

The Involvement of regional and local authorities and the civil society

Summary

This report briefly analyzes the involvement of NGOs and local authorities in seven Member States (Austria, France, Hungary, Italy, Lithuania, Netherlands, Romania and UK), focusing on the specificity of each context and underlying the main issues National Governments have to face.

Although considered as a key instrument in implementing the policies, the involvement of NGOs and local authorities has been involved to a different degree in the National Strategies.

Local authorities play a different role in each of the country. The differences origin are rooted, on one hand, in very diverse institutional structure of the Member States: e. g. in the eastern European countries central authorities recently started devolving some of their power to the local authorities, and the system of competences is not yet clear. On the other hand, some of the countries decided not to involve systematically local authorities, e. g. France, but only those regional or municipal authorities who deal with Roma groups.

The involvement of Roma and non-Roma NGOs is very heterogeneous: the main issue concerns the relation with Roma NGOs and representatives. The process of elaboration and implementation of the National Strategies has everywhere reawaken the interest of many of them, and each one of the Member States carried out diverse initiatives to encourage the Roma participation, depending on the social and historical characteristics of the Roma, and on the historical relation with institutions. In some of the countries, we witness attempts to create *ex nihilo* national representative structure, or to select a few leaders or NGOs as main interlocutors; these strategies fragmented the Roma interlocutors and make them weaker in relation to the authorities and in relation to the Roma too. A general issue concerns the weakness of the Roma NGOs, who often lacks in administrative and technical competences to elaborate proposals and activity plans autonomously, or to act as a partner within national or European projects.

Details

This report was written based on the information and contributions collected from members of the European Academic Network on Romani Studies concerning the modalities of involvement of NGOs and local authorities in Austria, France, Hungary, Italy, Lithuania, Netherlands, Romania and UK¹.

The contexts observed have many differences with regard to both the history, social and cultural characteristics, of the Roma, and the political landscape within which the single national governments have developed their National Strategy in response to the EU directive. Those indicated below are some critical points which were common to the various contexts.

LOCAL AUTHORITIES

In the seven countries taken into consideration, local authorities did not play the same role in the elaboration and implementation phases of the National Strategies. Institutional set-ups and administrative mechanisms are very different from one another, as well as different entities are invited to participate in these phases.

In Italy a mechanism of systematic involvement of all local authorities has been foreseen: the Italian National Strategy contemplates a scheme of governance in which the National Office Against Racial Discrimination (UNAR) acts as the National Roma Contact Point. Its task is upon to verify and coordinate the action of the "Regional Tables", leaded by the Regional authorities, where local Plans of Actions are elaborated. These tables should also have the task of raising awareness among local authorities (municipalities) and monitoring the implementation of the Strategy at local level. However, at present this mechanism has not been activated yet. The Regional authorities themselves have pointed out their interest in undertaking this role but they pointed out the difficulties due to the lack of adequate funds. Given the Italian situation, the lack of resources can represent a relevant problem for the implementation of the Strategy, making it depending on the resources and the good will of the local authorities.

In Austria a similar scheme is foreseen: the Federal Chancellery is the coordinating institution of the Austrian National Roma Integration Strategy (ANRIS). The Federal Chancellery initiated a National Roma Contact Point (NRCP) as a dialogue-oriented platform for Romani NGOs and Austrian authorities. The ANRIS is not *stricto sensu* a strategy but a reporting document of the current status quo in 2011. Therefore, there is a need of a mid-/long-term roadmap or action plan (2012-2020). Although the existence of a Department of Minority Affairs (Volksgruppenabteilung), a department of the Federal Chancellery which should be involved in ANRIS for the autochthonous Austrian Roma, there is no exchange or cooperation between these two units.

1 Members of the Network who contributed to this report are: Barbara Tiefenbacher on Austria, Jean-Baptiste Duez on France, Kitti Baracsi (together with Színes Gyöngyök Association) on Hungary, Paola Trevisan on Italy (some members of Italian NGOs helped me for a clearer and wider description of the Italian scenario), Ana Rozanova on Lithuania, Huub van Baar on Netherlands, Marius Taba and Florin Moisa on Romania, Andrew Ryder, Sarah Cemlyn, Margaret Greenfields, Marc Willers and Owen Greenhall on UK.

