



## Economic and Social Council

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### Commission for Social Development

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**Follow-up to the World Summit for Social Development and the twenty-fourth special session of the General Assembly: priority theme: promoting empowerment of people in achieving poverty eradication, social integration and full employment and decent work for all**

### **Statement submitted by Consultative Council of Jewish Organizations, a non-governmental organization in consultative status with the Economic and Social Council**

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



## **Statement**

The present statement will address the effect of discrimination on empowerment and look at the link between the persistent direct and indirect discrimination faced by the Roma, Gypsy and Traveller community of Europe and this community's lack of empowerment. For the purposes of the present statement, the term "Roma, Gypsies and Travellers" serves as an umbrella for several groups defined by self-employment, occupational fluidity and a nomadic lifestyle.

Empowerment refers to increasing the social, economic or political strength of individuals or communities. According to the Division for Social Policy and Development of the Department of Economic and Social Affairs of the Secretariat, there is a growing consensus that empowerment involves two things: active participation in society and the institutional structure that makes this happen.

Discrimination against the Roma, Gypsy and Traveller community is a primary cause of the disempowerment of this group, affecting its members' access to education, public services and employment opportunities and consequently leading to increased poverty rates. Only when persistent and entrenched discrimination is eradicated will Roma, Gypsies and Travellers have equal access to these services and be empowered as a result. Empowerment is essential for poverty reduction and is consistent with social integration.

Roma, Gypsies and Travellers are among the most frequent targets of racial discrimination in Europe. The discrimination they experience may be direct or indirect, meaning that it involves both the overtly prejudicial treatment of an individual by virtue of his or her membership in a particular group and the application of seemingly neutral measures that, because of the circumstances in which they are applied, have a prejudicial effect on a particular group of people or an individual from that group. In either form, it demonstrates an absence of consideration for the targeted group's needs by national and local laws and policies. Consequently, Roma, Gypsies and Travellers are less able to avail themselves of public services such as education and health care, and have less access than other citizens do to employment opportunities, housing and other necessities.

### **Empowerment and poverty eradication**

Eradicating poverty is important for achieving empowerment for ethnic minorities. An individual or group that lacks sufficient food and shelter and that is not able to meet basic needs will struggle to participate fully in society and to be considered empowered.

Roma, Gypsies and Travellers are among the most impoverished ethnic minorities in Europe. Primary contributing factors to these high poverty levels are laws and policies that discriminate directly and indirectly and thus affect the ability of Roma, Gypsies and Travellers to obtain an education, to own and use property and to obtain health care.

### **Discrimination and education**

Discriminatory education laws contribute to lower education levels among Roma, Gypsies and Travellers. In the United Kingdom of Great Britain and Northern Ireland, many Gypsy children are precluded from attending preschool

owing to the inaccessibility and unavailability of schooling that is appropriately tailored to suit their background, lifestyle and linguistic abilities. Once at school, students face virtually insurmountable challenges in trying to make up for these inadequacies. While national trends indicate a rise in the general population's academic competencies, evidence indicates that the academic performance of children from Gypsy and Traveller communities is declining, with at least half of all Gypsy and Traveller children in England failing to participate in secondary education. Elsewhere in Europe, the problem is even more severe. For instance, in the Czech Republic, the de facto segregation in schools of Roma children continues despite the landmark judgement of 13 November 2007 of the Grand Chamber of the European Court of Human Rights in the case *D.H. and Others v. the Czech Republic*, which concluded that this practice breached article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

### **Discrimination and the ability to own and use real property**

National and local laws and policies on property also contribute to higher poverty rates in the Roma, Gypsy and Traveller community, which in turn contribute to this group's disempowerment. The transient lifestyle imposed by housing deficiencies has a negative impact on this community's ability to access health care, education and employment. To date, approximately one fifth of the Gypsies and Travellers in the United Kingdom live on unauthorized campsites, a situation that effectively renders them homeless. In 2010, the European Court of Human Rights released a report on the level of progress being made by local authorities to resolve the recognized shortfall in appropriate accommodation. In the report it was determined that, taking into account all social and private, temporary and permanent permissions, it will take 16 years, at the current rate of progress, to meet the five-year plan. This indicates a lack of commitment and leadership among local councils in solving this widespread accommodation crisis. This lack of commitment and leadership at a local level has been mirrored at the national level in the United Kingdom.

