

Briefing :: Hard Times and Hardening Attitudes: The Economic Downturn and the Rise of Violence Against Roma

BRIEFING

COMMISSION ON
SECURITY & COOPERATION IN EUROPE:
U.S. HELSINKI COMMISSION

HARD TIMES AND HARDENING ATTITUDES:
THE ECONOMIC DOWNTURN AND THE RISE OF VIOLENCE AGAINST ROMA

PANELISTS:
KATALIN BARSONY,
SOCIOLOGIST, FILMMAKER, PROJECT MANAGER,
ROMEDIA FOUNDATION

STANSILAV DANIEL,
RESEARCH CONSULTANT,
EUROPEAN ROMA RIGHTS CENTER

ISABELA MIHALACHE,
SENIOR PROGRAM MANAGER, ROMA INITIATIVES,
OPEN SOCIETY INSTITUTE

ANDREJ MIRGA,
ADVISOR ON ROMANI ISSUES, OFFICE OF DEMOCRATIC INSTITUTIONS AND HUMAN
RIGHTS,
OSCE

THE HEARING WAS HELD FROM 2:03 P.M. TO 3:43 P.M. IN ROOM 1539 LONGWORTH
HOUSE
OFFICE BUILDING, WASHINGTON, D.C., [ERIKA B. SCHLAGER, COUNSEL FOR
INTERNATIONAL LAW, CSCE], MODERATING

TUESDAY, JUNE 9, 2009

REPRESENTATIVE ALCEE HASTINGS (D-FL): Ladies and gentlemen, if you don't mind, I'd like for us to come to order. Obviously this is a briefing and I'll say to our presenters, who I'm very grateful that they have taken of their time to come here and be with us, that I have to leave here and go to a Rules Committee meeting and so I'm going to be with you for a while. But in light of the fact that it's a briefing, if you would please continue and then staff will advise all of us of – and I believe the ranking member Mr. Smith is going to be here and perhaps he will carry on and any other members that come.

I thank all of you for coming to this briefing. And I like this title: “Hard Times and Hardening Attitudes: The Economic Downturn and the Rise of Violence against Roma.” In 2005, the European Parliament estimated that there are 12 to 15 million Roma in Europe. And as such, Roma constitutes Europe’s largest ethnic minority and unfortunately, they remain one of its most marginalized.

This year, we are making the 20th anniversary of the fall of communism – marking the 20th anniversary of the fall of communism. In most respects, that’s a very happy anniversary, but in the past 20 years, too few of the fruits of democracy have reached the Romani community. I know there’s been some progress. Significantly the lifting of the Iron Curtain has I think improved opportunities of Roma to have better contacts across borders, according Eastern and Western Europe, to work together to meet the challenges that they must face in defending their basic human rights.

As a matter of fact, I had an opportunity to witness that firsthand about three months ago in Brussels. It was ironic. We were having a conference on African diaspora issues right next door to the Roma community that was having their conference. Today it seems those challenges are as great as ever. Two months ago in Hungary, Jenő Koka went out his front door to go to work at the same factory he had worked at for decades and was shot to death in front of his own home. His 84-year-old father is a Holocaust survivor.

In the Czech Republic, even as we hold this briefing, two-year-old Natalie Sivakova is still fighting for her life in intensive care after her home was fire-bombed, leaving her burned on over 80 percent of her body. In February, also in Hungary, five-year-old – and I’ve read another article where it said he was four-year-old – but a too-young child, Robert Csorba and his father, were riddled with bullets to prevent them from escaping their fire-bombed homes. These deaths are absolute tragedies and appear to be part of a larger and escalating pattern of deadly violence against Roma.

Now, I look forward to hearing from each of our panelists today on what they believe are the causes of this spike in violence, whether their countries or – in their countries, whether they witness the same spike and if not, what they can tell us about it and what the implications of these trends are and what OSCE countries ought to be doing about this.

I want to welcome and introduce our four witnesses and their full curriculum vitae on the table outside. And they all are going to appear single panel in this order. First we have Katalin Barsony from Hungary, who is a sociologist, filmmaker and project manager at the Budapest-based Roma NGO Romedia Foundation. Stanislav Daniel, from Slovakia, is a research consultant with the Budapest-based European Roma Rights Center, covering issues relating to the Czech Republic and Slovakia. Isabela Mihalache, from Romania, is senior program manager at Roma Initiatives, an Open Society Institute program in Budapest. And let me express appreciation here to the Open Society Institute for facilitating the availability of these three witnesses.

Finally, we are joined by an old friend – not old in age, but old friend of the Helsinki Commission, OSCE and that’s Andrzej Mirga. Mr. Mirga serves as OSCE’s Office for Democratic Institutions and Human Rights’ advisor with responsibility for Romani issues. In that capacity, he works to promote the full integration of Roma into the societies they live in, while preserving their identity.

In point of fact, Mr. Mirga was one of four Romani nongovernmental activists who testified before the Congress in 1994 – 15 years ago, before a committee and that headed by my good friend Tom Lantos, whom we miss very much. It was the first time Roma had ever testified before any congressional body, but, thankfully, not the last. Mr. Mirga has appeared before for the Helsinki Commission as well and we are very glad to have you back. And I thank all of you for coming such a long way to be here.

I would also like to thank the ambassadors who are here from the Hungarian Embassy. The ambassador and I have had an opportunity to meet and began developing a relationship and getting to know each other. The ambassador – the Embassy of Poland is represented, as well as the Embassy of Slovakia and the Italian Embassy are also here.

I would that the Turkish Embassy had had an opportunity to be here. An article that came across my desk today – and I don't know whether you young witnesses are privy to it; it's not a particularly recent event, but it's reported on May 18th that Turkish bulldozers raised a thousand years of Roma history. And I have some rather poignant pictures reflecting that series of events. And I'd like to add into the record, the statements of Senator Cardin, the chair co-chair of this committee and my statement condemning those actions as we do others.

This is a particularly important briefing and I'm hopeful that we will continue to be able to help our friends to get the point across about what is transpiring in these various areas. So Ms. Barsony, we will begin with you.

KATALIN BARSONY: Thank you, Sir Hastings. Thank you very much for inviting me to testify before you today. It's a privilege to speak to you about the situation of Roma in Hungary.

As the economic meltdown is gradually turning into a larger social crisis across Europe, insecurity is bringing dormant fears and prejudices out in the open in often violent forms. In the past two years – have been more than 50 violent attacks against Roma in Hungary, ranging from in broad daylight to murders by arson or shootings, attacks which the Roma consider are based on racist motives. According to the most common NGO estimates, there are about 12 million Roma in Europe. In Hungary, there are about 800,000 Roma, meaning that one Hungarian citizen in 15 is Roma.

In Hungary, more than a 100,000 Roma live in slums on town and city outskirts, separated from the rest of the population. There are at least 630 segregated, Roma-only classes in Hungarian schools, where the quality of education is much lower than for other children. Statistically, the average percentage of mentally challenged in children within the Hungarian population is 20 percent, while Roma children represent 60 percent of the mentally challenged young population and are consequently placed into institutions for the mentally retarded.

