



Evropako Forumo e Romengo thaj e Phirutnengo
Forum européen des Roms et des Gens du voyage
European Roma and Travellers Forum

ERTF Charter on the Rights of the Roma

1. More than seven centuries ago, our People were enslaved in the Indian subcontinent in the course of the Islamization of India and expelled towards Europe during the Islamic wars.
2. For more than six centuries, we Roma have lived here in Europe. Our history has been marked by Antiziganism, slavery, discrimination, persecution, expulsion, violence and genocide; this history has been written with our people's blood.
3. Hundreds of thousands of our people were victims of the Parrajimos, the Holocaust on Roma , murdered in the name of the Nazi race mania, abused for pseudo-medical experiments and gassed in concentration camps. This injustice and crime against our people has too often been concealed, ignored, treated as a footnote to history, or simply forgotten.
4. We Roma have been deprived of recognition as a national minority group so far. Traditionally, we are regarded as a social fringe group, as a social problem that is to be "integrated" by means of disciplinary measures and state repression.
5. Our fate has been determined by self-appointed experts and specialists; our history has been written by linguists and gypsyiologists.
6. Our people live in deplorable conditions comparable with the Third World, often segregated from the rest of society and subjected to rejection and discrimination.
7. Our people are frequently denied equal access to public health services. Our people's life expectancy is far below the European average; our infant mortality is much higher than average. Our everyday life is determined by segregation in every area of life;
8. Our children are regularly denied access to education or segregated from other children in so-called "special schools".
9. Discrimination at work is commonplace; our people's unemployment rate is 80 per cent and in some parts of Europe even higher.
10. Hate campaigns against us in the media are increasing year by year; the public image of our people as a criminal and unwanted menace has long been current. Balanced media

accounts of the conditions of the Roma are infrequent. Positive media images of Roma are few and far between.

11. Expulsions and expropriations of our people are not condemned by the International Community ; on the contrary, authorities are encouraged by the Public Opinion to continue their antigypsy policies through silence and reward.

12. Millions of our people are forced to live in ethnic slums, with no future, with no hope.

13. Thousands of our people were sent to battle against each other in European wars; brothers and sisters, parents and relatives were forced to fight against each other in different armies.

14. Instead of fighting the causes for fleeing, international institutions are fighting Roma refugees. Our people's attempt to flee from discrimination and Antiziganism is interpreted as nomadism, as asocial behaviour.

15. Romani women are exposed to triple discrimination: as women in society; as Romani women in the women's rights movement; and often as scapegoats in our own community. Young women and girls are particularly vulnerable to violence and lack of life opportunities.

16. After centuries of expulsion and exclusion, some of us have chosen the path of cultural self-determination and a travelling way of life and are particularly affected by prejudices, defamation, violence and rejection.

17. By discrimination against our language, customs, tradition and culture, by falsification of our history and our identity, the breeding ground for European Antiziganism was created.

18. Thousands of Roma children have been taken away from their parents, forced to be adopted and torn away from their roots: a measure that runs like a red thread through our people's history.

19. The defamation of our people as a social fringe group is the basis of deprivation of our rights as a national minority and lack of equal treatment with other people and nations.

20. The traditional adherence to experts and specialists deciding on our fate constitutes a blatant infringement of any kind of peoples' right of self-determination; this discriminatory practice is an integral part of our problem. This kind of neo-colonialism is actually to blame for Europe's failure to insure Human Rights and Civil liberties to our People.

21. We Roma, as well as our organisations, live in an atmosphere of general suspicion; the system of general suspicion is the most striking feature of Antiziganism and has to this day led to self-appointed experts being entrusted with making decisions concerning Roma instead of Roma themselves.

22. The behaviour of European States towards the Roma in the 21st century will be a critical test of their implementation of the human rights and civil liberties of minorities, as well the

sincerity of their commitment to combating any kind of racism, anti-semitism, discrimination xenophobia and antiziganism.

23. The Roma occupy a unique position in Europe, both historically and politically, as a pan-European national minority, without kin-state. Efforts to improve the situation of the Roma in Europe must acknowledge this special position.

24. A constitutional, democratic and just Europe must include the participation of Roma in all areas of society. The participation process needs to draw on common roots and common perspectives beyond citizenship, group affiliation, or country of residence. Ensuring the participation and contribution of Roma in decision-making processes is one of the principal aims we wish to achieve.

25. A Europe in which Roma suffer from Antiziganism and segregation should not be allowed to exist for any longer. Yet we will only succeed in reducing this xenophobia, prejudice, stereotyping and fear emerging from ignorance through systematic and continuous education.