In two of the five cases analyzed (France and the Netherlands), the involvement was limited to local authorities directly affected by the presence of Roma. Therefore their involvement resulted only in the solution of local problems without any reorganization of the modes of intervention. For example in some French towns new "village d'insertions" were set up and new evictions took place in the same time. This mode of involvement seems to be problematic because it seems to limit the responsibilities to local contexts and local authorities. This governance structure has also two consequences: it engenders indolence in local decision-makers, who assert they do not have enough resources and cannot act in isolation; then, when action plans are implemented, local decision-makers can decide to reduce the number of beneficiaries, establishing a sort of limited number that would prevent the "attraction effect" of integration policies but which actually ends up legitimizing the repressive measures against non-beneficiaries. In addition, it should be noted that, when limited to local contexts, the issue of the presence of Roma groups is often redefined in terms of defending the territory and the rights of autochthones population, thereby supporting the launching of policies focused on security of native population.

In Romania and Lithuania the action plans do not provide a systematic involvement of local authorities and there is no a clear system of delegation.

In Romania, the Nation Strategy is replacing a previous policy documents that expired in 2011 (strategies adopted in 2001 and revised in 2006). A first and main observation on the Romanian NRIS is that it does not fulfil the existing governmental standards for elaboration of public policy documents. As for the Action Plans attached to the NRIS, they are defined as public policy documents and have to comply with certain standards that are not fulfilled also, the result being the impossibility of putting them into practice buy the institutional system.

In this country, the body in charge of implementing the strategy is the National Agency for Roma (NAR). The NAR is a central public administration structure having a central and regional development, responsible for applying, coordinating, monitoring and evaluating the sectorial social intervention domains measures that are part of the Romanian Governmental Strategy for Improvement of the Condition of the Roma and it is acting as secretariat of the Mixed Committee for Implementation and Monitoring of the Strategy. There is a certain contradiction regarding the institutional status of NAR and its formal roles.

The Governmental hierarchy is placing NAR on a level of subordination under the supervision of the General Government Secretariat: it headed by a President with a rank inferior to that of a minister and therefore there is no competence or authority to coordinate policies across line ministries. As such, the NAR can not play a coordination role, because it lacks the necessary resources (which are normally allocated to the line ministries) and the capacity of planning, implementing and monitoring the Strategy. It is rather curious to have a structure without authority and competence over the ministries to be responsible for elaboration, implementation, coordination, monitoring and evaluation of the NRIS measures. In the meantime, the strategy is stipulating establishment of new institutions such Central Department for Monitoring and Assessment for the strategy, Technical Assistance Coordinating Unit for Monitoring and Assessing the Activity and the Health Mediators, Museum of Roma Culture and Civilization, Rome State Theatre, but the role and coordination between these structures is not clear yet. Furthermore, the main implementation

structures foreseen in the previous Action Plans were preserved. The activity of the so-called Ministerial Commissions on Roma, structures that existed also during the previous period, is rather low and there are almost no public information regarding their results. The NRIS foresees the implementation of Country Offices for Roma; their task is to inform and mediate between national, country and local levels on the method for implementing the measure plans specific to the Government Strategy and to facilitate meetings and operative discussions. When talking of coordination of different layers of governance involved in implementation of the NRIS, it is rather difficult to find solid signs of coordination. Also, the activity of the Inter-Ministerial Working Group, a formal structure consisting of high level governmental staff, is still to be publicly presented to the general public and international bodies interested. The actual accomplishments of such coordination body are still to be seen. During 2012 there were almost no new development related to the NRIS, there were no clear actions for actual implementation of the new policy, in a context in which the Romanian Government used the expected assessment of the European Commission (mid 2012) the European Commission as a reason for not taking clear actions.

