



Civil society monitoring report on the quality  
of the national strategic framework  
for Roma equality, inclusion, and participation  
**in Germany**

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## LIST OF ABBREVIATIONS

ADS	Federal Anti-Discrimination Agency
AfD	Alternative for Germany
AGG	General Equal Treatment Act
BA	Federal Employment Agency
BAMF	Federal Office for Migration and Refugees
BMFSFJ	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
CDU	Christian Democratic Union of Germany
CS	Civil Society
CSO	Civil Society Organisation
CSU	Christian Social Union in Bavaria
EHIC	European Health Insurance Card
ERDF	European Regional Development Fund
ESF	European Social Fund
EVZ	Remembrance, Responsibility and Future Foundation
LADS	Berlin State Office for Equal Treatment and against Discrimination
MEP	Member of European Parliament
MIA	Antigypsyism Monitoring and Information Office
MP	Member of Parliament
NAP	National Action Plan on Combatting Racism
NEB	National Equality Body
NPD	National Democratic Party of Germany
NRCP	National Roma Contact Point
NRSF	National Roma Strategic Framework
SPD	Social Democratic Party of Germany



## EXECUTIVE SUMMARY

The German government published in February 2022 the national strategy '*Fighting antigypsyism, ensuring participation! Towards the implementation of the EU-Roma Strategy 2030 in Germany*' (NRSF). The fight against antigypsyism is recognised as a core element of the NRSF that should be a cross-cutting/transversal category across all policy fields. Measures are foreseen which are of relevance, such as the appointment of a Federal Commissioner for Antigypsyism, the establishment of the National Roma Contact Point (NRCPP), the establishment of the Antigypsyism Monitoring and Information Office, and the establishment of a dialogue platform involving Sinti and Roma and stronger consultation mechanisms with the civil society.

Despite the increasing number of reports, studies, and statements by organisations of Sinti and Roma, the German NRSF fails to address many urgently required measures related to the various forms of expressions of antigypsyism, among which are included the need to fight institutional antigypsyism; the need to build the capacity of police officers, prosecutors and judges in relation to antigypsyism, through which the number of unreported cases could be reduced; the need to fight segregation and discrimination in schools; and the need to stop the deportations of Roma asylum seekers to their countries of origin. These are specific issues that should be at least recognised as part of the whole 'problem of antigypsyism' and should be addressed through policy measures. If the current NRSF cannot be revised, then the future NRSF should be developed according to the EU Roma Strategic Framework so as to include overall goals and specific objectives to be implemented within defined timeframes (short-, mid- and long-term objectives), targets, benchmarks, indicators, and monitoring and evaluation mechanisms.

### Participation

Roma- and Sinti-led civil society advocated before parliament and government and proposed clear quality guidelines for a new strategy, in particular regarding participation processes, long before the elaboration of the new NRSF. Regarding the elaboration of the NRSF, only selected organisations of Sinti and Roma were invited to provide input and comments. These organisations are members of consultative bodies at the federal, regional, and local level. Even if organisations of Sinti and Roma can be consulted in principle, this does not mean that their opinions will be taken into consideration. Few recommendations were taken into consideration, apart from, for example, the appointment of a Federal Commissioner for Antigypsyism. Other relevant recommendations, some of which are indicated above, such as stopping the expulsion of Roma asylum seekers to Balkan countries or awareness- and capacity-building activities (training) aimed at combating antigypsyism, targeted at public institutions like the police, social welfare, and employment offices, were not considered. State treaties of the *Länder* with the regional associations of Sinti and Roma represent stronger recognition of the minority as interlocutors vis-à-vis state institutions. Nevertheless, most of the organisations of Sinti and Roma do not receive institutional funding, making it difficult for them to carry out their work. The capacity-building of those organisations represents an indispensable instrument for their strengthening. The capacity-building of Sinti and Roma civil society is mostly funded by state institutions and carried out by organisations of Sinti and Roma. There is an urgent need to strengthen the field of capacity building and the institutional funding of those organisations.