26. According to the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights, as well as the Vienna Declaration and Programme of Action,¹ affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development

27. Considering that every attempt to decisively improve the Roma's situation to date has been unsuccessful, a collaboration of the states, international institutions and the Roma's legitimate representatives based on equal rights is urgently needed. Furthermore, it is our obligation and duty to ensure that societies, as well as states and international institutions, revise their opinions;

28. Recalling the spirit of the partnership agreement signed on December 15 2004 between the Council of Europe and ourselves the European Roma and Travellers Forum (ERTF), we the Roma in Europe declare the principles of this Charter on the Rights of Roma as binding for all Roma Representations, Initiatives and particularly for the ERTF, as the only legitimate representation of Roma in Europe authorised by democratic processes, and actively commit ourselves to promote the implementation of the rights and principles in this Charter, in collaboration with all Roma and everyone of good will.

29. The Roma are a European national minority and citizens of the countries they live in; their participation process needs to draw on common roots and common perspectives beyond citizenship, group affiliation, or country of residence.

30. We, the ERTF as the only legitimate representation of Roma in Europe authorised by democratic processes, declare the principles of this Charter on the rights of Roma as binding

¹ ACONF.157/24(Part I), chap. III.

and actively commit ourselves to promote the implementation of this charter in collaboration with all Roma² and everyone of good will.

As such, we proclaim the following:

Article 1

Roma is; who avows oneself to the common historical Indo-Greek origin ,
who avows oneself to the common language of Romanes,
who avows oneself to the common cultural heritage of the Romanipe,

Article 2

We have a shared national identity as Roma, independent of citizenship, state and/or group and/or religious affiliation.

Article 3

Every person of our people has the right to self-determined designation, identity and community³.

Every person has the right to freely practice his/her religion, culture and tradition.

Romanipe is based on unity through diversity.

Article 4

We Roma are a people equal to every other people in the world. We Roma live in every state of Europe and hereby declare ourselves to be a national minority in Europe without our own state or claim for a state.

Article 5

As a national minority, we Roma engage in the rights and duties stipulated in contracts, agreements and declarations both collectively and individually. Roma have the right to the protection and opportunities as secured in the Charter of the United Nations, the Universal Declaration of Human Rights, the Treaties of the Council of Europe⁴ , the OSCE⁵ and the European Union⁶ , as well as all further national and international civil rights.

² Reference to all peoples declared by Article 1

³ Roma, Sinti, Kalé, Gypsy, Tsigans, Zigeuners, Travellers and related groups in Europe

⁴ Particularly: All Recommendations of the Council of Europe Bodies on Roma, Convention for the Protection of Human Rights and Fundamental Freedoms, and all additional Protocols to the Convention for the Protection of Human Rights and Fundamental Freedoms, European Social Charter, Framework Convention for the Protection of National Minorities, European Code of Social Security, Protocol to the European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors, European Convention on the Adoption of Children, European Convention on Social and Medical Assistance, European Agreement on the Abolition of Visas for Refugees, European Agreement relating to Persons participating in Proceedings of the European Commission and Court of Human Rights, European Convention on the Repatriation of Minors, European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes, European Convention on the Legal Status of Migrant Workers, European Convention on Mutual Assistance in Criminal Matters, European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, European Agreement on Transfer of Responsibility for Refugees, Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, European Convention on the Compensation of Victims of Violent Crimes, European Charter of Local Self-Government, European Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Convention on the Participation of Foreigners in Public Life at Local Level, European Charter for Regional or Minority Languages, European

Article 6

We Roma have the right to self-determination in accordance with international law including:

the right to cultivate one's cultural autonomy, the right to freely promote our economic, social and cultural development and to select our partners, projects, and programmes on our own and, where appropriate, implement them as well;

the right to decide on our representation free of any kind of obstruction or discrimination and to vote on it democratically.

We refuse any kind of heteronomy; representations, experts or speakers on our behalf who are self-appointed or appointed by third parties,

Article 7

We roma have the right to a nationality and citizenship, social life, to have access to public health services, the right to physical integrity, the right to freedom, the right to protection from defamation and prejudices. We Roma have the collective right to lead our lives in peace, to equal opportunities, security and equal treatment.

Article 8

We Roma have the right to life, physical and mental integrity, liberty and security of the person. We Roma have the collective right to live in freedom, peace and security and shall not be subjected to any act of genocide, pogrom or any other act of violence, including forced sterilisation, internment, compulsory expropriations, forced resettlement, all forms of hard labour or forcibly removing children. To protect our People we have the right to use all appropriate measures that are foreseen by the international community and in accordance with international law.

Article 9

Participation in all areas of society and contribution to their decision processes is one of the principal aims we wish to achieve.

Article 10

We Roma, collectively and individually, have the right to not be subjected to forced assimilation or to abandonment or destruction of our culture. States shall provide effective mechanisms for prevention of and redress for: Any action which has the effect of depriving Roma of their integrity as distinct peoples, or of their cultural values or ethnic identities or language;

Any action which has the aim or effect of dispossessing them of their land, housing or possessions;

Any form of forced population transfer, resettlement or expulsion;

Any form of forced assimilation or integration;

Convention on the Exercise of Children's Rights, European Convention on Nationality, Council of Europe Convention on Action against Trafficking in Human Beings, Council of Europe Convention on the avoidance of statelessness in relation to State succession, Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

⁵ Particularly the OSCE plan of action

⁶ EC Treaty

Any form of incitement or promotion (by individuals, organisations the media or any other source) of discrimination, hatred, violence, humiliation, defamation or false reporting against them.