When it comes to employment, around 80 percent of Roma are unemployed and are therefore excluded from Hungary's employment market. Constant fear of discrimination, harassment and violent attacks mean that Roma from all strata of our society live in a state of constant terror and are forced to exclude themselves from the mainstream society. Racism against Roma is widespread in public discourse. While there is only so much a state can do to regulate private actors, the public authorities are not without responsibility in creating this situation

While Romaphobia is common in European societies, the outburst of its most violent forms on a regular basis is directly linked to the hardening tone of Hungary's political and social discourse regarding Roma. The murder of a popular handball player, Marian Cosma, by a few Roma men

led to an extensive media coverage stressing the ethnicity of the suspects and ultimately to the radicalization of the whole social discourse about crime in Hungary.

As the story of the murder itself progressively disappeared from front pages, the debate about “Gypsy crime” remained at the center of Hungary’s public discourse. In a deeply polarized political climate in which extreme vilification of the “other,” in terms of political choices, is the norm and with the effects of Hungary’s economic crisis being increasingly felt on a day-to-day basis, the outburst of anti-Roma sentiments were set to take increasingly violent forms.

The debate about “gypsy crime” was accompanied by the implementation, in a growing number of villages with many Roma inhabitants, of a regulation under which social benefits are granted only for a given amount of communal work.

The debate about the constitutionality of the measures was accompanied by the wide appearance in the media of another division in our society: that one – the worth and the unworthy poor, the Roma being stereotyped as “welfare cheats,” Roma women being accused of breeding for profit.

The extreme polarization of our country’s political discourse and the effects of the economic crisis have resulted in everyday discrimination being accompanied by bouts of deadly attacks on Roma, including Roma children.

In the United States, you have known a militant organization whose avowed purpose was to protect the rights of and further the interests of white Americans by violence and intimidation, an organization which had a record of using terrorism, violence and lynching to murder and oppress African-Americans, Jews and other minorities. While Ku Klux Klan militants were wearing white costumes and conical hats, our country’s Hungarian Guards march through towns and villages wearing black military-style uniforms, professing to promote public safety by curbing “gypsy crime” and defend the interests of “the physically, psychically and mentally defenseless Hungarians” against Roma.

In the past year alone, there have been seven deadly attacks on Roma in Hungary. The Ku Klux Klan used to burn crosses in public spaces to intimidate their victims. Two weeks ago, in Hungary, gasoline was poured and put on fire in the shape of a huge swastika in front of a Roma family’s house.

These intimidation tactics which have particularly traumatic psychological effects on the Roma, who were systematically persecuted and murdered during the Holocaust, accompanied by deadly attacks on private houses typically occurring during the night have thrown Hungary’s Roma into a state of hopeless terror.

While it became clear to the authorities during the past months that the murders of Roma in different parts of the country were connected to each other, we still have no information whatsoever as to the backgrounds of the Tatárszentgyörgy, Tiszalök, Pátka or Nagycséc gun and Molotov cocktail attacks.

The failure of the authorities to effectively investigate these crimes and to protect the safety of villages and neighborhoods where death threats are constantly being issued against Roma are leading Roma communities to form their own defense and patrol the streets to protect their homes and their lives.

Mutual fear of the other on each side of this conflict and the feeling on all sides that the public authorities are unable to deal with a worsening social crisis are leading to a situation in which trust in Hungary’s politicians and even the country’s institutions is quickly disappearing.

But while according to the most recent polls, the Hungarian Guard and its political wing, the Jobbik Party, their growing support in the population and can rely on an extensive network of ideologically likeminded civil organizations, the Roma hardly have the means to organize and represent their interests on any institutional level. The increasing of social conflicts in Hungary means that we find ourselves on a slippery slope towards severe damage to Hungary's democratic credentials.

And let me go over just shortly with my conclusions and recommendations. The trust of Roma in our institutions depends on the ability of Hungarian authorities to fully enforce requisite legislation that underpins the democratic principles upheld in our constitution. And the proper functioning of Hungarian democracy depends upon a robustly vibrant Romani community representation with empowered Roma civil organizations that can hold governmental and state agencies accountable for the apparent deficits in doing their jobs properly.

To this end, Hungary must implement an effective law enforcement and political response to acts of violence and hate speech directed against Roma. Public officials engaging in hate speech must be dismissed. Private actors engaging in hate speech must be condemned. Hungary and the European Union have to take joint responsibility for ensuring the protection of the rights of Roma and their social and economic integration. The European Union must recognize that the problems faced by Roma communities are the legacy of hundreds of years of government policies fostering discrimination and exclusion, some of which continue to this day.

Hungary should end de facto segregation in schools of Romani children in schools and end the segregation of Romani men and women in healthcare facilities. Hungary must design, fund and implement effective programs to ensure that school completion rates, employment levels and health indicators of Roma people rise to the same level as the majority population.

And now I ask the United States that the United States should consistently condemn acts of violence and hate speech directed against Roma. The United States should offer law enforcement support, investigate and prosecute hate crimes against Roma. And United States should consistently refer to Roma issues in its bilateral discussions, particularly with regard to Hungary, Italy, Romania and the Czech Republic. The United States should engage through the USAID in the development of a stronger Roma civic society voice for an effective Roma representation at both national and pan-European level. Thank you very much for listening.

REP. HASTINGS: Thank you very much, Ms. Barsony. We've been joined by representatives of the Romanian Embassy as well. And they certainly are welcome.

We go now to Mr. Daniel.

STANISLAV DANIEL: Honorable, Mr. Hastings, dear distinguished ambassadors, representatives of embassies, ladies and gentlemen. As was mentioned before, I work for the European Roma Rights Center. And we get more and more work every day being informed on increased anti-Roma violence. I have a dream: One day there will be someone knocking on my door and saying there is nothing else to do; nothing more to do and I can go home and look for another job. Unfortunately, before that happens, we have to walk a long way.

In the area of the entire Romani racism, as in many other fears, the Czech Republic and Slovakia have a very similar history. The entire Romani attitudes are historically deeply rooted. And I can

say with confidence that positive attitudes towards Roma are highly exceptional and at the individual level.

Both countries can be characterized by increasing acts of racism and extreme violence against Roma, including the practice of course of sterilization, which continues to do this day, as well as persistent segregation in schools and housing and discrimination against Roma in all sets of life.

There are, however, some differences between these two countries, most significantly in the political dimension of the entire Romani racism. On the Slovak political scene, the spectrum can be more or less seen as a gray scale.

Rarely do politicians make openly racist statements about Roma, but on the other hand, rarely do politicians defend Roma. Even politicians speaking about Roma integration often try to find the root cause of Romani exclusion amongst Roma themselves. They are described as a group exhibiting negative social behavior needed to be taught positive social values and behavior.

But in April 2009, graphic video footage from Kosice in Eastern Slovakia was released of police officers torturing six Romani boys by forcing them to beat each other, strip naked and kiss each other. Mainstream Slovak politicians responded publicly that such acts of the police cannot be tolerated. However the strength of their denunciations was tempered by repeated references to the alleged crime committed by the minors and statements that this type of treatment cannot be tolerated because one day it might happen to normal people.

In all such public acts, Slovak politicians contribute to the continuance of the negative image of Roma in society. Despite this, the extreme acts of violence against Roma that occurred in Slovakia in the '90s and early 2000 have not yet occurred.

In the Czech Republic, one can see parties and politicians being openly racists, as well as those defending Roma. And extreme acts of violence targeting Roma have recently occurred. The National Party has utilized clearly racist anti-Romani and incite-full (ph) messages in their European Parliament campaign, the most horrifying in light of Europe's not-so-distant history being spot-aired on the Czech national television calling for a final solution to the Roma problem, as well as many other advertisements on getting rid of the parasites, using the symbolism of a white sheep kicking out the black sheep.

