

TOOLKIT

Programming the Structural Funds for Roma Inclusion in 2014-20

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March 2014

Making the Most of EU Funds for Roma (MtM) program

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Foreword

The situation of the Roma minority in Europe has been a major concern for the European Commission. This situation is not a product of a few years.

The majority of Roma has always lived on the margin of society in Central Europe and the Balkans, but the crises of the last 25 years have affected them disproportionately.

Unemployment and poverty has been significantly higher among the Roma than the population as a whole.

In 2011, we adopted an EU framework for national Roma integration strategies. This EU framework put the issue higher on the policy agenda and laid down the foundations for systematic work for Roma inclusion to close the gap between Roma and non-Roma population in the fields of education, employment, healthcare and housing.

The EU has provided analysis, guidance but also financial support to Member States, in order to make progress with tackling Roma exclusion.

The surveys conducted by the EU Fundamental Rights Agency and UNDP and by other organisations at national level, as well as consultations with concerned parties showed that efficient use of funds for Roma integration is a precondition to make tangible changes on the ground.

We have identified several Commission's initiatives and pilot projects and some national projects as good examples which can contribute to breaking the vicious circle of social exclusion, low skills, unemployment and poverty.

However, capacity building, more focused implementation, and robust monitoring system are still required to increase the impact of Roma integration programs.

The Social Investment Package adopted in February 2013 provided guidance on how structural reforms in social services can be addressed through EU and national financial resources.

These structural reforms can at the same time increase the efficiency of services and provide marginalised communities - including Roma - with better quality services, and also improve the access to those.

Actions like investing in early childhood education and care services, strengthening personalised public employment services, shifting the focus to prevention in health care, and developing integrated local housing projects can turn our goals into reality, and ensure a close link between Roma integration and the Europe 2020 strategy.

Roma integration has to be a central consideration at the 2014-2020 programming period of EU financial instruments, in line with country specific recommendations to individual

Member States.

Taking stock of hitherto experience can help the design of new and hopeful projects. Based on experience, the EURoma network (the network of national Managing Authorities) supported by the Commission, prepared a useful guide on this matter¹.

This present Toolkit prepared by the Making the Most of EU Funds for Roma program of Open Society Foundations adds to that a guidance on equality mainstreaming for Roma integration and a thematic approach with chapters on education, employment, housing and health. The thematic chapters also help designing the use of EU funds for supporting structural reforms in social services, or for developing the social economy.

Given the scale and complexity of the challenges of the inclusion of marginalised Roma communities, there is a need for programmes that are both mainstream and targeted, large scale but flexible. The Commission aims to further assist Member States in designing and implementing such programmes, among others by the promotion of this Toolkit.

I hope that the Toolkit helps all involved to better understand the real needs and possibilities on the ground and reach out to those most in need. In this way, I believe it can make an important contribution to further improving the effectiveness and results of EU financial instruments and Roma-related programmes.



László Andor

European Commissioner for Employment,
Social Affairs and Inclusion

¹http://www.euromanet.eu/newsroom/archive/euroma_publication_to_support_the_effective_inclusion_of_roma_in_the_next_programming_period.html

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Introduction

This Toolkit aims to assist public authorities, involved in the planning and programming of European Structural Funds, to introduce equality mainstreaming² in education, employment, housing and health service developments. Equality mainstreaming aims to ensure social inclusion, most notably fairness and good relations between Roma and non-Roma in society. Equality mainstreaming advances policy making in which the protection of *human rights* also promotes the *interest of the whole society*.

The 2014-20 programming period is the first when Roma inclusion is high on the European agenda. This is reflected in the regulations for the Structural Funds - the European Regional Development Fund and the European Social Fund - which open up new funding opportunities. This Toolkit addresses key challenges and robust actions for Roma inclusions to be supported also by the Structural Funds, thus it does not cover a full scope of potential policy actions. This Toolkit is relevant for all member states with marginalised communities including Roma. It is especially relevant for the five member states with the highest share of Roma population: Bulgaria, Czech Republic, Hungary, Romania and Slovakia.

This Toolkit is the product of a broad coalition of experts and stakeholders. Authors are experts and staff members of the Making the Most of EU Funds for Roma (MtM) program of the Open Society Foundation. Chapters of this Toolkit are a result of consultations with participants of the coalition of international organisations for Roma inclusion and MtM's national partners in Bulgaria, Hungary, Romania and Slovakia. Concrete comments were provided by colleagues from Directorate General for Justice, Directorate General for Employment, Social Affairs and Inclusion, Directorate General for Regional and Urban Policy and Directorate General for Education and Culture, European Commission; Roma Education Fund; Roma Health Project, Open Society Foundations; Open Society Institute Sofia; Resource Centre for Roma Communities, Romania; Soros Foundation Romania; EPIC Employment Service Slovakia; Slovak Governance Institute.

Authors of the Toolkit have been inspired by, among others, the *Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care*³, which aims to assist public authorities involved in the programming and implementation of EU funds with expert input regarding disability mainstreaming matters.

The Toolkit is complementary to the EURoma guide titled *Tackling Roma Needs in the 2014-2020 Structural Funds Programming Period*⁴. While the EURoma guide has general governance approach, the Toolkit has a thematic focus with distinctive chapters on

² *Mainstreaming* and *mainstream* are two different terms regarding Roma inclusion.

Equality *mainstreaming* is a policy model for inclusion that goes beyond equal treatment and positive / specific actions and introduces complex policy actions.

Mainstream measures are actions that cover the whole society or a broader part of it (e.g. people with low educational level), in contrast with targeted measures that focus specifically on Roma.

In line with e.g. the common basic principles on Roma inclusion, equality mainstreaming's complex policy actions may combine mainstream and targeted measures.

³ <http://deinstitutionalisationguide.eu/wp-content/uploads/2012/11/Toolkit-11-02-2012-final-WEB.pdf>

⁴ http://www.euromanet.eu/newsroom/archive/euroma_publication_to_support_the_effective_inclusion_of_roma_in_the_next_programming_period.html

education, employment, housing and health.

How to Use the Toolkit?

The Toolkit covers broad range of areas, and readers may be interested specifically in one or another. Chapters have been prepared so that they can be also used as stand-alone documents.

- Part 1, **Guidance on equality mainstreaming** is recommended for those who want to understand better the European policy frames and vocabulary in order to address and shape equality mainstreaming for Roma inclusion. It also discusses the logic and mechanism of equality mainstreaming specifically in Structural Funds planning.
- Part 2, **Toolkit on thematic and cross-cutting issues** is more pragmatic. It includes thematic chapters highlighting principal challenges and interventions within distinctive policy sectors: education, employment, housing and health; and a cross-cutting chapter on initiatives piloted in the 2007-2013 period and promoted for scaling up by the regulations for the 2014-20 period.

PART 1: GUIDANCE ON EQUALITY MAINSTREAMING

Chapter 1: Why is Roma equality mainstreaming essential in programming Structural Funds?

1. Introduction

The European Structural Funds are highly suitable instruments to address systemic causes of inequality and facilitate changes towards a substantive equality for Roma people. Paradoxically, there is empirical evidence that the absorption of the EU funds for Roma social inclusion is rather low in Central and Eastern Europe. Particularly, in countries and regions with a larger Roma population, the problem is not the lack of available money but the low accessibility of the funds by marginalized communities and insufficient use of the funds for broader inclusion initiatives. In fact, the meritocracy based and competitive EU funding mechanisms, similar to domestic grant schemes, tend to disadvantage Roma communities⁵. Without changing the planning and programming mechanisms, the distribution of the Structural Funds in several member states involves the risk of indirectly discriminating the Roma and sustaining their exclusion from development and decent public services. Thus, this Toolkit stems from the conviction that the Structural Funds can help implement Roma inclusion goals due to its mechanism of *multi-level actions* (from grassroots through national to European), the distribution of extensive *financial support*, the possibility of *linking social inclusion to local and domestic developmental agendas*, and the opportunities to experiment with *participatory policy making* methods.

Why is equality and anti-discrimination mainstreaming important in development policies and more significantly in planning the operational programs in the new programming cycle (2014-2020)?

- Equality and anti-discrimination mainstreaming should become a distinctive policy task for member state governments according to the common provisions regulation for the programming cycle of 2014-2020. This entails that policy performance in this field is becoming part of the accountability mechanism, concerning an efficient and impactful use of the European taxpayers' money, for development.
- Equality fosters social cohesion which tends to boost economic growth and sustainable progress in both economic and social terms. Furthermore, the costs of discrimination and non-action against discrimination compared to active inclusion policy are higher in the longer run. Internationally acknowledged economists have provided quantitative evidence for the positive and tangible return for social inclusion investment (e.g. net income for the national budget from taxes and savings from welfare assistance). Other authoritative analyses also stress that the

⁵ Kóczé, Angéla. (2012): *Civil society, civil involvement and social inclusion of the Roma*. Roma Inclusion Working Papers, edited by Andrey Ivanov and Jaroslav Kling. Bratislava: United Nations Development Programme.

Hurrle, Jakob et al. (2012): *Uncertain Impact: Have Roma in Slovakia benefited from the European Social Fund?* Roma Inclusion Working Papers. Bratislava: United Nations Development Programme.

potential gains of the inclusion of the Roma far exceed the necessary investment costs to eliminate exclusion.⁶

- Public authorities (and their private partners) that provide services and promote development by acknowledging the needs of their diverse clients have a good chance for performing more efficiently. More efficient and appropriate services and developments will make the public more satisfied. Equal opportunity for women, ethnic minorities, persons with disabilities, etc. in developmental decisions, thus, contributes to building trust in public authorities and general trust in society.

2. Policy models for non-discrimination and equal opportunities in Europe

The broader equality policy thinking makes a distinction between **three particular models** of ensuring fairness and a reasonable level of equality in society. These three models represent a gradual progress towards a comprehensive understanding of the causes of discrimination and towards policy interventions of genuine transformative social effects.

The **first model** stems from the principle of **equal treatment** which pronounces sameness of human individuals regardless of their gender, ethnicity, race, age, and other properties. (These properties are often called in legal and policy documents as grounds, strands, or protected categories.) The problem to be tackled is when public actors risk discriminating some people due to their ethnic or gender background, disability, age, sexual orientation, etc. The typical policy solution is to pass anti-discrimination laws that prohibit unequal treatment and enforce the law by court decisions based on individual complaints. Equality (equal opportunity) bodies are established to conduct investigations based on individual complaints and support the victims of discrimination. In several EU member states, these bodies also contribute to change in policy making by enabling policy makers to efficiently take into account issues of equality, diversity and non-discrimination and to mobilise and capacitate a broader set of institutions to promote equality and combat discrimination.⁷ It is believed that if the anti-discrimination law is thoroughly observed, *formal equality* of people will be ensured. In the last decade, the anti-discrimination legislation of the European Union and its transposition to member state laws provided a sound basis to promote formal equality for the Roma⁸.

A significant development has taken place within the European equality thinking to acknowledge the problem of **indirect discrimination**⁹ and thus to move beyond the idea

⁶ Kertesi, Gabor and Kézdi Gabor (2006): Expected Long-Term Budgetary Benefits to Roma Education in Hungary. Budapest: Roma Education Fund. <http://www.romaeducationfund.hu/sites/default/files/publications/kertesi-kezdi-budgetarybenefits.pdf> and World Bank (2010): Economic Costs of Roma Exclusion. <http://www.worldbank.org/en/news/press-release/2010/04/14/world-bank-alerts-european-governments-steep-economic-costs-roma-exclusion>

⁷ Equinet (2013): Processes and indicators for measuring the impact of equality bodies. P. 25-26. http://www.equineteurope.org/IMG/pdf/indicators_paper_merged.pdf

⁸ Council Directive (EC) 2000/43 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Council Directive (EC) 2000/78 establishing a general framework for equal treatment in employment and occupation.

⁹ Article 2.2.b of the Racial Equality Directive 2000/43/EC: Indirect discrimination shall be taken to occur where an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

of the faulty individual behaviour of public actors. Indirect discrimination occurs when neutral and formally equal treatment of people has disproportionately disadvantageous effects on a particular group in society. Broader policy debates also use the term of institutional discrimination to describe practices of public institutions that do not acknowledge that the principal logic of their operation or services creates direct or indirect discrimination. Further, equal treatment remains helpless in tracking disadvantages that specific groups have accumulated over time, often due to stubborn unequal treatment. The regular occurrence of these disadvantages raises the necessity of *differential treatment* in certain public affairs and thus adding another principle to that of sameness.

A combined application of sameness and difference informs the **second model** of equality thinking which is called **positive actions** - or specific actions in the context of the Structural Funds - often explicitly aiming at generating equal opportunity for people of different group affiliations. Equal opportunity driven interventions intend to achieve a level playing field for groups to access public institutions, resources, and benefits. The strongest form of equal opportunity actions is *preferential treatment or affirmative action* (e.g. quota). These interventions are viewed as temporary measures but, due to the nature of accumulated disadvantages, this often requires sustained efforts over time. *Targeted programs* for specific groups to remove the barriers from equal access and participation are also widespread forms of positive actions. Positive actions are viewed as pro-active equality policy interventions.

It often happens that positive actions bring about a few but no path-breaking results. Therefore, pro-active policy thinking may feel compelled to target *substantive equality* which requires a thorough understanding of the underlying social causes behind stubborn experiences of inequalities. Among these causes, we should consider in particular, historically accumulated disadvantages and their reproduction, the power of social norms, often saturated by prejudices, and institutional practices. Substantive equality also requires a serious commitment to complex policy actions towards transformative effects. This conviction and commitment is the basis to enact the **third model** of equality thinking called **equality mainstreaming**.

The essence of mainstreaming lies both in framing the key *contents* and shaping the *procedural elements* of policy actions. The goal is to achieve transformative social effects, in this case, the social inclusion of the Roma. Social inclusion is understood as that Roma people have equal access to public services, they are part of economic and political activities, and respectful relations prevail between members of Roma and non-Roma communities. A major interim step towards inclusion would be if the gap between the Roma and the non-Roma in different realms of life would be reduced. It is also important to note that due to its critical eye on structural inequalities, mainstreaming is suitable to explore and tackle *intersecting (multiple) inequalities* and respect *diversity* within and across social groups. It is often argued that mainstreaming itself incorporates the other two modalities of equality thinking. Gender equality experts refer to a *three-legged stool*, which would fall if one leg is removed. Assuming that equal treatment is a firmly inscribed norm in European policy domains (first leg), the fundamental policy challenge is how to smartly combine positive actions and mainstreaming, that is to

promote a **twin-track strategy** (second and third legs).

In its most advanced form, mainstreaming can be understood as a **regular duty** for the European Union institutions and the national (and municipal) governments of the member states. In some countries, this equality policy duty is stipulated by law, in other ones it is a part of or becoming a part of public service ethics shaped by policy learning. For example, the Race Relations Act of Great Britain (1976) stipulates a general duty to actively promote equal opportunity for public sector actors. In Finland the Non-Discrimination Act (2004) puts a whole range of duties on public authorities concerning ethnic equality. Duty implies that equality policy responsibilities are part of the broader governmental and public administration accountability structures. In other words, to advance different equality objectives, including Roma inclusion, becomes part and parcel of the measures used to gauge the policy performance of governments.

Gender mainstreaming emerged as the pioneer ground in which policy makers started to take proactive steps to address structural issues that generate and often perpetuate inequalities. The EU member states put in place national mechanisms to plan and oversee gender mainstreaming in the last fifteen years. In spite of various shortcomings of the implementation, the gender mainstreaming experiments have revealed the possibility of achieving substantive outcomes in terms of exploring the subtle mechanisms of indirect and institutional discrimination, changing the frame of policy debates, and sensitizing and transforming the policy process across various sectors along gender equality issues, etc.

Advanced note:

In the European policy language, applied both in legal and policy documents, **anti-discrimination**, **equal opportunity** and **equality mainstreaming** are often used as synonyms. This may create some difficulties in developing and implementing efficient policy tools for ensuring equality on different grounds and fostering policy learning. By the same token, it cannot be used as an excuse for not making sensible efforts to learn this language. Our suggestion here is to live with the language that is in line with the key documents for the Cohesion Policy field. Accordingly, the larger strategy is called non-discrimination and equal opportunity, and the two key measures are named as positive / specific actions (model 2) and equality mainstreaming (model 3).

Practice reflection: applying the key equality concepts to address public education matters

Direct discrimination in education means that children are not accepted in certain schools or classes (e.g. by a school principal) due to their ethnic origin assumed by name or home address or in harsher versions due to their skin colour. These practices are strictly forbidden in any EU member state by anti-discrimination laws. These laws should be observed by all public actors who make decisions on public affairs and/or use public resources. The implementation of these laws is assisted and monitored by courts and equal treatment authorities. In spite of a strong European anti-discrimination norm and binding regulations, unequal treatment of the Roma is quite widespread by public actors due to limits of individual complaint procedures.

Within the category of direct discrimination, institutional discrimination is often conducted by schools when they place certain children in separate classes due to their perceived of measured skills. This act is often motivated by fears from the children's lower entry skills due to their poorer home conditions and absence from early child education. Roma children are the prime targets of these practices in Central and Eastern Europe. A much debated practice is when catch-up classes and courses are organized with the goal of including the separated children in mainstream classes in a designated timeline. If this goal is pretended or never achieved, the case clearly enacts direct discrimination.

Indirect discrimination in education is practiced, for example, if Roma children are found in visibly much lower numbers in academically specialised classes in an elementary school compared to their numbers in the whole school. It is quite likely that admission to the academically specialised class requires some specific skills and prerequisite knowledge that depend on the home support that Roma children often cannot have due to their disadvantaged background. If this situation is not addressed by school or municipal authorities, disadvantages of a social group are overlooked by a key institution. In these cases, pro-active interventions shall reach out to the disadvantaged Roma children and their parents to help them acquire the skills needed for the academically specialised class. More refined action is to rethink the entry test and to measure skills needed for the academically specialised classes that are not or only weakly dependent on the socio-economic conditions of parents. More inclusive attendance to special academic tracks creates pedagogical challenge which can be tackled by special support and reward for the involved teachers.

There are schools or school systems that observe the principle of equal treatment and even apply some positive actions towards equal opportunity for Roma children. Nonetheless, schools that embrace increasing number of Roma students often experience the fleeing of middle class families ('white flight'). If a school becomes ethnically imbalanced or homogeneous in a settlement populated by ethnically mixed local community, indirect discrimination may also take place by non-action of the authorities. The exit reaction of mainstream society creates further discrimination unless a pro-active public policy stops this process. Addressing such a situation requires pro-active and multiple interventions by public authorities. Policy makers should acquire knowledge to understand the nature and depth of white flight so that they view the problem as societal rather than a 'Roma problem'. The policy makers shall have a refined understanding of how different procedures of unequal access to services coalesce in the life of the Roma and separate Roma and no-Roma people, and consider how all domains of the municipal government contribute directly or indirectly in perpetuating the situation. A detailed plan shall be created on how to tackle these conditions by complex interventions and to reckon the potential reactions of the Roma and the non-Roma. To this end, stakeholders' consultations shall be conducted. Segregated living conditions, social assistance tools, school districts, and school admission policies are to be rethought with regard to their relations to each other. All these steps together form a *mainstreaming* approach.

3. The key inequality problems to be solved by anti-discrimination and equality mainstreaming for Roma inclusion

European anti-discrimination and equality policies supporting different equality grounds/groups face some converging problems in tackling discrimination. Each field embodies, however, key inequality problems that make the field different from the other ones. These problems affect different aspects of lives and cut across several major policy fields (sectors). For example, in gender equality the issues of similar significance are violence against women and the division of paid and unpaid labour among men and women. In the field of disability, the key specific inequality problem is the widespread system of institution-based care and the medicalised view of people with disabilities.

Roma people and communities face most importantly two forms of discrimination and exclusion that create specific challenges for equal opportunity thinking. These forms encompass the consequences of various indirect and institutional discrimination practices:

- Many Roma suffer from stubborn **segregation** in education (ethnic based school and class segregation) and housing (streets, neighbourhoods, whole settlements). They also face segregation in the labour market, since they are relegated to certain segments of the legal and illegal labour market and low-quality jobs, if they are involved at all. Segregation is often manifested and maintained by territorial disadvantages (e.g. poor access to public services) in places where many Roma live; both in urban and rural settings .
- The Roma as a largely disadvantaged but also diverse ethnic group in Europe has weak voice and poor access to **participation** in political and policy decisions. The reasons are manifold and coalesce in paramount invisibility of Roma people in political life, decision making positions, municipal governments, and professions of high prestige and high social capital. This holds true even if a small number of active Roma NGOs provide public space for participation both at the grassroots and national levels.

These two domains of inequalities reinforce each other. As a consequence, progress in one field cannot be made without progress in the other. Desegregation and promoting participation require complex and multi-year interventions, and realigning the territorial distribution of public services and development investments. Accordingly, the Structural Funds mechanisms are particularly apt and important instruments to tackle the two key forms of inequalities suffered by the Roma. Furthermore, EU member state governments can be innovative and experimental in channelling the Structural Funds to **raising awareness**, in particular, among majority citizens on the nature and seriousness of the key inequality problems concerning the Roma.

It should be added that the Roma often have less pronounced *minority rights* than several other national minorities. Minority rights ensure that ethnic (linguistic, religious) groups have freedom and tools to cultivate their collective identity, cultural traditions, and history. It is important to take into account that anti-discrimination and protection of minority rights can be intertwined but they *cannot substitute for each other* in policy

thinking and practices. Most notably, Roma people and communities should have access to decent public services and participation in various public matters regardless of their particular interest in their cultural traditions and of identity choices.