In both Romania and Lithuania, central authorities did nothing but compile a list of local authorities to be involved without activating any concrete mechanism of interaction. At the same time, local authorities have shown no interest in the processes started at a central level. Then the responsibilities rest at the level of central administration, whereas the involvement of local authorities is only sporadic and marginal. The absence of a clear system of delegation and accountability is significant because most of the policies and actions targeting Roma, both those aimed at inclusion and those more or less directly aimed at expulsion, are carried out by local governments. Thus there is a disconnection between the goals expressed by the National Strategies and concrete measures adopted at a local level.

In UK, the UK Government's Ministerial Working Group ('MWG') on preventing and tackling inequalities experienced by Gypsies and Travellers was given the task of addressing the Framework's requirements. Rather than produce a National Strategy, the UK Government provided the Commission with a collection of documents which it considered satisfied the requirements of the Framework. The Ministerial Working Group therefore brought together ministers from key government departments under the chairmanship of the Secretary of State for Communities and Local Government [Eric Pickles] to look at ways to reduce and tackle these inequalities.

CIVIL SOCIETY AND NGOS

The issue of NGOs' participation was also addressed in a non-homogeneous way in the five countries analyzed.

In Italy, Netherlands and in Austria the systematic consultations of NGOs, both Roma and Gadje, have been implemented.

These consultations have not produced yet significant results in the Netherlands, whose case significantly highlights the difficult dialog between institutions and Roma and pro-Roma associations. The national government initially supported the creation of a national body

representative of the Roma and Sinti (the so-called “Nederlands Instituut Sinti en Roma” or NISR (“Dutch Institute Sinti and Roma”). It was organized and established businesses by the Dutch government and mainly led and run by non-Romani staff (including some contracted mediators with a Romani or Sinti background). NISR took the initiative to organize a conference in November 2011, during which a moment of reflection on the NS (to be developed) was also included. Yet, the conference was dominated by turmoil about the institute itself, since most Sinti and Roma who were present at the conference did no longer recognize the institute as a representational body of the minority. Through this weakened institutional channel, as well as through some individual Roma who were diplomatically in touch with national governmental actors, a modest form of consultation of civil society actors and organizations took place. Amnesty International Netherlands and the Anne Frank Foundation, as well as some scholars, were also and indirectly involved in these consultative moments. When the Dutch official document was finally publicly published, however, it became clear that the contents of these consultations with civil society actors were not included at all in the official Dutch NS. Almost none of the key issues that were brought up by civil society actors including those of members of the Roma and Sinti minorities, were included in the final and currently used National Strategy document. These issues, without many concrete plans of how to solve them, are embedded in a strategy that lacks firm relations with the roles of civil society actors and human and/or minority rights frameworks. Issues such as anti-discrimination policies, Roma empowerment or self-organization, or the targeting of the majority of Dutch society (for instance, through combating anti-Gypsyism and Romaphobia and/or educational programs) are entirely lacking in the document of the National Strategy. At the moment, there is no institute or organization - governmental or non-governmental - that (claims, intends, wants to) represent the Dutch Roma and Sinti.

In Austria the involvement of civil society has been carried out by convening three meetings during 2012. The meeting format does not enhance the exchange between authorities/ministries and Romani NGOs as the last-mentioned are not included on equal terms in the discussions and their possibilities for active participation are limited (e.g.: Romani NGOs are informed about upcoming meetings on a short notice). The main issue concerns the lack of communication with the Romani NGOs and also of transparency concerning further proceedings. Furthermore, within the ANRIS only autochthonous and allochthonous Romani Communities (mostly from Ex-Yugoslavia) are considered, and no attention is paid to recent Romani migrants from post-communist countries. They face very precarious living conditions and open hostility from the Austrian public including media (hostile and criminalizing coverage) and politics (cf. the introduction of bans on begging is partly even based on racist arguments). As these new Romani communities have no lobbying (yet) they are also not considered in the ANRIS.

