

Questionnaire on the midterm review of the EU Framework for National Roma Integration Strategies up to 2020

In 2011 the European Commission has launched the **EU Framework for National Roma Integration Strategies up to 2020** which has been endorsed by the Council and the European Council.¹ Member States have submitted their strategies or integrated sets of policy measures (NRIS) by 2012, and the Commission has reported annually on their implementation.² Since the launch of the EU Framework in 2011 European level targeted and mainstream policy, legal and funding instruments have been developed and aligned to support and guide Member States in their efforts to fight discrimination and reduce the Roma- non-Roma gap in access to education, employment, health and housing. Besides the annual assessment of the progress in implementation of National Roma Integration Strategies under the EU Framework the Commission also provides guidance on the inclusive reform of mainstream policies under the **European Semester** to Member States with largest Roma communities and most acute challenges. Under the 2014-2020 **European Structural and Investment Funds** European funding has also been directed to support investment in these areas. The Commission also oversees the transposition and ensures the enforcement of the **Racial Equality Directive** (2000/43/EC), which prohibits discrimination on the grounds of racial or ethnic origin in a number of areas including areas of the EU Framework (education, employment, healthcare and housing). The Commission also has the power to oversee the application of the **Council Framework Decision** (2008/913/JHA) **on combatting** certain forms and expressions of **racism and xenophobia** which obliges Member States to penalise hate speech and hate crime based on racist and xenophobic motivation.

After five years of implementation, it is time for a midterm assessment, which will be in the focus of the Commission's 2017 report. We are thus inviting interested civil society and international organisations active in the process of Roma integration to share their views as concerns the EU Framework, European policy, legal and funding instruments as well as national Roma integration strategies and measures and policy, legal and funding tools relevant for Roma inclusion. The answers to this open questionnaire will also inform a public consultation planned on the EU Framework for National Roma Integration Strategies.

If your work in the field of Roma integration concerns several Member States or is focusing at the European level, you might want to respond the questions in section I of the questionnaire. If you are familiar with the situation of one or several Member State in particular, please fill section II of the questionnaire focusing on national strategies and instruments.

INFORMATION ON THE CONTRIBUTOR(S)

Please enter the name(s) of the contributor(s) to the assessment:

Isidro Rodriguez (Director)

Please enter the name(s) of the organisation (s) you represent:

Fundación Secretariado Gitano (FSG)

¹ [COM\(2011\)173 on an EU Framework for national Roma integration strategies, Council Conclusions \(EPSCO\) of 19th May 2011 n an EU Framework for National Roma Integration Strategies up to 2020.](#)

² [COM\(2012\)226 on a first step in the implementation of the EU Framework](#) and joint [SWD\(2012\)133](#); [COM\(2013\)454 on steps forward in implementing national Roma integration strategies](#); [COM\(2014\)209 Report on the implementation of the EU Framework for national Roma integration strategies](#) and joint [SWD\(2014\)121](#); [COM\(2015\)299 Report on the implementation of the EU Framework for National Roma Integration Strategies 2015](#); [COM\(2016\)424 Assessing the implementation of the EU Framework for National Roma Integration Strategies and the Council Recommendation on effective Roma integration measures in the Member States — 2016](#) and joint [SWD\(2016\)209](#).

II. ASSESSING NATIONAL STRATEGIES, MEASURES AND INSTRUMENTS

Please specify country/countries: Spain

In the period 2011-2016, considering the [your Member State's] **National Roma Integration Strategy** (or integrated sets of policy measures) as well as **national, regional and local policies, legal, funding instruments and coordination structures** in place. Please also reflect on mainstream policies and legislation with important impact for Roma, as well as the use of European national and local funding.)

What do you consider to be the most important achievement(s) to build future work on? *(Please mention up to 3 achievements.)*

1. The acknowledgement, for the first time, of Roma inclusion as a European concern that required the political commitment of all Member States to boost a common framework, with minimum standards, to address the inclusion of the Roma population, through the National Roma Integration Strategies. This framework has contributed to keep Roma inclusion on the agenda of the European Union and of Member States.

2. The identification of concrete objectives and expected results in the fields considered crucial for social inclusion (employment, education, housing and health), as well as in terms of governance, with the articulation of spaces of coordination, such as the Group of Technical Cooperation with Autonomous Regions (led by the Ministry of Health, Social Services and Equality -where the National Roma Contact Point is located-) and Autonomous Regions; and the Inter-funds Committee between Managing Authorities of different ESI Funds and the National Roma Contact Point.

3. The framework has established the need to connect the political framework (NRIS) with the financial resources (ESI Funds), prompting the synergy between political and financial instruments. This connection between the funds and the political framework is crucial to guarantee the achievement of the objectives set in the Strategy, in fact it would not be possible to implement the Strategy without these funds. In addition, the explicit inclusion of an investment priority targeting the Roma population (9.2.) within ESI Funds favours that specific resources target this population.