Advanced note:

Mainstreaming equality with respect to **ethnicity** creates some paramount challenges. It is important to note that two key components of mainstreaming policy measures, civil society participation and data collection seem to work differently in the field of ethnicity as compared to gender, the “older” mainstreaming field in Europe. The production of **ethnic data** provokes more controversies than gender data. Civil society **mobilization** appears more difficult on a European level and may become more sharply politicized in domestic context than gender. This should not imply that these two elements of mainstreaming can be downplayed, in fact, the opposite is the case: genuine mainstreaming measures should invest in both. The negative myth of the impossibility of producing ethnic data and the inaccurate belief in poor potentials for mobilization of the Roma, by default, shall be questioned.

Further challenge is that due to various historical and political reasons, the way in which the European Union posits the equality issues of national minorities, migrants, and the Roma on its policy map differs from each other. National minorities create the most political controversies and thus not very often pronounced in the boarder anti-discrimination agenda (except for the EU accession process). The Roma has recently emerged on the policy agenda of the European Union and are viewed separately from the national minorities. The immigration policy matters are normally high on the old member states’ domestic agendas ranging from pure security issues to social inclusion showing major variations in Europe. Policy champions and innovators can find good reasons to cross-examine salient commonalities of the migration and the Roma inclusion problems across Europe (the former primarily concerning the old, whereas the latter both the old and new member states).

4. Equality mainstreaming provisions in the EU relevant to Roma inclusion

Among the most important provisions, one can find legally binding norms and rules, and also policy recommendations, roadmaps, toolkits, etc. (soft policy tools). Both types of instruments are crucial in paving the road to multilevel European Roma inclusion policy making, in which cohesion policy and its financial mechanisms are embedded.

Article 19 of the **Treaty on the functioning of the European Union** (ex-Article 13 of TEC; drafted in 1997 and effective of 1999) provides the legal basis for the EU to take action to combat discrimination based on a number of grounds, including racial or ethnic origin.

Articles 21 of the **Charter of Fundamental Rights of the European Union** (drafted in 2000 and fully effective as of 2009) prohibits discrimination on a number of grounds, including race, ethnic origin and membership of a national minority.

These basic legal documents spell out the principle of equal treatment of individuals and formal equality as the foundational norms of the European Union and any of its policy areas.

In 2000 the Council of Ministers of the EU adopted the **Racial Equality Directive** (2000/43/EC) which has become a ground-breaking legal tool in the EU in advancing equal treatment and equal opportunities with regard to racial and ethnic origin. The Directive

prohibits discrimination on grounds of racial or ethnic origin in a number of key fields of life, including employment, education, healthcare and housing. In addition to calling for enforcing equal treatment, the Directive introduces the concepts of *indirect discrimination*. The Directive endorses the principle of *positive action* and stipulates a basic institutional safeguard against discrimination in the member states. The Directive has become a major source of further legal and policy provisions shaping equalities policies in various policy domains both at the EU and member state level (see later references to the Directive in the draft text of the Common Provision).

Another important legal provision originates outside the jurisdiction of the EU yet it creates binding obligations for all the member states as signatories. The **International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)** was established under the auspices of the UN (effective of 1969). The Convention creates the obligation for the signatory states to maintain mandatory positive actions in relation to its ethnic minorities (Article 2) to ensure full and equal enjoyment of human rights and fundamental freedoms in social, economic, cultural and other fields. Article 3 includes the obligation to eradicate the consequences of discrimination practices undertaken or tolerated by previous governments in the state or imposed by forces outside the state. These practices may include ‘spontaneous segregation’ (e.g. in education or housing) that may also arise as an unintended by-product of the actions of private persons and without any initiative or direct involvement by the public authorities. In other words, ‘spontaneous segregation’ is also a form of discrimination and thus should be addressed by EU funds in line with the non-discrimination principle. Like several other UN human rights conventions, ICERD has important reporting and individual complaint mechanisms. UN bodies regularly monitor compliance with the provisions of the Convention.

Advanced note:

Racial Equality Directive, which member states have had to transpose into national law, embraces the policy fields of employment, education, health and housing. A similar complexity characterizes the ICERD which is also adopted by domestic laws in the member states. Leading European experts pronounce the significance of the fact that the ICERD specifically prohibits *racial and ethnic segregation*. Under Article 3, signatory states particularly condemn racial segregation and apartheid, and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction. This substantive element of equality consideration, enriching the anti-discrimination agenda set in the Directive, can have major impact on Roma inclusion policies.¹⁰

The latest provision is composed of the **EU Framework for National Roma Integration Strategies** and subsequent Council Conclusions (2011) which finally put in place a framework for Roma equality mainstreaming model. Indent 20 the Council Conclusions document invites Member States “to improve the social and economic situation of Roma by pursuing a *mainstreaming approach* in the fields of education, employment, housing and healthcare”. Indent 32 underlines that the fight against segregation needs to be mainstreamed into policy making processes.

¹⁰ See an elaborate account on this important relation of ICERD and Racial Equality Directive in Chopin, Do and Farkas (2012)

A number of recent policy instruments contributed to shaping the framework, the language, and instruments of ethnic and Roma inclusion mainstreaming in the European Union. A comprehensive definition of equality mainstreaming pertaining to gender, race and ethnic origin, religion or belief, disability, age and sexual orientation was offered by a Commission document in 2008. The document argued for “a systemic incorporation of non-discrimination and equal opportunity concerns into all policies, in particular within existing coordination mechanisms for employment, social inclusion, education and training.”¹¹ In 2011, the Commission published a *Compendium of Practice on Non-discrimination and Equality Mainstreaming*, which recommends that Member States (a) expand the remit of gender mainstreaming to cover other grounds including ethnic origin; (b) use the gender mainstreaming as a model and (c) a standard.¹²

Due to intensive encounters of transnational civil society actors, member states, and European Union governance structures, a statement on **Common Basic Principles on Roma Inclusion** was elaborated in 2009. Accepted in the form of a Council Conclusion¹³, the Common Basic Principles is a norm setting document which outlines a *fairly developed mainstreaming* strategy. It addresses both the “mainstream” (majority) and a disadvantaged group in society and their *relations*. It relies on multi-sector and intersectional (multiple inequalities based) thinking, it promotes the involvement of civil society and target group voice, and it advocates for regular data gathering and evaluation. The document enacts a meaningful, thorough, and commonsensical language for mainstreaming the principle of Roma equality in policy making, therefore, it can be widely used as a guideline in domestic policy circles.

The most often cited section of this document is the **explicit but not exclusive targeting** principle. The formulation of this principle merges two related but different equality considerations in a single reasoning. The first consideration advocates for social inclusion actions from which the Roma benefit that do not exclude other people who share similar socio-economic circumstances. This is to avoid creating new inequalities or injustices by leaving behind some unprivileged. The other consideration rehearses the core idea of mainstreaming as to lace the Roma inclusion interventions in boarder policies and decisions. In this approach, the transformative impacts of the policy measures reach out to the majority society as well.

It is often argued that the non-exclusivity principle may help the *political legitimization* of equality mainstreaming in ambiguous social and political environment where a pro-active equality policy is often seen as a zero-sum game. This is a political feasibility driven argument. It is important to understand that the explicit but not exclusive principle *does not mean* that Roma inclusion interventions *should be framed* as much as possible as a “non-Roma”, i.e. poverty, territorial, urban regeneration, etc. policy actions. These latter frames may become conducive to addressing the exclusion of the Roma but this is not taken for granted. Only a smart balance of targeted and mainstreamed actions in which the structures and mechanisms of exclusion are systematically named and

¹¹ European Commission (2008): Non-Discrimination and Equal Opportunities: A Renewed Commitment. COM(2008)420. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0420:FIN:EN:PDF>

¹² http://ec.europa.eu/justice/discrimination/files/compendium_mainstreaming_equality_en.pdf

¹³ <http://register.consilium.europa.eu/pdf/en/09/stio/stio394.en09.pdf>

addressed together can foster the social inclusion of the Roma.

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Chapter 2: How to ensure equality mainstreaming in programming?

1. Specific provisions on equality mainstreaming in programming the Structural Funds

Non-discrimination and equality mainstreaming is firmly anchored in the **regulatory framework of the 2014-2020 Cohesion Policy** and European Structural Funds mechanisms, especially the common provisions regulation and the European Social Fund (ESF) regulation.

In the **common provisions regulation**, as a milestone, *Article 7* stipulates that gender equality and non-discrimination shall be implemented in the preparation and implementation of programs.

Further, **ex-ante conditionalities** are named and rendered as duties for all policy makers concerned in the Structural Funds mechanisms. These conditionalities may serve as a “shield” for committed domestic policy makers to act towards Roma inclusion and other equality principles. The detailed ex-ante conditionality provisions are explained in *Annex XI of the common provisions regulation*. Ex-ante conditionality provisions are linked to the *eleven thematic objectives* and also to seven general areas for the new programming period. The thematic and general areas set detailed ‘fulfilment criteria’. These criteria should be understood as substantive steps taken by the Member States in order to act in compliance.

The mainstreaming requirements are defined by the following thematic and general *ex-ante conditionality* provisions:

- The most directly relevant and important thematic provision, on **thematic objective on social inclusion, combating poverty and any discrimination**, lists among the main instruments a national poverty reduction strategy, the national Roma inclusion strategies, and the support for relevant stakeholders to access the funds. Regarding the national Roma inclusion strategies, among the criteria for fulfilment, the regulation refers to setting goals to bridge the gap with the general population, territorial targeting, monitoring methods, Roma civil society involvement.
- Regarding the other two important thematic provisions, on sustainable and quality employment and labour mobility and on education, training and vocational training for skills and lifelong learning, the fulfilment criteria include specific attention for the inclusion of people from marginalised communities.
- Among the general provisions, on **anti-discrimination** concerns ethnicity among other major grounds. Accordingly, the main substantive equality norms are set by the Racial Equality Directive (2000/43/EC), which endorsed the principle of positive action for promoting pro-active equal opportunity policies by specific measures. The fulfilment criteria include arrangements for involving equality bodies and training for staff of the authorities involved in the management and control of the Structural Funds.

Additionally, Article 5 states that partnership shall also include bodies responsible for promoting social inclusion, gender equality and non-discrimination.

In the regulation on the **European Social Fund**, the following provisions details key tasks regarding equality mainstreaming.

- Article 4.2 states that 20% of the Fund shall be allocated to social inclusion purposes.
- According to Article 6.3, - in order to encourage adequate access to the Fund - an appropriate amount of ESF shall be allocated to capacity building for non-governmental organisations, particularly in the field of social inclusion, gender equality and equal opportunities.
- According to Article 8, ESF shall be allocated also to support specific actions to promote equal opportunities and non-discrimination.
- Annex I includes ‘migrants, participants with a foreign background, minorities (including marginalised communities such as the Roma)’ among common output indicators for participants.

The above listed instruments clearly converge to a mainstreaming policy mechanism.

It is noteworthy that the regulations set *threshold* criteria which can be exceeded by any committed domestic cohesion policy mechanism. Roma equality mainstreaming can be inspired by the advanced methods and experiences of gender equality mainstreaming, the oldest and most developed equality field in the EU.

2. The mechanism of equality mainstreaming in programming the Structural Funds

The specific contents and challenges of Roma inclusion in key policy sectors will be discussed in further sections of this document. Explicitly naming the Roma inclusion objectives and criteria in *all operational programmes*, including the seemingly neutral fields too is a *sine qua non* of genuine mainstreaming in the Structural Funds mechanisms. The following tasks shall be performed to this end by the authorities planning the operational programmes.

Step 1: Comprehensive problem mapping and analysis

According to Article 96.7.b of the common provisions regulation, each operational programme shall, subject to the Member State’s duly justified assessment of their relevance to the content and objectives of the programmes, include a description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking into account the needs of the various target groups at risk of such discrimination and in particular the requirements of ensuring accessibility for persons with disabilities.

- This initial step of planning is often called as *equality screening*. The NRISs are already in place in the respective EU member states offering, in theory, a thorough “diagnosis” of major inequality problems concerning the Roma. Yet, as the first assessments uncovered¹⁴, many of these strategies deserve some serious upgrading. In most domestic contexts, therefore, planning teams of the operational programmes should conduct their own analyses to name the major domains and causes of Roma exclusion, and relate these to their policy sector. (Easily adaptable toolkits for equality screening can be found e.g. on the websites of Irish, Scottish, and Nordic public authorities).
- The analysis should reveal the multi-dimensional nature of exclusion problems. Special attention should be paid to direct and indirect forms of discrimination, especially in the field of access to citizenship rights (basic personal documents), education, employment, and housing. All forms of educational, labour market, and housing *segregation* and saliently inaccessible public services for the Roma should be suspect to discrimination and subject to inclusion intervention.
- In support of equality screening, *consultation with the representatives* of the Roma community, Roma and pro-Roma civil society organizations, and inclusion-savvy development experts is essential. Planning meaningful consultations should be a duty for senior policy makers but the know-how and the facilitation of consultation could be solicited from expert groups available in all countries concerned. When designing the consultations, one should acknowledge the *internally ignored or discriminated parts of the target social group* (women, single parents, state care children, etc.). Major human rights groups, and academic and think tank based equality experts should be consulted (e.g. the coalitions drafting the pilot Civil Society Monitoring Reports on NRISs) to identify these internationally or multiply discriminated groups.
- These consultations are themselves important inclusion efforts as it involves target groups having unequal access to representation and voice in policy making. Further, they assist authorities in complying with the general ex-ante conditionality measures. The plans of the operational programmes, a subject of Commission approval, shall describe the process and the *outcome of the stakeholder consultation*.

Step 2: Lacing Roma inclusion interventions in the operational programmes

According to Article 96.6.b of the common provisions regulation, each operational programme shall set out for each ex-ante conditionality which is applicable to the operational programme and an assessment of whether the ex-ante conditionality is fulfilled at the date of submission of the Partnership Agreement and operational programme. Where ex-ante conditionalities are not fulfilled, a description of the actions to fulfil the ex-ante conditionality, the responsible bodies and a timetable for such actions in accordance with the summary is submitted in the Partnership Agreement.

¹⁴ European Commission: National Roma Integration Strategies: a first step in the implementation of the EU Framework. COM(2012)226. OSF (2012): Review of EU Framework National Roma Integration Strategies (NRIS). Open Society Roma Initiatives. Budapest: OSF.

- This task is still part of the equality screening. If the respective NRIS is not very elaborate in its objectives, the operational programme planning should turn to **additional expert knowledge** and stakeholder consultation, and substitute for the weakness of the strategy. The pilot Civil Society Monitoring Reports on the NRISs¹⁵ may give reliable judgment on these qualities. The identified Roma inclusion objectives should be linked to larger *sector-based strategies* and programs, such as the National Reform Program, domestic employment strategies, the anti-poverty strategies, and domestic education, housing, health, social assistance, etc. reform programs, and national gender or broader equal opportunity strategies. Fundamental good governance principles should pertain to this process (e.g. clear link between cause and effect of the proposed interventions; risk assessment; output and outcomes indicators identified, etc.).
- Further, equality screening should examine if *major policy interventions* not directed towards Roma inclusion planned in the respective operational programme might have positive, negative or neutral impact on Roma inclusion. A general rule is to start with programs that are likely to have tangible impacts on the daily lives of larger groups in society or distinct territories. Development measures concerning basic public services (education, health, transport, social assistance, etc.) tend to have major impacts on equality relevant groups.
- These planning tasks can be done by thorough desk research, internal appraisals, and partnership consultations. But this may not be enough if large-scale, new or complex programs are envisioned of major resource allocation. Further, if evidence of the basic equality screening is inconclusive or if it warrants to potential significant negative impacts on Roma people, the planning team should flag the intervention for specific equality attention by the ex-ante evaluation.
- In compliance with the general provisions of the common provisions regulation, *ex-ante evaluation* should be conducted with regard to the main objectives of the operational programmes. In this exercise, impacts on Roma groups and citizens shall be necessarily included. Ex-ante assessment also facilitates adequate assessment of the policy implementation results, including equal opportunity results. These assessments require substantial and complex expert knowledge, within that refined equality expertise, data generation and analysis. This is typically a service by professional research and consultancy groups but partnership consultations may refine the conclusions of the assessments. In some of the concerned countries, this expert knowledge is still in the making and its full development is a longer process. Cross country learning mechanism and expert exchange in this field can be easily built by managing authorities and central governmental bodies during the course of the planning process and beyond.
- Ex-ante evaluation requires *relevant, reliable, and up-to-date data*. It is well known that ethnic data is poor in many countries concerned. Available European expert knowledge should be consulted to make good decision on generating ethnic data within the legal constraints that are believed as more limiting than they are in fact. To assess progress in Roma inclusion, quantitative data should be complemented by qualitative data and the experience of the target group.

¹⁵ <http://www.romadecade.org/civilsocietymonitoring>

- The cross-cutting or multi-sector needs of targeted Roma inclusion interventions packaged in *integrated programs* should be thoroughly explored and built in the overall operational programme planning. Detailed ideas are presented in Chapter 7 of this document.

The challenge of when and how to combine and/or separate **targeted and mainstream** interventions will emerge in this stage of the planning process. Development experts and the experiences of the current programming period suggest that, for example, the territorial approach can efficiently combine targeted interventions for the Roma with combined programs for poverty reduction, rural development, and restructuring of economically depressed regions. But a territorial approach *cannot avoid spelling out* when and how the Roma inclusion agenda shall be addressed throughout the policy process. Experiences of the current programming cycle show that even micro-regional and municipal settings are prone to engage in direct and indirect discrimination and thus ignore Roma equality consideration. Accordingly, loose mainstreaming requirements or strategically wrapped framing of the Roma agenda (e.g. as poverty agenda) shall not water down the inclusion objectives. In fact, it is difficult to conduct Roma mainstreaming policy without some elements of targeting.

One of the key strategic issues in defining the non-discrimination and equality interventions is to consider if **separate or combined** non-discrimination and equality mainstreaming objectives across different equality grounds/strands shall be designed. The most likely candidates for a combined equality mainstreaming in the planning of the operational programmes are the gender equality and disability considerations in addition to the Roma inclusion agenda. Even complex equality mainstreaming can and should have explicit diagnostic statements of all the specific equality fields and conduct proper equality screening. This combined approach has pluses and minuses in terms of ensuring proper consultation processes and establishing the best synergy among the equality grounds/strands by minimizing competition. The possibility of applying this combined approach depends on several factors, including the ties of the equality expert community, civil society coalitions, the broader administrative and political culture, perceived political risks, experiences of the current cycle, etc.

It is important to keep in mind that operational programmes have to present detailed actions relating to the fulfilment of *ex-ante conditionalities* including the timetable for their implementation (Article 19). If they are not met at the time of the conclusion of their Partnership Agreement, the Member State in question will set out clearly the actions to be taken to bring it into compliance within two years.

Step 3: Understanding partnership as a good governance tool as well as an interim inclusion goal

According to Article 5.1.c of the common provisions regulation, partnership shall include also bodies promoting social inclusion, gender equality and non-discrimination.

As Article 15.1.c of the common provisions regulation stipulates, each partnership agreement will define the relevant stakeholders.

Regarding selection and role of partners and, the Commission Staff Working Document The partnership principle in the implementation of the Common Strategic Framework Funds-elements for a European Code of Conduct on Partnership proposed a detailed guidance.

- Both the nature of inequalities and the policy proposals to tackle them are politically contested issues. Genuine participation of the *least powerful and at-risk groups in society*, such as the Roma, offers better chances for ensuring effective, legitimate, and equitable trade-offs between sometimes competing interest within and among groups. In those countries that have adopted equality screening (e.g. UK, Finland, Netherlands), consultation with key stakeholders do help identify problems for groups at risk of discrimination that might not otherwise have been recognized.
- The involvement of target group with **its own divisions and diversity** prevent the authorities from using mainstreaming as a purely bureaucratic tool creating or deepening disappointment and public distrust. Inviting Roma and other relevant NGOs purely by ideological taste and party alliance has to do little with general good governance principles and does not comply with the key norms of the European Union policy environment. Pure clientelism instead of genuine efforts at partnership may not pay back even in the short term. Expertise, ideas, implementation mechanisms conducive to spending smartly and appropriately the available Structural Funds cannot be easily substituted by network capital of political alliances, as the experience of some new member states reveals.
- Consultations should be centrally coordinated, supported and advised by public authorities. Consultations should take place on an inclusive and cost-efficient way with the most appropriate method for substantive outcomes. The results of the consultations should be *documented and disseminated* beyond the circle of the participants to ensure transparency.
- Consultation methods and outcomes shall be assessed and changed if they do not prove to be genuinely inclusive. The process should be properly planned with clear objectives and explanations for the stakeholders. The consultation methods should allow the involved stakeholders to have enough time and opportunity to prepare or respond effectively.
- Some of the important stakeholders have the power and communication channels for participating in policy consultations. Some other ones are less equipped for consultations even if they have relevant knowledge for equality screening. Experience shows that civil society representatives should be offered tailored and efficient **capacity building** assistance for making them competent partners in the agenda setting of the operational programmes. This pertains in particular to new organizations, or the ones that are reconciling the grassroots voice, or the ones who are shifting from watchdog functions to policy advocacy and development.
- Roma NGOs, NGOs and experts working on Roma inclusion, equal opportunities and non-discrimination should be assisted with contributions to their costs incurred related to their involvement as partners.

