

# Roma in the Council of Europe

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## *1. Roma / Gypsies: A European Minority*

The Council of Europe is an intergovernmental organisation of States represented by ministers of foreign affairs and deputies of national parliaments. In order to solve specific problems, these two main bodies create specialised subordinated working groups that generate their own activities, networks, and contacts. These units take the form of various advisory boards and expert committees as well as an extensive Secretariat which has its own sections, centres, divisions, bureaus, and is directed by the Secretary General. These particular units are subordinated to the Committee of Ministers but to a great extent they act independently. As the working environment is international and the mobility of employees huge, the demands of decision-makers can be met only in a manner which is habitual within their specific departments.

Roma have no particular representatives either in the Committee of Ministers or in the Parliamentary Assembly (unless they are deputies of national parliaments). They are in the same position as Lemkas, Ruthenians, Lusathian Sorbs, Basks and many other "imagined societies" which declare themselves in terms of ethnic groups, ethnographic groups, nations etc., but which do not have their own State. Nevertheless, Roma are under specific treatment in the Council of Europe, and they have larger particular institutions than some sovereign states there. It is due to the fact that the Council of Europe adopted the Roma issue as a problem - and we can say without any exaggeration, as a model problem on the level of instrumental behaviour as well as on the symbolic level. On the symbolic level Roma are very good representatives of general minority questions because they are truly a European minority.<sup>1</sup> Almost every European State has its own Roma minority, its own Roma politics, and its own regrets for sins committed against Roma communities in recent years. Relations of the majority society to Roma, the Roma's standard of living, their level of education, etc. are therefore tasks that on the one hand interest a lot of European State representatives, and on the other hand are a good measure of the success and failures of minority politics within particular States. This became a current issue mainly after the post-communist states of Eastern Europe joined the Council of Europe, because in the Eastern European countries live more than two thirds of the Roma of Europe.<sup>2</sup> The Council of Europe searches for common points for European communication, and Roma are one of themes shared by almost all European States.

## *2. An Optimal Minority for the Council's Administration*

Roma have created throughout Europe many separate, culturally different groups which have common ancestral origins but which are not connected today by any permanent mutual ties. These groups have some common cultural traits, but large differences exist as well. Furthermore, they have no common language but rather many dialects. In regions where Roma were not subjected to an extensive program of urbanisation, the basis of their social organisation remained patriarchal, involving gerontocratic extended family units with patrilineal inherited cultural patterns and firm, elaborate mechanisms discouraging ethnic exogamy. Some Roma subethnic groups create social organisations in the framework of traditional culture which may unite two or three extended families, but more intricate social structures are quite rare. Usually Roma are joined to family clans that rarely communicate with each other. These clans are mutually suspicious, a result of traditional Roma subsistence activities. These activities were not realised by the mutual cooperation of Roma groups but with the help of non-Roma, either in the form of business reciprocity or as a parasitical relationship. Thus, individual Roma extended families were competitors rather than cooperators. It was non-Roma representatives and not Roma themselves who mediated the ethnic group's contact with the institutions of the State and, in general, with everything beyond face-to-face level. Furthermore, it is apparent that Roma are quite a flexible society with regard to adapting themselves to different living conditions.

The characteristics mentioned play an important role in the development of relationships between Roma communities and the Council of Europe. Roma have a weak political representation. They are a minority without a State and their elite is not able to fully represent them. Roma political structures are not mature, they are not at all unified and they are prepared to receive assistance. A pan-European minority of this type, which searches for a good "Gajo", and a pan-European organisation focused upon unification and human rights programs are two groups which should have an interest in one another. The support of minorities by the Council of Europe is a type of 'business' interaction between numerous political bodies. The absence of the Roma's own political program, their lack of strong political representation as well as of territory, and also the fact that Roma have problems which particular governments are able to negotiate and help to solve are all characteristics that make this specific 'business' arrangement advantageous for many sides. The Roma question is not the same type of problem as that of the Kurds, for instance, which concerns only a few states whose relations with the Council of Europe are even more complicated. The Roma question differs as well from that of Ruthenians, with their considerably strong emigration in the United States, Canada, etc. Roma do not want to divide states, and do not want to establish new ones. They are not a serious danger for any European State. On the other hand, without a generally accepted literary language, without a flag, without an anthem, and without a well-elaborated political program, they could be good objects for symbolic manipulation. However, a model of solving the Roma question in the Council of Europe is not the decision of a single person. It is the result of a long-term process that was launched well before the incorporation of Eastern European countries into the Council of Europe.