The Localism Act 2011 of the United Kingdom reduced protections in planning for Gypsies and Travellers and removed the mechanisms for national oversight. This will further reduce the supply of accommodation for this community, reinforcing its social and economic exclusion.

Further, the Criminal Justice and Public Order Act 1994 of the United Kingdom has effectively outlawed the traditional Gypsy and Traveller way of life, thereby failing to recognize the unique history and culture of this community and paving the way for further discrimination and social exclusion. Its provisions include the strengthening of the scope of police eviction powers to include Gypsy encampments and the removal of the statutory duty of local councils to provide caravan sites established under the Caravan Sites Act 1968. The current policy of the Government is to recommend that Gypsies and Travellers house themselves on their own land, but families that attempt to do so are often denied planning permission. The Government's own studies indicate that over 80 per cent of planning applications from the settled community are granted, while over 90 per cent of applications from Gypsies and Travellers are refused. This discrepancy will only increase under the new framework unless entrenched discriminatory views held by the community and local decision makers are overcome.

High-profile evictions of Gypsies and Travellers from their own land regularly make the headlines around Europe.

### **Discrimination and health care**

Gypsies and Travellers do not benefit from health-care services to the same extent as their mainstream counterparts, largely because laws governing the State provision of this service do not make allowance for those without a fixed address. The inability to access health care contributes to increased poverty rates for this group by affecting educational and employment prospects.

Recent studies indicate that the life expectancy of Gypsies and Travellers is 10 years lower than the national average and that these people experience the highest rates of child mortality of any ethnic minority, both common poverty indicators. The lack of health data collected on Gypsies and Travellers means that sophisticated health interventions cannot be delivered to address this gap in health and life expectancy.

### **Empowerment and social integration**

If empowerment, as indicated by the Division for Social Policy and Development of the Department of Economic and Social Affairs, requires that people be free and able to participate fully in society, social integration, which is the movement of ethnic minorities into mainstream society, is fundamental in order for a group to exist in an empowered state; greater social integration may also be a result of empowerment.

Gypsies and Travellers face exclusion from mainstream society because of racist and exclusionary public attitudes and behaviour. They are also excluded geographically, as they face objections from local authorities and members of the mainstream population in their struggle to obtain secure accommodation. This social exclusion prevents empowerment and contributes to higher rates of poverty in Gypsy and Traveller communities, as discussed above.

Despite societal denunciation of overt racism against other groups, Roma, Gypsies and Travellers continue to endure racist treatment. They frequently face racist attacks from all corners of society, including the media, the political arena and the general population. Racism in the media is problematic not only because of its immediate results, but also because it perpetuates racism throughout different sectors of society. Racist acts against Roma, Gypsies and Travellers have a negative impact on these people's ability to gain access to education, employment, health care and accommodation. Notwithstanding international legislation and case law aimed at eliminating racism and the corresponding discriminatory treatment, Roma, Gypsies and Travellers continue to endure both direct and indirect discrimination, in the United Kingdom and throughout Europe.

The United Kingdom and other European countries must therefore accept the communication of the European Commission on implementing national Roma integration strategies. The current conclusions on Roma integration in the areas of employment, social policy, health and consumer affairs provide States with too much latitude and lump the issue of Roma inclusion in with broader social inclusion policies, when in fact the issue is of such urgency that it ought to be examined comprehensively in its own right.

**Conclusion**

As long as the Roma, Gypsy and Traveller community continues to face persistent direct and indirect discrimination, its members will remain disempowered and unable to contribute to the struggle to reduce poverty and implement their own social integration. Only when existing laws and policies are amended to eliminate the explicit and tacit evidence of racism against this group will empowerment be possible.

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