In January 2008, the party established a paramilitary national guard to protect the interests of the country. A second party, the Workers Party, has increasingly been utilizing the image of Roma as dependent on social welfare, on the taxes of the working class, as a key component of its political propaganda in the last year and a half. The Workers Party mostly campaigns in towns with Romani ghettos focusing on the non-Romani working class and where their meetings are often attended by members of the autonomous nationalists and neo-Nazi group National Resistance.

Expressions of hate speech against Roma and Nazi-era symbols are very frequent. Both parties appear to be strongly supported both by ordinary citizens as well as by the neo-Nazi skinheads and are growing in strength at the local and regional level. At a demonstration organized by the worker's party in 2008 during which police had to stop a sizable group of the neo-Nazis. Neo-Nazis attacked the Yaniv Romani eighborhood in the Czech town Litvinov – the non-Romani inhabitants of Litvinov cheered the neo-Nazis on, shouting at the police, let them go.

In an increasingly hate-filled atmosphere, violent racist attacks against Roma involving Molotov cocktails have taken place in two different locations in the Czech Republic and the Pasa (ph)

Roma. In one case a two-year-old Romani girl sustained third-degree burns, over 80 percent of her body.

There is currently a tendency to relate the recently increased levels of entire Romani violence to the global economic downturn. Yet the ERRC would argue that it is in the political sphere where the major responsibility lies, though the economic crisis likely is an environment in which ordinary people are more susceptible to the influence of racist politics. It is also clear that the growing strength of racist political messages, which gain substantial exposure at the national level create a climate conducive to more violent expressions of hatred.

At the same time, national governments appear unprepared or unwilling to respond with enough force to quell this frightening trend. Most significantly, investigations of violent racist crimes committed against Roma are ineffective and rarely lead to prosecution of perpetrators. Indeed, the Czech media reported last week that no suspects had yet been identified in either of the Molotov cocktail attacks and that investigations was not – investigation was not going well, as the owner of the car linked to the first crime were cleared of any wrongdoing.

In contrast, the last week – three Romani men were found guilty of a racially motivated assault on a non-Romani citizen man – non-Romani Czech man and sentenced to four years imprisonment. The ERRC highly appreciates Mr. Hastings' condemnation of the destruction of a thousand-year-old Romani settlement, Sulukule, in Turkey. We, however, need more such political commitments. And especially we seek politicians to enforce and end the discrimination of Roma, especially monitoring the current discrimination, implementing positive action to cope with existing inequalities, looking for solutions on both European level and national levels.

We also seek for law enforcement and political response to acts of violence against Roma. I would like to use this opportunity to also speak about some recommendations to what the United States should do. First, the United States should consistently condemn acts of violence and hate speech directed against Roma. We would also like to see the U.S. offer law enforcement support to investigate and prosecute hate crimes against Roma. We would like to see Roma being – Roma issues being put on the bilateral political agenda, particularly with regards to Italy, Hungary and the Czech Republic. And we would like to see Roma issues put on the European agenda, not just through the OSCE but more importantly through the EU. Thank you for your attention. I'm ready to answer any questions. Thanks.

ISABELA MIHALACHE: "You Gypsies."

REP. HASTINGS: Please.

MS. MIHALACHE: "You Gypsies, you get out," followed by strong beatings and kickings in the door of our apartment for half an hour until they realize there was nobody home. Me and my family could hear the mom's anger and feel its hatred towards us from very close – a neighbor's apartment who helped us escape the fury of some hundreds of Romanians who are reacting to the general anti-Roma sentiments throughout the country in the early '90s.

I was 14 and I could not understand why people had so much hatred against us, to the point that they wanted to see us killed, me and my whole family. I stopped going to school that week for fear that something bad could happen to me. When I started going back to school, I was looking at my colleagues and asking myself if some of their parents were part of the attackers because the police started no investigation on the matter.

Similar but more aggressive attacks in Kogolichano (ph) left some of my relatives without a house. They had to flee in various cities in the country for months before they returned and discovered their houses burned down and were destroyed the European court of human rights found Romania guilty of several violations in four cases concerning anti-Roma programs that took place in Romania at the beginning of the '90s, among them, failing to provide adequate redress to the victims of widespread ethnically motivated violence.

One week ago, on Sunday night, May 31st, in a locality in Harghita County, Sanmartin, a few Roma allegedly beat up two Hungarian non-Roma in a dispute over where the Roma were grazing their horses. One day later, one of the local Romani family's houses was set on fire. Approximately 100 Hungarian non-Roma started a protest loudly stating that the gypsies steal from them. According to the mayor, 60 to 70 Roma persons left the settlement due to what happened last weekend. The national council for combating discrimination is investigating the case as we speak and we do hope to have more information about the situation in a couple – in the next days.

But the point is that Romania doesn't seem to have learned from its recent history and legislation alone does not prove – it proves it's not a guarantee of human rights protection. Violence, attacks and hate speech against Roma are still often used as a common currency against Roma. The greater problem even is not – is that when Roma rights-violations occur, non-persecution of perpetrators is the norm. At the other end, when Roma commit crimes, the media are prone to identifying alleged perpetrators as gypsies and the political discourse, likewise, regards the crime from an ethnic angle.

Roma remain to date the most deprived ethnic group throughout Europe. We have been living in a constant climate of human rights abuses and social exclusion. Institutional forms of racism, segregation, forced evictions and coercive sterilization and state impunity are atrocious human rights violations that are still being tolerated by the international community against clear rights and political commitments undertaken by governments.

According to the European Union Fundamental Rights Agency, data in a focus report on Roma that was published in May this year on Bulgaria Czech Republic, Greece, Hungary, Poland, Romania and Slovakia. On average, one in four Roma respondents were victims of personal crime, including assaults, threats and serious harassment at least once in the previous 12 months, while one in five Roma respondents were victims of racially motivated personal crime, including assaults, threats and serious harassment, at least once in the previous 12 months.

The recent increase of extremist attacks and incidents of racially motivated crime against Roma across Europe are alarming and serious, but making a simplistic causal connection between economic crisis and the degradation of Roma rights is dangerous and counterproductive. Evidence shows that despite change in political regimes and fluctuations in wealth, Roma rights and Roma economic situation have remained constant. Roma remain untouchable from economic reforms and human rights protection legislation.

I would rather say that the danger for minorities in times of economic crisis is from becoming scapegoats of government impotence and of a certain political climate. A real threat to Roma is not the economic crisis but the general climate of impunity which encourages and justifies by its nature further human rights violation against Roma and a failure of governments to effectively address the social exclusion of Roma to date.

The unpopularity of Roma in Europe, alongside with racial hatred and anti-Roma sentiment was magnified and gained legitimacy also inside the European Union and member states adopted discriminatory legislation and policies against Roma.

A referenced country in this respect remains one of the founding members of the European Union – Italy – which has sharpened its policies in Roma exclusion and discrimination.

The Berlusconi government introduced a new concept in anti-Roma political rhetoric: Roma equals security threat. Failing to integrate its Roma-Italian citizens under previous governments, the Italy under Berlusconi adopted a new rhetoric relating rising crime to uncontrolled immigration singling out immigration of Roma origin originating from Romania and exacerbating fear and hatred of Italians with longstanding prejudices and stereotypes with Roma while raising tensions among Roma from Romania and Roma from former Yugoslavia.

