

ROMA “GOVERNANCE” INSTITUTIONS AND PUBLIC POLICIES

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ABSTRACT:

THE „ROMA PROBLEM” HAS ALWAYS BEEN A DISCUSSION SUBJECT, IN THE EUROPEAN AND NATIONAL GOVERNANCE. SINCE ROMANIA JOINED THE E.U. THE SUBJECT BECAME MORE AND MORE “ADVERTISED”, THEREFOR, AT THE EUROPEAN AND NATIONAL LEVEL “GOVERNANCE FOR THE ROMA COMMUNITY” IS A TOP POINT OF THE PUBLIC POLICIES.

IN ROMANIA “THE GOVERNANCE FOR ROMA” WISHES TO DESIGNATE SOLUTIONS IN THE ROMA ISSUES, THROUGH TWO ELEMENTS WHICH ARE SUPPOSED TO MAKE A WHOLE UNIT: ROMA INSTITUTIONS AND PUBLIC POLICIES FOR ROMA. IF AT THE GOVERNANCE LEVEL WE DO HAVE A FEW INSTITUTIONS OF LOCAL AND CENTRAL LEVEL THAT DEALS, COHERENTLY WE MIGHT SAY, ESPECIALLY WITH THE ROMA ISSUES, AT THE PRACTICAL LEVEL, OR IF YOU WILL, AT THE IMPLEMENTATION LEVEL, PUBLIC POLICIES FOR ROMA ARE AT LEAST OBJECTIONABLE. THIS GIVES US THE CHANCE TO CHANGE THE TERM OF INTEGRATION WITH THE TERM OF „GOVERNANCE”.

IN A COMMOM AGREED WITH THE EUROPEAN MINORITIES PROTECTION PRINCIPLES AND LEGISLATION, ROMANIA SUCCEEDED PARTIALLY TO START A ROMA INTEGRATION PROCESS, BUT BECAUSE OF LACK OF BUDGET FUNDS (WITH SMALL EXCEPTIONS) FROM NATIONAL STATE ORIGIN, THE WHOLE PROCESS IS MUCH DELAYED, WHICH EVENTUALLY CONDUCTS TO ROMA MIGRATION FROM ROMANIA TO WESTERN EUROPEAN COUNTRIES.

KEYWORDS: ROMA COMMUNITY GOVERNANCE, E.U. ROMA ISSUES AGENDA, ROMA PUBLIC POLICIES, ROMA INSTITUTIONS.

INTRODUCTION

“Roma inclusion become an intensive discussed subject at the european level, especially after 2007, a time when more and more roma persons, citezens of the new E.U. member states, migrated into those with a higher life standards².” Roma issue is a topic often bandied about in the European Union. The reason for many hot debates in the institutional, public or media environment, is an eternal debate over methods of integration approach and development of Roma community. We believe that we are at the point where we no longer question whether the Roma minority needs to be integrated but rather how we integrate the Roma community. The answer comes with in the explanation from the title of this article. I mean by "governance" for Roma. It is true that usually we use the term integration,

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² Daniela Tarnovschi, *Roma from Romania, Bulgaria, Italy and Spain, between social inclusion and migration*, (Cluj Napoca, Ispmn, 2012), 1

community development on Roma issues. But as we shall see, by the end of this article, to the risk of being accused of too much "courage" or too little caution, the term "governance" introduced in place of terms of integration or development on Roma issues, will not appear to be exaggerated, but on the contrary, it will express the last directions or lines of the European institutions but also of Romania.

1. THE ISSUE IN EUROPEAN UNION

*"Any minority issue is caused by a conflict situation between a minority and the nation state in question. Often involved in this conflict are also other actors ... We must not forget in this equation the international organizations since the League of Nations and continued with the UN, Council of Europe, OSCE, EU and NATO, who took into account the protection of minorities"*³. Those kind of statements are important because since the late twentieth and twenty-first century began, the integration of the Roma community became the Roma issue and at European level was necessary for the creation of tools to try to solve this problem. From the chronology of documents issued at European level and supported the integration of the Roma community we remember in 1966- the International Covenant on Civil and Political Rights, 1992-the Declaration on the rights of persons belonging to national, ethnic, linguistic and religious minorities, 1993-Recommendation no 1203 of the European gypsies, 1995-Conventionally Framework for national minority protection, 2000-Lisbon Strategy, 2005-the Decade of Roma Inclusion 2005-2015. The sequence above mentioned documents, are able to paint a chronological picture of protecting the Roma minority in the European Union.