What do you consider to be the most important challenges to be addressed? *(Please mention up to 3 challenges.)*

1. The tangible reduction of the inequalities faced by Roma population. The main challenge is to reduce existing inequalities in crucial areas in order to guarantee the full exercise of citizenship (guaranteeing the access to fundamental and social rights such as education, employment, health and housing). To this end, it is necessary to increase efforts, on one hand, to ensure the needs of the Roma population are addressed within mainstream policies, and, on the hand, to develop compensatory/target measures, paying particular attention to the inequalities faced by Roma women.

2. The consideration of the fight against discrimination and *antigypsyism* as a specific field of intervention, on an equal footing with the other fields. Although the Spanish NRIS has not defined the fight against discrimination and *antigypsyism* as a specific field (replicating the shortage of the European framework in this regard), it does address the fight against discrimination from a transversal approach. However, this approach is not sufficient to effectively address the discrimination faced by Roma population, which would require concrete objectives and measures (awareness-raising, training, assistance to victims, strengthening of the legal mechanisms...), as well as specific result indicators, following the example of other fields. A determined and integral approach is required in the fight against discrimination in order to provide this field with the needed political drive.

3. The promotion of the social participation, the political representation and the institutional recognition of the identity of the Roma population as a specific field. Measures to address the social inequalities and the discrimination should be complemented by measures to promote the social participation of the Roma population in the different spheres of society, and to activate their political representation, the policies of cultural recognition and their presence in institutions, in particular in the coordination structures of the Strategy.

What, in your view, would be the best way to address these challenges during implementation up to 2020?

The ideas mentioned below apply to the period up to 2020 but are also relevant for the post 2020.

- The ***territorialisation*** of the Strategy (making sure that the Strategy is assumed by actors at regional (Autonomous Communities) and local level) is a crucial element to reduce the inequalities faced by the Roma population in a country with such a high level of decentralisation. The implementation of the national Strategy is a process that should be growingly assumed by local and regional administrations, which hold many of the competences to put in practice the measures set up in the framework of the Strategy. To date, there has not been a specific nor planned strategy to foster the adoption of local/regional strategies, and to ensure that these strategies are aligned with the Spanish national Strategy. This process requires the mobilisation of political willingness and financial resources and the replication of the governance mechanisms existing at national level in the Regions/municipalities. In order to drive this process, the National Roma Contact Point should be given the necessary authority and capacity.
- **An increased alignment between the Strategy and the mainstream policies** (across areas such as housing, education, employment...). The National Contact Point should have political weight in order to have the capacity to coordinate itself with those actors in charge of mainstream policies with an impact on Roma population.
- **Significant and continuous financial resources need to be explicitly allocated** to guarantee the compliance with the objectives of the Strategy and therefore the reduction of inequalities.

In order to achieve such progress in this regard, it is necessary that the **National Contact Point has a clear political mandate and the necessary competences and resources** to guarantee an increased coordination and leadership. This would allow achieving a better alignment between the Strategy and the financial resources (primarily ESI Funds both within national and regional Operational Programmes, using investment priority 9.2...) and strengthening the political coordination with mainstream policies that also affect the Roma population.

- The **development of an approach that combines the social promotion and the fight against discrimination**, in line with the abovementioned ideas. In order to be effective and achieve a real impact in the lives of Roma people, the fight against inequalities and discrimination require an integral approach.
- Increased efforts to **advance in the improvement of the situation of Roma women and in the use of a gender approach**, which should have a more relevant role in the Strategy. Roma women/gender approach could be maintained as a transversal issue but specific objectives, measures and indicators related to this area should be identified within each of the other fields.
- The **promotion of a real partnership**, favouring the qualitative involvement of all actors: mobilization, increased coordination and demand for compliance (beyond what appears on paper).
- Overall, to **raise awareness among relevant stakeholders** about the fact that, while it is important to plan well in advance the post 2020, we still count on several years in the current framework to move forward in the inclusion of the Roma population.

In respect of what has been achieved until now, and in order to promote implementation at national and local levels, what, in your view, should be key national/local priorities for 2017-2020? *(Please mention up to 3 priorities.)*

1. Overcome the inequalities of Roma population in the field of education. Ambitious objectives should be set in this field in order to put an end, once for all, to poor school achievements and early school leaving of Roma population, at least as regards Compulsory Secondary Education. To make tangible progress in the participation of Roma youngsters in post-compulsory education. Interventions in the field of education should be complemented with measures aimed at promoting the access of Roma population to employment, as the gateway for social inclusion. Achieving this objective is feasible in the current context in Spain, with ongoing discussions on an Educational Reform Law.