On 21st May 2008, the Italian government adopted an emergency decree, the so-called nomad emergency decree, proclaiming a state of emergency and enacting a series of measures targeting Roma and – (inaudible) – individuals directly and indirectly. These measures were accompanied by racist political statements, which suggested that Roma, both Italian citizens and non-citizens, were criminals or should be expelled from Italy and that all Roma camps were to be closed down.

On September 14th, last year, deputy mayor of Treviso, Giancarlo Gentilini, a member of the right-wing Northern League party, at the festival of the people of Padania acclaimed before thousands of Italians, “I want a revolution against the Italian immigrants. I want streets cleaned of all of these ethnicities that are destroying our country. I want a revolution against the nomads, against the gypsies. I have destroyed two camps of nomads. I want to eliminate all of the children of gypsies that go and steal from the old people. I want double zero tolerance. Maroni says zero. I want double zero.

On February the 15th this year, the Italian senate approved the draft law, number 733 dealing with public security. The draft law was amended by the chamber of deputies with Prime Ministers Berlusconi using a vote of confidence in order to ensure that the amended version was passed. The security package will return to the senate where it is expected to be approved in mid-June, which is in a couple of days this year. This new security package, together with other recently adopted legislation, contains provisions that are directly targeting migrants and minorities affecting them disproportionately.

This package and other new laws make immigrants’ presence in Italy without appropriate legal status a criminal offense and encourages healthcare providers to report illegal immigrants seeking health care to immigration authorities.

But I would say that it’s obvious that Roma are being made scapegoats of government importance, a lack of redressing the socioeconomic status of Roma throughout Europe. The threat is becoming even greater with the recent EU election results where the far right made gains in 10 European Union member states. It is too early to predict its effects at this point, but it seems that extreme-right politicians have just bought themselves new passports to a new wave of democracies where a new form of Nazism and fascism are being made respectable by the European citizens.

I would say it is imperative for countries to respond promptly to cases of violence, crime and hate speech against Roma. Both Italy and Romania must implement an effective law enforcement and political response to acts of violence and hate speech directed to Roma. It is imperative for these countries to put an end to discrimination. Italy must end deliberate policy of segregating Roma into ghettos and other countries where ghettos exist must implement adequate housing

programs that put an end to spatial segregation. It is imperative for countries with significant Roma population to adopt and implement positive measures. Both Italy and Romania have to design, fund, implement effective programs to ensure quality education, employment and quality health care for Roma.

It is imperative that the European Union acknowledges its responsibility to integrate Roma for the adoption of a common European policy for Roma. And there is a great need for joint international efforts to better integrate the 50 million Roma throughout Europe. What the United States should do? The United States – it is committed to protecting and promoting the human rights of Roma through bilateral relations and through involvement in organizations such as the United Nations and the organization for security and corporation in Europe. And we think that immediate actions need to be taken by the OAC and the United Nations to curb the new wave of extremism and Roma racism by supporting the establishment of an intergovernmental taskforce on Roma racism.

The United States Congress has an important role to play in advancing human rights and promoting good governance and democracy. It should consistently condemn acts of violence and hate speech against Roma and should support law enforcement to investigate and prosecute hate crime against Roma. The United States should hold the government of Italy accountable to their obligations and the Universal Human Rights norms and international human rights instruments for failing to protect the human rights of their Italian Roma citizens and of other Roma immigrants and Roma EU citizens.

The United States should coordinate human rights activities with important allies, including the European Union and regional organizations; should address Roma issues in their bilateral meetings with government leaders and foreign ministers; should actively support through USAID the establishment of human rights NGOs in Italy, Czech Republic, Slovakia, Hungary, Romania and Bulgaria.

The United States should be involved in broad awareness-raising campaigns aimed at changing attitudes at stereotypes against Roma to promoting Roma role models and successful integration projects on Roma.

I think that Secretary of State Hillary Clinton has an important record in Roma diplomacy. Attitudes towards Roma in Europe might be improved if State Secretary Hillary Clinton would be involved in a diversity campaign supporting solidarity and a better cohabitation with minorities such as Roma throughout Europe.

Finally, I think it would make a great difference if the United States makes a reference to the plight of the biggest ethnic minority in the European Union, the Roma, at tomorrow's EU-United States summit in Slovenia by pointing to the need towards greater human rights protection and integrate minorities within our societies. Thank you very much.

REPRESENTATIVE DARRELL ISSA (R-CA): Thank you. And our next witness will be the gentleman from Poland, Mr. Mirga.

ANDRZEJ MIRGA: Thank you, Mr. Chair, distinguished members of the U.S. Congress, ambassadors, guests here.

My first testimony here on the Roma and Sinti issue was in '94 when I was an associate of the project on ethnic relations based in Princeton, New Jersey.

Then, shortly after the fall of the communism, Roma and Sinti faced troubling times in Europe. The transition toward democracy in market economy that was welcome by most and beneficial to many was accompanied by the rise in both ethnic consciousness and nationalist tendencies.

In some post-communist countries Roma and Sinti have been victims of both, of the often difficult transition to market economy and as a first – and is the first to lose their livelihood – and of nationalist agendas that have been often singling them out as a scapegoat. In the early '90s, Roma and Sinti were the target of a number of attacks – the most violence in the Romanian village of Hadareni that left three Roma men dead and led to the destruction of the homes and property of many others.

Such outburst of violence against Roma, coupled with their dire socioeconomic conditions have created a strong impetus to immigrate westward. But many Roma and Sinti who have sought asylum in the West have met with similar threats there and violence against them has led – brought more deaths.

Today, 15 years after my first appearance here, my testimony made very similar, but the point I want to make is that the situation has changed. As the senior advisor on Roma and Sinti issues, I see the situation today differently from that in the early '90s and in many respects more than just what we were dealing with then. In the early '90s, there was a wave of mainly impromptu committed violence against the Roma and Sinti in Europe. The nature of the transition period contributed to this as democratic institutions and the rule of law had yet to take root in the countries that had only just rid themselves of communism.

What we are witnessing today is the deliberate and organized use of the hate speech and violence targeting Roma and Sinti in a number of countries. It is easy to identify those kinds of phenomenon as anti-Roma hate speech is promoted openly by a number of political groupings. There are those who think that violent acts targeting Roma and Sinti can also be traced to some of those parties and groups. Also concrete evidence has been difficult to obtain in cases of a murder. The police and courts, which are usually slow or resistant to recognize the Russia bias of these attacks often compound the problem.

Official data from the monitoring of hate crimes committed against the Roma and Sinti by participating states in the OSCE region remains limited. This is not of course meant in any way to disregard serious manifestation of discrimination and violence against the Roma committed by actors like public officials and law-enforcement offices, but this is not the focus of our discussion today.

In their submission to ODIHR, the Czech Republic, Hungary and Poland identified crimes committed against Roma as notable examples of hate crimes in their countries. The response from the Czech Republic even identified Roma as a group most vulnerable to hate crimes, but only nine participating states reported collecting data on hate crimes against Roma. Croatia, Czech Republic, Latvia, Republic of Moldova, Poland, Russia, Serbia, Sweden and Switzerland.