### ***3. A short history of the Network of Specialists on Roma Questions in the Council of Europe***

The emergence of a specialised network for Roma questions in the Council of Europe was preceded by more general regulations, recommendations and resolutions. On the 30th of September 1969 the Consultative Assembly adopted Recommendation 563 (1969) on the situation of Gypsies and other travellers in Europe, dealing with discrimination, construction of caravan sites, children's education, consultation bodies, social security provisions and medical care. On the 22nd of May 1975 the Committee of Ministers adopted Resolution (75) 13 containing recommendations on the social situation of nomads in Europe. These included recommendations on national legislation, education, health and social welfare, social security etc. On the 29th of October 1981 the Congress of Local and Regional Authorities of Europe adopted its Resolution 125 (1981) on the role and responsibility of local and regional authorities with regard to the cultural and social problems of populations of nomadic origin. In 1983 there followed Recommendation R (83) 1 of the Committee of Ministers on the 22nd of February regarding stateless nomads and nomads of undetermined nationality. In this document principles were adopted to facilitate the relations between stateless nomads or nomads of undetermined nationality and a state, principles to reunite families, etc. Other significant activities of the Council of Europe with regard to Roma are noteworthy from 1992 onward:

21st of May 1992: Recommendation R (92) 10 on the implementation of rights of persons belonging to national minorities (Committee of Ministers)

5th of November 1992: European Charter for regional or minority languages (Committee of Ministers)

1 - 5th of February 1993: Recommendation 1203 (1993) On Gypsies in Europe (Parliamentary Assembly)

18th of March 1993: Resolution on Gypsies in Europe: the role and responsibility of local and regional authorities (Congress of Local and Regional Authorities of Europe)

10th of November 1994: Framework-Convention for the Protection of National Minorities (Committee of Ministers).

The Resolutions and Recommendations were followed by other activities

- The Conference of Local and Regional Authorities organised on 12 and 13th of July a Hearing of Roma representatives under the headline: The Gypsy people and Europe, the continuation of tradition in a changing Europe.

- The Conference of Local and Regional Authorities organised on 15 - 17th of October 1992 a Roundtable on Gypsies in the Locality.

- In October 1993 a project was established involving confidence-building measures relating to minorities. Thus, the Council of Europe launched a program to support pilot projects aimed at promoting good relations between minorities and the majority "on the ground". Since 1993 various projects involving Roma have been supported and implemented.

From my brief account, which does not include all the activities related to Roma, we can notice the following process:

Activities dealing with Roma increase incrementally in volume and intensity. During the sixties, seventies, and eighties separate documents were issued only with intervals of several years. From 1992 onwards we can see a permanent "avalanche" of resolutions and recommendations that are followed by other activities, including specific projects for specific people. In the new documents lawyers often speak not about nomads, travellers or minorities in general, but specifically about Roma/Gypsies. Some entire campaigns of the Council are devoted to them. The first confidence-building projects were launched in Bosnia, Slovakia and the Czech Republic.

In 1994, the Secretary General appointed a Coordinator of Activities on Roma/Gypsies responsible for the following:

- to coordinate activities regarding Roma/Gypsies within the Council of Europe;
- to act as a contact for other international organisations dealing with Roma/Gypsy issues, in particular the Organisation for Security and Cooperation in Europe/the Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and European Union;
- to establish working relations with organisations or representatives of Roma/Gypsy organisations.<sup>3</sup>

On the basis of such formulated duties an interdepartmental coordination group was set up within the Secretariat of the Council of Europe. At the same time the Secretary General appointed organisational units that should participate within a network. An information Newsletter of the group has been launched and many working relations have been built up with Roma organisations, other NGO's and governmental officials, and international bodies like the High Commissioner for National Minorities etc. In the same year the European Commission against Racism and Intolerance was set up and began to cooperate with the coordinator for Roma questions.

In the spring of 1995 the European Committee on Migration submitted to the Committee of Ministers and to the Parliamentary Assembly a detailed report "The situation of Gypsies (Roma and Sinti) in Europe. The report has two parts. Part I of the report describes the situation of Roma, part II comprises "proposals for action to improve the situation of Gypsies (Roma and Sinti) in Europe." In response to this report, the Committee of Ministers decided to set up a Specialist Group on Roma/Gypsies. This group of experts, appointed by the member States, can advise the Committee of Ministers through the European Committee on Migration on how to contribute to the solution of Roma problems. The Specialist group meets two times per year: once in Strasbourg and once "in the field" - in one of the member states where the situation of Roma is observed and hearings with Roma are organised.

From 1995 to the present a lot of other activities were established like training courses, seminars, congresses etc. Furthermore, some textbooks were financed, common projects prepared and new Resolutions and Recommendations accepted. The Coordinator of Activities on Roma Gypsies is fulfilling an extensive grant project for Roma in Central Europe. Activities on Roma became a part of the work of a number of the Council's departments.