The most significant Roma and Roma inclusion organizations are quite visible and knowledgeable in some of the member states with large Roma populations. Many of them have basic or even more subtle understanding of the cohesion policy and EU funds

matters. But to be on alert and prepared for consultation sessions throughout a longer time period and to be present in parallel OP planning processes, these organizations might be too small. They need to be **equipped with the necessary human and financial resources** to meaningfully contribute to the policy making process. This can be ensured by state resources or investments made from the EU funds also within the 2007-13 period.

Practice reflection

In **Bulgaria**, leading Roma NGOs proposed the establishment of inter-departmental working groups with civil society participation for supporting the planning process in 2011. The government accepted the idea. The NGO representatives were selected in an open and transparent procedure. The working groups are reviewing the main resource provisions and the integrated interventions (concerning two or more OPs) pertinent to the implementation of the policies for Roma inclusion. As a positive spill-over effect, the working groups are also discussing an annex to the NRIS with the name “Programs for support of the implementation of the NRIS”. (The Annex was approved by the government in early 2013 due to impactful Roma civil society pressure.) It will hereafter provide a substantial outline on activities and budget provisions for the NRIS implementation.

In **Romania**, the Ministry of European Affairs coordinates the planning of the operational programmes in 2014-2020. An Inter-Institutional Committee for the Partnership Agreement and 12 Thematic Advisory Committees has been set up for consultation with the participation of civil society representatives. These consultations are meant to have a substantive role, including the elaboration of socio-economic analyses (including SWOT analyses), the identification of thematic objectives and results indicators, financial programming, and ex-ante evaluations. Although several Roma civil society organizations are involved in the committees, their selection was non-transparent. The involvement of non-selected ones with relevant opinion and analytical capacities are uncertain at the moment.

Step 4: Advancing institutional capacities and equality competence of national authorities

Annex XI of the regulation identifies anti-discrimination as a general ex-ante conditionality, and arrangements for involving equality bodies and training for staff of the authorities involved in the management and control of the Structural Funds as criteria for fulfilment.

- Equality mainstreaming competence in principle should be possessed by the main authorities involved in designing the Partnership Agreement and the operational programmes. Moreover, the design of the institutional infrastructure to host and operate these capacities should be part of the planning process.
- Depending on the overall model of the management and coordination of Structural Funds operations in the new cycle, a **strong equality policy unit**, office, or body shall be put in place in the **central coordinating authority assigned to Structural Funds planning**. This unit shall have the mandate and power to coordinate, screen, and advise all key planning and programming

documents (e.g. detailed actions plans of the OPs). To deliver this service, the unit shall have appropriate human and financial resources. The potential costs of a unit of this sort are miniscule in the total budget of the central management. A dedicated unit is a clear engagement point for expert knowledge and civil society consultations throughout the whole seven-year development policy cycle. Due to coordination, authority, and resource management considerations, a unit of this mandate shall cover all major equality areas with specialized expertise in all areas concerned.

- The implementation of equality mainstreaming during programming and implementation, including all important equality grounds, should be made part of the **responsibilities of the OP senior management**. This responsibility is expected to yield actual policy implementation effects as well as salient demonstration effects. They should become the source and engine in norm diffusion by duty.
- In addition, permanent and ground specific equality screening and implementation knowledge should be made available for the staff involved in further programming, designing schemes and interventions, managing evaluation and technical expertise. The staff of the future managing authorities should be *trained in equality mainstreaming*, provided with basic equality policy basics knowledge, assessment tools and consultation skills. To this end, guidance documents, practice manuals, check lists, help desk services shall be produced in the planning period or at a very early stage of the implementation.
- In order to improve the understanding of the situation of Roma communities as well as to provide potential beneficiaries with a role model, staff should include also senior Roma employees.
- Permanent upgrading of the equality competence of senior leaders and staff can be supported by sustained partnership with Roma equality experts at all levels and stages during the designing and implementation process, e.g. by regular meetings or consultations, ad-hoc meetings on specific issues, working groups etc.¹⁶

Practice reflection

EU policy documents reveal the hope that the existing *equality bodies* in the member states can be a good resource for developing a systematic approach to equality and non-discrimination pertaining to Roma. These bodies, however, cannot substitute the equality and non-discrimination expertise needed for public authorities directly involved in the management and implementation of Structural Funds. Moreover, the equality bodies reported a lack of adequate expertise and financial resources to review or consult on equality planning. Similarly, Equinet's data¹⁷ and annual compliance reports produced by the European Network of Independent Experts in the non-discrimination field¹⁸ demonstrated that Equality Bodies across the EU did not possess the mandate or the human and financial resources required to engage in consultations as envisaged in the

¹⁶ "Implementation of gender mainstreaming in the Structural Funds programming documents 2000-2006"
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2002:0748:FIN:EN:PDF>

¹⁷ See the relevant communication from Equinet on the Roma Strategy.

¹⁸ All reports and a comparative summary are available from www.non-discrimination.net.

regulations.

The **Equality Unit of the Scottish Government** actively promotes an equalities perspective within the Scottish Government and support compliance with statutory equality duties. The unit: raises awareness amongst staff of their role and responsibilities; develops supportive structures and systems and build knowledge amongst staff of how to use them; and supports and enables staff to use the structures and systems to identify impacts of potential and existing policies and programs on equality groups. The Equality Unit provides support to officials considering equalities and undertaking equality impact assessments. Training is also offered on a regular basis to staff. Equality and Diversity Networks have been set up in various policy areas to consider the specific issues relevant to their area and provide localised support to officials.

In the period of 2004-2013 in **Ireland**, a **gender equality unit** was established to lead the gender mainstreaming work across the sector based European structural funds developments. Due to government changes and crisis effects, the unit was abolished and re-established in recent years and analyses reveal that its relatively short term existence yielded only partial success in implementation. Nonetheless, as an equality governance innovation, the unit's role is/was important in agenda settings, norm diffusion, staff training, equality screening of larger interventions, and impact assessment.

In some new member states **specialized governmental agencies** operate to guide and coordinate the Roma inclusion national policy development (e.g. Romania, Slovakia). If these bodies have too small human resources and their coordination and oversight authority is weak, their impact on Structural Funds planning could be minor or superficial. Domestic, civil society or soft EU pressure can help empower these agencies and thus enhance their influence in planning and programming operational programs.

Step 5: Designing robust monitoring and evaluation mechanisms

An appropriate monitoring and evaluation system shall aim to assess and improve the quality, effectiveness and consistency of the assistance from the Structural Funds to the implementation of the operational programmes. The need for “putting in place a robust monitoring system” for Roma inclusion has been highlighted by the Commission Communication *An EU Framework for National Roma Integration Strategies up to 2020*.¹⁹ The importance of monitoring was reinforced by the respective Council Conclusions. An equality mainstreaming system invites all operation programmes to include provisions on monitoring the specific Roma inclusion objectives in programming the operational programmes and in devising the specific interventions.

Monitoring mechanisms will be strengthened as Annex I of the ESF regulation includes ‘migrants, participants with a foreign background, minorities (including marginalised communities such as the Roma)’ among common output indicators for participants.

¹⁹ http://ec.europa.eu/justice/policies/discrimination/docs/com_2011_173_en.pdf

Setting targets

- The immediate aim of Roma inclusion interventions can be seen as *closing the gap* between Roma and the non-Roma in society in various areas of education, employment, housing and health. Therefore, the aim of monitoring Roma inclusion interventions should examine if the use of the EU funds does contribute to closing the gap between Roma and non-Roma in major domains of life. Operational Programs have to design their outcome indicators accordingly.
- In case of any development resulting in tangible progress for society as a whole, the gap between the Roma and the mainstream society can be closed if progress that the development offers to the Roma communities is faster than that offered to other members of society. Therefore, the resources allocated for Roma inclusion interventions should be communicated to the broader public by relating the allocation plans to the scale of the challenges faced by disadvantaged Roma communities.
- Policy makers and operational program planning authorities often face the pressure to demonstrate the exact financial resources allocated for Roma inclusion interventions. Oversimplification should be avoided. First, for many mainstream measures it is difficult to decide how much they can be counted as allocation for Roma inclusion. Second, financial input indicators have limited value to measure the usefulness and the effectiveness of development interventions. Output, result and impact indicators defined in both quantitative and qualitative terms should be set to gauge if the invested resources are conducive to eliminating social exclusion and reducing the gap between the Roma and the non-Roma. For example, spending 1 million EUR to upgrading the facilities of a school where 25% of the children are Roma may be counted as contribution to Roma inclusion if it is a school of reasonable quality integrated education, but cannot be counted accordingly if it is a school of low quality and segregating Roma children in special classes or gathering all Roma children from the respective settlement.
- Monitoring shall not only assess the effects of targeted interventions and the corresponding indicators. The *unintended negative impacts* of neutral interventions on Roma individuals and groups should also be carefully captured. Quantitative and qualitative data together can explore these impacts.

Crafting indicators and ethnic data

- Assessing the gap between the Roma and the mainstream society generates a pressing need for ethnic data. But ethnic data is a sensitive issue in several EU member states and targeted Roma inclusion policy is politically risky in many domestic settings. As it is discussed in Chapter 7, social inclusion interventions can be effectively based on social, economic and territorial variables rather than ethnicity. In these cases, monitoring and evaluation should *test* the outcomes in the first place *by social, economic and territorial variables* used for targeting.
- While targeting based on social, economic and territorial variables can avoid using ethnic data in the allocation of the funds, periodic monitoring and evaluation of Roma inclusion targets has to generate ethnic data. Producing ethnic data for periodic monitoring and evaluation is most feasible and acceptable by independent research bodies and institutions.

- Targeting on grounds other than ethnicity should be planned and evaluated in two dimensions of social inclusion impacts:

Output: *To what extent could Roma people take part?* For example, in the case of program providing training for low skilled unemployed persons, indicators should be set and measured to show what is the share of low skilled unemployed Roma people, who started and finished successfully the training, compared to low skilled unemployed non-Roma people? If the evaluation shows poor results, targeting should be refined.

Result: *How much could Roma benefit?* For example, considering the same program as above, indicators should gauge what is the share of low skilled unemployed Roma people, who finished successfully the training, found job and was in employment in the following year, compared to low skilled unemployed non-Roma people who finished successfully the training? If the evaluation shows poor results, activities should be refined.

An instructive example on using ethnic data for evaluation of complex interventions can be seen in Roma Education Fund's publication titled *A successful school integration program*.²⁰

Involving civil society

Involvement of the civil society in the whole policy cycle including monitoring and evaluation is one of the EU's *ten common basic principles* in Roma inclusion.

As a minimum requirement, Roma NGOs should be involved in the *monitoring committee* of each relevant operational programme. However, involvement of partners including Roma NGOs means not just inviting them to regular meetings and sending them large documents a few days before the meeting, but offering them tailor-made training and covering their expenses so that they can effectively contribute with their much needed experiences to the monitoring committee.

In more advanced governance settings, platforms composed of acknowledged civil society organizations of Roma people and embodying a fair representation of their diversity in a country, shall be set up and invited to discuss the interim evaluation results of relevant interventions and some of the key Operational Programs as a whole. The development of informed opinion in these platforms should be supported by introductory training, appropriate meeting schedules, and contribution to expenses.

A recent example of professional contributions by the civil society to the monitoring mechanism is offered by NGO coalitions *assessing the implementation of National Roma Integration Strategies* coordinated by the Decade of Roma Inclusion Secretariat.²¹

Step 6: Capacity building for project beneficiaries

Planning and programming of Structural Funds requires the incorporation of a Roma

²⁰ http://www.romaeducationfund.hu/sites/default/files/documents/ooih_english_kezdi.pdf

²¹ www.romadecade.org/civilsocietymonitoring

equality perspective in capacity building efforts as well. Capacity building in the frame of Structural Funds for specific Roma inclusion objectives should encompass the beneficiaries' human, scientific, technological, organizational, and institutional resource and capabilities. The prime beneficiaries of the relevant Structural Funds projects (Roma and pro-Roma NGOs, municipalities, etc.) must be equipped with the understanding, skills and access to information, knowledge and training that enables them to develop meaningful and effective interventions plans suitable for funding. At the organizational level, capacity building should address, in particular, the conception of inclusion sensitive local development and targeted intervention programs for the Roma as well as general equality mainstreaming in implementation.

See a detailed description of targeted capacity building for NGOs in Chapter 7.

Summary: Equality policy models and corresponding tasks in planning and programming

Equality policy model	What is the problem?	What has or should be done on member state level in general?	What are the problems Structural Funds interventions can address? Examples	What should be done in planning and programming of Structural Funds? Examples
Equal treatment	Unequal treatment of <i>individuals</i> because of their ethnic background, religion, gender, etc.: direct discrimination	<p>Pass and implement anti-discrimination law and protect the victims of discriminations (legislators, equal treatment authorities, courts)</p> <p>Establish specialized independent bodies at Member State level to combat discrimination and raise social awareness (see equality bodies)</p>	<p>Roma children are purposefully separated in all-Roma classes or schools by authorities. Separation is justified by the lower capacities of Roma children, or the belief in the use of catch-up classes, or the will of the majority parents, or the assumed preference of Roma parents. Segregated schools do offer lower chances for educational advance and social inclusion in the local communities.</p>	<p>Set strategic goals and design Operational Program interventions that do not allow purposeful ethnic segregation.</p> <p>Consult with national equality bodies to vet the operational programs against equal treatment principles to avoid any Structural Funds spending which would discriminate Roma individuals.</p>
Positive / Specific Action	Although unequal treatment of individuals are eliminated, notorious group disadvantages prevail; the detrimental outcomes of neutral institutional practices are not noticed: indirect discrimination occurs	<p>Introduce pro-active legal and social policy interventions to overcome specific group disadvantage (e.g. in the spirit of EU Racial Equality Directive 2000/43/EC)</p> <p>Use preferential treatment measures to ensure the access to public services and participation, thus compensating for disadvantages that the target group suffers from</p>	<p>Roma children get to secondary school in low proportion and often drop out. Many come from disadvantaged family backgrounds, have fragile self-esteem and poor social network, and rarely see examples of successful mobility in the family and the community. The costs of accessing secondary schools are not bearable for most Roma parents in remote villages and urban ghettos.</p>	<p>Plan national programs by using ESF for integrated education combined with tutorials for children of disadvantaged Roma families, multicultural knowledge for all youth, and training for teachers. Designate resources from which local governments can improve the living conditions of concerned families.</p> <p>Design interventions for training and hiring Roma by targeted actions in public service delivery institutions through ESF and also public administration reform OPs.</p>

Equality policy model	What is the problem?	What has or should be done on member state level in general?	What are the problems Structural Funds interventions can address? Examples	What should be done in planning and programming of Structural Funds? Examples
Equality main-streaming	<p>There are special targeted initiatives but these programs exist on a temporary basis. Disadvantages do not diminish or even increase upon the completion of programs (e.g. residential segregation remains). Overall gap between the Roma and non-Roma does not decrease on societal level.</p> <p>Low participation of Roma in public policy and decision making processes prevails.</p>	<p>Develop comprehensive equality framework that goes beyond anti-discrimination and positive action; find the structural causes of inequalities and address social practices that generate the ethnic inequalities.</p> <p>Reorganize the policy processes from a Roma equality perspective. Assign responsibility for all major policy actors, systematically train the staff of public authorities, and monitor inclusion improvement performance and.</p> <p>Rely on the voice of the Roma and pro-Roma non-governmental actors in policy agenda setting, implementation and assessment.</p>	<p>Residential segregation obstructs most active-age Roma to take part in the formal labour market. Not even reasonably inclusive schools can enhance the academic performance of Roma children due to massive residential segregation. Local governments are reluctant to embark on desegregation housing projects due to the frequent failures of pilot projects. These projects are often planned without Roma participation by moving Roma families simply closer to the mainstream society. Linked employment programs are lacking, local government staff is not trained to handle implementation problems.</p>	<p>Use equality screening to address difficult and stubborn inequalities the Roma experience (e.g. segregation and multiple discriminations).</p> <p>Involve the non-Roma part of society in framing and implementing policies to acknowledge the potential benefits to all; target both Roma and non-Roma living with disadvantages along similarities and differences in their situations. Use ESF for awareness raising and public administration OP for upgrading municipal governments' equality knowledge.</p> <p>Introduce/upgrade ex-ante assessment, participatory planning methods, indicators to mainstream Roma inclusion in all major fields of Structural Funds design. Plan ESF sources to support capacity building for the stakeholders in particular for Roma/pro-Roma organizations.</p> <p>Design complex programs for the most vulnerable municipalities (small and large alike) and set threshold requirements for other municipalities for accessing Funds. Introduce 'cross-Funds' initiatives.</p>

PART 2: TOOLKIT ON THEMATIC AND CROSS-CUTTING ISSUES

Key areas of Roma inclusion are education, employment, housing and health (as identified in the EU framework for national Roma integration strategies up to 2020), which are directly linked to thematic objectives education, employment and social inclusion (housing and health can be targeted primarily under this thematic objective). However, most of the other thematic objectives also have relevance for Roma inclusion.

thematic objective	relevance for Roma inclusion
1. strengthening research, technological development and innovation	mainstreaming the issue of diversity and equality in social research agendas
2. enhancing access to, and use and quality of, information and communication technologies	marginalised communities including Roma are overrepresented in remote areas with poorest ICT infrastructure and services and highest potential advantage of such services; targeted development of the ICT infrastructure and services can be beneficial for these communities
3. enhancing the competitiveness of small and medium-sized enterprises , of the agricultural sector and of the fisheries and aquaculture sector	about 67% of jobs and 85% of new jobs in business economy is provided by SMEs; targeted strengthening of SMEs and the agricultural sector should create employment opportunities also for Roma
4. supporting the shift towards a low-carbon economy in all sectors most relevant investment priority: <ul style="list-style-type: none"> supporting energy efficiency, smart energy management and renewable energy use in public infrastructure, including in public buildings, and in the housing sector (ERDF3) 	marginalised communities including Roma are hit by “ energy poverty ”; improvement in energy efficiency of their housing is an effective tool to combat poverty
5. promoting climate change adaptation, risk prevention and management most relevant investment priority: <ul style="list-style-type: none"> promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems (ERDF2) 	marginalised communities including Roma are overrepresented in areas at highest risk of natural disasters such as floods (as land prices are low in these areas and marginalised communities tend to live in areas with low land prices); targeted development of risk prevention and management can be beneficial for the inclusion of these communities

thematic objective	relevance for Roma inclusion
<p>6. preserving and protecting the environment and promoting resource efficiency most relevant investment priority:</p> <ul style="list-style-type: none"> investing in the waste sector to meet the requirements of the Union’s environmental acquis and to address needs, identified by the Member States, for investment that goes beyond those requirements (ERDF1) 	<p>waste collection is weak in many areas where marginalised communities including Roma live; targeted improvement of waste collection can contribute to better housing and health conditions for marginalised communities</p>
<p>7. promoting sustainable transport and removing bottlenecks in key network infrastructures most relevant investment priority:</p> <ul style="list-style-type: none"> developing and improving environmentally-friendly and low-carbon transport systems, (...), in order to promote sustainable regional and local mobility (ERDF3) 	<p>marginalised communities including Roma are overrepresented in remote areas with poorest public transport services; targeted development of the public transport services can be beneficial for the inclusion of these communities</p>
<p>8. promoting sustainable and quality employment and supporting labour mobility</p>	<p>employment is one of the four key areas of Roma inclusion; see details in the Toolkit chapter 4 on employment</p>
<p>9. promoting social inclusion, combating poverty and any discrimination</p>	<p>as Roma are among the groups at highest risk of exclusion, Roma inclusion is a prime area of social inclusion and combating poverty; housing and health - that can be supported under this thematic objective - are two of the four key areas of Roma inclusion; actions for anti-discrimination can also be supported under this thematic objective; see details in the Toolkit chapters 5 and 6 on housing and health</p>
<p>10. investing in education, training and vocational training for skills and lifelong learning</p>	<p>education is one of the four key areas of Roma inclusion; see details in the Toolkit chapter 3 on education</p>
<p>11. enhancing institutional capacity of public authorities and stakeholders and efficient public administration</p>	<p>structural reforms in education (e.g. promoting competence based education), employment (e.g. promoting personalised employment services), health care (e.g. strengthening primary healthcare services), etc. can be especially beneficial for marginalised communities such as Roma, and can be supported also under this thematic objective</p>

Chapter 3: Education

1. Background

1.1. General policy considerations

The vicious cycle of poverty and social exclusion of Roma - low level of education resulting in low level of employment and marginalised position in our societies - can only be stopped if **gaps in educational outcomes** between Roma and non-Roma are closed.

This ultimate goal can be pursued by

- Scaling up access to **early childhood development**, including education as well as health, etc., services,
- Ensuring access to quality, non-segregated education,
- Increasing access to **secondary and higher education** as well as “**second chance**” adult education.

The importance of **early childhood development** in breaking the cycle of disadvantage is one of the fields where most new evidence has been generated in past years. In 2002, the Barcelona targets - to provide childcare to at least 90% of children between three years and the mandatory school age and 33% of children between birth and 3 years - were set with the aim to remove disincentives to mother’s participation in the labour market. Recent policy documents call for targeting disadvantaged children also with the aim to break the vicious cycle of disadvantage at an early age (Commission 2013). The European benchmark in the EU2020 strategy suggests that at least 95% of children between four years and the mandatory school age should participate in early childhood education across the EU by 2020. Since 2010, the “A Good Start” project initiated by the European Parliament and implemented by the Roma Education Fund (REF) also piloted scaling up access to quality services for young Roma children (REF 2012).