### Relevance

The NRSF does not include specific sectoral measures, especially in the fields of education, employment, housing, and health. It includes a list of existing programmes, measures, and initiatives, although urgent problems are not addressed. With regard to horizontal measures, since 2021 several political developments related to the fight against antigypsyism have taken place. After two years of work, the 'Independent Commission on

Antigypsyism' (UKA) submitted a more-than-800-page report with over 60 recommendations and six central demands at the end of March 2021. One of the main recommendations has been already implemented – the appointment of a Federal Commissioner for Antigypsyism. The establishment of a 'new' National Roma Contact Point (NRCP) concerning Sinti and Roma issues and of the Antigypsyism Monitoring and Information Office (MIA, *Melde- und Informationsstelle Antiziganismus*) for monitoring antigypsyist incidents and criminal acts are further relevant measures that are being implemented. Nevertheless, these positive developments should not obscure the fact that more urgent measures are needed, such as those recommended by UKA, including: the establishment of a commission of federal and regional (*Länder*) institutions; the full recognition of the Nazi genocide against Sinti and Roma; the establishment of a commission for a new appraisal of the injustice inflicted on Sinti and Roma after 1945; the recognition of Roma asylum seekers as a group worthy of protection; and the establishment and strengthening of participation structures.

### Expected effectiveness

It is possible to assess the effectiveness and sustainability of the most important measures announced in the NRSF; namely, the strengthening of the NRCP, the appointment of the Federal Commissioner for Antigypsyism, the new NRCP, and the Antigypsyism Monitoring and Information Office. These measures show the stronger commitment of the German state to strengthen the fight against antigypsyism. We do expect that this will lead to greater awareness of antigypsyism, especially among policy makers, and in public administration and media. It is not possible to assess whether the strengthened structures of the NRCP will involve developing a comprehensive strategy containing goals, timeframes, indicators, monitoring and evaluation mechanisms. It should be stressed that there is no explicit mention of institutional antigypsyism, the latter which helps validate and further propagate and maintain collective and personal forms of antigypsyism against Sinti and Roma. At the institutional level, antigypsyism is strongly reproduced through the school system, the public administration, and the police. No strategy against antigypsyism will be successful without fighting institutional antigypsyism.

### Alignment with the EU Strategic Framework

The German government follows the mainstreaming approach. There are programmes and measures which disadvantaged Sinti and Roma could benefit from, among other citizens. The social exclusion and poverty faced by a part of the Sinti and Roma communities is related to the antigypsyism they face. It has nothing to do with their belonging to a minority; this would imply having group-specific 'needs'. The particularity is that they face antigypsyism. In this sense, the mainstream approach should be complemented with the targeted approach by implementing measures to fight antigypsyism in social programmes. Youth participation should be fostered, ensuring institutional funding for youth organisations of Sinti and Roma and supporting local groups to set up organisations. In the NRSF, no targets are defined and no measures are included for implementing institutional or administrative reforms that could contribute to equality and inclusion, as stated in the Council Recommendation. The most important instrument introduced by the Council Recommendation, namely the fight against antigypsyism as a cross-cutting/transversal category across all policy fields is not present in the 'strategy'.

With regard to empowerment and participation, no measures are foreseen for building the capacities of Sinti and Roma CSOs and for ensuring the participation of organisations of Sinti and Roma as full members of national monitoring committees in relation to all relevant programmes.

# INTRODUCTION

## *National Roma strategic framework*

The national strategy 'Fighting antigypsyism, ensuring participation! Towards the implementation of the EU-Roma Strategy 2030 in Germany' (NRSF) was published by the government in February 2022. The new NRSF represents a positive development in comparison with the previous one. It includes a package of more relevant measures, such as the appointment of a Federal Commissioner for Antigypsyism, the strengthening of the NRCP, and the establishment of the Antigypsyism Monitoring and Information Office (MIA, *Melde- und Informationsstelle Antiziganismus*) for monitoring antigypsyist incidents and criminal acts. The NRSF is built on previous consultation processes such as those carried out by the 'Cabinet Committee on Right-Wing Extremism and Racism' and the 'Independent Commission on Antigypsyism' (*Unabhängige Kommission Antiziganismus, UKA*). The strong advocacy work of organisations of Sinti and Roma have led to important measures being taken up by the coalition of the new government, which are reflected in the new NRSF.

## *About this report*

Several organisations of Sinti and Roma and those working with them were interviewed for the purpose of this report. This monitoring report relies on qualitative secondary research analysis of studies and policy literature, as well as on interviews with stakeholders. The following documents have been analysed: policy documents, parliamentary enquiries, reports from municipal administrations, civil society organisations (CSOs), and studies of research centres. Twenty-two semi-structured interviews were conducted with representatives of organisations of Sinti and Roma, other CSOs, ministries, regional and local governments, and administrations and researchers. Two focus groups on participation and youth were carried out, gathering together representatives from Roma activists from seven cities. Furthermore, the authors participated in conferences and workshops at which they gathered information and discussed the various policy fields addressed in this report:

- 1) 'Migration from South-eastern Europe' organised by Loccum Akademie on 14-15 June 2021;
- 2) 'Berlin Dialog Event in the Framework of the Berlin Aktion Plan on the Inclusion of foreign Roma' (23 November 2021);
- 3) 'Discrimination of EU Mobile Pupils at School' (16 March 2022);
- 4) 'Antigypsyism in Justice and Police' organised by the Human Rights Institute (11 May 2022).