In Europe the Roma issue became visible because of migration of this community in two major waves, both starting from SE European countries into Western countries. A first wave took place in the 90s immediately after the fall of the "Iron Curtain" when the migration of Roma in South Eastern Europe was much inspired by new feelings of democracy, freedom, thus seeing new opportunities in getting a decent living. The second major wave of migration took place immediately after the intervention of the economic crisis in 2007. This time the migration of Roma in SE Europe, as well as of the majority population in these countries took place out of necessity, hoping that the free movement of persons within the European Union will give them the chance to escape the economic crisis in which they found themselves. Migration of the Roma community in western countries especially in several years led to reactions to many racist and discriminatory actions from the majority populations of these countries. In this climate the European Union, its institutions reacted positively, so that there were some plans for integration and development of Roma in Europe.

An important organization that has made considerable steps in defending the rights of the Roma community, but also in the integration process and its development is the ODIHR office of OSCE (Office for Democratic Institutions and Human Rights). *"Contact Point for Roma and Sinti Issues was established in 1994 within the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in Warsaw. It was the first such office established to promote the rights of Roma and Sinti and their integration into society"*.⁴ What is important to remember is that for the first time an international organization has allocated a true institution, CPRS (part of OSCE) Contact Point for Roma and Sinti, human resources and sustainable plans, for the integration of the Roma community.

³ Vasile Vese and Adrian Ivan, "Ethnic minorities and European security at the end of the twentieth century and beginning of the XXI century *Case Study Romania*", in *Society and civilization*, edited by Calin Florea, Ciprian Năprădean, (Târgu-Mures, Dimitrie Cantemir, 2003), 752

⁴ OSCE, ODIHR and Roma and Sinti issues, accessed June 12, 2015, <http://www.osce.org/odihr/102598?download=true>

Since 2000 the integration of the Roma community is slowly turning into a Roma issue, for which the European Union had to take a stronger stance so that, for example, the 2007 Lisbon Treaty starts with an article which mentions *that "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities"*⁵. To support the term "Roma governance" instead of concepts like roma integration and roma development with all that they imply, we will continue to highlight below some examples:

European Roma and Travelers Forum is an international association that was created in 2004 and which has special ties with the Council of Europe and evidenced by a partnership between the two parties in order to solve the problems faced by roma and traveler community in the European territory⁶.

An international initiative namely the Roma Inclusion Decade 2005-2015 is able to emphasize the importance of the situation of Roma in the European Union but also to demonstrate the right to use the term "roma governance" as *"the Decade of Roma Inclusion 2005-2015 is a political unprecedented commitment where the European governments tries to eliminate discrimination against Roma and closing the unacceptable gaps between Roma and the rest of society. The decade focuses on the priority areas of education, employment, health and housing, and commits governments to consider other basic issues of poverty, discrimination and gender mainstreaming. The Decade is an international initiative that brings together governments, intergovernmental and non-governmental organizations and Roma civil society"*⁷. At this moment, more exactly in the face of such an instance, it is pretty hard to ignore the use of the word "roma governance" as this international initiative brings together the socio-political domains at the European level, specifically only for Roma communities, assembling public policy, public institutions, mechanisms and financial procedures in order to integrate and develop this community.

Public policies for Roma in the European institutions are willing to be very coherent, integrated and with supranational effects of course. Since we have a common currency, common market and free movement of persons and services within the European Union, but not common financial instruments, for example in the areas of investment and development, causes the effect of public policies for Roma to be different from a national state to another. We believe that for a homogenous implementation of public policies for Roma in all EU Member States, it is necessary to get closer a little more to what is called the "European dream" or if you want the United States of Europe.