2. Strengthen the fight against discrimination and *antigypsyism*. Set up specific objectives in this area, with the same level of compliance as those in the other fields. Reactivate the Equal Treatment Council and give a boost to the Equality Law. In order to overcome the weaknesses of the transposition into national legislation of Directive 2000/43, it would be important, among other measures, to reactivate the Council for the Promotion of Equal Treatment and provide it with more competences (litigation in the cases of discrimination/hate crimes, awareness-raising... It would be equally necessary to develop a broader legal framework (an Integral Law) that allows for a better application of existing legal tools and for the allocation of sufficient resources to this end. The Integral Equality Law is on the political agenda in this term, which represents a clear opportunity not to be missed.

3. Compliance with the already established objective of eradication of slums and of substantial improvement of situations of substandard housing.

How do you envisage the continuation of the national approach to Roma inclusion in the post-2020 period in respect of policy, legal and funding instruments and coordination structures?

In point 3, we referred already to aspects related to the National approach. We would like to also highlight some ideas regarding the European approach of Roma inclusion in post-2020.

A new European framework for National Strategies post 2020 should re-launch the political commitment among Member states as a requisite to achieve real impact on the lives of the European Roma in the next decade. The role of the EC in this regard is essential, specifically by offering straightforward political orientations to Member States on priorities, the use of available instruments and the establishment of solid monitoring mechanisms of NRIS' developments and results.

The first step could be to increase the political weight of the unit/mechanism responsible for the coordination and monitoring of the Strategies within the European Commission, which, as an option, could be directly linked to the EC Presidency. In addition, an increased coordination between the different units of the European Commission and between the European Commission and the European Parliament would be necessary. In order to ensure a more binding and stronger future European framework from a political point of view, a discussion on its specific formal status should be considered.

As suggested for the national Strategies, the upcoming European framework should explicitly establish a greater and better connection with European mainstream policies and frameworks (European Semester, post Europe 2020 Strategy, Social pillar...). In this regard, it would be necessary to shape the EU framework (and therefore the national Strategies) in accordance with European/international regulatory frameworks on fundamental rights. EU Framework on Roma inclusion (and national Strategies) should therefore be instruments to guarantee Roma population access and enjoyment of fundamental rights.

The fight against discrimination should also be strengthened. It should no longer be considered a transversal issue but as a specific field, in the same terms as employment, education, etc... establishing clear aims, measures and result indicators. Special emphasis should be done to include the fight against discrimination with those measures aiming at social inclusion. Along these lines, specific objectives, measures aimed to promote an increased equality of Roma women, as well as result indicators, should be more included.

Implementation of National Strategies should be considered as *processes*, whereby objectives/indicators can be established at different moments of implementation should, notably at mid and long-term. In addition to those related to each of the

priority fields of intervention, other objectives related to the governance for the implementation of the Strategies could be established (connection with the local and regional strategies, with mechanisms of coordination with mainstream policies, with ESI funds and other funding sources, stable structures of coordination and monitoring of the Strategies...). To this end, the European framework should promote that National Contact Points have an increased political weight, which allows them to promote all those aspects that would contribute to improving the implementation of the Strategies in the different countries.

What should be the key priorities of a post-2020 national strategy?

(Please mention up to 3 priorities.)

1. Structural: transform National Contact Points in major actors to launch Strategies with impact, by extending their mandate and reinforcing their competences as regards coordination (at horizontal and vertical level, with civil society...), including assuring budget allocation to develop Strategies' priorities. To this end, they should be assigned competences to be coordinated with all (mainstream) policies that affect the Roma community in one way or another, beyond the initiatives developed within the specific framework of the Strategies. In this sense, overcoming the existing disconnection between the strategies and the mainstream policies should be a priority.

It should also be necessary to improve the functioning of the participation mechanisms of civil society and of institutional governance with a view to moving from formal participation to real involvement.

2. Fields and approaches. The Strategies should be considered as instruments to guarantee fundamental rights (education, equal treatment...). To this end, there should be a combination between the maintenance of the fields identified as crucial for inclusion (education, employment, housing, health...while incorporating the fight against discrimination) and the strengthening the approaches (a more integrated approach, addressing gender issues, discrimination...). It is also essential to address the specific situation of Roma people coming from Eastern Europe in destination countries.

3. Resources: guaranteeing that ESI Funds support the achievement of the objectives set during the period of implementation of the Strategy, including those linked to the fight against discrimination. Guaranteeing the use of the investment priority 9.2., of the European Regional Development Fund and of a *mainstreaming* approach as far as the other funds are concerned. Furthermore, the necessary synergies between the resources coming from ESI Funds and the cofunding sources at national, regional and local level should be ensured. In short, guaranteeing an increased and continuous financial investment which allows achieving the objectives of the NRIS.

Would you like to make any other comments regarding the implementation of Roma integration measures at national, regional or local levels?

It is necessary to devote further efforts to the monitoring and annual reporting of the implementation of the NRIS. Among other measures, the national platforms should be used as a key space for the annual monitoring of the strategies.

The national strategies should be designed and implemented in such a way that they contribute in a determined way to guarantee the rights of the Roma population (education, employment, housing, equal treatment and non-discrimination...).