Article 11

States shall ensure by means of appropriate measures that the media cannot incite hatred and violence against Roma through false reporting and hate campaigns.

Additionally, statutes shall be revised if, in the name of freedom of the press, they allow humiliation, defamation or incitement or commit offences that are punishable by existing international understanding.

Article 12

States and international institutions shall initiate appropriate education campaigns in their public authorities, departments and among their employees in order to counteract prejudices and stereotypes, as well as xenophobia and Antiziganism, and to raise awareness of injustice and sensitivity toward human rights and civil liberties and the values of the Council of Europe.

Article 13

As our language, Romanes shall be equated with all other European languages.

States, as well international institutions, shall therefore ensure by all appropriate means that Romanes is protected as a living European language. This includes taking measures to promote public acceptance of Romanes and all measures stipulated in the European Charter for Regional or Minority Languages, as well as support our own educational institutions and native-language classes at schools.

Article 14

States shall ensure, by appropriate means, that Roma are able to establish their own media in their mother tongue.

The mainstream media, both state and private and including television and radio, shall provide the Roma with the opportunity to report in their own language without discrimination; this particularly applies to state media.

Article 15

States shall ensure that Roma history, origin and fate, persecution and community are included in school curricula.

To this end, States and international institutions shall develop such curricula in collaboration with Roma institutions and integrate them without delay into their educational systems.

Article 16

States shall, in collaboration with Roma institutions, develop effective solutions for the improvement of the living conditions of Roma.

The EU and its institutions shall take all appropriate measures within their respective competencies to support the efforts of its Member States to carry out their duties under this Charter.

The EU shall establish, in cooperation with the ERTF, a special aid fund for the stabilisation of Roma civil society.

The European Commission shall take all possible measures to ensure that Structural Funds, as well as Social Funds, are used to support disadvantaged regions of the EU in which a particularly large number of Roma live.

Article 17

Political parties, institutions and universities, public service and governments shall take measures, including where appropriate, positive action, to ensure that the proportion of the Roma in their states is reflected in the number of their Roma employees and/or members. The European Commission, the Council of Europe, the OSCE and other international institutions shall make particular efforts to act as role models in this regard. The ERTF also appeals to international corporate groups to show more courage and increasingly employ Roma.

Article 18

States shall ensure that any kind of segregation and/or apartheid within their sphere of influence is removed and fought effectively and sustainably. This particularly applies to the education sector.

Article 19

States shall implement and enforce strong and effective laws and action against discrimination in employment against Roma. These shall include provisions against direct and indirect discrimination, victimisation and harassment. They shall also allow employers to take positive action to prevent or compensate for disadvantages experienced by Roma. We explicitly refuse short-term projects which merely develop symbolic value. State sponsored programmes to increase the employment of Roma shall be long-term and sustained. The unemployment rate of Roma has to be reduced drastically by positive actions; this also includes the development of appropriate strategies as well as the cooperation of state, economy and Roma.

Article 20

The ERTF calls upon the Roma in Europe to actively participate in the political processes in their states.

This implies participating in elections actively as well as passively, becoming members of political parties or founding one's own party.

Article 21

The ERTF shall instantly begin examining compensation claims to states or their legal successors, which are to blame for violence against the Roma in the past.

Article 22

None of the articles of this Charter shall be interpreted in a way that infringes upon the Charter's spirit and positive intentions.

Article 23

As pacifists who do not wish to participate in acts of war, we Roma shall not be forced into military service; though this does not affect the right of individual Roma to volunteer for military service.

Article 24

States, as well as international institutions, shall support the establishment of independent civilian Roma society, both actively and financially.

Based on the ERTF model, each national state shall ensure that existing Roma organisations are enabled to unite to form a national Roma umbrella alliance/forum which is free of state influence.

Each national Roma umbrella alliance/forum shall then be granted a seat in the national state's parliament.

The national state shall provide sufficient financial assistance to each national Roma umbrella forum/alliance sufficiently.

National umbrella organisations of Roma must be accepted, promoted and supported as legitimate representations of interests and partners of governments.

Article 25

States shall ensure that Roma are granted pro bono legal advice, including on the implementation of existing human rights and civil liberties.

Article 26

In order to succeed in the implementation of large parts of this charter, legally binding agreements of the member states of the Council of Europe, the European Union, the United Nations and the OSCE are necessary.

These kinds of legally binding agreements only could contribute to the abolishment of the present unequal treatment of our people among the states and to the respect for the special situation of our people.

Article 27

Nothing in this charter may be interpreted as implying for any state, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorising or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent states.

In the exercise of the rights enunciated in the present declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this declaration shall be subject only to such limitations as are determined by law, and in accordance with international human rights obligations.

Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.