Reducing **early school leaving** is a headline target for the EU 2020 strategy. The Council called member states to address the reduction of early school leaving by comprehensive strategies, and that these strategies include appropriate measures for groups at increased risk of early school leaving, such as disadvantaged or Roma children (Council 2011). Preventive measures should be targeted to students at risk of leaving the education system without obtaining necessary qualifications or vocational skills to succeed on the competitive labour market no matter if they are over the official compulsory school age. In several Member States the compulsory school age is lower than schooling actually necessary for finishing vocational training or obtaining a secondary school degree.

Various forms of **segregation** of disadvantaged or Roma children, such as segregated schools or classes, misuse of special schools, etc. exist, with varying degrees, in most member states with high share of Roma. As studies show, segregated schooling in fact means an inferior quality of education, with very few exceptions. Studies also prove that, unless where the share of disadvantaged or Roma children is much higher than the national average, integrated education can have benefits not just for the disadvantaged or Roma children, but - especially in terms of social competences - also for the non-

disadvantaged or non-Roma children (REF 2009). Separating Roma children from majority students leaves no chance for the children from different ethnic, cultural and socio-economic backgrounds to gain experiences about each other in a neutral atmosphere and to learn to cooperate; this way social distance between Roma and non-Roma and anti-Roma attitude remain pervasive.

Segregation can be the result of either residential segregation or selectivity of the education system. Selectivity can be either intended, or non-intended, but tolerated by policymakers, school administrators or teachers. E.g. In most of the CEE countries white flight of better-off students results in extensive segregation of Roma children. Even in those countries where free school choice is not embodied in the legislative framework of public education, more assertive parents find the ways to select more prestigious schools and only socially disadvantaged students remain in the least attractive ones.

In many cases seemingly neutral legal and financial provisions have the controversial affect to incentivise segregation or exclusion of Roma children from mainstream education services. E.g. preparatory grades and classes created on either primary or secondary level to prepare children for entry into standard school programs by contrast result in segregated schooling for Roma children with reduced curricula and generally inferior quality. Such classes in practice prevent from integration into standard education programs and from obtaining the necessary level of education and vocational training. (E.g. zero grades in Slovakia²², new secondary school “bridge” program in Hungary.)

Promotion of Roma language pre-school and primary school programs can also lead to exclusion of Roma children from mainstream education services and cultural goods. Roma children living in segregated communities are targeted and most likely to attend Roma-only schools offering education in Roma language. Access to mainstream educational, cultural and social services is hindered dramatically for these children. They do not learn the official language well enough to pursue studies in mainstream schools later on, therefore they are likely to be prevented from obtaining the qualifications and skills necessary for employment and for a successful adult life. (E.g. new tendencies of promoting Roma language pre-schools and primary schools in Romania, Croatia and in some countries of the Western Balkan.)

The most important factors to address behind segregation of Roma children are

- the ignorance of legally binding equality provisions by school administrators (on both central and local level),
- the lack of instruments to map, monitor and efficiently intervene in selective mechanisms resulting in segregation,
- the widespread **prejudice** towards Roma resulting in the white flight of the middle class students from integrated school districts, the insufficient **training** of teachers and unequal share of human and financial resources among schools.

Strategies must also be designed and adequate funding provided to **promote access to**

²² Roma Education Fund: Country Assessment Slovakia, 2011. p.20.
http://www.romaeducationfund.hu/sites/default/files/publications/ref_ca_2011_sk_english_screen.pdf

quality education for Roma children especially in residentially segregated localities. As a consequence of increasing number of segregated Roma villages and even micro-regions in some EU member states (e.g. Bulgaria, Hungary, Slovakia) growing number of Roma children can only access Roma-only schools offering in general inferior quality of education with lower than average infrastructural and human conditions. Therefore adequate amount of resources must also be dedicated to developing the quality of educational services accessible for Roma children in residentially segregated areas where bussing children to integrated schools (especially children under 10) is not feasible.

Migrant Roma children face severe obstacles for receiving education adequate to their abilities and needs when returning to their country of origin after spending several years in a different education system. Most of the countries with high number of returnees from Western Europe and Canada have no structured solutions for the reintegration of these children into the school system. According to cases reported by the Roma Education Fund when trying to continue their studies back in Hungary Roma children returned from Canada encounter similar problems like Kosovo Roma who returned to Balkan countries from Western Europe. Their grades accomplished abroad are not recognized, therefore, they are considered to be over-age. They are also frequently rejected from the special preparatory programs for secondary education and second chance programs, because of capacity constraints.

In order to reduce the **educational gap** and meet EU2020 targets, effective **promotion of secondary level education and participation in tertiary education** for socially disadvantaged children require comprehensive measures addressing all factors behind low enrolment and high drop-out rate (including insufficient teaching methods, unfavourable attitudes of school administrators, teachers, parents and students, as well as the indirect and hidden costs of education).

Since socio-economic status and Roma origin overlap considerably, and disadvantaged socio-economic status determines educational chances dominantly (Kertesi-Kezdi 2011), interventions targeting **disadvantaged children** - e.g. children of parents with lowest education level - can have similar results for Roma children as ethnicity-based interventions, while potential problems of using ethnic data can be resolved. Therefore, for policy measures to close the gap between educational outcomes of Roma and non-Roma, interventions targeting disadvantaged children are highly recommended, provided that the definition of disadvantaged children is carefully developed and tested. For policy measures to treasure Roma language and culture, ethnicity-based interventions are needed.

Coherence between EU funded programmes and **sectoral policies** is especially important in education. Closing the gap between educational outcomes of Roma and non-Roma is possible only if equal opportunities are mainstreamed in educational policies, and EU funds are used to support these policies. Fulfilment of the relevant ex-ante conditionalities needs to be taken seriously.

1.2. Data describing the situation

Pre-school attendance of Roma children is very low in Greece (around 10%), Czech

Republic and Slovakia (30%), Romania and Bulgaria (45%). The gap between Roma and non-Roma is very large in the same countries and Italy. Pre-school attendance of Roma children in Hungary (over 80%) is higher than that of non-Roma children in several member states (FRA-UNDP 2012).

Figure 2: Children aged 4 to starting age of compulsory education attending preschool or kindergarten (pooled data) (%)



Notes: * In Bulgaria, Hungary, Romania and Poland, compulsory education starts at the age of 7; in the other EU Member States at the age of 6.
 Source: FRA Roma pilot survey 2011, UNDP/World Bank/EC regional Roma survey 2011

Primary school attendance of Roma children remains problematic in Greece (over 35% not in school), Romania (over 20%), Bulgaria (over 15%), Italy and France (over 10%) (FRA-UNDP 2012).

Reducing inequalities: OECD’s prominent PISA surveys highlighted the fact that the educational system of some EU member states such as Hungary and Bulgaria provides the most limited opportunities for children of poor families and of parents with lower education (OECD PISA, 2000, 2003, 2006, 2009).

Segregation: Share of Roma children attending segregated schools or classes is highest in Slovakia and Bulgaria (over 40%), and high in Hungary and Romania (close to 30%). Share of children attending special schools is highest in the Czech Republic (17%), high also in Slovakia (11%) and Hungary (9%) (UNDP 2012). Cases of segregation of Roma children in schools are also reported in some other EU member states e.g. Spain and Greece.

Secondary school graduation: Secondary school completion for Roma children remains the priority challenge for several EU member states. The gap between Roma and non-Roma is very large in Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Greece, Italy and France; fewer than 1 out of 10 Roma children completed upper-secondary education in Romania, Greece, France, Spain and Portugal (FRA-UNDP 2012).

1.3. EU framework and national Roma integration strategies

The Commission Communication and the Council Conclusions on an EU framework for national Roma integration strategies call for providing **access to quality education**, including **early childhood education and care**, as well as **primary, secondary and higher education**, with particular reference to the **elimination of possible segregation** at school, the **prevention of early school leaving** and ensuring successful transitions from school to employment.

When assessing NRISs, the Commission called for being more explicit on pre-school education e.g. in Slovakia, on primary school completion e.g. in Romania, on elimination of segregation e.g. in Czech Republic, Slovakia, Hungary and Bulgaria, on supportive sectoral policies e.g. in Slovakia and Hungary, on targets and funding in a number of member states.

2. Recommendations for EU funded programmes in the 2014-20 period

2.1. Relevant thematic objective and investment priorities

Thematic objective	Investment priorities
Promoting social inclusion , combating poverty and any discrimination	ESF2: Socio-economic integration of marginalised communities such as the Roma ESF4: Enhancing access to affordable, sustainable and high-quality services, including health care and social services of general interest
Investing in education , training and vocational training for skills and lifelong learning	ESF1: Reducing and preventing early school-leaving and promoting equal access to good quality early-childhood, primary and secondary education including formal, non-formal and informal learning pathways for reintegrating into education and training ESF2: Improving the quality and efficiency of, and access to, tertiary and equivalent education with a view to increasing participation and attainment levels, especially for disadvantaged groups ESF3: Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences ESF4: Increasing the labour market relevance of education and training systems, facilitating the transition from education to work (...) ERDF: Investing in education, training and vocational training for skills and lifelong learning by developing education and training infrastructure

2.2. Identification of needs - relevant country-specific recommendations

The 2013 country-specific recommendations for 5 member states include recommendations regarding closing the gaps in educational outcomes between Roma and non-Roma:

- Czech Republic: Increase significantly the availability of inclusive childcare facilities with a focus on children up to three years old, and the participation of Roma children, notably by adopting and implementing the law on private childcare facilities and strengthening the capacities of public childcare facilities.
- Slovakia: Step up efforts to improve access to high-quality and inclusive pre-school and school education for marginalised communities, including Roma.
- Hungary: Improve access to inclusive mainstream education, for those with disadvantages, in particular Roma.
- Romania: Implement a national strategy on early school leaving focusing on better access to quality early childhood education, including for Roma children.
- Bulgaria: Improve access to inclusive education for disadvantaged children, in particular Roma.

The 2013 country-specific recommendations also include recommendations regarding mainstream educational policy that are relevant for Roma inclusion.

2.3. Specific objectives

Specific objectives have to be defined based on specific needs of the given member states. Below are examples of specific objectives regarding closing the gaps in educational outcomes between Roma and non-Roma.

- Increasing pre-school attendance of disadvantaged or Roma children from ...% to ...%. (Most relevant for Greece, Czech Republic and Slovakia.)
- Increasing primary school completion of disadvantaged or Roma children from ...% to ...%. (Most relevant for Greece, Romania and Bulgaria.)
- Reducing share of Roma children attending segregated schools or classes or special schools from ...% to ...%. (Most relevant for Czech Republic, Slovakia, Hungary and Bulgaria.)
- Reducing school drop-out rate and increasing secondary school graduation of disadvantaged or Roma children from ...% to ...%. (Relevant for many member states.)

When setting targets, it should be taken into consideration that figures for the general population are likely to improve, so the gap between Roma and non-Roma can be closed only if figures for Roma improve even more.

2.4. Output and result indicators

Common output and result indicators for ESF investments form a good base, provided that the operational programmes define also target values.

According to Annex I of the ESF regulation, “migrants, participants with a foreign background, minorities (including marginalised communities such as the Roma)” is among the common output indicators that need to be collected for each investment priority. As in member states with the highest share of the Roma population the share of migrants and participants with a foreign background tends to be low, this indicator will cover mainly

the Roma.

Suggested output indicators:

- See table below.

Suggested result indicators:

- Pre-school attendance of disadvantaged or Roma children
- Primary school completion of disadvantaged or Roma children
- Share of Roma children attending segregated schools or classes or special schools
- Reducing school drop-out rate of disadvantaged or Roma children
- Secondary education graduation of disadvantaged or Roma children
- Higher education graduation of disadvantaged or Roma children

Definition of disadvantaged children has to be carefully developed and tested, in order to ensure that interventions targeting disadvantaged children reach Roma children.

2.5. Key actions to be supported

Suggested actions are described in the table below.

Several cross-cutting principles need to be highlighted before describing the actions.

Education development actions of the operational programs should be designed to provide a **comprehensive supply of potential development interventions**, which can be tailored to **established local development needs**.

The supply of development interventions should also contain the description of basic conditions of support, which ensure the efficiency and positive impact of the interventions on equal opportunities and thereby the effective use of Structural Fund resources. Local adaptation of the education development interventions must be assisted, supervised and monitored²³ by professionals. In the table below the recommended development interventions are presented in a structure designed to reflect on this comprehensive approach.

Adaptation of **inclusive methodologies** is necessary to make a difference in the educational chances of disadvantaged children. The promotion of cooperative techniques, intercultural communication, drama-pedagogy, and other alternative methods are beneficial for both the disadvantaged and the mainstream students in heterogeneous classes.²⁴ Adaptation of inclusive methodologies cannot be ensured without **training** of teachers and regular **follow up** activities, e.g. mentoring of teachers in classroom work, peer learning, etc. Providing whole-day schooling, using individual development plans, ensuring regular assessment based on inclusive quality frameworks and establishing partnership with parents of disadvantaged children are key factors of good education

²³ Equity in education must be monitored periodically. The monitoring review should focus on both the structural, institutional arrangements and capacities as well as student participation and outcomes with reference to the inclusion of groups of children most at risk. Monitoring reports should include progress on key indicators. (Recommendations on set of indicators are included in the tables below.)

²⁴ Gábor Kézdi – Éva Surányi: A successful school integration program. REF. 2009.
http://www.romaeducationfund.hu/sites/default/files/documents/ooih_english_kezdi.pdf

outcomes for socially disadvantaged and Roma children.

Activities promoting multi-professional and **multi-stakeholder cooperation** (school administrators, different local professionals and NGOs working with the disadvantaged target group, schools, and representatives of different parents groups) are also recommended.

The role of inspection is suggested to be enhanced in **quality assessment and quality assurance mechanisms** to report on the pedagogical outcomes of the EU supported measures²⁵, and on the participation of socially disadvantaged pupils. Provision of education services directly and exclusively targeting Roma children must also be evaluated. (E.g. Teaching in Romani language should be facilitated with the following restriction: In order to have equal opportunities for Roma children and then to Roma adults subsequently, it is a primary condition that Roma speak, read and write on the official language, therefore it must be at least the second language of instruction for Roma speakers, and introduced for Roma children as early as possible.²⁶)

Implementation of education development interventions should be carefully **assessed**. Assessment should cover also qualitative, soft aspects such as transparent, democratic school operations and inclusive school climate (e.g. regular self-assessment of contribution to reducing inequalities, establishing partnership with parents of disadvantaged and Roma children, etc.). Mechanisms for the assessment should be described also in the operational programmes.

Promotion of parental engagement in the education of socially disadvantaged and Roma children is a precondition of successful education of those children and as experience of prior development projects suggest²⁷ focused activities with parents, especially with mothers can have a very positive impact on the attitude and the life of mothers, and thereby the whole family. **Empowerment of parents through community based activities** should be an integrated part of the education development interventions promoting equal opportunities for disadvantaged children.

²⁵ Research indicates that the special schools receiving financial assistance from the EU in Slovakia did little to address the issue of overrepresentation of Roma and did not help to facilitate their transfer to standard and secondary schools. (Disbursement of EU Funds for Projects - Increasing the Educational Level of Members of Marginalized Romani Communities from the Standpoint of (De-) Segregation of Romani Children in Education. Roma Education Fund, 2012. http://www.romaeducationfund.hu/sites/default/files/publications/esf_slovakia_report_en.pdf)

²⁶ Expert opinions underline the risks of a raising tendency in the Central Eastern and Southern European countries that Roma children are taught in Romani language as their mother tongue instead of the official language of the country where they live. This tendency is the trap of misunderstood concept of promotion of multiculturalism and political correctness as regards to education of Roma, which hinders education opportunities for Roma children.

²⁷ E.g. „A Good Start” EU Roma Pilot 2010-2012 by the Roma Education Fund.

	Need or problem	Action	Output indicator
Legal, financial and policy framework	Discriminatory practices and diverse selection mechanisms create (and sustain) inequalities and segregation of Roma children in education.	Anti-discrimination and equal treatment provisions should be fully enforced, selection and segregation mechanisms mapped and monitored in the education system. Studies should be conducted to examine the context of inequalities and patterns of segregation of Roma children in the education system. Policy recommendations should be formulated. Examination criteria and equality conditionality should be elaborated and implemented to ensure that EU development funds do not support segregation or other discriminatory practices in education. Measures and activities should be promoted (involving civil society organisations) to fight against discrimination and promote diversity and mutual understanding between different actors involved in education.	Specific equality examination criteria and conditionality designed. Number of anti-discrimination projects implemented in the field of education.
Early childhood development (0-3)	Disadvantaged or Roma children and mothers have limited access to services as -they are overrepresented in disadvantaged areas with lack of capacities, or -their participation is not promoted.	Basic early childhood development services (including paediatrician, health visitor/visiting nurses, social worker, pre-school teacher, etc.) should be made available in disadvantaged areas. This includes development of infrastructure (e.g. children's centre), training of staff, provision of services. Participation of disadvantaged and Roma children should be promoted by targeted measures, e.g. elimination of financial barriers, provision of free meal, employment of Roma staff in children's centres, programs targeted to parents (e.g. story reading, parenting). Example: Sure Start programme in the UK (transferred already to Hungary), A Good Start pilot project of the European Union ²⁸	Number of children served by supported ECD programmes Number of disadvantaged or Roma children served by supported ECD programmes
Pre-school (3-6)	Disadvantaged or Roma children have limited access to services as -in general there is a lack of capacities, or -they are overrepresented in disadvantaged areas with lack of capacities, or -their participation is not promoted.	Pre-school education should be made available for all 5-6 years old children in a short term and all 3-6 years old children in a medium term. Integrated pre-schools should be prioritised over segregated preparatory zero classes. Transition to normal primary school should be facilitated and channelling of Roma children to special schools should be prevented. This includes development of infrastructure (e.g. pre-school, home/community based facilities), training of staff, provision of services; with ERDF and ESF. Besides development of capacities, revision of often unrealistic strict requirements for pre-schools services may be justified if strict assessment and quality control is ensured. Enrolment of disadvantaged and Roma children should be promoted by targeted measures, e.g. elimination of financial barriers, provision of free meal, provision of 'conditional cash transfer' (where the bottleneck is on demand side), employment of Roma mediators, involvement of parents.	Number of children served by supported pre-schools Number of disadvantaged or Roma children served by supported pre-schools Number of Roma mediators employed by supported pre-schools

²⁸ <https://www.gov.uk/find-sure-start-childrens-centre>, <http://www.romaeducationfund.hu/good-start-eu-roma-pilot>

	Need or problem	Action	Output indicator
Transition to primary school	Roma children are frequently channelled into classes and schools for special need students .	The development of joint pedagogical approach and program for preschools and primary schools should be encouraged to facilitate transition to primary school. The school entry testing mechanism and diagnostic methods should be changed in CEE countries: mapping of individual progress and need based individualized development should be in focus, and stigmatization and segregation of children avoided. Decision making procedures should be monitored and Roma parents should be informed and get involved.	Number of Roma children starting special school or special class in normal school
Primary school	Many disadvantaged and Roma children do not complete primary school	Participation of disadvantaged and Roma children should be promoted by targeted measures, e.g. elimination of financial barriers, provision of free meal, employment of Roma mediators, involvement of parents, provision of 'conditional cash transfer' (where the bottleneck is on demand side). Early school leaving should be prevented e.g. by the preparation of teachers, attraction of highly skilled teachers (also with higher salaries), implementation of inclusive education methods, operation of an early warning system in cooperation with different professionals, especially in schools with high share of disadvantaged or Roma children, mentoring and extra-curricular programmes.	Number of disadvantaged or Roma children served by supported ESL prevention programmes
	Many disadvantaged and Roma children attend segregated classes (share of disadvantaged or Roma children differs among classes in the same school)	Institutional desegregation programmes should be implemented. Mobilization of children from segregated to heterogeneous classes should be planned and implemented thoroughly, including the preparation of teachers, attraction of highly skilled teachers, implementation of inclusive education methods, regular assessment, employment of Roma mediators to facilitate integration, working with parents. Desegregation should be a pre-condition of access to development funds (ESF and ERDF) for the school.	Number of disadvantaged or Roma children integrated from segregated to heterogeneous classes
	Many disadvantaged and Roma children attend segregated schools (share of disadvantaged or Roma children differs among schools in the same municipality)	Municipal or micro-regional desegregation programmes should be implemented. Mobilization of children from segregated to mainstream schools should be planned and implemented thoroughly, including the preparation of teachers in cooperation among the teaching staffs of the previously segregated and the mainstream schools (merging of the teaching staffs also has positive examples), attraction of highly skilled teachers, implementation of inclusive education methods, regular assessment, employment of Roma mediators to facilitate integration, working with parents. ²⁹ Desegregation should be a pre-condition of access to development funds (ESF and ERDF) for the municipality. Non state or municipality schools (e.g. schools of churches or non-profits) should obey the same lines. Example: Szeged and Hodmezovasarhely in Hungary, Timisoara in Romania	Number of disadvantaged or Roma children integrated from segregated to mainstream schools

²⁹ The infrastructure of closed segregated schools can be used for other purposes such as after school programmes, extra-curricular activities, community centres.