The Italian case is very different. Already during the preparation of the National Strategy, Roma associations were organized mainly around two national federations of associations, the Federation of Roma and Sinti Together and the Romani Federation. These two bodies, along with other Roma associations active at local level and other Italian NGOs, such as ERRC, UNICEF Italy, Italian Red Cross, Italian Caritas, CIR, ARCI, Fondazione Migrantes, Save the Children Italy, Amnesty International and Comunità di Sant’Egidio, participated in the preparatory and discussion meetings of the National Strategy. During these meetings several debates raised on the central themes of the

National Strategy: in particular, concerning the different ways to achieve one of the main goals of the Strategy, i.e. the overcoming of the "nomad camps" as the main model of living inclusion of Roma people in Italy. On this issue, the contribution of some Roma associations, which asked to acknowledge some experiences of settlement such as those made in "micro-areas" in the north of the country, was introduced in the text of the National Strategy. At present, the implementation of the measures envisaged by the Strategy has not been started yet and also Local and Regional Tables, which are supposed to be responsible for the implementation of Local Action Plans, have not been constituted. During the elaboration of the Hungarian strategy some Roma representatives (member of the Parliament and a member of the government) has been involved into that, but this kind of involvement does not mean the real involvement of the Roma communities. Given the difficult situation in this country, both political parties are using the Roma issue and Roma member for their scopes. For the NGOs the only chance to participate in public debates about the strategy has been the one organized by the Partner Hungary Foundation, funded by the Open Society Institute. PHF organized a few meeting in bigger cities in 2012 during which opinions were collected but not introduced in the Nation Strategy.

Despite the encouragement of the EC to strongly involve the NGOs, civil society and the Roma community through consultations during the period of drafting the strategy, these consultations were not carried out in Lithuania and Romania. Institutional mechanisms for the consultation of these organizations were not activated and although civil society made several attempts to participate in the preparation of the document with structured feedback and constructive suggestions, however, this involvement was rejected. None of the comments was introduced in the final text of the Action Plan developed in Lithuania.

In Romania, the participation of the Roma civil society organizations is still an unresolved issue. The generous principle of participation of the Roma briefly described in the NRIS: "the active involvement of Roma ethnics in these actions is essential. To this end, starting form 2012, the NAR shall take actions for establishing a mechanism for consultation and permanent involvement of the civil society in implementing and monitoring the Strategy for the inclusion of Romanian citizens of Roma ethnicity", did not prove to be put into practice. Furthermore, we have to underline that Roma NGOs are generally weaker in terms of resources and competences and less expert in operating under formalized procedures than the non-Roma NGOs; that means that most of them will be severely excluded from the implementation of the different concrete actions.

We can find this same weakness of the Roma grass-tooted NGOs in UK. Policy analysts have expressed concerns that the relatively well resourced community groups, rather than grass-roots organizations working with marginalized communities, will be more adept at benefitting from these policies because of the complexity of procurement and technical demands of service delivery.

The Coalition Government has not acted within the spirit of the EU Roma Roma framework which declares that resulting national strategies should "be designed, implemented and monitored in close cooperation and continuous dialogue with Roma civil society, regional and local authorities" (European Commission, 2011, 9). The Coalition Government does not appear to have a coherent strategy to support groups at the margins of society, and some NGOs expressed sustained criticism.

For instance, respondents from the UK reported that the drafting process was "not transparent at all" and that "no meaningful participation was foreseen in the implementation process; the Irish Traveller Movement in Britain asserts that the UK Government's response to the Framework "is very disappointing and unacceptable given the chronic exclusion, poverty and daily discrimination experienced by the majority of GRT communities"; whilst Friends, Families and Travellers go further, writing that the proposed commitments "were, at best, disappointing and, at worst, insulting".

In this scenario, another set of local actors and NGOs can appear as partners of local governments when they have to face alone the issue of the Roma presence. This is the case of some French towns where local authorities, who had launched projects and measures addressed to Roma, had to face some mobilisations, and some trials too, towards or against Roma and Sinti people intended by associations of neighbours who did not want these people to live close to them.