In concluding this subtitle we can't talk about the Roma minority in the EU, without mentioning the recent events in Europe which tend to stretch the *rope tensions* between "nationalists" of different European countries and minorities in the respective territory. It's about the recently concluded elections for the European Parliament in 2014, with a number of nine extreme-right parties that were elected with representatives in the European Parliament. Thus it appears a clear evidence of rising the euro skepticism in Europe. Immediate question that arises in this scenario is whether euro nationalism starts losing territory and ultimately a more and more invisible appearance of the European citizen term. We affirm with conviction the term of "euro nationalism" as yet not far away in the past there was a lot of talking about the United States of Europe or the Federal States of Europe, notions that wanted to appoint and announce the future of this continent. Following the last elections for the European Parliament observing the rise of the extreme right and their political campaign with an anti-immigrant agenda, so it seems to take shape a future conflict between these parties and ethnic

⁵ Lisbon Treaty, 2007, art.1a

⁶ The Voice of the United Roma in Europe, accessed at 12.06.2015, <http://www.ertf.org/index.php/about-us>

⁷ Decade in Brief, accessed at 12.06.2015, <http://www.romadecade.org/about-the-decade-decade-in-brief>

minorities. Somehow it seems logical that assumption, if we consider some statements and slogans of the parties concerned. For example according to some media reports, the founder of the National Front in France, 25% in euro elections in France (The leader Marine Le Pen) said that only "the Ebola Lord" can solve the problem of immigrants in France, also the slogan of the NPD (neo-Nazi party with a mandate to euro-Germany) was "Money for grandma not Sinti and Roma"⁸.

On the other hand we have the chance to overthrow the above lines trying to explain them on the economic crisis and not on a local revival of nationalism in countries like France, Greece and Germany, as shown in the 2014 European elections. In other words, dissatisfaction of the European population, to the behavior and policies of their representatives generally was at a fairly large scale, so that the population come at the voting election box in a proportion of 43% as shown by the statistics provided by the European Parliament⁹. Although comparative for 2009 and 2014, there are no huge differences for euro elections in the presence of European population, public frustration can be seen in the results of this last year euro elections. We believe that the boom of the extreme right in the European Parliament of this year took place thanks to the simplistic thinking of the European citizen " *i don't care about the extreme nationalism of the NDP (Germany), NF (France) UMP (United Kingdom), maybe they will be able getting us out of the economic crisis, or imigrants who occupy our jobs.*" In other words we do not exaggerate if we say that the European citizen can accept any alternative governance, an Eurosceptic one, a nationalist or extremist one, as long as the result will succeed in adjusting the economic engine of Europe.

Whether is based on a reviving local nationalism (French, German, Greek), whether due to euro skepticism, or economic crisis, 2014 will be recorded in history as one of the years when European elections were revived by the extreme right nationalism. The logical consequence of this fact, we believe it can be the announcement of future conflicts between the concerned parties and ethnic minority representatives in the respective territory, including the Roma communities.

On the other hand, in spite of all this, there are a lot of positive forces at the European level that deals a lot with the roma community, as we showed above. There for as long as we can seriously say we have European institutions, procedures, and human resources that deals especially with "the roma problem" we think we arrived at a new train station called "roma governance" and we just passed the "roma integration" station a couple of years ago.

2. THE ISSUE IN ROMANIA

We can discuss public policies for Roma in Romania, with the support of the European documents for the motivation of the roma policies but not to that limit alone. A small historical of the contribution of the Roma in Romanian history show us about them *that "in several countries took place in the interwar period, a Gypsy process of organizing and action in favor of promoting their own interests. Some roma scientists even talks for this period, about a Romanian Gypsy nationalism. What happened in Romania was part of the overall progress of the Gypsy population in Europe"*¹⁰. Therefore an explanation for the construction of public policies for Roma shouldn't be motivated, only legally, just by the mere fact that there is a right conferred by the European institutions. We can built a motivation by