What characterizes this – the groupings behind this crime? They deliberately use hate speech and eventually violence as a tool to attempt to gain a place in mainstream politics. Why this approach has so far met with only limited success, anti-Roma elements were part of the platforms that helped a number of political parties gain seats in the weekends' elections to the parliament, European Parliament. These groupings revived demons from the past, like fascist symbols and language. They play on people's insecurities in hard times and manipulate their feelings by challenging their grievances against easily recognizable targets like Jews or Gypsies.

They are more visible today than in the past, as they have learned that anti-Roma rhetoric can pay off politically and attract votes. These groups and parties are dangerous because their strategy is to mobilize the segment of society that may not be willing to openly voice these ideas but agree with them all the same. The result of elections to the European Parliament demonstrate that parties can use anti-Roma rhetoric but also anti-immigrant, anti-minorities rhetoric to gain greater representation, a fact that could play an important role in future national elections and potentially pose a danger to social cohesion and stability.

There is no direct evidence of correlation between the current economic crisis and incidents of hate crimes. Eurostat, the European Union's statistical body, recently released data on the economic – economy of the 27 member states that will illustrate this point. GDP gross of the EU fell by 4.5 percent year in year in the first quarter and countries like Baltic states have seen an even more dramatic fall. But despite the real economic difficulties faced by many countries, only in a few we have seen a rise in violence against the Roma.

There must, therefore, be other factors behind what we are witnessing.

A key factor is the deteriorating social and economic situation of Roma and Sinti. This fits anti-Roma prejudice and stereotypes that can – that are easily exploited by groups and participatory dimension. Second, political discourse has been deteriorating as more populist, racist and extremist views are allowed to circulate without raising outright or condemnation by public figures.

Finally there is often a spark that ignites the fire. The rise in hate speech and violence against Roma and Sinti in Italy and Hungary can be traced back to concrete incidents sometimes promoted by Roma themselves. But the situation on the ground was already highly combustible. If the deterioration – deteriorating social and economic situation of Roma and Sinti is one of the factors behind the rise of hostility, hate speech and violence, of which they are targeted, how has it happened? What has been done or not done to improve the situation of Roma and Sinti since I sat here 15 years ago.

ODIHR's recent status report released in September 2008 on the implementation of the action plan on improving the situation of Roma and Sinti within the OSCE area provide a stark answer to this question. The general conclusion from our assessment is that there has been little tangible progress in most areas of concern. There is no sign of positive breakthrough in any of the areas and it's a movement – in some areas, it has been actually backward.

Significant gaps remain between Roma communities and mainstream society in areas such as housing, education, employment, access to public services, or justice. There is a lack of proactive approaches by government in that – in the national, regional, or local levels, as well as a lack of measures to ensure the sustainability of policies by providing adequate financial, institutional, or human resources.

Although there are some positive recommendations and good practices being piloted at the local level, this has not been translated into countrywide practices. The status report outlines disturbing trends with regards to racism and intolerance against Roma and Sinti, including against Roma and Sinti migrants. They face a growing dependency on social welfare, police violence, forced evictions and ghettoization.

Roma and Sinti issues continue to figure only marginally on government's political agenda and then often only when tensions threaten to escalate into violence. The clear conclusion is that

neglect is no longer an option. States have to demonstrate real political will and take vigorous action to close the gap between the majority and minority. Otherwise, the conditions, which remain for continuing or even escalating tensions and violence against the Roma will remain.

At the end, I would like to say what ODIHR contact point is currently doing this regard. Combating racism and discrimination is essential to what we – what the contact point does and this is an element of many of the provisions of the OSCE action plan. The contact point has paid constant attention to the issues – racist violence, hate crimes against the Roma, tensions and crisis situation.

To access such incidents and the human rights situation of Roma firsthand, the contact point has made a fact-finding visit to Romania in 2007 to look into issues of cases or incidents where police use arms against Roma and cause some deaths to Roma victims. In Italy 2008, to look into the special emergency decrease in the situation of Roma violence there, it is currently preparing a field assessment to Hungary at the end of June following a number of attacks against Roma and killed there.

We are also concerned and we are looking into the situation of Czech Republic, Slovakia and other countries of the region where we are facing or we are witnessing the rise in the extreme groups – anti-Roma rhetoric and violence.
Thank you for your attention.

REPRESENTATIVE JOSEPH R. PITTS (R-PA): Thank you for your testimony. Ms. Mihalache, at the end of your testimony, you enumerated several policies that you would recommend for the U.S. government. I don't see that in your written testimony. Could you highlight the two or three most important policies to quell racism?

MS. MIHALACHE: Well, the most important ones I would refer to is the fact that the United States has actually to hold countries accountable to their obligations under universal human rights norms and international human rights instruments and that there is a need for the United States to address Roma issues in bilateral meetings. I think this is very – would be – it's very important. And it's also important to involve in awareness-raising campaigns because – because of the increasing attacks of Roma lately throughout Europe. I think there is a need for changing attitudes through promoting successful integration projects and Roma role models. And this could be easily done through engaging in exchanges of best practices with other governments that have managed to have some successful projects.

Now, I'll give here the example of Spain. If you look at – Spain has the single integration initiative in Roma employment and it has been successful so far. And what they are trying to do now – through structural funding, what they are trying to do now is also add to that component and look at education, how to retain kids, Roma kids in education and to promote their higher education. So this is where I would see the involvement and support of the United States and the diplomatic level in trying to exchange best practices and to refer to the Roma issues at different meetings is the one that I mention tomorrow, the very important one.

REP. PITTS: Given the recent violence impacting Roma communities, do you know if there have been any attempts made by law-enforcement officials to ease the tension between the majority and the Roma communities?

MS. MIHALACHE: Maybe my colleague, Katalin Barsony, would like to address that in relation to Hungary because this is the country where we had most recent and a lot of attacks against Roma to refer to the –

MS. BARSONY: Let me highlight one case especially. I'm sorry to say that there is a growing tension between majority and minority population, for example, in the case of Hungary. And this is basically the result of – that we still don't know any clear testimony, we don't know basically what happened in these cases, why these seven people have been killed. We don't know any kind of clear information about the – who committed these crimes.

And just a case – a case which happened in Pécs, 2008, February, that on the 9th of 18th November, 2008, a hand grenade was thrown into a Roma housing, which – killing the parents on the spot. The two children, a three- and a five-year-old were taken into hospital in a state of shock and with major injuries. In this case, the Hungarian government saying in one case, Pécs, the policy have already produced results. This is the only case. The supposed offenders have been arrested recently. In the case – the racist motive can be excluded as the victims and the suspects belong to the same community.

I would like to highlight that there is still not finished judicial procedure that we are able to highlight that the suspects belong to the same community and this is racial profiling which is quite common from the side of the Hungarian authorities and the Hungarian police and public officials. So I would keep this opportunity to say that I think as it was said in the Hungarian media many times in Hungary, that there is a kind of organized small group of militant people beside these attacks and that's the only thing that we know until now and we do not have any more information in the other attacks, like Nagycséc, Tiszalök. We do not have any more information on the cases.

MS. MIHALACHE: Mr. Chairman, if you allow me, I would like to add that in the case of Italy, with a program that have happened last year and the year before, the ones in Naples and throughout other cities as well, that has been no perpetrator that has been found to this date. So the law enforcement, basically, failed to come up with – with responses in those cases. And there have been 40 to 60 programs in Italy so far against Roma, but we don't have any single perpetrator that has been found guilty.