This report has also benefitted from discussions among coalition members: Central Council of German Sinti and Roma, Documentation Centre of German Sinti and Roma, Roma Förderverein (Frankfurt am Main), Roma Büro (Freiburg), Amaro Drom, Amaro Foro (Berlin), Sozialfabrik and Romano Sumnal (Leipzig).

Guillermo Ruiz (Central Council of German Sinti and Roma) assumed coordination responsibilities and is the main author; Thomas Erbel (Amaro Drom) wrote the sections on employment and housing; Mirja Leibnitz (Sozialfabrik) on health care; and Jonathan Mack (Central Council of German Sinti and Roma) contributed to the analysis and editing. Sofia Erto and Yücel Meheroglu (Central Council) also contributed to the report.

# 1. PARTICIPATION

## 1.1. Roma participation in the NRSF preparation

The consultation process on the new NRSF was very limited in terms of scope, time, and methodology. As such, the NRSF did not include any meaningful and structured consultation and participation process with civil society representatives, even though Roma- and Sinti-led civil society had proposed to the parliament and government clear quality guidelines for a new strategy, in particular regarding participation processes.<sup>1</sup>

However, they benefited from other parallel, more participatory processes that accompanied various related policy developments that can constitute in practice relevant elements of the NRSF, which may be considered quality benchmarks for participation. Representatives of organisations of Sinti and Roma have taken part in various policy consultation processes, including those organised by the 'Cabinet Committee on Racism and Right-Wing Extremism' (2019), in the 'Independent Commission on Antigypsyism' (UKA) (2019) by the Committee of Home Affairs of the German Parliament,<sup>2</sup> in the federal programme 'Live Democracy!' (2018) and in the 'National Action Plan against Racism'.

The consultation process for the elaboration of the German NRSF included public consultation with selected organisations of Sinti and Roma in autumn 2021. These organisations were invited to provide their inputs in written form in the following policy fields: the fight against and prevention of antigypsyism, the fight against poverty and exclusion, participation, health, education, employment, housing, social services and evaluation. Following this written request, a consultation took place in digital form in October 2021 that was structured along the aforementioned policy fields. The session on education did not take place because the representatives of the Ministry of Education did not attend the consultation.

Among the NGO recommendations that were taken into consideration is the appointment of a Federal Commissioner for Antigypsyism which is a unique office of its kind across Europe, and will, among other things, also act as contact 'person' as regards concerns raised by Sinti and Roma. However, some long-term concerns of NGOs are not reflected in the NRSF, including the expulsions of Roma asylum seekers to the Balkan countries, or the need for training programmes on antigypsyism that target public institutions such as the police and social welfare and employment offices.

Since 2019, the 'Central Council of German Sinti and Roma' have requested in bilateral conversations with the current 'National Roma Contact Point' (NRCP) a consultation system consisting of thematic and regional events between organisations of Sinti and Roma, other CSOs, civil servants and policy makers at a local, regional, and federal level. This suggestion was not taken up by the NRCP.

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<sup>1</sup> For information on state agreements between regional associations of Sinti and Roma and the Länder, see the RCM 2018, p. 14: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-1-germany-2017-eprint-fin.pdf>

<sup>2</sup> For information on state agreements between regional associations of Sinti and Roma and the Länder, see the RCM 2018, p. 14: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-1-germany-2017-eprint-fin.pdf>

## 1.2. Roma participation in the NRSF implementation, monitoring, and evaluation

In the new NRSF it is stated that the new NRCP will support consultation and cooperation with relevant actors, build up a national platform for exchanging information and inputs, and establish monitoring and evaluation mechanisms. These are without a doubt positive announcements. Nevertheless, it is not possible to assess the effectiveness of these consultation processes.