	Need or problem	Action	Output indicator
Primary school (continued)	Many disadvantaged and Roma children receive low quality education in areas of residential segregation (share of disadvantaged or Roma children is over around 30% for the whole micro-region)	Municipal or micro-regional desegregation programmes are needed also in these areas. Transition programmes to mainstream schools should be provided as early as possible (e.g. by bussing children over 10), or at least to secondary schools (with intensive cooperation of primary and secondary schools). Besides these interventions the quality of remaining education services should be developed, including further training of teachers, attraction of highly skilled teachers, implementation of inclusive education methods, adaptation of innovative methods (including expert support and knowledge transfer activities among schools) working with parents. Quality of education should be carefully monitored and evaluated by school inspection. For disadvantaged children extra-curricular activities should be organised regularly, and opportunities for socializing with not disadvantaged children should be created frequently. Example: Hejokeresztur ³⁰	Number of disadvantaged or Roma children served by quality development programmes
	Many migrant Roma children are prevented from integrating into the school system of their country of origin after being returned.	Structural responses should be designed to offer appropriate level of education for the returned children and youth.	Number of migrant Roma children reintegrated into school
Secondary education	The number of disadvantaged and Roma children participating in upper secondary education is insufficient	Participation of disadvantaged and Roma children should be promoted by affirmative measures, e.g. transition programmes with cooperation between primary and secondary schools, elimination of financial barriers (support for travelling costs, places in dormitories), provision of scholarships, mentoring and extra-curricular programmes, working with parents.	Number of disadvantaged or Roma children served by scholarship and mentoring programmes
	Many disadvantaged and Roma children do not complete vocational training schools	Participation of disadvantaged and Roma children in vocational training schools with marketable certificates should be promoted by targeted measures, e.g. elimination of financial barriers (support for travelling costs, places in dormitories), provision of scholarships, mentoring and extra-curricular programmes. Quality of education should be carefully monitored and evaluated by school inspection.	Number of disadvantaged or Roma children served by scholarship and mentoring programmes

³⁰ <http://h2oktatas.hu/en>

	Need or problem	Action	Output indicator
Higher education	The number of disadvantaged and Roma children participating in higher education is insufficient	Participation of disadvantaged and Roma children on any faculty should be promoted by affirmative measures, e.g. elimination of financial barriers, provision of scholarships and mentoring, enhancing access through preparatory programs. Example: Romaversitas, scholarships of REF ³¹	Number of disadvantaged or Roma children served by scholarship and mentoring programmes
	Teacher training curriculum and teaching practice do not prepare future teachers for effective use of inclusive education methods in heterogeneous classes	Teacher training curriculum should be developed and teaching practice should be lengthened and developed to better prepare future teachers for effective use of inclusive education methods in heterogeneous classes. Participation of Roma children on teacher training faculties should be promoted by affirmative measures. Teacher training should be followed up e.g. with inspections, coaching, peer learning activities.	Number of teachers served by developed teacher training curriculum and teaching practice
Second chance	Many disadvantaged and Roma adults did not complete primary school or do not have basic competences and skills.	Quality second chance programs should be developed and promoted for people who are over the obligatory school age and left school at least for 3 years (to avoid facilitated school leaving for over-age students). Second chance programmes should include programmes for completion of primary education and programmes for development of competences fostering employability and skills relevant for living a full life. Time spent in second chance programs should be limited, ways to reintegrate into the education system should be facilitated and outcome must be regularly evaluated. Example: Youth Reach program in Ireland, JobbReady program in Sweden ³²	Number of disadvantaged or Roma adults completing second chance programmes

³¹ <http://www.romaversitas.hu/en>, <http://www.romaeducationfund.hu/programmes/ref-scholarship-program>

³² <http://www.youthreach.ie/>, <http://www.esf.se/sv/Projektbank/Behallare-for-projekt/Vastsverige/Jobbready/>

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Chapter 4: Employment

1. Background

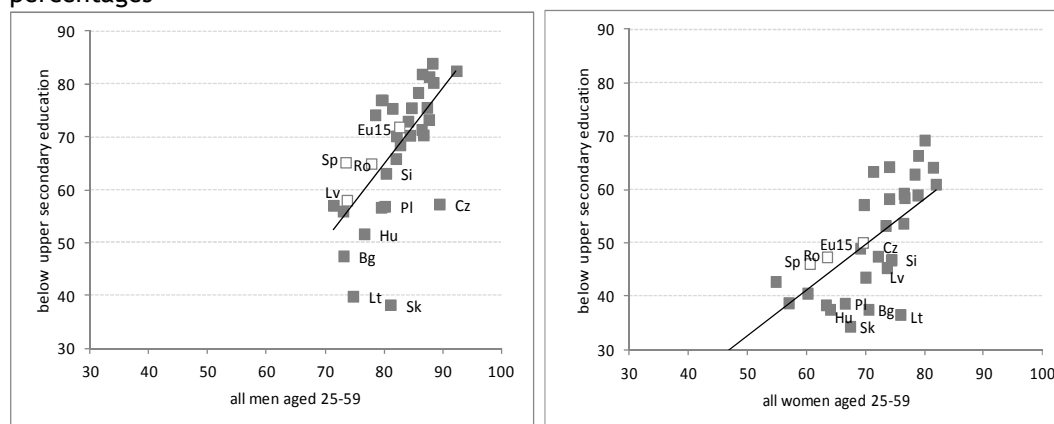
1.1. General policy considerations

The labour market participation of the Roma is low in all member states, especially new member states with large Roma population, and the main barriers to its improvement appear to be rather similar. Roma, in the working age, are less educated and also have less work experience than the majority population because demand for unskilled labour is low, especially in the post-socialist countries. This is further aggravated by discrimination of employers, prevalent in all member states, in varying degrees. Many Roma communities live in spatially segregated and/or economically deprived areas, which often entails reduced access to services and a higher risk of tensions with the majority population. The welfare systems and labour market policies have so far proved to be largely ineffective in tackling these barriers, with very few exceptions. Labour market exclusion is closely linked to social exclusion. It is the strongest determinant of poverty and also increases the risk of poverty in the next generation.

1.2. Data describing the situation

The labour market disadvantage of the low educated is especially large for men in the Czech Republic, for women in Bulgaria (and Lithuania) and for both genders in Slovakia (Figure 1). To see the magnitude of the gap, consider Portugal, where 80% of all men aged 25-59 are employed, and the employment rate is almost as high (77%) for low educated workers. By contrast, the corresponding rates are 81 and 38 % in Slovakia. In Romania and especially in Spain, the employment of the low educated is still about 12-26 % below the national employment rate, but this implies an above average relative position of the low skilled compared to the EU15.³³

Figure 1: Employment rate of low-educated men and women aged 25-59 in 2011, percentages



Source: EU LFS, compared to the employment rate of the total population, Eurostat online database.

³³ In the Romanian case this is most probably due to the large share of agriculture (30% in 2007) and self-employment (18% in 2012, Eurostat online) and possibly also to the parsimonious welfare system.

There is no regular data collection on the employment of the Roma and ethnic background is not recorded in the labour force survey. Recent research that specifically surveyed the working age Roma suggests that most, but not the entire Roma/non-Roma employment gap is explained by the low educational attainment of the Roma (O'Higgins and Ivanov 2006, World Bank 2008, Kertesi and Kézdi 2011, O'Higgins 2013).³⁴

In Central-Eastern European post-socialist economies (CEE) the current situation was determined largely by the transitional shock of the early 1990s, which created an abrupt fall in demand for exports and also disrupted the supply of goods (via changes in taxes, prices, ownership, technology, etc.). This led to a sharp drop in labour demand and especially in the demand for unskilled labour. The policy response varied across the region³⁵ but the gap in skilled versus unskilled employment rates has remained large and persistent throughout the region. This suggests that factors common to all post socialist economies played a bigger role than welfare policies or indeed, any policy concerning low wage employment. Among these, the most important factor is apparently the large and abrupt shift towards high skilled labour.

Socialist economies tended to have more jobs that required few reading and writing skills and thus, the typical post-socialist economy entered into the economic transition with a relatively large proportion of low skilled workers (much larger than the educational composition of the workforce would suggest) and a traditional education system that continued to produce low skilled workers.³⁶ The composition of the new jobs created in the newly emerging market economies was however much like in Western economies in terms of skills requirements, or even more so, where foreign investment entailed green field investments and the introduction of new technologies.

It is important to understand that the new industrial structure of post-socialist economies will continue to determine the skills distribution of labour demand. At the same time the share of uneducated workers is relatively large in most post-socialist countries, and their public education systems continue to produce poorly skilled youth. It is clear that this situation can only be improved by a well-designed long term strategy in which powerful and carefully designed social, economic and labour market policies (especially personalised employment services) are all directed at improving the conditions for growth in labour demand while reducing the size of the unskilled population.

The multiple disadvantages of the Roma population necessitate further efforts, such as targeted local development programmes for deprived areas and measures against discrimination. However, it is important to note that these additional measures are

³⁴ O'Higgins and Ivanov (2006) find a gap of 6 and 8 %points for broadly defined (wanting to work) unemployment in Romania and Bulgaria, 8.5 % points for non-employment in marginalised localities in the Czech Republic. In the estimates of Kertesi and Kézdi (2011), observed characteristics explain about 30-50% of the gap in employment in Hungary.

³⁵ In retrospect, only Estonia (perhaps also Latvia) pursued a strategy of rapid privatisation and high share of wage subsidies (instead of unemployment benefits), which would minimise the cost of the transition in terms of national income and inequalities.

³⁶ This came about via two channels: first, the education system was not challenged to change and focus more on skills, and second, many workers spent much of their working careers in jobs that made little use of their skills, which eroded even the poor skills they had had when leaving school (Köllő 2006).

unlikely to bring much success as long as there is no improvement in the above described structural imbalance of post socialist labour markets.

A recent European challenge is how to tackle very high youth unemployment rates. Youth unemployment rates are highest in Greece (close to 60%) and Spain (55%), and high also in member states with high share of Roma population, such as Slovakia (35%), Bulgaria and Hungary (30%). As share of young people is high in Roma communities, youth unemployment hardly hits Roma communities.

1.3. EU framework and national Roma integration strategies

The Commission Communication and the Council Conclusions on an EU framework for national Roma integration strategies call for reducing the gap in employment between the Roma and the rest of the population, ensuring access to the labour market as well as active labour market programmes, adult education, vocational training and support for self-employment.³⁷

The Roma integration strategies of member states with large Roma population correctly identify low labour demand for the unskilled as the main obstacle, and most strategies also acknowledge the existence of employer discrimination. Few strategies mention explicitly that the inadequacy or limited access to welfare services further aggravates the problem. Most strategies also recognise the need to use a variety of tools, typically including training and competence development, the development of active labour market programmes, and job creation in the social economy.

2. Recommendations for EU funded programmes in the 2014-20 period

2.1. Relevant thematic objective and investment priorities

Thematic objective	Investment priorities
Enhancing the competitiveness of small and medium-sized enterprises	ERDF1: Promoting entrepreneurship, in particular by facilitating the economic exploitation of new ideas and fostering the creation of new firms, including through business incubators ERDF2: Developing and implementing new business models for SMEs, in particular with regard to internationalisation
Promoting sustainable and quality employment and supporting labour mobility	ESF1: Access to employment for job-seekers and inactive people, including the long-term unemployed and people far from the labour market, also through local employment initiatives and support for labour mobility ESF2: Sustainable integration into the labour market of young people, in particular those not in employment, education or training, including young people at risk of social exclusion and young people from marginalised communities, including through the implementation of the Youth Guarantee

³⁷ The promotion of self-employment among the Roma is somewhat questionable, given that successful entrepreneurship typically requires above average education and skills. Subsidies for SMEs (for hiring Roma employees) may be a more viable measure, as suggested in the Slovak strategy.

	<p>ESF3: Self-employment, entrepreneurship and business creation including innovative micro, small and medium sized enterprises</p> <p>ESF7: Modernisation of labour market institutions, such as public and private employment services, and improving the matching of labour market needs, including through actions that enhance transnational labour mobility as well as through mobility schemes and better cooperation between institutions and relevant stakeholders</p> <p>ERDF4: Investing in infrastructure for employment services</p>
<p>Promoting social inclusion, combating poverty and any discrimination</p>	<p>ESF1: Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability</p> <p>ESF2: Socio-economic integration of marginalised communities such as the Roma</p> <p>ESF5: Promoting social entrepreneurship and vocational integration in social enterprises and the social and solidarity economy in order to facilitate access to employment</p> <p>ERDF3: Providing support for social enterprises</p>

2.2. Identification of needs

EU country-specific recommendations call for strengthening the public employment services in all relevant countries. More specifically, they call for increasing the quality and effectiveness of training, job search assistance and individualised services for disadvantaged groups. The CSR for Hungary also urges the strengthening of the activation element in the public employment scheme³⁸ through effective training and job search assistance.

The chapter identifying needs should present data on access to social and employment services (especially early childhood development, debt counselling, and family counselling) including variations by location, level of education, age and gender.

Proposals for new social policies and labour market measures are often put aside on account of their high costs. These concerns are valid, but can be answered by carefully targeting expensive interventions, and by constantly improving the efficiency of programmes by evaluating results and adjusting programme design accordingly. Last but not least, these measures should be viewed as an investment rather than current spending, and their costs must be evaluated against their long term benefits.

Roma communities live in a variety of places and circumstances, and their members also differ in terms of skills (education) and labour market opportunities. The needs of these communities also vary accordingly. At the high end, Roma living in cities of prosperous regions are at a disadvantage due to their lack of skills and work experience, and may also suffer from employers’ discrimination, a limited social network and lack of information on

³⁸ We use the term ‘public employment’ or ‘public employment programmes’ to refer to public works schemes, that is, publicly financed job creation by the central government, the public employment service, local governments or other actors intended to provide a temporary job opportunity for the long term unemployed who cannot find a job in the open labour market.

welfare provisions, especially if they live in a segregated location. At the low end, Roma living in rural areas suffer from all these disadvantages and many more: they lack the resources to move or commute to jobs, there are very few job opportunities around, welfare services are likely to be of substandard quality or not available at all, and often, they have lost all motivation for job search as they had been out of work for a long time.

In the next section we show that these diverse needs require different responses, which need to be further differentiated according to the personal characteristics of each individual job seeker, such as their age, level of education, skills, work experience, motivation, and family situation.

Table 2. Diversity of labour market barriers in Roma communities

	prosperous area	deprived area
urban	lack of skills or work experience discrimination limited social network/information	lack of skills or work experience discrimination limited social network/information lack of jobs
rural	lack of skills or work experience discrimination limited social network/information lack of mobility	lack of skills or work experience discrimination limited social network/information lack of mobility lack of jobs discouragement indebtedness, unregistered employment lack of welfare services/ public education

Contrary to popular belief, many of the Roma communities live in urban areas and a considerable proportion live in prosperous areas, for example in capital cities.³⁹ This also implies that in some DI countries the share of the Roma living in rural areas in disadvantaged regions may be somewhat smaller than usually assumed. Thus, although these communities do need a complex set of expensive measures, the costs are not necessarily huge, as long as the measures are well targeted at those most in need.

2.3. Specific objectives

Specific objectives have to be defined based on the particular needs of the given member states and the diversity of Roma communities described in the table above. All member states are advised to aim to improve access to effective employment services (including training opportunities) for all geographical areas and social groups and to increase the share of personalised as opposed to one-size-fits-all measures.⁴⁰

Personalisation implies that caseworkers have the necessary expertise in identifying the needs of the jobseeker and also some degree of autonomy in selecting the services that will improve their employability. Further, the design of services should also allow for

³⁹ In Hungary, less than 20% of the low educated population live in disadvantaged areas and less than 10% in small villages. Over 40 % live in urban locations within regions with average or prosperous economic conditions. According to the 2011 census (which underreports the share of the Roma), about 20 % live in small villages in deprived regions and over 20 % live in urban locations with average or better conditions.

⁴⁰ A detailed list of typical needs and actions is provided in the Annex.

variation in individual needs, in terms of their contents, intensity and timing as well. If for example, a jobseeker has insufficient reading skills so that they cannot be enrolled on a formal training programme, the job centre should be able to offer a catch-up course in reading.

2.4. Output and result indicators

Common output and result indicators for ESF investments form a good base, provided that the operational programmes define also target values.

According to Annex I of the ESF regulation, “migrants, participants with a foreign background, minorities (including marginalised communities such as the Roma)” is among the common output indicators that need to be collected for each investment priority. As in member states with the highest share of the Roma population the share of migrants and participants with a foreign background tends to be low, this indicator will cover mainly the Roma.

Suggested output indicators:

- share of Roma (or persons with primary education only) among participants of personalised active labour market programmes (ALMP, excluding public employment programmes) divided by their share among long term registered unemployed
- share of Roma (or persons with primary education only) among participants of personalised ALMP (excluding public employment programmes) divided by their share among long term non-employed (unemployed and inactive as measured by the labour force survey) population

Suggested result indicators:

- employment gap of Roma and non Roma population by gender and level of education
- employment gap considering registered employment only

2.5. Key actions to be supported

Measures to increase employment in the regular labour market

The primary aim of Roma inclusion strategies is to support integration into the regular labour market. This requires general measures to increase the employment of low skilled workers, and measures specific to the Roma community. It is important that governments show clear commitment by setting clear, measurable and ambitious targets. These should imply above average improvement in the Roma population in relative terms, so that the ethnic gap narrows down.

Measures to increase labour demand

A prerequisite to all other measures is to ensure a predictable macro-economic environment as well as a stable business environment. A reduction in the administrative burden would help improve the job-creation capacity of small enterprises, which are more

likely to hire low skilled workers.⁴¹

Demand for the low skilled should be further encouraged by a reduction in wage costs, especially in the Czech Republic, Hungary and Slovakia, where the total labour cost of the minimum wage (including taxes and social security contributions) is high compared to the average wage. This may take the form of a general cut in employers' social security contributions, or targeted, easily accessible wage subsidies, such as the Start programme in Hungary (financed by the ESF).⁴² E.g. young, low skilled people lacking work experience can form a specific target group.

In disadvantaged micro-regions or municipalities, the above general measures should be supported by complex long term local development programmes⁴³, as mentioned by the Czech and Hungarian strategies. These programmes are best implemented in partnership with experienced NGOs who are able to mobilise local inhabitants and resources.

Though difficult to measure, there is likely to be some discrimination by employers in all countries. Discrimination is seldom explicit and therefore difficult to tackle. Government efforts may take various forms, such as enacting and implementing legislation against discrimination, supporting human rights NGOs, introducing specific active labour market programmes, training government staff in equal opportunities, establishing a separate government agency to promote equal opportunities and creating job opportunities for the Roma in public institutions.⁴⁴

Local job centres may be the most important agents in reducing employer discrimination. If their staff is trained and sensitised to working with Roma clients and employers, they may be able to act as mediators: if trusted by employers, they can convince them to consider Roma jobseekers who would otherwise never even get to the first interview. Active labour market programmes designed to tackle discrimination also work best if the job centre has close contacts with employers. These may include job trial programmes and temporary wage subsidies supplemented with mentoring. The job trial or transit job should be offered by an employer that can potentially offer a regular, unsubsidised job after the end of the programme. The purpose of the temporary job subsidy is to allow the employer to judge the productivity of the Roma worker based on their own experience rather than their often biased perceptions of the "typical" Roma employee. If discrimination is wide-spread, the job trial should also be supported by mentoring/diversity training for the employer and fellow-workers in order to ensure genuine and lasting integration in the workplace.

⁴¹ Maloney (2004) finds that in the mid-1990s, the CEE self-employment rate was less than half of what it should have been, given the level of labour productivity in the formal sector of these economies. Reasons for the slow growth of self-employment are under-researched, but most likely include overregulation, lack of capital (including social capital) and a relatively extended welfare system. On constraints specific to the Roma see e.g. World Bank (2012) or Reszkető and Váradi (2012).

⁴² This programme offered a waiver on employers' social security contributions for two years to those hiring a long term unemployed uneducated jobseeker. The impact of a targeted subsidy may be slightly reduced by stigma effects, but is by far cheaper than an across-the-board cut in social security contributions. An in-between solution in Hungary would be to abolish the rule requiring employers to pay contributions on 1.5 times the minimum wage.

⁴³ Such programmes should provide flexible funding for 8-10 years or more, involve the local community in designing and implementing the programme, and improve the local infrastructure, business environment, housing, education, healthcare, social and employment services and all other areas according to local needs.

⁴⁴ The Czech and Slovak strategies include a variety of such tools.

Measures to increase labour supply

The labour market integration of the Roma requires action on the supply side as well: by improving the employability of job seekers and, in the case of discouraged workers, by reaching out to those who have lost all motivation for job search.

Employability can be improved by training and education, starting from early development for Roma children born into disadvantaged families, through the prevention of dropping out of school, the promotion of skills development in secondary education to second chance schools, training and retraining for youth and adults to rehabilitation services for long term unemployed and disabled job seekers. Member states offer these educational services, but mostly in traditional formats where programmes are uniform and there is little consideration of the individual needs of the job seeker. International best practice suggests that these services are more effective if delivered in small scale, individualised programmes, combined with mentoring and traineeships organised in cooperation with employers.⁴⁵ The approach should be to match services to what the jobseeker needs rather than to match jobseekers to what service providers can offer.

These programmes tend to be expensive, but they can be made cost effective if accurately targeted on the basis of advanced profiling techniques and impact evaluation. Advanced profiling techniques are able to select the most-needy subgroup within those who fulfil the general selection criteria (e.g. long term unemployment, low level of education) and these techniques can help reduce the bias arising from the motivations of job counsellors (e.g. cream skimming). This usually requires the statistics-based, objective analysis of past labour market experience and soft skills as well. Impact evaluation (especially if based on a control group approach) is important so that effective programmes can be identified and the accumulating evidence can help sustain political support for the continuation of expensive, but effective programmes.

Recent experience with training programmes for Roma job-seekers also suggests that it is important to combine training with a job trial scheme or transit job, and also with a generous subsistence allowance. This subsistence allowance must be at least as much as the going wage in casual jobs, so that the bread-winners of poor households can afford to complete the training programme. Poor families are often forced to optimise over a very short time horizon, so it is important to give them additional motivation to invest in their education (and increase their future earnings). Such programs can be implemented also as part of the Youth Guarantee scheme, using combined funding of ESF and the Youth Employment Initiative.