The history of solving of the Roma question reveals some trends in the Council of Europe that have more general applicability:

1. The most apparent is the trend "from recommendations and resolutions to practical intervention in the field." The elementary mechanism for this shift is the support for the work of single peoples or groups in the spirit of the ideas of the Council of Europe. In the case of Roma the most accepted forms were grants and other forms of financing. Another form was embedding particular persons into the work of the Council of Europe. For instance, experts for the Roma questions in the Expert Committee were from the member states of the Council of Europe. Another form was training courses. Local Roma NGO organisations were also included in the network of the Council. Another new form was a grant which was allocated directly to employees of the Council of Europe. An organic part of these changes also involves more strict attitudes against the State governments that do not respond to the pressure of the Council in an appropriately affirmative way. The growing pressure on member countries and the search for a way to support efficiency in the activities of the Council of Europe is evident as well as the search for feedback from the European States. One of the products of such tendencies is a project of the European Commission against Racism and Intolerance called the Country by Country approach. A part of the project is to construct the profile of each member State with the help of questionnaires. Another part involves procedures for the assessment of the situation in particular countries. The system is in its infancy and employees of the ECRI suppose that it will continually improve.<sup>4</sup> The question also comes up in the monitoring of member states.

2. The second trend is as follows: The institutional time for solving problems is becoming shorter and shorter. In the sixties, seventies, and eighties the institutional time was measured in years. Now it is done in months - from resolution to resolution, from recommendation to recommendation. Furthermore the feedback takes less time. In the case of Roma questions the Council of Europe appears like a relatively operational institution. It was able in quite a short time to create inside its body tools for resolving problems. The response to concrete situations took only a few months.

3. Another trend is to increase the flexibility of the Council of Europe. Particular departments subordinated to the Secretary General have a structure similar to those of ministries in particular State governments (economy, culture and education etc.). But Europe is not a State. Departments have no common ground for cooperation as have sovereign states. Therefore, activities of particular departments in the Council of Europe have fewer possibilities for cooperation than bodies of a particular state government. To achieve a particular task such as addressing the Roma question it is necessary to establish a type of cooperative platform. In this particular example The Council managed to create a network among particular departments and institutional units and across the structure of the institution.

In 1998 about six years had passed since the beginning of the huge campaign dealing with Roma questions. For about four years now an interdepartmental network of people has existed which deals with Roma questions in the Council of Europe. I believe that it is possible now to

assess the initial results.

#### ***4. Successes and failures***

##### **4.1. Communication at the top, subordination at the bottom**

One of the factors that paralyzes any network among units of the Secretariat of the Council of Europe is the manner of communication within the institution. The habitual pattern is as follows: Heads of units communicate with each other, while subordinates execute orders. Although a network among departments is created and the subordinate person is asked to work in the network he/she has few possibilities of communication. It is not only a problem of direct communication with the coordinator of the network, but also a problem of communication with other people in the network and with people of the expert committee. The limitation lowers the level of information as well as the general knowledge about related problems. On the other hand it supports a diversity of approaches for the solving of the problem. Officials included in the network have their own style of work in particular departments, their own method and their own co-workers. The question is if it is desirable to make ties closer than necessary. By in my observation, neither the coordinator nor the network participants were active in broadening network ties among the particular members. A particular subordinate person endeavours to do the best in his/her particular field and usually does not care about anything else. The only incomplete answers I received were to the question of who the participants in the network in other departments were. Every participant knew the coordinator and his assistant. They characterised them as very good professionals and managers, and the assessed cooperation with them to was very good. They also knew some active persons primarily in higher positions. They recalled less active persons or persons newly appointed to the network with difficulty. If I asked for full names they had to consult lists in telephone directories or in diaries. Even the coordinator could not recall the contact person in the department of education. I asked questions such as: Who are members of the Expert Committee? Is the mandate of members of the Expert Committee limited? Who are members of the committee that assess confidence-building projects? The coordinator, his excellent assistant and the people that dealt directly with the problem were able to answer these questions. If I asked the question in other departments, rarely could anyone answer. Soon I realised that the main medium of communication among the network participants was the printed Newsletter. If it is necessary the coordinator meets individual officials and discusses particular problems. Clerks from different departments rarely cooperate with each other beyond the coordinator.

Network participants from different departments are not subordinated to the coordinator. Therefore, the coordinator can influence their contribution to the network only indirectly. The result is that there are departments with good cooperation and departments without a relevant level of response. On the other hand, there are also individuals in the Council of Europe that work on Roma questions extensively without any visible cooperation with the coordinator.