Until now, there has been no direct participation of organisations of Sinti and Roma in the implementation, monitoring, and evaluation of the NRSF because there has been no strategy as such, but packages of measures. There is some participation of self-organisations in specific measures. For example, the 'Central Council of German Sinti and Roma' set up the Antigypsyism Monitoring and Information Office; its three regional offices are run by organisations of Sinti and Roma. Several organisations run projects that are funded by state funds and are considered part of the NRSF. Furthermore, Germany follows a highly formally structured evaluation mechanism for the implementation of the 'European Convention for the Protection of National Minorities'. The 'Advisory Committee on Issues of Sinti and Roma' at the Ministry of Interior or the consultative meetings of the NRCP with organisations of Sinti and Roma represent mechanisms whereby these organisations can provide input on programmes and measures contained in the NRSF.

## 1.3. System of policy consultation with civil society and stakeholders

A crucial aspect is the participation of Sinti and Roma in decision-making processes. Activism among Sinti and Roma communities has strengthened over recent years. New organisations have been set up, reflecting the diversity among the communities. As mentioned above, organisations of Sinti and Roma are consulted by governmental institutions at federal, regional, and local levels. The consultation does not mean that the recommendations of organisations of Sinti and Roma will translate into policy, but at least there is growing interest in federal, regional, and local institutions for consulting with Sinti and Roma communities. In the German NRSF, the following points related to participation are included: strengthening the contact of the NRCP with the organisations of Sinti and Roma; the capacity building of the CSOs of Sinti and Roma, and setting up the Platform for Sinti and Roma. Nevertheless, the current developments suggest caution. In the NRSF it is stated that the drafting is based on the aforementioned consultation with organisations of Sinti and Roma. However, this is not the case, since a large number of recommendations submitted by the organisations are not reflected in the policy document, such as the stopping of expulsions of Roma asylum seekers to the Balkan countries, or the need to set up of training programmes on antigypsyism that target public institutions like the police, social welfare, and employment offices.

The federal government's most important consultative body is the 'Advisory Committee for Issues of German Sinti and Roma' at the Federal Ministry of the Interior, in which the Central Council of German Sinti and Roma and the Sinti Alliance Germany participate. This body is tasked with improving exchanges with the Federal Government, the Federal Parliament (*Bundestag*) and regional governments about minority matters and interests. The Central Council also participates in the 'Round Table of National Minorities' in the Bundestag's Committee on Internal Affairs. Furthermore, organisations of Sinti and Roma are invited by political parties to the Bundestag and *Landtagen* (regional parliaments) to participate in hearings on issues of interest for the minority.

At a regional (*Land*) and local level, there are mechanisms for the monitoring and evaluation of measures that target disadvantaged Sinti and Roma and fight antigypsyism. In Berlin, the regional government has set up a monitoring process for the 'Action Plan for the Inclusion of Foreign Roma'. In the cities of Munich and Dortmund, there are meetings in which CSOs and civil servants exchange opinions on measures that target disadvantaged Sinti and Roma, and on those aiming to fight antigypsyism. In some smaller

cities in Northern Rhine-Westphalia such as Herne, Siegen, and Hagen, authorities have been consulting organisations of Sinti and Roma in relation to designing and implementing measures that target the community and fight antigypsyism.

In April 2022, the government of Saarland concluded a framework agreement with the Regional Association of German Sinti and Roma of Saarland. This agreement will last two years, after which time it will be established whether a state contract will be signed. The Regional Associations of German Sinti and Roma from North Rhine-Westphalia, Rhineland-Palatinate, Hamburg and Bavaria have conducted talks with their regional governments concerning the conclusion of state contracts.<sup>3</sup>

#### 1.4. Empowerment of Roma communities at the local level

In the NRSF it is stated that empowerment of organisations of Sinti and Roma will be fostered, especially through the 'Competence Network Antigypsyism', funded by the federal programme 'Live Democracy!'. The Competence Network is run by the Documentation Centre of German Sinti and Roma and by Amaro Drom. Empowerment at a local level is now addressed more strongly than in the previous NRSF.

Local initiatives are funded by other budget lines of 'Live Democracy!' and through its regional Democracy Centres. Organisations of Sinti and Roma are also supported financially by regional governments and by the foundation EVZ.

CSOs and activists claim that there should be stronger financial support from governmental authorities. Most of the governmental funding allocated to local organisations is project-related; this does not ensure the activities' sustainability.<sup>4</sup>

Here, it should be stated that there are many local initiatives of Sinti and Roma that have emerged in recent years that do not receive any financial support from state agencies. These CSOs are engaged in the fight against antigypsyism at a local level. However, there is an urgent need to increase the support of local minority groups.