Indebtedness is wide-spread in disadvantaged regions and may create a barrier to taking up formal employment if instalments are automatically deducted of the wage (World Bank 2008). This barrier can be overcome by including debt counselling and debt settlement services into the toolkit of public employment services or offering it in cooperation with another agency providing social services.

⁴⁵ A recent study by Adamecz et al (2013) found that personalised ALMP including a combination of mentoring, training and wage subsidies significantly improved the reemployment chances of low skilled long term unemployed in Hungary.

Improvements of the transport infrastructure, subsidies for commuting and relocation are also important in increasing access to jobs.

Lastly, access to social benefits may also reduce labour supply, especially if it is not counterbalanced by behavioural conditions, such as obligations to regularly visit the job centre and accept suitable job offers or training opportunities. In some countries there is a need to tighten such conditions or to extend them to a wider range of the welfare benefits granted to the working-age population. However, this must be done cautiously and in accordance with demand incentives, so that job seekers do not end up in a situation of neither jobs nor benefits. This would also require job centres to be better staffed (World Bank 2008). Importantly, research evidence from Hungary suggests that reductions in the benefit *amount* has no effect, while tightening the conditions of *access* to transfers may increase labour supply (Kátay and Scharle 2013).

Measures to create jobs in the social economy

It must be acknowledged that given the oversupply of uneducated workers in new member states with large Roma population, there will not be jobs for all of them in the regular labour market, or at least not in the short run. There is some scope for employment in public institutions, promoting job creation in the social economy or in public employment schemes. It is however important to maintain the priority of regular employment and to ensure that non-market job creation schemes do not grow out of proportion.

The positive discrimination of the Roma job seekers applying for public sector jobs, or the creation of job opportunities for Roma in the public sector, especially in ‘helping professions’ may be an effective tool against stereotypes and prejudice. This can be part of local development programmes, where capacity building and the improvement of welfare services typically involves job creation.⁴⁶ Roma staff members in care and services positions ensure that the majority population meet Roma persons in a positive context, and will also improve access to these services to other Roma. It is important however that these positions are fully integrated into public administration and maintained beyond one-off programmes, otherwise they risk becoming showcase exemptions with no genuine integration impact. The EU can not only provide funding for such programmes but also expertise and technical assistance on integrating staff members of a minority background. The Nordic countries tend to have the most relevant experience in this area.

Job creation in the social economy can be an effective part of targeted local development programmes implemented in the most disadvantaged micro-regions. Post-socialist public administrations tend to lack the expertise and institutional culture for successfully establishing local development agencies. This deficiency can be mitigated if governments were willing to cooperate with experienced international organisations⁴⁷ and local NGOs in a more systematic way and on a long term basis. Some agencies specialise on the development of social enterprise and some, e.g. NESsT, are already active in the Czech

⁴⁶ An example is the employment of Romani women as care staff in local family centres in the Hungarian Sure Start programme.

⁴⁷ For example the Local Economic Development (LED) and Developing Enterprises Locally Through Alliance and Action (DELTA) programme of the World Bank, the Habitat programme run by the UN, or the Local Economic and Employment Development (LEED) programme of the OECD.

Republic, Hungary, Romania and Slovakia (EU 2013: 92).

Public employment is not a long term solution

EU funds should not be used to finance short term solutions that are politically advantageous but maintain social exclusion. A typical example is large scale public employment programmes (PEPs), which are often recommended as a last resort in depressed areas. There is some evidence that small scale programmes that combine job creation in the public sector with mentoring and training can be effective, for example in promoting the labour market integration of young job seekers with no prior job experience. In general, however, PEPs have proved at best ineffective (and often counter-productive) in developed countries (Card et al 2010). This is partly due to the fact that in an economy based on advanced technologies, low-skilled labour is typically employed in services, not in agriculture or industry, where PEPs can be easily organised. This implies that the relative productivity of PEPs is very low and the skills the PEPs may sharpen are of little use in the regular labour market.

The other, no less important part of the explanation is of a political nature. PEPs have a clear political gain, as they seemingly resolve two pressing issues: activate the “idle poor” and provide a living for the long term unemployed, at a seemingly low cost. This tempts politicians to support such programmes even when they are administered in a stigmatising or corrupt way, and even if they divert scarce resources away from programmes that would provide a long term, effective solution to long term unemployment and economic depression.

However, once established, large scale public employment schemes can be difficult to dismantle as their local beneficiaries will oppose such efforts. If there is strong political commitment to maintain such programmes, it is important to improve their efficiency by monitoring their impact on access to employment, access to income support, and child poverty and establishing a mechanism for detecting and correcting deficiencies in programme implementation.

Implementation

There are strong political constraints to implementing reforms in the policies affecting low skilled employment. One of these is the inability of governments to make the complex deals and design, implement and monitor the sophisticated measures that are often required in these policy areas. Most of the necessary reforms would also hurt the median voter. Lastly, and perhaps most importantly, governments face a huge temptation to play on the strong anti-unemployed (Roma) prejudice of middle class voters and use disadvantaged groups as a scapegoat for the recession, or more generally, for the slower-than-expected convergence to EU15 standards of living and all the unexpected and unpleasant social consequences of the transition.

Tackling the deep structural distortions outlined in the first section will require a consistent, long term strategy and considerable resources. However, almost all of the above recommended measures are eligible for funding from the European Social Fund. Some are also strongly advocated by the European Commission, such as the development of public employment services and supported by mutual learning programmes (e.g. the

PES to PES Dialogue programme). European forums may provide advice and technical support in the implementation of measures that fall strictly within the remit of national administrations, such as the creation of a stable business environment.

The design and implementation of effective measures of employment policy requires a stable and professional central administration. Post-socialist new member states have made considerable progress in developing their public administrations but they have not completed the process yet (Meyer-Sahling 2009).

The successful implementation of personalised ALMPs requires substantial investment and restructuring of public employment services (World Bank 2008). There is a need for more managerial autonomy, improved data collection and evaluation systems, IT support for profiling and drafting individual action plans, extensive staff training, more cooperation with other government agencies providing social services and more scope for contracting out services to NGOs⁴⁸ who specialise on clientele with particular needs.

The quality and effectiveness of employment services can be increased, for example, by introducing competition between job centres, result based funding, or subcontracting. Competition between job centres requires methods to estimate the impact of external factors so that the ranking of job centres reflects only their own performance. Result based funding implies that there is a target for placing a certain proportion of clients in the open labour market, and funding depends at least partly on meeting this target. Subcontracting can be especially useful in serving clients with special needs, such as multiply disadvantaged job seekers who need a variety of services that specialised NGOs are more likely to be able to provide. This can also be combined with result based funding, although the variable part of the funding is usually smaller for these special groups reflecting the difficulty and poorer predictability of their reemployment. Bringing in expertise from countries operating a more advanced employment service such as the UK, Holland, Austria or Sweden, or private providers may speed up the learning process.⁴⁹

The Spanish Acceder programme provides a good example for a large scale but differentiated programme which combines policy elements according to local needs.⁵⁰ The flexible but financially responsible management of the programme is ensured by a central headquarters assisted by an information system which monitors implementation as well as the progress of the Roma employment situation.

⁴⁸ Including international NGOs, as in the recent initiative of the Slovakian PES to cooperate with an Australian service provider.

⁴⁹ The PES to PES Dialogue project of the European Commission systematically collects and shares good practice among employment services in Europe (see <http://ec.europa.eu/social/main.jsp?catId=964>).

⁵⁰ Acceder has a network of local agencies with specialised staff who offer counselling to Roma jobseekers, offer personalised training, liaise with local employers who are willing to offer internships and placements, and assist local public agencies in improving their services for Roma clients. Acceder is centrally organised and supervised but local agencies enjoy considerable autonomy (Fresno 2009).

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Annex 1: Tailoring interventions to the main challenge of each target group

Category	Main challenge	Primary intervention
1. Unemployed and casually employed (in the labor force) – 17 percent of the working age population	Skills barriers and lacking work experience	Individualized action plans with training and subsidies, managed by LO or contracted out to service providers
<i>Unskilled and low-skilled</i>	Skills	<ul style="list-style-type: none"> • Public works, subsidized employment with skills upgrading; • Targeted retraining linked to new employment; • Second chance literacy programs; • Transport vouchers
<i>Skilled</i>	Work experience	<ul style="list-style-type: none"> • Job counseling and search assistance • Transport vouchers
2. Individuals not in the labor force – 56 percent of the working age population	Skills and attachment to the labor market	Employment activation with mutual obligations, integrated activation services contracted out to service providers
<i>Discouraged (out of the labor force)</i>	Skills and attachment to the labor market	<ul style="list-style-type: none"> • Improving incentives and tailored support through employment activation services with training and job search assistance, contracted out
<i>Inactive (out of the labor force)</i>	Motivation and multiple interacting barriers preventing labor market participation	<ul style="list-style-type: none"> • Community social work outreach to address barriers (debt, lack of kindergarten access and others), contracted out
3. Youth and recent graduates – 20 percent (age 15-24) of the working age population	Skills and early drop-out from school	Measures to retain in or return to education and training <ul style="list-style-type: none"> • Professional and career orientation at school • Further education and vocational training programs beyond compulsory education – supported with conditional cash incentives; • Second-chance education

Source: World Bank (2008): Czech Republic: Improving Employment Chances of the Roma, p.34.

Annex 2: Summary of actions to be supported

Context	Need or problem*	Action*	Indicator
Prosperous urban area	Lack of skills or work experience	Reduce administrative burden for SMEs	% drop in administrative burden for SMEs
		Reduce wage costs	% drop in tax wedge for low wage workers; Share of low-skilled Roma eligible for wage subsidy
		Second chance education, training and rehabilitation combined with mentoring and job trials/ transit jobs	Share of low-skilled Roma upgrading their general education / acquiring a vocational certificate; Share of Roma among jobseekers entering a job trial/transit job compared to non-Roma
	Discrimination	Enact and enforce legislation against discrimination, support human rights NGOs, ALMP (job trials, wage subsidies with mentoring) diversity training for government staff, internships and regular jobs for Roma in public institutions	Share of Roma among jobseekers entering an ALMP compared to non-Roma; Share of frontline staff in government agencies participating in diversity training; Share of Roma employed in public institutions
	Limited social network / information	Ensure equal access to personalised ALMP (including counselling and mentoring); Strengthen cooperation between PES, social work agencies and NGOs	Share of Roma among jobseekers entering an ALMP compared to non-Roma
Prosperous rural area	Lack of mobility	Improve transport infrastructure; Subsidies for commuting	Accessibility of the micro-regional centre from the surrounding villages with public transportation
Deprived urban area	Lack of jobs	Job creation in the social economy, the public sector, and in public employment programmes	Jobs created in the social economy or public sector minus PEP jobs
Deprived rural area	Lack of jobs	Complex local development programmes (LDP)	Share of most deprived small areas targeted by complex LDP; Share of all LDP funding spent in most deprived 5% of micro-regions
	Unregistered employment	Positive incentives, e.g. additional subsidies and low admin burden for employers to register their employees	
Deprived rural area	Lack of mobility	Subsidies for relocation	% change in number of Roma enabled by a subsidy to relocate and take up a job
	Lack of welfare services / public education	Increase staff and improve quality assurance in welfare services and education, diversity training for staff	% drop in client/case-worker ratio , share of frontline staff in government agencies participating in diversity training
	Discouragement	Combine ALMP with mentoring, Strengthen cooperation between PES, social work agencies and NGOs	Share of Roma participants in ALMP with mentoring
	Indebtedness	Debt management services, strengthen cooperation between PES and social work agencies	% rise in Roma clients receiving debt management services

* Problems and actions listed for prosperous areas are also relevant for deprived areas but are not repeated to save space. Measures already listed in chapter 3 on education are not included in detail.

Chapter 5: Housing

1. Background

1.1. General policy considerations

The need to counteract the effects of problematic affordability of housing (both access to housing and covering housing costs), impacts of low quality housing and challenges caused by spatial segregation of marginalised groups, has been broadly discussed for decades. The aim was understanding the linkages of urban change and the social composition of residents in a given neighbourhood.

Spatial segregation can occur at various geographic levels, such as neighbourhood, settlement, or even micro-regional levels. Especially at the neighbourhood level, segregation affects from a couple of dozens to some thousands of people. In case of urban phenomena, “[m]uch of the academic and policy literature on residential segregation has emphasised the **negative effects of the enduring concentration of households from particular ethnic or socio-economic groups.**”⁵¹ The main outcomes emerge due to negative neighbourhood effects, where socio-economic deprivation is many times exacerbated by ethnicity based discrimination.

To counteract such effects, many European cities have applied the *balanced communities* approach, that is, **mixing deprived and non-deprived social groups, by diversifying neighbourhoods and dispersing disadvantaged families** across integrated parts of the urban fabric. In the case of rural areas or segregated micro-regions, enhancing regional mobility and desegregation (foremost of working age population) targets similar outcomes. The general aim has been to improve quality of life and to increase the social capital of vulnerable families.

In order to sufficiently plan such interventions, various elements of the mechanisms of declining areas have been uncovered: problems relating structural-physical features, internal housing design, competition of the area, urban design or spatial issues (poor location, pollution), internal social challenges (crime, anti-social behaviour), financial problems (rents, arrears, vacancies), management and organizational difficulties (inadequate maintenance and insufficient resources), legislative problems, and wider socio-economic issues like unemployment, low skills, migration etc.⁵² At the public policies’ level, special weight is given to local government interventions, as most of the service delivery and policies of spatial relevance for areas with concentration of vulnerable groups are driven by them.⁵³ This means that when interventions are designed that deal with spatial aspects of exclusion, a **multiplicity of mechanisms have to be**

⁵¹ Gideon Bolt, Deborah Phillips & Ronald Van Kempen (2010): Housing Policy, (De)segregation and Social Mixing: An International Perspective, *Housing Studies*, 25:2, 129-135, <http://dx.doi.org/10.1080/02673030903564838>, accessed April 15, 2013. (p. 129, highlighting by MtM)

⁵² Decker, K., van Kempen, R. and Knorr-Siedow, T. (2006): Qualities and Problems, In: van Kempen, R et al (eds.): *Regenerating large housing estates in Europe. A guide to better practice.* Utrecht: Urban and Regional research centre Utrecht, 19-28

⁵³ Hegedüs, J. – Teller, N. (2004): Átfogó helyzetkép az elesett csoportokra irányuló nemzetközi lakástámogatásokról és a magyarországi roma telepek rehabilitációs projektjeiről [Description of housing policies for vulnerable groups and projects related to Roma settlements], Városkutatás Kft. (manuscript)

addressed in parallel in order to achieve change.

1.2. Data describing the situation

According to the most recent 2011 UNDP survey data, **poor living conditions, affordability problems and high levels of segregation** affect a large share of the Roma population in the Czech Republic, Slovakia, Hungary, Romania and Bulgaria.

In general, Roma households have **worse access to water, sanitation and electricity** than non-Roma living in their proximity. For instance, in Romania, the lack of water supply affects close to three quarters of the Roma, in Hungary and Slovakia approx. a third of the Roma, in the Czech Republic 15% and in Bulgaria, 5% of the Roma do not have access to potable water in their homes. The lack of access to electricity affects 4-16% of all Roma households. One of the most important utility services affecting the quality of living conditions is waste collection, which appears to be especially problematic in Romania, not reaching even a quarter of all Roma households. The quality of the homes also varies to a great extent throughout the region. **The gap between non-Roma and Roma ranges from 10-25% points**, for example, a third of all Roma live in **ruined housing** in Romania. **Available living space is much smaller**, in all the concerned countries, both the number of rooms and floor area is only **half of the available floor space** of non-Roma (living in proximity of segregated neighbourhoods).

Even more importantly, the survey results conclude that “[d]ue to the irregular status of some Roma settlements and homes, as well as the comparatively higher likelihood of living as a tenant in private or public housing, Roma families are often under the threat of eviction” (p. 43). 16-40% of all Roma perceive being **threatened by eviction**. Outstanding housing cost payments affect 3-7 times more Roma than non Roma.

As for challenges regarding affordability, 11-23% points more Roma households have to restrict themselves when heating the dwellings, resulting in **half to close to 90% of all Roma households surveyed having difficulties to heat their dwellings according to their needs**. Also Roma tend to use less healthy - indoor air polluting - solutions for heating (and cooking) like coal and wood; than the non-Roma population.

Access to affordable housing is especially critical if we observe the income and savings levels of Roma. Due to historical reasons (that is privatisation of public housing around the years of the transition), the **residualisation of the social housing stock** has resulted in a proportionately higher share of Roma public tenants than non-Roma tenants in the social housing sectors. Still, the size of the social housing sectors offers housing to not more than 4-9% of the Roma.⁵⁴

Further data for the share of Roma living in segregated neighbourhood show that **50-80% of Roma live in segregated neighbourhoods** throughout the region,⁵⁵ whereas the above cited survey data show that the preference of over 60% of all Roma would be to live in mixed neighbourhoods. However, there are severe limitations to housing choice, caused by market conditions and by the allocation techniques of public bodies, too.

⁵⁴ The exception is the Czech Republic, where Roma tended to be nearly exclusively housed in urban public/municipal housing stock.

⁵⁵ see Vademecum.

US research in the beginning of the nineties has already delivered robust evidence that living in **segregated neighbourhoods results in higher school drop-out rates and relatively early child bearing**, both phenomena that reinforce a quick reproduction of poverty and exclusion.⁵⁶

Thus, the complexity of challenges related to housing have to be addressed by the Member States if they want to ensure decent access to adequate housing that would enhance improved participation in education, labour market, and better health conditions.

1.3. EU framework and national Roma integration strategies

For the Roma communities, the Framework for the National Roma Inclusion Strategies⁵⁷ (NRIS) sets out that non-discriminatory access to housing should be ensured for Roma like other citizens, and that all NRIS should cover - beyond three other thematic foci - housing as one of the crucial areas. The underlying Commission Communication and the Council Conclusions on an EU framework for national Roma integration strategies explicitly call for **closing the gap between the share of Roma with access to housing and to public utilities and that of the rest of the population, providing non-discriminatory access to housing in an integrated approach and with desegregation measures**, and making full use of the ERDF. Setting out specific (measurable) goals is also strongly encouraged.

The Commission, in its **review of the national level NRIS**,⁵⁸ spells out the following: “As part of an integrated approach, Member States should, as a matter of priority in the area of housing: promote desegregation; facilitate local integrated housing approaches with special attention to public utility and social service infrastructures; where applicable, improve the availability, affordability and quality of social housing and halting sites with access to affordable services as part of an integrated approach.” (p. 11)

As another civil society review of the NRIS of Bulgaria, the Czech Republic, Hungary, Romania and Slovakia shows,⁵⁹ there were very few concrete details on how funds will be utilized, and how to pave the way accordingly for using ERDF for housing by responding to national challenges like widespread illegal housing of Roma (Bulgaria and Slovakia), or the need to change the national procedural regulations (Czech Republic), or generally, to increase the absorption of EU funds (Romania⁶⁰). This is despite the fact that these countries have acknowledged the challenges regarding housing of the Roma, and included the potential of using ERDF for housing in their strategies’ action plans.

⁵⁶ Crane, J. (2001): The Epidemic Theory of Ghettos and Neighbourhood Effects on Dropping Out and Teenage Childbearing, In: *American Journal of Sociology*, Vol. 96, No. 5 (Mar., 1991), pp. 1226-1259

⁵⁷ COM(2011) 173 final

⁵⁸ COM(2012) 226 final

⁵⁹ OSF (2012): Review of EU Framework National Roma Integration Strategies (NRIS) submitted by Bulgaria, the Czech Republic, Hungary, Romania and Slovakia, Compiled by Bernard Rorke. Budapest: OSF. <http://www.opensocietyfoundations.org/sites/default/files/roma-integration-strategies-20120221.pdf> Accessed April 15, 2013.

⁶⁰ For example, beyond general absorption problems, in Romania there have been no initiatives or projects that would have used ERDF for social housing so far. In other countries covered by MtM, there have been some projects, or there are some undergoing, but a large share of the programs were designed before the amendment of Article 7(2), which meant that the interventions were not specifically targeting at marginalized communities.

Regarding the five CEE member states, the Report summarizes the housing related measures being directed at the obligatory foci as set out in the Framework for the NRIS, as follows:⁶¹

	Bulgaria	Czech Republic*	Hungary	Romania	Slovakia
Providing non-discriminatory access to housing, including social housing ⁶²	yes	yes	partially	no	partially
Implementing an integrated approach, of which housing intervention is a part	no	yes	yes	yes	no
Addressing the special needs of non-sedentary Roma population, where applicable	no ⁶³	not applicable	not applicable	not applicable	not applicable
Providing details of the means of involvement of regional and/or local authorities as well as local Roma and non-Roma communities.	no	partially	no	no	no

Source: OSF (2012), p. 20, p.29, p. 53, p. 61 and 74.*the Action Plan of NRIS contains the above but the update of a previous strategy (the previous version of the national level Roma inclusion strategy) does address non-discriminatory access to housing or implementing an integrated approach.

As visible, even at the target level, the **NRIS of the selected countries only selectively address the basic targets that have been defined in the Framework**. Importantly, applying an integrated approach, part of which is improving the housing situation, falls out negatively in Slovakia and Bulgaria, although in both countries a large share of the Roma live under precarious housing conditions. The relevant government levels' responsibilities remain also undefined (or not clearly defined) in all countries.

