roma and their access to healthcare services continue to be serious concerns.⁴⁴

One strategic element of integration is showcasing good examples. This can be achieved by providing scientific and artistic excellence scholarships for talented young Roma through the EU, motivating them with successful role models. In the coming years, progress is necessary in addressing early school dropout rates, especially in vocational secondary schools that can provide valuable skills to Roma youth, thereby aiding their social advancement. Additionally, improvements in Roma employment, particularly focusing on Roma women, are essential. Encouraging Roma entrepreneurship should also be a priority, as Roma-led businesses are likely to involve more Roma in work processes.

It is crucial for Hungary to strengthen local Roma communities so that they can more effectively address regional issues based on the principle of subsidiarity. If local Roma communities strengthen, funds allocated for Roma integration could be used more efficiently. Strong Roma communities can provide support to local Roma in employment, housing and healthcare access, which may be less efficiently achieved through central measures.

Furthermore, the situation of Hungarian-speaking Roma living beyond Hungary's borders should not be overlooked. Their numbers are continuously increasing.⁴⁵ The status and challenges of Hungarian Roma living abroad are important issues for Hungarian kin-state policy, impacting matters such as Hungarian-language education beyond the borders.

Possibilities for the Roma Strategy during Hungary's 2024 EU Presidency

With Hungary set to assume the EU Presidency in July 2024, a pivotal period emerges for addressing Roma-related issues. The upcoming renewal of several EU institutions during the Hungarian Presidency underscore the challenges in advancing legislative dossiers and non-legislative strategic documents pertaining to Roma policies. Despite these constraints, it remains crucial for Hungary to engage with the Roma question, focusing on the application of softer approaches due to the limiting developments.

The Hungarian EU Presidency should actively explore opportunities for an informal ministerial-level meeting addressing the current challenges of the Roma. This meeting would center around the effectiveness of Roma policies and the EU, delving into the most pressing horizontal and sector-specific challenges affecting the Roma. Such a forum would provide a platform to discuss shared European responses to these challenges.

In tandem with this, organising a Roma cultural gathering in Hungary during the EU Presidency becomes paramount. This event aims to showcase the diverse culture,

⁴³ Samu Nagy 2023.

⁴⁴ Kovács 2013: 37–45.

⁴⁵ Manzinger 2023: 67–94.

language and traditions of Roma in the EU, shedding light on the insufficient support the EU currently provides for preserving this cultural diversity – a commitment outlined in the EU treaties. Additionally, integrating elements of Roma cultural heritage into events highlighting non-Roma cultures can contribute positively to Hungary's image during its EU Presidency.

The Hungarian EU Presidency serves as an opportunity to stimulate expert-level discourse on EU Roma policies, potential approaches to addressing horizontal and sector-specific challenges, and the more effective implementation of the EU's Roma Strategy. Expert meetings could delve into the specifics of the EU Roma Strategy, catering to the unique needs and proposed solutions of regions and member states with a higher Roma population. Facilitating such expert-level collaboration could facilitate the sharing of best practices and enhance the European representation of Roma issues in the region.

It would be also crucial to organise activities engaging Roma youth at the European level. Involving European Roma youth organisations could provide a platform for Hungarian Roma youth to build connections and participate in European Roma networks.

Furthermore, active participation from the Hungarian academic community during the EU Presidency is essential. Hosting scholarly conferences that highlight the challenges of European and national Roma policies can contribute to a deeper understanding of these complex issues. Addressing the situation of Roma refugees from Ukraine through the involvement of relevant member states, academic forums, and Hungarian and European Roma civil society organisations is another important dimension to consider during the Presidency.

The Hungarian EU Presidency offers a unique window to not only address these challenges but also to actively shape the discourse, collaboration and understanding surrounding EU Roma policies and their implementation.

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