#### 1.5. Capacity-building of Roma civil society

In the NRSF it is stated that the new NRCP will support capacity-building in relation to strengthening the participation of organisations of Sinti and Roma. It is stated that the capacities of Sinti and Roma activists will be built especially through the 'Competence Network Antigypsyism'. Further capacity-building measures are carried out by organisations of Sinti and Roma, which are funded by state agencies.

The Documentation and Cultural Centre of German Sinti and Roma supports the organisational development of organisations of Sinti and Roma by carrying out capacity-building seminars on a regular basis; it also provides legal support for activists for setting up NGOs. The Hildegard Lagrenne Foundation has implemented a project aimed at supporting the organisational development of minority organisations. Amaro Drom also carries out capacity-building seminars for their members and for local groups, mostly young people.

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<sup>3</sup> For information about state agreements between regional associations of Sinti and Roma and the Länder, see the RCM 2018, p. 14:  
<https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-1-germany-2017-eprint-fin.pdf>

<sup>4</sup> Input from focus group on participation

## 2. RELEVANCE

### 2.1. Fighting antigypsyism and discrimination

#### ***The Independent Commission on Antigypsyism – UKA***

At the end of March 2021, after two years of work, the 'Independent Commission on Antigypsyism' (UKA) submitted a more-than-800-page report with over 60 recommendations. The report contains the main findings of ten different studies on various forms of the expression of antigypsyism.<sup>5</sup>

One of the main findings of the UKA report is that antigypsyism in Germany is perceived as normal, and that there is a lack of awareness of the existence of massive discrimination against Sinti and Roma in almost all areas of life. The report shows that antigypsyism has continued to exist after 1945 in all societal spheres, preventing Sinti and Roma from exercising their civil, political, and economic rights. The report recommendations show that combating antigypsyism can hardly be based on existing instruments. Antigypsyism is reproduced through institutions, through the school system, through the public administration, through the police, and through private and public media institutions.

The UKA report contains six main recommendations:

- 1) the appointment of Federal Commissioner for Antigypsyism;
- 2) the establishment of a commission of federal and regional (*Länder*) institutions;
- 3) the full recognition of the Nazi genocide against Sinti and Roma;
- 4) the establishment of a commission for a new appraisal of the injustice inflicted on Sinti and Roma after 1945;
- 5) the recognition of Roma asylum seekers as group worthy of protection;
- 6) the establishment and strengthening of participation structures.

However, members of the UKA stated that the main challenge is the implementation of these recommendations, with the exception of the first recommendation, the appointment of the Federal Commissioner for Antigypsyism. In addition, the Green party expressed its will to set up a truth commission to investigate the injustice inflicted on Sinti and Roma after 1945. The establishment of a commission of federal and regional institutions is mentioned as future project in the NRSF.

Despite the aforementioned positive measures implemented and/or announced by the German government, important measures recommended by the CSOs and UKA that would address directly the lives of Sinti and Roma have not been announced, such as the stopping of deportations of Roma asylum seekers from the Balkan countries; the full recognition of the genocide against Sinti and Roma, which is linked to the compensation of victims in Germany and abroad; or a clear commitment to combatting institutional antigypsyism.

#### ***Hate crime***

Since 2017, antigypsyism has been recorded as an independent category in the statistics of the federal government in relation to politically motivated crime (PMK). By 2020, the number of cases had increased steadily and even tripled.<sup>6</sup> So far, the German public has hardly noticed the extent of antigypsyist crimes and those affected by it are often not supported. The low number of reported cases might be related to the underreporting of personal crimes by Roma (only a fraction of such crimes is reported by the victims) and

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<sup>5</sup> Unabhängige Kommission Antiziganismus – UKA (2021) Perspektivwechsel – Nachholende Gerechtigkeit – Partizipation

<sup>6</sup> In 2021, the number of reports somewhat declined (Number of cases: 2017: 41; 2018: 63; 2019: 81; 2020: 128; 2021: 109)

the lack of trust in law enforcement, as well as the failure to record or address a crime as racist because there is no unique criteria for this, or because police officers do not recognise the antigypsyist motivation. Often, criminal offenses are not viewed as being motivated by antigypsyism or are trivialised by the police and law enforcement agencies. In addition, there is the historically troublesome relationship between Sinti and Roma and state structures, especially the police authorities. The former's pronounced distrust in state structures is closely linked to the experience of persecution of Sinti and Roma under the Nazi regime.<sup>7</sup>