REP. PITTS: Are there any specific government policies that you feel have encouraged racism against ethnic minorities?

MS. MIHALACHE: In Italy, yes, indeed. The decrease on security that the government has adopted in 2007 targeting directly Roma and immigrants, I think that kind of fueled the anti-Roma sentiments and basically justified and legitimized programs and racist attacks against Roma. Not to mention that a lot of the politicians made a lot of statements against Roma and that elections have also been gained based on the populace and anti-Roma statements. So then the result is very clear, in my view, that the way government decided to deal with the Roma issue and with immigrants led to attacks and programs against Roma throughout Italy.

REP. PITTS: Now, I think all of you are from post-communist countries. Have older so-called consolidated democracies provided any useful examples for respecting the human rights of Roma?

MS. MIHALACHE: Unfortunately this is something that we still look forward to.

And we have, like, a reality check with old Western countries who are members of the European Union to actually see that same problems of discrimination and exclusion take place also in countries such as Germany, in countries such as France, where the integration of Roma – it's still a hope and an objective and also cases of violence happen and take place a lot in Germany.

So unfortunately there is now a best country that we could look at and then there is the Netherlands where the number of Roma population is up to 6,000 and that might be maybe, although it's a small number, you can see that the Dutch government is very much willing to be part of a process of Roma integration in what now exists in Europe. The Roma integrated platform, a process whereby the European Union is trying to put together governments to come up with coordination mechanisms in terms of policies for Roma and to assist through exchange of best practices.

But as I mentioned before, the only country that I could look at in terms of the ways they have been trying to integrate Roma is actually Spain. They still have problems of discrimination and exclusion, especially when it comes to access to health care, but they are trying to deal with that. And they are very much coming forward to say their best practices and also their less-good practices when it comes to Roma integration. And this is something that I think is very much useful when we discuss integration of Roma, also what governments did wrong, so we don't repeat the same mistakes all over again, but there is so less best practice of how to integrate.

But I still think there are examples of Western countries in Europe where we can look at – it doesn't – it does not relate to Roma, but it does relate to integration of minorities, where, for instance, integration of – or gender equality. If I look for instance to Sweden, I think Sweden has done a lot when it comes to – to gender equality, not to mention their institution of ombudsmen on discrimination and I think it's something that we could import from Sweden, the institution of the ombudsmen on discrimination and to actually look at how they manage to diminish the number of cases of discrimination against different minorities in Sweden.

In Sweden also Roma are actually part of the constitution of one – as one of the national minorities, alongside with Sami and they are again I think could look at – we could look at as a positive example of how they try to integrate minorities in general.

REP. PITTS: Mr. Mirga, 15 years ago you participated in the very first hearing before Congress with Romani witnesses. Do you have any general observations on development since then? Have things improved for Roma? If so, how, or have things gotten worse?

MR. MIRGA: Thank you. Well, first of all, over these 15 years, there has been introduced a lot of policies of programs by the governments in the center of Europe, but also in the Western part of Europe. And we have evidence of over 20 – several governmental programs which were introduced in these countries.

Hungary was one of the first countries to introduce such a program in '96. If you look to the record of Hungary itself, you can say that there was a lot of – kind of progressive efforts by the government since '93 when minority law was adopted, which gave Roma self-government at the local and at the national level.

But over the time, you can realize that many of these programs were kind of a window dressing. Governments learn to talk proper language. They were reflecting on the challenge and situations, but behind this rhetoric, there was no real action. And you may say, to have a public policy, you need to have a funding – put it behind – because otherwise public policy without real funding is nothing. In many cases, governments remain at the level of issuing paper documents, but they

were not committing themselves in a similar way with funding. In some countries, you have donor-driven policies. It's others who are paying for that, including foundations from America, USA and so on. This is not a real commitment of the government itself.

So what I see also is that there has been steps to institutionalize Roma policy. And you have – at many countries, you have offices to deal with Roma policy; you have officers. There are some state secretaries who are Roma.

There are ministers already who are Roma, yes. So this, you can say, is a kind of a positive development. But still the challenge is that much more is needed, not just a window-dressing policy.

And also what I believe now is that there is a need to maybe prioritize – (inaudible) – with a strategy for changing of the situation of Roma. We are doing for over 20 years public policies which we say has to be comprehensive over everything. But we are still where are: less than 1 percent of Roma have higher education. How can we change the reality of Roma if we will not improve at that level and will not close the gap between majority and Roma. If we will not do that, I strongly believe we will not progress because we will continue with this kind of a situation for the next 50 years or more because the challenge is that if you are not educated, you are an easy target also for discrimination.

So I think that this is a priority. This is the area where we should be focusing more prepare kids at a very early stage to enter on the equal basis with others into education because if you will not ensure that, kids are falling out from the system and we are perpetuating all of the consequences of that, including easy target for racist and xenophobic – well, now, what we see in groups in the society. So that's what I think awaits now many governments, that they have to maybe refocus their policies should – not only maybe; they have to, to go beyond the rhetoric and do real public policy because this is a problem which will not disappear. Not all the Roma will leave; they will stay.

There are only a few countries who accept Roma – like Canada accepted certain asylum seekers from Hungary and from Czech Republic. Both countries are EU member countries. And Canada is accepting citizens of the EU who are begging for asylum. That's kind of – it's a kind of paradoxical situation. So I think we may wish America can support this kind of a reasoning and requesting really doing policy which is a real policy, not just a window-dressing policy. Thank you.

REP. PITTS: Thank you. Thank you for your responses, your insights, your testimony. Thank you.

ERIKA B. SCHLAGER: And at this point, if I may take the privilege of the chair, I'm going to go ahead and ask one question. But I will also invite – since this is a briefing, this is a standard format for the commission – if those of you who have come to this briefing would like to ask questions of your own, we have a microphone over here. You may come up, identify yourself. Please ask a short question. If there – I know that we do have various individuals here who might like to make a comment and I think if you choose to do that, I will follow the rules that are followed at OSCE meetings, which is you have one minute for a right of reply and I'll enforce that strictly. But if you – after I ask my question, if others would like to ask a question, as I say there's a podium with a microphone here where you may wish to do so after identifying yourself.

My question is for Mr. Daniel and for Ms. Barsony and it has to do with election cycles. As we hold this briefing, its' right after the European Union parliament elections, which has returned to office quite a number of extremist politicians who are in some cases anti-Roma, anti-Semitic, anti-immigrant, espousing quite intolerant views. And it makes me think ahead to the national elections that are coming up in Slovakia, the Czech Republic, Hungary. I'd like to hear your views on the – the relationship between election cycles and the election process and maybe increases or decreases in extremism. Thank you.

MS. BARSONY: So recently in the European Parliament reelections, the right-wing Jobbik Party won 15 percent of the votes, no matter that there has been around 43 – if I'm not correct – around 43 percent of the people went to vote for the elections. So there was a greater majority who decided not to go even to vote.

I do believe that the growing number of power from the right parties like Fidesz, which is a central-right party and the extreme right, Jobbik, it shows that the whole Hungarian political scene went into a right direction. And we can have the effect that – as a sociologist, I can estimate that for the next elections there's going to be some kind of consideration, meaning that there are going to be more people who are going to vote against this block of right political power. But we cannot estimate because we still don't know that those people who didn't go to vote, what is their opinion and what was their reason.