All this calls out for a more concise approach in translating the policy agenda of the EU into national level responses in terms of how to ensure dealing with housing exclusion of the Roma and making use of EU funding in the next programming period.

2. Recommendations for EU funded programmes in the 2014-20 period

2.1. Relevant thematic objective and investment priorities

Thematic objective	Investment priorities
Promoting social inclusion, combating poverty and any discrimination	ESF2: Socio-economic integration of marginalised communities such as the Roma ESF6: Community-led local development strategies ERDF2: Providing support for the physical, economic and social regeneration of deprived communities in urban and rural areas

⁶¹ The table does not take account of direct measures being implemented, it summarizes the review results of OSF (2012).

⁶² The share of social housing in the five countries is very low, and ranges from 2-4%. This means that providing access to this stock would not resolve much of the housing needs of vulnerable groups, because of the severely limited availability of the stock itself. Thus, an extension of the affordable rental sectors should be in the focus of mainstream housing policy in general in most countries. To date, no such steps have been undertaken in any of the countries.

⁶³ Further expert comments state that the share of non-sedentary population is negligible in Bulgaria too.

2.2. Identification of needs

Country specific recommendations,⁶⁴ call for dedicating attention to the **inclusion of marginalised communities** - though **without any specification to housing interventions**.. Beyond the CSRs, however, there are **further documents that are decisive for the identification of needs for the next programming period**.

According to the regulation on the operational programme structure, each OP has to define how the targets and actions proposed contribute to the EU 2020 goals. The **EU2020 social exclusion indicator related with severe material deprivation**⁶⁵ contains several housing related elements. "Material deprivation" covers indicators relating to economic strain, durables, housing and environment of the dwelling.

All OPs, in their sections 2.1., have to explicitly describe the addressed EU2020 goals, and show the gaps of their current situation and the 2020 targets. For the year 2011, the Bulgarian figures for the respective indicator are close to 3.3 million, in Romania 6.3 million, in Hungary 2.3 million, in Slovakia close to 570 thousand and the Czech Republic 670 thousand persons are severely materially deprived.⁶⁶ Thus, beyond the general issues of housing exclusion, this suggests **dedicating special actions to tackle the housing exclusion dimension of deprivation**. The level of exclusion suggests that the Member States have to develop more effective housing policies in general, which have to incorporate explicit but not exclusive measures addressing the housing needs of vulnerable Roma communities too.

2.3. Specific objectives

The above description of the housing situation of Roma, in terms of a large gap between Roma and non-Roma access to adequate and affordable housing, calls for **including housing measures into the relevant OPs, by addressing**

- (1) improvement of housing conditions,
- (2) access to affordable and secure housing,
- (3) decreasing levels of housing segregation.

2.4. Output and result indicators

Suggested main output indicators (see also table in the Annex):

- number of people getting adequate sized housing with access to utility services, such as water, sanitation and electricity
- number of people moving from segregated areas to integrated neighbourhoods

Suggested result indicators:

- share of adequate sized housing with access to utility services, such as water, sanitation and electricity - gap between Roma and non-Roma

⁶⁴ See <http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/>, accessed on May 7, 2013.

⁶⁵ Severely materially deprived persons have living conditions severely constrained by a lack of resources, they experience at least 4 out of 9 following deprivations items: cannot afford i) to pay rent or utility bills, ii) keep home adequately warm, iii) face unexpected expenses, iv) eat meat, fish or a protein equivalent every second day, v) a week holiday away from home, vi) a car, vii) a washing machine, viii) a colour TV, or ix) a telephone."

⁶⁶ See EUROSTAT data: Code: t2020_53

- share of households with outstanding housing cost payments - gap between Roma and non-Roma
- number of people living in segregated areas

2.5. Key actions to be supported

In Section 3.A.2 of the OPs, the Member States have to justify the key actions taken. Based on previous lessons learned, the following issues should be discussed relating housing inclusion actions.

Integrated approach and desegregation: clarification of terms

The integrated approach and desegregation are important conditions set by the EU. The integrated approach is more or less clear for national authorities.⁶⁷ However, there are very few examples for assisting Roma families moving from the segregated neighbourhood to integrated neighbourhoods and closer to employment opportunities. Furthermore, the concept of desegregation is often questioned as being

- “unjustified” as all ethnic communities including Roma should have their choice to live in their neighbourhoods, or
- “unfeasible” as there are large segregated neighbourhoods (with up to tens of thousands of people e.g. in Bulgaria).

Regarding **justification**, respective planning authorities should make it clear that the targeted communities are not Roma or other ethnic communities but deprived communities (that can be identified e.g. by low level of education and employment). There is no need for reducing the spatial concentration of any ethnic communities as long as they are not deprived communities. And there is need to reduce the concentration of deprived communities whatever ethnic group they belong to, as their concentration is assumed to be the result of explicit or implicit mechanisms of exclusion rather than their real choice. Further, it is highly important for children that they see daily models of successful careers in education and employment, get a larger range of career options offered and opportunities for interactions with the mainstream society.

Regarding **feasibility**, respective planning authorities should have a differentiated approach, calling for eradication in the case of small segregated neighbourhoods, and renovation with mobilisation in the case of large segregated neighbourhoods in the short run, while full desegregation in the long run. As families in deprived neighbourhoods tend to be younger and larger, without assisting families moving from segregated neighbourhoods to integrated neighbourhoods and closer to employment opportunities, the concentration is decreasing rather than increasing. Without desegregation efforts the reproduction of poverty and exclusion in segregated environments becomes more intense.

⁶⁷ Integrated approach means making use of various types of interventions in a coordinated and synergized manner, for example housing or infrastructure investments in general are complemented with employment opportunities, social work, education and health programs, etc. in order to sustain the results of the interventions. Regularly, if the program elements are financed from EU funding, it means a combination of ERDF and ESF activities. In the forthcoming planning period OPs can contain measures financed from various funds.

Differentiated approach for desegregation

	Small segregated neighbourhood	Middle-sized segregated neighbourhood	Large segregated neighbourhood
Urban segregated neighbourhood	Eradication or renovation if reasonable with developments that improves the spatial structural linking to the integrated part of the city	Eradication on medium or long term; or renovation and partial mobilization on short and mid-term if reasonable with developments that improves the spatial structural linking to the integrated part of the city	Partial eradication and mobilization of the families to integrated part of the city, developments that improves the spatial structural linking to the integrated part of the city
<i>Example</i>	<i>Brno (CZ), Batonyterenye (HU)</i>	<i>"IRIS", Madrid (ES)</i>	<i>Magdolna, Budapest (HU)</i>
Adjacent rural segregated neighbourhood	Full eradication	At least partial eradication on medium or long term with mobilization of families on regional level, with the renovation of remaining parts if there is such; interventions based on mid-term scheduling	Renovation with mobilization of families on regional level
<i>Example</i>	<i>Taska (HU)</i>	<i>Baltesti (RO)</i>	<i>Richnava (SK)</i>
Spatially isolated segregated neighbourhood	Full eradication	At least partial eradication on medium or long term with mobilization of families on regional level, with the renovation of remaining parts if there is such; interventions based on mid-term scheduling	Renovation with the development of basic infrastructure, development of public transport according to the real need of the people, mobilization of as many families as possible to integrated areas
<i>Example</i>	<i>Pridoli (CZ)</i>	<i>Hodejov (SK)</i>	<i>Archita (RO)</i>

Source: Metropolitan Research Institute (2011): Vademecum, with some amendments and updates.

Issues for effective implementation

To effectively use ERDF for housing desegregation measures, some **general preconditions** have to be in place or have to be created from ESF or other budget resources. Such preconditions concern **(1) preparation of the benefitting households** who get mobilized from segregated to integrated parts of village/settlement/town for the changed strategies in everyday life, and enable them to cover the increased housing costs they will face in mainstream housing by creating employment opportunities. Beyond this, the **(2) receiving community also has to be prepared** for receiving and including the households who are often stigmatised, and whose social ties weaken because of leaving their communities behind. A further important precondition is **(3) to create tenure security for the households**, that is, to make sure they have titles to their land and housing which they can draw on when their housing situation changes. Legalisation of their titles, thus, has to be promoted in the preparatory phase of all interventions. Tenure security has to be fostered by preventive measures for example to counteract non-payment which can lead to evictions.

Usually, fulfilling the preconditions is a long-term process burdened with risks and trade-offs on both the individuals' side and the implementing agencies' side. Tailored solutions have to respond to the region's characteristics, the affected population's needs, desires and options. By introducing flexibility and supporting thoroughly developed and individually assisted pathways, expectations about the results of such interventions can be

realistically assessed and failures can be more easily handled.

Effective implementation means also **creating attractive and sustainable housing options**. ERDF makes it possible to **purchase non-profit or public housing on the secondary housing market** (buy existing homes or convert buildings into residential housing), beyond **constructing new homes** that replace for example owner occupied or rented housing. Only **homes that are adequate** in terms of affordability, needs (for example space, accessibility), and lifestyle (for example offering workshops, land for growing food, or extendable constructions in case the family is in the phase of household formation) should serve as new housing solutions.

National level legislation relating the procedures of ERDF should take into account the above variety of occurring expenses in order to finance a large variety of housing solutions that serve improvement of housing conditions, access to affordable and secure housing, and housing desegregation.

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Chapter 6: Health

1. Background

1.1. General policy considerations

Health is one of the four key areas of Roma inclusion, which is important especially due to its linkages to education and employment.

- Health should be considered as defined by WHO in 1948: ‘Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity’.
- Health status of Roma people should be improved not just for its own sake, but because it is a pre-condition of integration in education and employment that are needed for breaking the vicious circle of poverty.
- Health status is determined only in minor part (according to studies only around 20%) by the healthcare services.⁶⁸ It is determined in a major share by social, economic and physical environment, personal behaviour (nutrition, smoking, etc.), genetics, etc. Social, economic and physical environment as well as personal behaviour can be improved with integration in education, employment and housing.

1.2. Data describing the situation

Health status:

- Child mortality is 2 to 6 times higher among Roma than non-Roma. (EU framework for national Roma integration strategies)
- Share of people with health problems that limit their daily activities is higher among Roma (15-45%) than non-Roma living in close proximity (10-35%), especially among women. (FRA-UNDP 2012)
- Life expectancy at birth is estimated to be 10-16 years less for Roma than for non-Roma in the EU. (EU framework for national Roma integration strategies; ERRC 2013)

Social, economic and physical environment, personal behaviour:

- For social, economic and physical environment, see chapters 3-5 on education, employment and housing.
- The Roma population (average: 25 years) is younger than the overall population (average: 40 years) in Europe. (FSG 2009)
- There are no comparative data, but share of unplanned, teenage births is assumed to be higher among Roma than non-Roma.
- Share of adult smokers is higher among Roma (50-75%) than non-Roma living in close proximity (25-45%); men are heavier smoker among both Roma and non-Roma. (UNDP 2013) Share of Roma households with alcohol or drug-related problems is relatively limited overall (11%), but higher among the more marginalised (16-19%). (FSG 2009)

⁶⁸ See Population Health Institute (2010): Different perspectives for assessing weights to determinants of health.

Healthcare services:

- Child vaccination rates are 10 percentage points lower among Roma than non-Roma. (UNDP 2013)
- Reporting or visits of adult Roma women to a gynaecologist is very low in Bulgaria and Romania (75%). (UNDP 2013)
- Share of Roma people without health insurance is very high in Bulgaria and Romania (45-55%, compared to 15-20% among non-Roma living in close proximity). Contrary to expectations, this is not related to employment status. (FRA-UNDP 2012 and UNDP 2013)
- Share of Roma households unable to afford purchases of prescription medication is very high in all new member states with large Roma population (45-70%, compare to 10-30% among non-Roma living in close proximity). (UNDP 2013)
- As primary healthcare services differ between countries, data on access to these services differ too. Geographical differences in access to primary healthcare services are large. E.g. 36% of unfilled posts for general practitioners are concentrated in least developed micro-regions in Hungary.⁶⁹ Capacities of the network of health visitors/visiting nurses are not proportionate with the number of people to be served, and especially not with the number of people with disadvantaged background who need more intensive service.

1.3. EU framework and national Roma integration strategies

The Commission Communication and the Council Conclusions on an EU framework for national Roma integration strategies as well as the Commission staff working document 'Report on health inequalities in the European Union' call for reducing the gap in health status between the Roma and the rest of the population, providing access to quality healthcare, especially for children and women, including preventive healthcare and health education.

With different emphasis, national Roma integration strategies of most member states with large Roma population include the following aims and actions:

- Ensuring access to primary healthcare services by reinforcing the network of professionals (general practitioners, health visitors, etc.).
- Employing Roma health mediators in the communities.
- Raising health awareness by organising information campaigns, education and counselling, especially on reproductive health and family planning.
- Focus on women and children.

NRIS of Bulgaria and Romania include also the increasing of the health insurance coverage, however, without clear commitments and pragmatic measures.

NRISs of most countries include further specific actions, ranging from improving the physical environment e.g. by removing communal waste, providing drinking water (Slovakia)⁷⁰ to promoting sports (Hungary).

⁶⁹ 10% of the national population and 30% of the Roma population is living in these micro-regions.

⁷⁰ Similar actions are mentioned in the NRISs of other countries, but not under health.

When assessing NRISs, OSF reinforced the need for ensuring equal access to quality healthcare services, and called for concrete targets with concrete timelines. The Commission called for among others clear budgets, clear timelines and information systems to monitor and evaluate health needs and outcomes of Roma.

2. Recommendations for EU funded programmes in the 2014-20 period

2.1. Relevant thematic objective and investment priorities

Thematic objective	Investment priorities
Promoting social inclusion , combating poverty and any discrimination	ESF4: Enhancing access to affordable, sustainable and high-quality services, including health care and social services of general interest ERDF1: Investing in health and social infrastructure which contributes to national, regional and local development, reducing inequalities in terms of health status, promoting social inclusion through improved access to social, cultural and recreational services and the transition from institutional to community-based services

2.2. Identification of needs

The chapter identifying needs should analyse data regarding access to primary healthcare services, including geographical and social differences, share of households unable to afford purchases of prescription medication, and - in Bulgaria and Romania - share of people without health insurance.

The Commission Staff Working Document on elements for a Common Strategic Framework identifies under thematic objective social inclusion relevant key actions for the ESF as well as the ERDF, and calls for targeting interventions in the field of health to “particularly vulnerable groups” and “marginalised groups such as the Roma”.

Country-specific recommendations are not directly relevant for EU funded interventions in health, but CSRs calling for implementation of the NRIS in Bulgaria and Hungary have indirect relevance.

2.3. Specific objectives

Equal access to quality primary healthcare services should be ensured for all geographical areas and social groups.

2.4. Output and result indicators

Suggested output indicators:

- Number of additional professionals (general practitioners, health visitors, Roma health mediators, etc.) in geographical areas most affected by poverty (specific output indicator)
- Capacity of supported health services, number of persons (common output indicator for ERDF)

Suggested result indicator:

- People from vulnerable groups per professionals (general practitioners, health visitors, etc.) in geographical areas most affected by poverty compared to national average
- Share of people from vulnerable groups accessing national prevention programs, e.g. vaccination, screening
- Share of people from vulnerable groups with health insurance (especially for Bulgaria and Romania)

2.5. Key actions to be supported

Ensuring equal access to quality primary healthcare services

As the sub-chapters of national Roma integration strategies show, there is a variety of actions that can be justified to be supported. However, ensuring equal access to quality primary healthcare services by reinforcing the network of professionals (general practitioners, health visitors/visiting nurses, etc.) and introducing new ways to outreach should receive priority. As UNDP's policy brief 'The health situation of Roma communities' concludes: efforts need to focus on integrating the Roma into official, formal healthcare systems, rather than creating parallel services. This is strongly suggested by the fact that 'the most important longer-term determinants of Roma health vulnerability - access to health infrastructure, employment, education - reflect national, rather than ethnic (Roma) specifics'.

As mentioned, geographical differences in access to primary healthcare services are large. In geographical areas most affected by poverty - where Roma tend to be overrepresented - there is high chance that capacities of the network of professionals is not proportionate with the number of people to be served, and especially not with the number of people with disadvantaged background who need more intensive service (more severe and complex problems to deal with).

A major reason for the differences in the access to primary healthcare services is that there are not enough posts for professionals in geographical areas most affected by poverty, and/or there is no sufficient financial compensation for the often lower population density and for the need for more intensive service, to make these posts attractive. The share of private costs including gratuities is high in some of the countries with large Roma population, which further limits the access to healthcare services for the poor.

Providing additional posts and financial compensation for the lower population density and for the need for more intensive service in geographical areas most affected should be embedded in measures

- improving quality (e.g. by training of professionals, harmonisation of the work of different professionals such as general practitioners and health visitors, introducing IT applications, strengthening performance management),
- focusing on the population with the poorest health status, including Roma (e.g. by employing Roma health mediators to strengthen the interface between formal healthcare system and Roma communities rather than creating parallel structures and services) and

- introducing new ways to outreach (e.g. in remote areas).

In times of the current financial crisis member states are not able to increase their budget spending on healthcare. (According to the Commission staff working document ‘Investment in health’, among others, Bulgaria, Hungary and Romania reduced their healthcare budget as part of policy responses to the economic crisis.) But they can allocate EU funds on reinforcing the network of professionals. ESF can co-finance the strengthening of human resources, while ERDF can co-finance the improvement of infrastructure of primary healthcare services.

Ensuring equal access to quality primary healthcare services is in line with the recommendation of the Commission staff working document ‘Investment in health’ for potential efficiency gain in health systems: “reducing the unnecessary use of specialist and hospital care while improving primary healthcare services”. This is an example of Roma inclusion policy and structural reforms in a sector policy strengthening each other.

Issues for effective implementation

Past programs and activities have not always reached marginalised communities including Roma. What is often missing is identifying and addressing concrete barriers marginalised communities face in accessing healthcare services. In order to avoid this risk the perspective of marginalised communities including Roma needs to be understood, they need to be strongly involved in designing and monitoring programs and activities.

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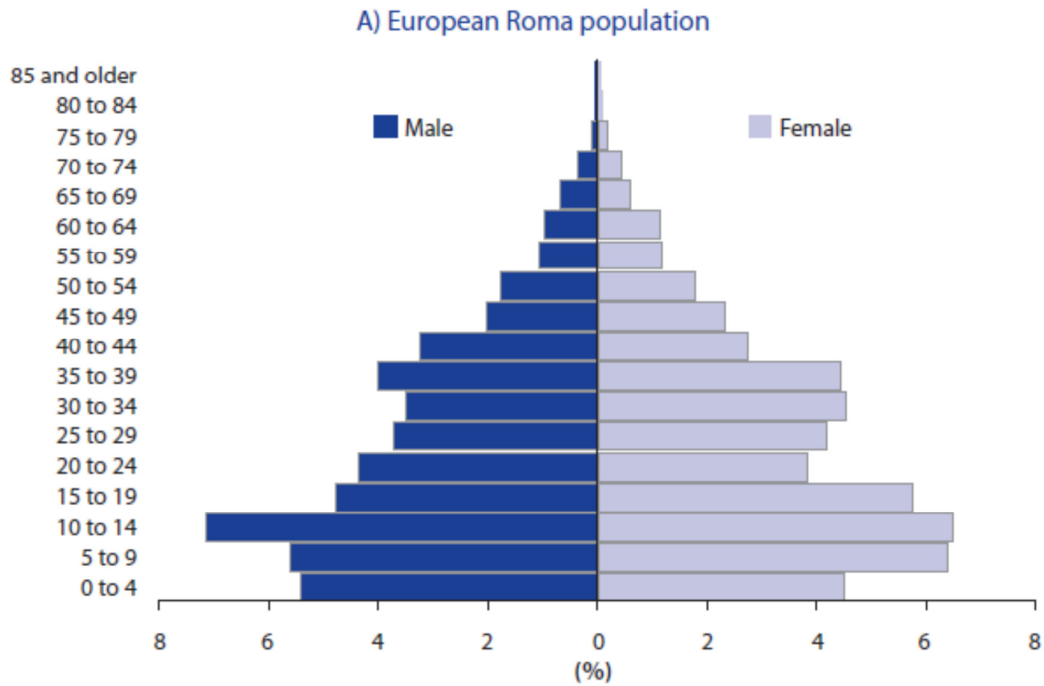
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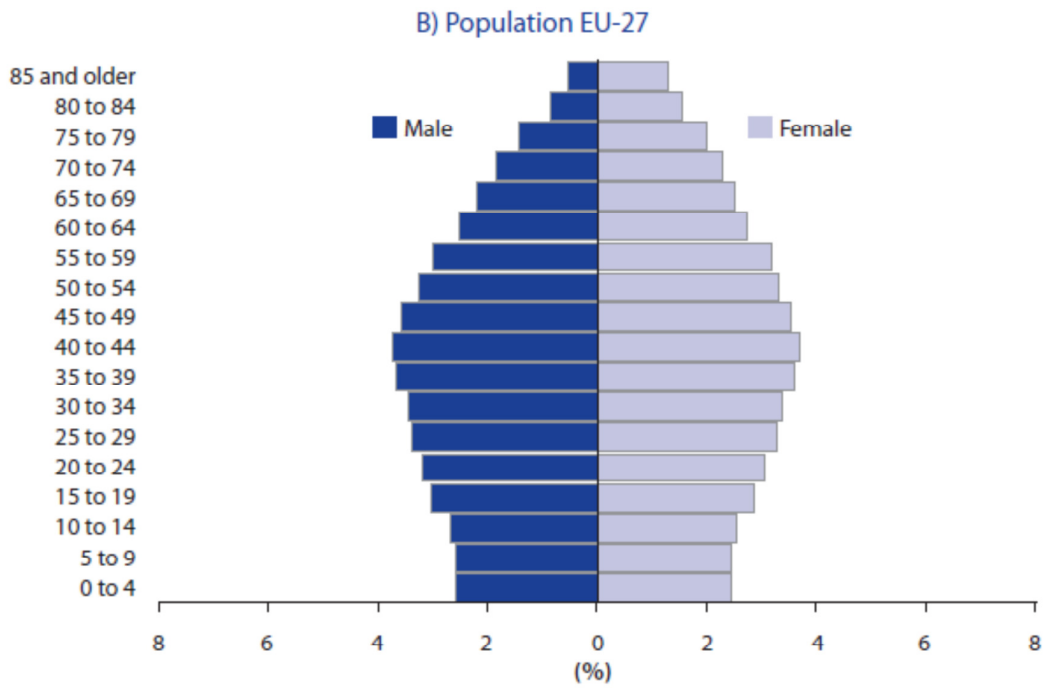
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<http://europeandcis.undp.org/blog/2013/02/15/research-roma-and-inclusive-national-health-care-systems/>

Annex: Population pyramids in Europe



Source: EDIS S.A, based on the European Survey on Health and the Roma Community, 2009.