⁸ Mike Doherty, "German Sinti activists destroy racist election poster", 29 May 2014, accessed at 29 May, 2015 <http://travellerstimes.org.uk/News/Sinti-activists-destroy-racist-election-poster.aspx>

⁹ "Post electoral survey 2009", European Parliament Report, coordinated by the Directorate- General for Communication of the European Comission, 2009, 50, accessed at 29 May 2015 http://www.europarl.europa.eu/pdf/eurobarometre/28_07/EB71.3_post-electoral_final_report_EN.pdf

¹⁰ Viorel Achim, *Gypsies in Romania's history*, (Bucharest, Enciclopedică, 1998), 132

the fact that the Roma community has certain contributions to many aspects of the Romanian history, as Romanian nationalism, as shown in the above quote. Of course this topic will have to be part of a separate study subject of an article or even a book. Anyway those kinds of episodes will need to be very carefully examine because there are always “issues” and “debates” and “problems” when we are talking about the Romanian history, because “*never being a great power, Romania had to adapt at first, at her own geopolitical situation and then, in front of threats, to react in the sense of safeguarding her own identity.*”¹¹

“*A public policy is a network of interrelated decisions regarding the choice of objectives, means and resources allocated to achieve them (note - the objectives in specific situations)*”¹². In other words, public policy is a cohesive set of measures in a plan of state power institutions which seeks to solve a number of certain problems. From the above definition, it follows that the issue of public policy questions asked are Who? How? And how much it costs? Since the subject that interests us are public policy for Roma we will attach this questions above to the issue. We will not insist on who or how much, but rather upon how. It is understood that the answer to the question who is “the state through its institutions of power”. Vis a vis how, we can’t allow in the little space for this article a financial analysis, but if we agree that creating a single job as says the National Credit Guarantee Fund, reaches from 30,000 euro to 100,000¹³ euro, depending on its complexity, one can only imagine the huge costs that we deal on an entire labor market policy. The example above is from the labor market domain because as I have said with other occasions it is the core area, the basic pillar of development, which if it is well constructed, will give access to other basic areas of development such as health, education, housing and access to justice, in other words *general access to human security*.

On the other hand the nature of a public policy may be an omission one or a passive one, namely that of not doing something specifically in order to protect an interest or goal.

Another definition according to HG 870/2006 the policy term is defined as “*all activities performed by central government specialists in public policy, troubleshooting purposes and to ensure the necessary developments identified in a particular field*”¹⁴.

Speaking of public policy for Roma, we believe that their purpose is one and only one: to develop coherent this vulnerable group (though some authors disagree with that name), minority ethno-cultural group, or if you want the community. A coherent development we believe that should mean a medium and long term plan where areas of development are budgeted according to their importance, namely in the first place the labor market access, then access to education and so on. Of course all this system entails legislating in these areas a budget national system specially designed for the Roma community in accordance with the specific problems of this minority. Undoubtedly development system should include all institutions of power from central to local level. “*Understanding the public intervention for Roma situation, not only for reasons related to social justice and protection, but also for considerations that relate to the economic and social development of Romania - Roma human resource provided, one of the youngest from EU, gaining a very important stake ... so, in 2010, the World Bank estimated for Romania the annual productivity losses due to*

¹¹ Liviu Petru Zapartan, *Actual Geopolitics*, (Cluj Napoca, Eikon, 2009), 327

¹² Adrian Miroiu, *Introduction to policy analysis*, (Bucharest, Paidea, 2001), 9

¹³ Creation of one job in time of crises costs 100.000 euro, 8 May 2009, accessed at 10.05.2015, <http://www.ziare.com/nationala-romaniei/stiri-nationala-romaniei/crearea-unui-nou-loc-de-munca-pe-timp-de-criza-costa-100-000-de-euro-744744>

¹⁴ HG. 870/2006, regarding the approval of Strategy for the improvement of public policies planification at the central public administration

*the exclusion of Roma, to 887 million euro*¹⁵. This is just one example that can highlight the importance and obligation of the state to intervene in the development inclusion of Roma in Romania. Analyzing the old and new government strategy for Roma inclusion HG.18/2015, respectively HG 430/2001, at the writing records we are talking about an integrated strategy at local level up to the central level, but as I underlined just at the writing record. In order to ensure a process of integration, to a sustainable development, the access to employment of Roma communities is of course a priority that this community needs. The motivation is a simple one. The access to the labor market means the possibility of access to health, housing and education. Simply put, if there is a job, there is medical insurance, there is the possibility at least of paying a modest rent, and the possibility of sending children to school.