How do they vote if they would have a chance to go and vote. So that's my personal –

MR. DANIEL: It's hard to answer that question without serious research on what the election mechanisms were, but – and Slovakia – Slovakia has 13 chairs in the European Parliament. The most right-winged party is a parliamentary party – Slovak National Party, which, actually, I would – in the current – nowadays, Slovakia, we could put the Slovak National Party into the gray scale. They stopped using anti-Romani, or in their case, anti-gypsy statements. To get their points, they turned to anti-Hungarian statements. But they won two of the 13 seats in the European Parliament.

In the Czech Republic, where the tensions are much higher and racism is much more used in politics, none of the far-right extreme parties got into the European Parliament. They got something around up to 1 percent of the electoral – of the vote. However, I would like to make a link to what Katalin was mentioning and that's that there is very low participation in elections, especially in elections to the European Parliament and we do not know what – about 70 percent of the population who has a right to vote but doesn't go to vote, we do not know what their opinions are.

However, where the part – where the participation in elections is much higher, the regional and local level, that's where, for example, the Czech Workers Party is very strong. That's where they got several mayors and regional representatives.

MS. SCHLAGER: Thank you. If there are questions, let me invite you to come up to the podium here.

Q: Can you hear me? My name is Michelle Kelso (ph). I am a sociologist and also a fellow here at the United States Holocaust Memorial Museum. I'm an American and I would like to have a comment on the record for our delegates who have since left. Twice I have been the recipient of a Fulbright grant. Twice I have been the recipient of a National Security Education Program fellowship and the subject of my research has been on Roma. Also, I have received monies through the U.S. government, the U.S. Embassy in Bucharest for civil society initiatives in

Romania. I would like to see as an American citizen our government increase funding for Roma-related initiatives in Eastern Europe.

And I think this can be done through already existing programming.

I want to commend our witnesses today for mentioning USAID. In 2007 was pulled out of Romania because Romania was now an EU member country. In the year preceding its leaving Romania, it spends almost \$300,000 on programming directly affecting Romani – Romani students and education program. So I think we can go back to what we already have had in the past and try to re-implement some of these programs, as well as continuing funding for Roma initiatives.

MS. SCHLAGER: Thank you. Do we have other questions from the public right now? If not, I will proceed with a couple more questions of my own.

One question for the panelists in general: It is often observed that Roma are a trans-European minority. And in some cases it's then further added that the concerns relating to Roma must be addressed at the trans-European and pan-European level. So the first part of my question: I'm not aware of any other minority groups in Europe or in the United States or elsewhere where this kind of approach is taken, that the concerns of that group – because members of that group may exist in more than one country, they can only be addressed in a transnational way.

And I'd like to hear your thoughts on if there are other minority groups that are addressed in this way and in general, your views on this idea of Roma as a trans-European group. Thank you.

MR. DANIEL: To answer – like, I see two questions there, to answer the question whether I know about any other minority that can be considered as transnational, I personally do not know. Roma are taken very specifically – intergovernmental bodies approach Roma-related issues as very specific – not putting Roma into groups of ethnic minorities. But these bodies understand that Roma have a very specific situation.

To answer the other question, whether – whether we should seek solution on the international level or on the domestic level, I would say we need to approach from both fronts. We need – we need common EU strategy on approaching the exclusion of Roma or enforcing inclusion of Roma. However, on the other hand, there are many issues that have to be targeted on the domestic level, on the regional level and sometimes even on the local level. The government have to – cannot give up the responsibility for what's going on, on the local level.

And many municipalities, you can see two schools, two primary schools. One of them is attended only by non-Roma; the other is attended only by Roma. This is something that has to be changed on that municipality. We don't need to discuss this in Brussels; we need to discuss this in the municipality. The mayor has to know that this is something unacceptable, that segregation is a violation of human rights and cannot continue. So I would suggest trying to look for the solutions where the problems are.

MS. MIHALACHE: Also, I would like – I will say the same thing that there is no other minority that would be addressed in a similar way and as Daniel said, there is a specific situation, but I would want to say that the specific situation is that Roma do not have a natural homeland and they are minorities in the countries that they live. And it has – because of the national state, what Roma activists and human rights activists try to do throughout the – beginning with the '90s was

to push for an approach that was stronger, that would lead to some sort of state reaction towards the situation of Roma.

And only in 2005, we actually managed to convince members of the parliament within the European Parliament that Roma should be defined as a transnational or pan-European minority within one of the European Parliament resolution addressing the situation of Roma. And I think that has – that's been a language that they continue to use and the European Union is continuing to using because it's only in this framework that they can actually find solutions, common solutions and learn from experiences of different countries.

And I would say that that approach has led in – and in 2007 and 2008, the European Council to actually have three recommendations on the situation of Roma towards the European Commission and to actually – actually recommend to the European Commission that they should come up with some sort of coordination mechanism that would ensure an impact of the existing EU policies on the situation with Roma because of the limited competence the European Union had after the enlargement on member states to actually punish human rights abuses.

And there was a formula, I think, also that the European Council found to say that there needs to be a comprehensive pan-European approach in regards to the Roma because their problems are exhibited in all of these countries, because their plight was similar in all of these countries. And solutions could also be common, but of course then looking at specificities for each country. So it was actually a mechanism to enforce efforts to address the situation of Roma and – (inaudible, off mike).

MR. MIRGA: Yeah, I will make a brief comment about this. While representing our intergovernmental organization I have a little bit different perspective on the issue. What we are doing in the OSCE, yes, we are trying to promote, assist, persuade governments to do their job. That is our task. And why we are doing? Well, because Roma offers – (inaudible) – to their citizens. Even if you have a case that they are stateless, they have no IDs. They are citizens. And the government should not be somehow released from solving problems of their citizens. So action plan is targeting member – a participating states. Every – and each – because they have to implement the policies and to improve the fate of Roma in their countries.

AS regards the EU, I think that there is no differences – there is no difference also in this kind of an approach. The EU is using or proposing its instrument to be used by member states for the sake of the situation in their countries, yes. Playing – elaborating something on the transnationality of Roma sometimes I think is not so helpful because it gives a kind of a – a refuge to the country to say, well, it's not our business; it's a – Brussels or some other institution will solve the problem. But this is not the way to do.

There can be common problems in many countries Roma face, but still the responsibility is particularly assigned to the giving country of their own citizens. So that's sort of what we are trying, let's say, to persuade governments involved. Thank you.

MS. SCHLAGER: Would you like to ask a question.

Q: (Off mike.)

MS. SCHLAGER: Identify yourself please and then – thank you.

Q: I'm Jean Garland. I was formerly the legal director for the European Roma Rights Center. I am now a human rights advisor for USAID. And I was two weeks ago in Strasburg conducting a training workshop with the Council of Europe for lawyers working on Roma and Sinti issues. So I have a couple of updates.

I think the European Court of Human Rights, although it's a very slow and cumbersome process, it's – the Roma cases have actually done very, very well before the European Court. And there was a recent decision that the ERRC handled in a case called *Še?i? v. Croatia*, where the violence was not done by a state actor; it was skinheads had attacked Roma. And the Croatian police just couldn't seem to find out who the perpetrators were. And in considering the case, the European court said that ethnically induced violence or violence that may have an ethnic hate-crime link to it must be treated differently than regular violence, thereby imposing an enhanced duty on law enforcement in hate crime cases to track down the perpetrators. So that was a good development.