The network for Roma questions in the Council of Europe has some imperfections. But is it

really reasonable to try to improve them? Is the network among departments a new solution to some general questions or it is only a temporary adjustment to help Roma communities to resolve their troublesome position? Is it really desirable to reshape the structure of the Secretariat so that it resembles the form of national committees, which themselves do not solve the problems of European unity but rather the problems of particular national interest groups?

#### **4.2. A noble savage or an equal European citizen?**

The different style of work in the departments, as well as the social experiences with Roma of various officials, results in the different attitudes of network participants towards the object of their interest. Four attitudes are dominating:

a) a noble savage, b) a sheet of paper, c) a child, d) an equal citizen.

I do not want to judge whether one attitude is better than another. According to my research, the particular attitude was frequently determined by the profession of the official and his role in the network:

a) I verified during my research that the noble savage approach is frequent among officials that have personal field experience with Roma, but only on a short time basis. I met the attitude more among the people who allocate money than among the people who create the laws. The spontaneity and the hospitality of the Roma fascinated these people. Deep in the heart of Eastern Europe they expected insecurity and mistrust, but they found instead positive modes of behaviour. The officials spoke about their "wards" with a bit of nostalgia. They expect that Roma have something that the urbanised western person lacks. On the other hand, in the area of money distribution the officials are careful and work with a professional distrust.

b) To treat Roma like a sheet of paper does not necessarily imply a negative approach. I met this attitude most among people in the Human Rights Building, where mostly lawyers and their co-workers work. They want to help people on the basis of literary documents but do not care to leave their offices. They prepare recommendations on how to combat racism, intolerance and violence and they are very capable in legal matters, but they know nothing about the people that they want to protect. In fact, this is not so important to their work. They do not want to enhance their own personal experience but rather the norms of human interaction.

c) The attitude "to treat Roma like children" was adopted most by people with rich field experience. These people mostly preferred direct instrumental action and they were supporters of training courses, meetings and face-to-face behaviour. In this interaction they adopt the role of educator and they teach the Roma what to do. It is a good contrast to the "sheets of paper" approach, but it has also its limits.

d) The attitude towards Roma as equal citizens can be implemented into practice in two ways. The first is a political doctrine, and the second is a way of practical behaviour. I noticed an example of the first way during an interview with a lawyer. He had some field experience with Roma and dealt with minority question in general. He argued that the Roma network had a high standard in the Council of Europe and the same "order" should be introduced into other

minority programs. He was convinced that the question of equality is very complicated. Roma are now more equal than they ever were and it is a painful but necessary experience for them. The second way may be less professional. It means that the Roma counterpart is treated like a group of people where all individuals are different, like in my own society. Some of them are sympathetic, some of them cheerful, some of them funny, boring, unfriendly etc. This attitude was expressed by a clerk with field experience.

The picture of attitudes towards the Roma people is quite flat in the Council of Europe. There are some expected approaches that are completely lacking. Naturally, nobody expressed a hostile attitude because all of people there want to help to Roma. On the other hand, the picture is a bit limited because I did not meet any Romist among the officials of the network in Strasbourg, any person from Eastern Europe or for that matter any Roma. Nevertheless I do not think that this is mistake because such people are members of the Expert Committee.

### ***Conclusion***

Every official that I spoke with answered my questions about the purpose and the results of his/her work. All of them told me that they were convinced that their work was reasonable and that their results were positive. On the other hand, they frequently have trouble specifying what their positive results are. They spoke about long-term processes, numbers of obstacles etc. Personally, I see the primary positive result in that the two groups of people - Roma and officials in the Council of Europe - learn about each other. Sometimes the learning process is not very effective while being relatively expensive, but it is important for both sides. The learning is not only about the possibilities of mutual cooperation but also about mutual limits. The Council of Europe is an institution that can negotiate with institutions. It is difficult for such an institution to determine whether Roma activists in particular states really represent large groups of people or whether they are only individual persons without any influence. Other difficulties involve how to arrange that help is accessible to large groups of people rather than only to a few activists, how to negotiate with particular State governments about Roma, etc. On the other hand one positive effect is visible. The interaction of Roma with European structures creates new Roma elites that are able to interact not only with bureaucrats but also with Roma in different countries. We can observe the rise of a specific type of nationalism on one hand, and on the other we see a specific type of cooperation at the pan-European level.

### ***Notes***

1 The concept of Roma as a European minority was codified in the Recommendation 1203 of the Parliamentary Assembly on 1993.

2 See Fraser A.: *The Gypsies*. Blackwell, Oxford / Cambridge (Mass.) 1995.

3 Council of Europe activities concerning Roma / Gypsies and Travellers. Strasbourg, Council of Europe 1996: 7.

4 Interview with informant 5 and 6.