Source: EDIS S.A. based on Eurostat data of 1 January 2008.

FSG (2009)

Chapter 7: Cross-cutting initiatives for Roma inclusion in programming

The following innovations have relevance across thematic issues. All of them have been piloted by some national authorities or non-governmental organisations in the 2007-13 period and promoted for scaling up by the regulations for the 2014-20 period.

1. Integrated approach to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of social exclusion

According to Article 15.2 and 96.4 of the common provisions regulation, each partnership agreement and operational programme shall specify, where appropriate, an integrated approach to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of discrimination or social exclusion, with special regard to marginalised communities.

In member states with large Roma population an integrated approach can address, at the same time, geographical areas most affected by poverty and marginalised communities including Roma, as a large share of marginalised communities are concentrated in geographical areas most affected by poverty.

In the 2007-13 period large scale pilot programmes have been launched in two member states with large Roma population, addressing the specific needs of geographical areas most affected by poverty and target groups at the highest risk of discrimination or social exclusion:

- the comprehensive approach for marginalised Roma communities in Slovakia, and
- the most disadvantaged micro-regions programme in Hungary.⁷¹

Based on assessment of the two pilot programmes, the following recommendations can be made for planning and implementing an integrated approach.⁷²

The integrated approach should target geographical areas where Roma are overrepresented, and should have explicit but not exclusive targeting of Roma.

The integrated approach should combine funds for diverse activities such as development of human, transport, business and urban infrastructure with ERDF, implementation of education, employment and health programmes with ESF, and - where procedures and

⁷¹ The most disadvantaged micro-regions programme was acknowledged by the Commission in the cohesion policy strategic report in 2010 as the only good practice example from the country.

http://ec.europa.eu/regional_policy/archive/policy/reporting/doc/sec_2010360_en.doc

⁷² Assessment on the comprehensive approach for marginalised Roma communities in Slovakia: Slovak Governance Institute (2013): Lessons from Slovakia's Comprehensive Approach. Assessing the feasibility of designing and implementing integrated territorial programs targeting marginalized Roma communities.

http://www.governance.sk/assets/files/publikacie/SGI_ACA_EN.pdf

Assessment on the most disadvantaged micro-regions programme in Hungary: OSF (2011): *Where the paved road ends. Regional disparities and Roma integration.*

<http://www.opensocietyfoundations.org/sites/default/files/where-paved-road-ends-2010301.pdf>

structures for coordination between ERDF, ESF and EAFRD are in place, as an alternative in the framework of community-led local development - rural infrastructure and programmes also with European Agricultural Fund for Rural Development (EAFRD).

The integrated approach should combine top-down and bottom-up actions.

- Top-down actions are justified e.g. for ensuring equal access to standardised quality services in education, employment, social services and health. These actions can be implemented through projects of relevant national or local service providers.
- Bottom-up actions are justified e.g. for development based on locally specific needs. These actions can be implemented e.g. through groups of projects of local stakeholders such as local authorities, NGOs, SMEs, etc. Rough budget should be allocated to each area (e.g. micro-region) before project generation. As marginalised communities including Roma face high risk of discrimination or social exclusion also within geographical areas most affected by poverty (e.g. internal income inequalities tend to be highest in poorest areas; dependence of marginalised communities can be strongest in areas with most limited employment or income generation opportunities; etc.), specific guarantees are needed for ensuring representation of needs of marginalised communities; this is not contrary to the bottom-up-approach. Identification of needs and generation of projects should be assisted by external equal opportunities, social inclusion or Roma inclusion experts. Projects can be pre-selected by a board of local stakeholders with adequate representation of Roma leaders. Projects can be selected by national authorities in two round procedures, making initial selection based on groups of brief project ideas in the first round and final selection based on elaborated individual projects in the second round. Equal opportunities, social inclusion or Roma inclusion should be key criteria for selection in both rounds: all groups of projects should contribute to Roma inclusion and no individual projects should contribute to social exclusion. Bottom-up actions can be implemented e.g. as part of community-led local development (CLLD).

The integrated approach should target geographical areas with around 5-10% of the national population with a budget of at least 2-4% of the country's Structural Funds allocation. The targeted geographical areas should be able to absorb non-targeted funds as well so that altogether they receive funding above the average.

Practice note:

Identifying geographical areas most affected by poverty is assisted by the current poverty mapping activity of the World Bank and domestic governments in some new member states, and by the TIPSE (Territorial Dimension of Poverty and Social Exclusion in Europe) project supported by ESPON (European Observatory for Territorial Development and Cohesion) in old member states.⁷³

⁷³ http://www.espon.eu/main/Menu_Projects/Menu_AppliedResearch/tipse.html

2. Reducing the administrative burden on beneficiaries

According to Article 15.1 and 96.6 of the common provisions regulation, each partnership agreement and operational programme shall set out a summary of the assessment of the administrative burden on beneficiaries and, where necessary, the actions planned, accompanied by an indicative timeframe, to reduce the administrative burden.

As a general rule, administrative and financial burden limit access to EU funds for all groups of the society; though in an unequal manner. The more marginalised the given group, the more serious the limitation. As Roma communities are among the most marginalised groups, they face the most serious limitation. (Thus, it can also be said that access to EU funds for Roma communities is a “litmus test” of the effectiveness of funding structures: if a funding structure is able to use EU funds for the benefit of Roma inclusion, it is likely to be able to use EU funds for the benefit of other policy fields too.)

UNDP’s recent evaluation on the impact of the ESF on the marginalized Roma communities in Slovakia demonstrates that access to funds is especially limited for organisations working with the most marginalised Roma communities.

Most serious barriers include large differences between administrative and financial requirements of the calls and capacities of the organisations.

Problems of access to funds also occur during project implementation. Unforeseen problems such as partial or late reimbursement of costs led to reduction of activities or even bankruptcy of a number of effective NGOs in the region.

2.1. Project selection

Combination of competitive procedures and more targeted procedures

After new member states joined the EU, project selection was dominated by competitive procedures, e.g. open calls for proposals. It was highly justified on the grounds of strengthening research, technological development and innovation or enhancing the competitiveness of small and medium-sized enterprises, where funds should be allocated to market actors. But it was **much less justified** for promoting social inclusion, where funds should be allocated to organisations dealing with most marginalised communities. Competitive procedures distracted funds from their planned targets.

By now, many new member states recognised the need for more targeted project selection procedures in many fields including social inclusion. Inclusion of marginalised communities can be best served by the following differentiation:

- For basic services and infrastructure that should be available for marginalised communities (services such as qualified teachers, general practitioners, field social workers, or infrastructure such as kindergarten, drinking water, electricity), funds should be allocated directly.
 - For services and infrastructures that should or could be provided by national or regional organisations, the relevant organisation should launch a project.
 - For services and infrastructures that should be provided by local governments, each relevant local government or group of local

governments (e.g. a micro-region) should have its own allocation for launching a project.

- For 'extra' services and infrastructure (e.g. after school programs), funds can be allocated through competitive procedures, e.g. open calls. However, competitive procedures need to be calibrated so that the need of the marginalised communities and the professional capacities of the organisations dealing with them are reflected in the selection process, rather than the administrative or financial capacities of the organisations, etc.

Global grants

Also, many new member states recognised the need for global grants managed by NGOs, even if these are financed by the EEA and Norway Grant and the Swiss Contribution rather than EU funds. Global grants managed by NGOs has the highest potential for reducing the administrative burden of small projects⁷⁴, as the global grant manager NGO can provide the beneficiary NGOs with services and it can build the procedures on a level of trust rather than administration. E.g. while in general risks of a well-established organisation applying for an EU funded project can be assessed and managed through papers (e.g. financial statements on previous years) by a bureaucratic intermediate body, in specific cases, risks of a small NGO applying for its first small EU funded project can be better assessed and managed through face-to-face meetings by a global grant manager NGO that has strong ties to the NGO sector. Clearly, the potential of global grants can be realised only if general national rules on financial management allow the global grant manager NGO to build the procedures on a level of trust rather than administration. Availability of funds for small projects is especially important for the inclusion of marginalised communities for two reasons: i) marginalised communities need step-by-step assistance and ii) many organisations dealing with marginalised communities need step-by-step growth.

For the period 2014-20 global grants managed by NGOs should be financed also by EU funds. Scaling up existing schemes financed by the EEA and Norway Grant and the Swiss Contribution is the most feasible approach.

2.2. Project implementation

Increased duration of projects

Currently most countries limit the duration of projects to 2-3 years. This is one of the most serious bottlenecks of implementation because for sustainable results in marginalised communities (e.g. changing attitudes, promoting values) interventions should often last at least 4-5 years. This is also the reason for the Council calling for increasing the duration of projects in the EU framework for national Roma integration strategies up to 2020.

In the 2014-20 period, all countries should favour projects of at least a **4-5 year time horizon** (and preferably even 6-7 years that is also possible at the beginning of the period). ESF funded projects are particularly fragile if sustainability of services and developments are weak or neglected. Central authorities should consider sustainability

⁷⁴ E.g. below 30.000 EUR.

issues right at the time of planning programs that are promoting services delivery for disadvantaged communities.

Note: Increasing the duration of projects requires more than just replacing “3 years” by “5 years” in the data field for maximum duration in the calls for proposals. It requires more **flexibility in implementation** that allows beneficiaries to adjust the project to the changing conditions. And it requires more intensive monitoring (frequent and substantive visits) that enables managing authorities and intermediate bodies to assess the justification of adjusting the project to the changing conditions.

Grant covering all costs

Some countries (see Romania, Slovakia) require explicit own contribution as they apply only 95-98% grant rate for ESF projects that are not for the benefit of the beneficiaries but their clients, see e.g. training and employment projects for unemployed persons. All countries require implicit own contribution - even if they apply 100% grant rate - as they make some costs (e.g. overheads, VAT, etc.) ineligible.

For the 2014-20 period no country should require own contribution, either explicit or implicit, for ESF projects of NGOs, unless they are for the benefit of the project implementing organisations (e.g. when the project implementing organisation is an SME that organises training for its employees). At least not more than what can be realistically provided by NGOs as in-kind contribution.

Advance payment and interim payments ensuring positive cash flow

Some countries (see Romania) offer so low advance payment and slow interim payments that beneficiaries need to use other resources to bridge the gap between costs and payments. Other countries offer at least 30% of the project budget as advance payment which, together with timely reimbursement, can enable positive cash flow for the whole period of project implementation. Some countries (see Romania) suspend payment to beneficiaries if the Commission suspends payment to the country. Thus payment to a beneficiary is suspended for irregularities made by national authorities.

For the 2014-20 period countries should offer **advance payment** which enables **positive cash flow** for the whole period of project implementation. Legal guarantees are needed that payment to a beneficiary can be suspended only for an irregularity made by the given beneficiary.

Application of unit cost based financial management as widely as possible

For the 2007-13 period, simplified cost options have been made possible with the amendment of the ESF regulation in 2009:

- Flat rate: for indirect costs, not more than 20% of the project costs.
- Unit cost: for all or part of the project costs.
- Lump sum: for all or part of the project costs, not more than EUR 50,000.

Especially unit cost offered potential advantages. However, the introduction of the simplified cost options needed detailed calculation and justification by the national authorities and time-consuming discussions with the Commission. Hence the member

states did not widely introduce these options. Still, some member states such as Slovakia introduced unit cost based financial management.⁷⁵

For the 2014-20 period, simplified cost options will be easier to introduce, as ceilings for flat rate and lump sum have been lifted and especially as requirements for calculation and justification by the national authorities and discussions with the Commission have been reduced. Member states should take advantage of the changes and introduce simplified cost options as widely as possible.

3. Promoting equal opportunities and non-discrimination at local level

According to Article 96.7 of the common provisions regulation, each operational programme shall, subject to the Member State's duly justified assessment of their relevance to the content and objectives of the operational programmes, include a description of the specific actions to promote equal opportunities and prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, design and implementation of the operational programme and in particular in relation to access to funding, taking account of the needs of the various target groups at risk of such discrimination.

Article 7 of the regulation says that the Member States and the Commission shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation and implementation of programmes.

Mainstreaming equality and non-discrimination at national level is described in detail in Chapters 1 and 2.

Mainstreaming equality and non-discrimination is necessary at local level as well, especially as local governments are key actors in provision of education, social, housing and health services. Local governments should be provided with specific assistance and motivation for mainstreaming equality and non-discrimination. Regarding equality and non-discrimination of Roma, this should include the following:

- Responsibility of local governments in mainstreaming equality and non-discrimination and taking specific actions should be made explicit.
- Specific actions required should include provision of basic services and infrastructure, de-segregation, etc.
- Taking specific actions should be a condition for local governments' access to funds for extra services and infrastructure.
- Planning and implementation of specific actions should be assisted by providing guidance, organising trainings and providing equality experts for local governments.
- Planning and implementation of specific actions should be checked by equality experts during project selection as well as monitoring. Failure in taking specific actions should lead to rejecting the project proposal if detected during project

⁷⁵ Unit cost based financial management has been applied for field social work in Slovakia in 2011. A unit cost was introduced for one month of work of one field social worker, covering salary, office cost, travel, etc.

selection phase and proportionate financial correction if detected during monitoring.

- Preparation of equality experts should include intensive training, supervision and regular performance assessment.

Practice note:

A good example for conditionality is the so called **inclusion-centred development policy** in Hungary. As articulated in the NRIS of Hungary: “Inclusion-centred development policy (...) ties access to central and EU funds to situation analyses and plans on social inclusion to be drafted on a mandatory basis. In preparing these documents, it is particularly important to evaluate whether the criteria designed to facilitate the inclusion of the disadvantaged, as well as anti-discrimination are duly enforced in the municipality or micro-region. It should be reinforced that development programmes require, as a condition of the availability of funding, that municipalities adopt measures and interventions aimed at the inclusion of the disadvantaged population living on their territory or in disadvantaged locality parts and draft an inclusion plan which serves to manage the situation of those living in poverty on its merits.”

The effective implementation of the concept requires e.g. at the ministry responsible for social inclusion high quality capacities to assist the preparation of the local social inclusion plans and strong authorities to assess the quality of the plans as well as their implementation.

4. Supporting capacity building for NGOs in the field of social inclusion (using ESF)

According to Article 6.3 of the ESF regulation, to encourage adequate participation of and access by non-governmental organisations in and to actions supported by the ESF, notably in the fields of social inclusion, gender equality and equal opportunities, the managing authorities of an operational programme in a less developed region or in a Member State eligible for support from Cohesion Fund shall ensure that an appropriate amount of ESF resources is allocated to capacity-building for non-governmental organisations.

According to Article 96.6 of the common provisions regulation, each operational programme shall set out for each ex-ante conditionality, which is applicable to the operational programme, an assessment of whether the ex-ante conditionality is fulfilled at the date of submission of the Partnership Agreement and operational programme, and where ex-ante conditionalities are not fulfilled, a description of the actions to fulfil the ex-ante conditionality, the responsible bodies and a timetable for such actions in accordance with the summary submitted in the Partnership Agreement.

Annex XI of the regulation identifies thematic ex-ante conditionalities for social inclusion, and providing relevant stakeholders with support for submitting project applications and for implementing and managing the selected projects as criteria for fulfilment.

Support to capacity building should assist the planning and implementation of quality projects in the field of social inclusion. Although the ESF regulation highlights the need for capacity building for NGOs, there is an acknowledged need in the common provisions regulation for a broader group of stakeholders including local authorities.

Capacity building should focus on planning and implementing high quality projects, not just on absorption. Quality can be specified e.g. by the EU's common basic principles on Roma inclusion, especially constructive, pragmatic and non-discriminatory policies, explicit but not exclusive targeting, aiming for the mainstream, awareness of the gender dimension, involvement of local authorities and civil society and active participation of the Roma.

Support should cover project planning - including strengthening the cooperation between local stakeholders with a view to drafting concepts for potential actions, developing the contents of planned actions, preparing project proposals for planned actions - and implementation.

Capacity building can be provided most effectively by trusted, non-official organisations such as experienced NGOs.

Experience shows that the necessary investment in capacity building is, on an average, around 4-8% for project generation and another 2-4% for mentoring. In other words, an investment in capacity building of organisations in a given field can bring in, on an average, 10-16 times more funding for high quality projects in that field.

These capacity building activities are to be financed by the "normal" ESF allocation - e.g. under thematic objective social inclusion -, not the technical assistance allocation of them that is dedicated for the assistance of the management of the programmes.

A potential scheme is described in the Annex.⁷⁶

⁷⁶ For a detailed description, see MtM (2014): Assisting communities to access EU funds for inclusion.

Annex: A potential model for capacity building for local stakeholder coalitions in the field of social inclusion

Problem statement

Making full use of the EU funds for Roma inclusion is hindered among others by lack of capacity among local governments, institutions, NGOs and Roma communities.

The problem is explicitly mentioned - and OSF's Making the Most of EU Funds for Roma program is welcomed - e.g. by the European Commission in its first Communication on the Roma.⁷⁷ The problem is most relevant for new member states with large Roma populations.

Objective

The objective of the operation is to build capacity among local governments, institutions, NGOs and Roma communities for implementing high quality actions for Roma inclusion in the field of education, employment, housing and health with the support of EU funds.

The focus is on quality, which can be specified e.g. by the EU's common basic principles on Roma inclusion (especially constructive, pragmatic and non-discriminatory policies, explicit but not exclusive targeting, aiming for the mainstream, awareness of the gender dimension, involvement of local authorities and civil society and active participation of the Roma).⁷⁸

Target group

The target group of the operation contains local governments, institutions, NGOs and Roma communities that plan to or do implement actions for Roma inclusion with the support of EU funds.

The target group of the actions shall contain marginalised communities including Roma, in line with the principle of explicit but not exclusive targeting.

Activities

Activities include generation and mentoring of high quality Roma inclusion projects to be financed with EU funds.

Activities need to be flexibly adjusted to the local needs. Based on the concrete needs of the concrete county, locality, organisation and action, activities may include free services to:

- Project generation
 - Strengthening the cooperation between local stakeholders, with a view to drafting concepts for potential actions - e.g. organising ad-hoc workshops and setting up permanent structures, analysing the situation, gathering ideas, etc.
 - Developing the contents of planned actions - e.g. learning experiences of

⁷⁷ European Commission (2010): The social and economic integration of the Roma in Europe.

"Obstacles also include reticence at the local level and a lack of political awareness and capacity among local administrations, as well as among Roma communities. These difficulties can be tackled by incentives or by the provision of appropriate support and expertise, including technical assistance under the EU Structural Funds. The Commission welcomes NGO initiatives in support of capacity building (e.g. the OSI initiative "Making the Most of EU Funds for Roma")."

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0133:FIN:EN:PDF>

⁷⁸ European Council (2009): Common Basic Principles on Roma Inclusion

<http://register.consilium.europa.eu/pdf/en/09/stio/stio394.en09.pdf>

- other localities with similar situation and ideas, discussing ideas, etc.
- Preparing project proposals for planned actions - e.g. ensuring that the concept is kept in the application stage, elaborating the application, etc.
- Mentoring
 - Implementing actions - e.g. ensuring that the concept is kept in the implementation stage, avoiding technical problems with procurements or payments, etc.

Expected results

Expected results of the operation include

- submission of at least 40-80 high quality Roma inclusion project proposals, and
- awarding and successful implementation of at least 20-40 high quality Roma inclusion projects per country per year.

The figures can be higher for larger countries like Romania and lower for smaller countries like Slovakia.

Budget

Total cost of the operation per country per year can be around 3-500,000 EUR. The appropriate amount may be smaller in the beginning of the period and higher in the middle and the end of the period (as the service can be developed gradually); and higher for a larger country like Romania and lower for a smaller country like Slovakia.

Unit cost of the operation for project generation can be in average around 3-4,000 EUR or 6-8% of the budget of the project. The amount depends on the level of need for assistance, the size of the project, etc.

Unit cost of the operation for mentoring can be in average around 50% of unit cost for project generation. The amount depends on the size of the project, etc.

Note: These capacity building activities are to be financed by the “normal” ESF allocation, not the technical assistance allocation of them that is dedicated for the assistance of the management of the programmes.

CONTACT INFO

The Toolkit can be downloaded at:

<http://www.opensocietyfoundations.org/about/programs/making-most-eu-funds-roma>

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