There was a Slovak case. People who are probably familiar with allegations of sterilizations of Romani women in the Czech and Slovak Republics – also hungry – the actual case has not made it to the court yet, but there was a decision by the court in the case involving documents. In Slovak Republic, for whatever reason, the health authorities had refused to allow Romani women access to their medical records, which they needed in order to determine whether or not they had been sterilized while going in for cesarean sections giving child birth.

And they couldn't prove their cases without the documents, but the Slovak health authorities said, no, no, you can look at them; you can't make copies of them and you can't come in with your lawyer to look at them and nobody but the actual patient can see the records, even though many of them were illiterate and could have made no sense of the records. So the European Court came down quite hard on the Slovak authorities and said that the refusal to allow them meaningful access to their medical records was a violation of their right to respect for private and family life. Those are the two that jumped out in my mind on updates.

There was just a very interesting case just argued to the court – and we won't have the decision for a while – involving a Romani couple in Spain who had been married under Roma traditions, meaning not before the civil authorities, but in a Roma style. And six children and some 21 years of marriage later, the husband died and the wife was denied by the Spanish authorities the right to a widow's pension because they weren't officially married in the eyes of the Spanish government.

So this will test the court's earlier statements that there must be recognition given to the unique Romani lifestyle. Discrimination – people in similar situations must be treated similarly. The court also says in different situations, you must treat them differently. So this is a unique Roma lifestyle situation that must be recognized and proved. So we'll see what the court says but I'm pretty optimistic about it. Just a few updates.

MS. SCHLAGER: Thank you for sharing those updates with us. And I think the decisions of the court that relate to the obligations of states in instances of violence, whether it's state-perpetrated violence or violence perpetrated by non-state actors I think are particularly relevant to the discussions we're having here today. Governments may find somewhere down the road that if they have failed to investigate properly the cases that we're talking about today, they may find that somewhere down the road they have obligations that ensue under the European convention on human rights and indeed there may be damages that they may be obligated to pay.

Are there any other questions from the public at this point? In that case, I would ask my panelists if they have anything, any closing remarks they want to add or anything they feel they need to touch on.

MS. MIHALACHE: I would just like to refer to the lack of Roma representation in all of the countries we have mentioned here and to say that that's one of the reasons why we are still in the same point, whereby we are still faced with the low access in education, with lack of employment and other similar issues.

And I think that there is a great need for representation in public administration, be it at the local or a national level. And we also need to have representation in political life.

Now, here people have referred to elections – result elections in the European Parliament and how would that affect the situation on the ground. And I would say, I don't know how exactly but what I would want to propose is that maybe one way to – because I – unfortunately, we don't have Roma now that have been elected in – as members of the European Parliament, we have had in the past mandate two Romani women from Hungary represented in the European Parliament. And probably we still have one of them that has been reelected, Livia Jaroka.

And because of that – that there is a huge discrepancy in political representation of Roma and everybody else, I think that something to think of would be to have reserved seats for Roma in the European Parliament. Because you have right of – a lot of right-wing that are now in the European Parliament and you have that also at the national level, it's going to be difficult for Roma to actually get elected on mainstream part at least. And then maybe one way to ensure that that's going to happen is to have reserved seats for Roma in the European Parliament. Once that we had established that Roma are at the European level, a pan-European minority – so maybe the European Union institutions have to think of – have to try to integrate that also into the political life of the European Union.

And I would just say that there is a need for active citizenship of Roma. In many of the countries, we have been spoken – speaking about here, Roma do not have yet identity papers. And that's a situation that we still face but it's improving. And in Romania, we still face a lot in Serbia – a country that hasn't been mentioned here – we still face that problem in Bulgaria and we face that a lot in Italy, although you have the Italian Roma that are living there for 500 years and then you have the immigrants that are there for 40 years, they still might not have identity papers and their kids don't have identity papers, which means it is impossible for them to go to school, to get educated and get a normal life.

So unless we support active citizenship, you cannot then have, therefore, responsible Roma citizens that can take their rightful place within the society. So that's basically something we need to do together. And I just hope that by coming here, we manage to bring on your attention the fact that it is a joint responsibility, as Andrzej was saying here – definitely of the European Union and of the national states, but it's also a common responsibility of the Roma and all of the other actors that have something to say on the matter. And I just hope that we're going to see some progress in the future.

And next time, a Roma person is going to sit here, is going to say, well, we have some good news for you. So thank you very much.

MR. MIRGA: Yes. Thank you. I would like – just like to ask – put the – put the request, yes, to the U.S. – to pay greater attention to these kind of developments which are going now in some countries. And they are definitely linked to the present crisis. But as I said, there are many other

factors which play a role, which altogether bring up the extremists who garnish votes because of targeting some minorities.

It may fluctuate; it may disappear, maybe with improvements in economy, recovery and so on. And we have also some examples like Poland when this kind of forces were discredited by themselves. And finally they didn't get any more support during these elections and hopefully there will be nothing such of a support – public support later in national elections, which will come sometimes in the future.

But here is something which also relates to the political climate and political culture, how political culture is devastated sometimes by fierce political fights, like in Hungary between left and right, yes. And when something like strict politics is encouraged, yes. So it means kind of the threshold is lowered and some extremist views are getting public attention but also they are – there are followers who would like to follow in this way.

So something which is about let's say code of conduct, which you cannot codified, but you may sensitize politicians about that, that something is improper. If you allowed these kind of developments to go on, which can eventually because we cannot predict exactly whether, for example, the Hungarian Jobbik Party will repeat its success at the national level. It may if there will be still kind of a high attention to the Roma, what they say, criminality, what they fight for – if they – their marshes for the cities and places will be organized still. They may really get a strong power in Hungary.

So these are kind of worrying trends within the society which of course they are not characteristic only of Eastern European countries. You have winning far-right parties in Austria on ticket of anti-immigrant rhetoric, yes, but also in other countries. So this kind of a closer look may be something high-level conference, something which will bring politicians – policy-makers and look into the issue and design something like that remedy to this because that's – I see danger and such weak political groups like Roma can be a very easy target for this. Thanks.

MS. SCHLAGER: Thank you very much. As we close this briefing today, I want to reiterate the Helsinki Commission's strong, deep appreciation to all four of our witnesses who have come a very long way from various European capitals to be with us and to share their considerable expertise and insights. Thank you, Ms. Barsony. Thank you, Mr. Daniel. Thank you, Mihalache. And thank you, Mr. Mirga.

There are two children who are first and foremost in my mind as we're here. Robert Csorba and Nataalka Sivakova. I hope that for the sake of these children and for other Romani children, that more will be done to combat the kind of violence to which they were subjected and to which no child should be subjected. But there are other reasons I hope governments will pay attention to these issues – maybe some degree of self-interest that will come into play.

As it now stands, some governments are finding that their own citizens are seeking asylum in other countries. Some countries may be looking at the prospect of interethnic conflict. And finally, the failure to adequately integrate Roma and address their acute marginalization means that an enormously important and valuable human capital is being wasted. So I really hope that as we leave this briefing, maybe it will give some impetus to efforts to address not only the violence which has been so acute in recent months but the long-term marginalization that we have seen fester over recent years.

With those thoughts, I will bring this briefing to a close and thank – give my thanks to everyone who came here today. Thank you very much.

(Applause.)

(END)