In Romania, the Roma issue, and not necessarily its solutions, is quite well reflected in the strategy for Roma inclusion, HG 18/2015, where most Roma social inclusion issues were divided into education, employment, health, housing and small infrastructure, culture, social infrastructure. Which of these areas are closely related to social development and it has a major importance in the life of Roma communities? Of course the answer is employment or access to employment. In theory we could probably find options, where the labor market has not a major importance in the progress of a community, because there wouldn't be few who would support the education to have the highest importance in development of a community. On a practical level, without access to the labor market all other areas are more difficult to access by ordinary individual.

However in recent years, Romania has made progress in integrating the Roma minority. There are some public policies budgeted by national funds that materialized as follows:

- In each county exists in the Prefect Institution, a specialized structure for the development of the Roma community, namely the County Office for Roma where, as a human resource is also included the prefect adviser for Roma issue.

- From County Council budget are remunerated two types of mediators for Roma communities, namely community health mediator who signalizes problems related to public health system, and the school mediator who liaise between the community- school- County School Inspectorates.

- We can also exemplify local government institutes that are working under the Government and the Institute for Research on National Minorities such as the one in Cluj, where there exists a significant involvement and attempt to resolve the Roma issue, through the publication of materials, studies, compendiums in order to be placed in the public consciousness.

- Also as a national policy of Roma community integration is the allocation of special positions for Roma in higher education at various universities.

- At general level, the national public policies for Roma are coordinated centrally by the National Agency for Roma, headed by a Secretary of State, which is subordinated to the Government; therefore its functionality depends on the state budget.

- Integration of Roma community through the preservation of Roma culture and history is supported by the state through a public policy by which was introduced in the educational system the study of the Roma language and history in the 1-8 grades.

Even though the above examples are covered in a National Strategy for Roma Integration through a government decision, we must recognize that despite the state opening to Roma issue, this strategy is the result of a continued struggle of Roma civil society, without which, otherwise, we do not think would have reached this point.

¹⁵ Strategy of the Romanian Government for inclusion of Romanian citizens belonging to Roma, for 2015-2020 period, 14 January 2015, 1

Public policies for Roma, as they look today, in Romania are lacked of cohesion, or if you like, are not interconnected. Of course, for this, there are two general criticisms of these types of policies: 1. Interconnection of public policies for Roma in the fields of intervention (education, housing, health, access to the labor market, etc.) require a much consistent budget, maybe much too large for the existing funds of the state. 2. Public Policies for Roma expressed in the strategy or other legal documents, does not represents sanctions in case of infringements, in other words, are white legal norms.

Besides a lot of criticism that can be built on the situation of public policies for Roma in Romania, starting with the method of their conception and until the construction of procedures that needs to be implemented, we can at least admit that there is a beginning, a base which can be improved and which can be constructed on. Furthermore we can support the term of "Roma governance" as we showed at European level, also at national level as well. Because if we already have procedures, institutions, human resources, specially allocated or design for the roma community we seem to get into another level of dealing with things, meaning not just integration or community development, but a full "roma governance".

CONCLUSION

This article doesn't have the expectation to expose all the problems of public policy for Roma, but rather placing the reader in a picture where each "painted color" may be a separate subject of "other paintings" which will need to have much more consistency. Thus, we conclude that this article can be considered a general image of the subject discussed and a demonstration that the "*roma governance*" term it can be used instead of terms like roma integration or roma inclusion, for motivated theoretically but also practically reasons.

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