In the NRSF, measures aimed at improving the record of antigypsyist crimes and at supporting victims of hate crime are missing. The 'Independent Commission on Antigypsyism' calls for the implementation of capacity-building programmes that target police officers, prosecutors, and judges in relation to recognising the antigypsyist motivation of crimes, and strengthening counselling and support for victims of antigypsyist hate crime.<sup>8</sup>

### ***Hate speech in media***

One of the main fields through which antigypsyism is reproduced and made widespread is the media. In the NRSF, there is no single mention of this problem. However, there has been an increase in hateful comments on social networks, and also in hate messages that have reached the Central Council of German Sinti and Roma in recent weeks, and which are generally directed against Sinti and Roma and often refer to media reports. Since the arrival of refugees from Ukraine, a negative portrayal of Roma refugees has been disseminated through the media. The media reports, which clearly violate the press code, incite hatred towards the minority as a whole and encourage violence against its members.<sup>9</sup>

During the coronavirus pandemic, in several journalistic articles Roma were alleged to be responsible for coronavirus outbreaks in neighbourhoods in Berlin and Gottingen. The reports explicitly mentioned either that the related buildings were inhabited by Roma or by people from the Balkans who are labelled Roma. The residents of the houses were accused of carelessness and irresponsibility. Addresses were mentioned and photos of the houses were published. This also endangered the safety of the residents due to the hostility of and attacks by right-wing extremists.<sup>10</sup>

### ***Antigypsyism within public institutions***

Public institutions are one of the societal spaces where antigypsyism is reproduced most widely and directly affects Sinti and Roma. This includes antigypsyism within the police, public employment agencies, youth welfare offices, in city administrations, at schools, and

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<sup>7</sup> UKA, p. 440 ff.

<sup>8</sup> Ibid., p. 466 ff.

<sup>9</sup> Because of stigmatising articles in Bavaria, the Regional Association of German Sinti and Roma Bavaria submitted a complaint to the Press Council asserting that the reference to the origin of the refugees was not necessary for understanding the reported facts and therefore violated the Press Code (Section 12) and, since those affected are accused of criminal offenses, Press Council Guideline 12.1. In the reporting of BILD, incidents are ethnicised, which is not permitted in a democratic constitutional state (third-party effect covered by Article 3, Paragraph 3 of the Basic Law).

<sup>10</sup> See article in German: <https://www.zeit.de/gesellschaft/2020-06/goettingen-corona-ausbruch-hochhaus-guarantaene-infektionsschutz>



others.<sup>11</sup> Institutional antigypsyism is grounded in administrative procedures, service instructions, internal narratives, and external communication.<sup>12</sup>

Institutional antigypsyism has become visible again in the treatment of Roma refugees from Ukraine: regional districts in Bavaria refused to receive Roma refugees or sent them back; city administrations placed them in segregated accommodation with poorer services and resources; antigypsyist discourses and narratives have circulated in internal communication; and there have been antigypsyist public statements even publicly questioning if they are Ukrainian refugees.<sup>13</sup>

During the COVID-19 pandemic, institutional antigypsyism became visible as well. The city of Göttingen provided official information about an outbreak of COVID-19 that was allegedly caused by "larger private celebrations" by "extended families". The mayor of Göttingen spoke about the irresponsibility of "extended families", which are associated with Arab or Roma families. In Magdeburg, around 800 people were quarantined in houses. The Mayor of Magdeburg publicly stated that Romanian Roma or citizens from the "Romanian community" had not complied with the coronavirus-related requirements. The city government even made public the addresses of the houses that were quarantined. In both cases there was no public interest in publicly disclosing the nationality and membership of a minority and conveying that they had acted in an undisciplined and irresponsible way.

The UKA commissioned a study on antigypsyism in a large city in West Germany. On the basis of interviews with civil servants, the study attests to widespread antigypsyist prejudices among the latter with regard to how mechanisms are put in place to hamper EU citizens from Bulgaria and Romania who are perceived as Roma from accessing social services and exercising their civil and social rights.<sup>14</sup>

In the NRSF, institutional antigypsyism is not addressed at all. The 'Independent Commission on Antigypsyism' calls upon the German government to recognise institutional antigypsyism and to undertake the necessary steps to counter it; to reform the antidiscrimination legislation so that this applies to public institutions; to carry out antidiscrimination training that targets the public administration at federal, regional, and local levels; and to carry out independent monitoring of institutional antigypsyism.<sup>15</sup>

### **Antigypsyism in the Police**

Since the last RCM report in 2018, which addressed antigypsyism in the police,<sup>16</sup> there have been several reports of police violence against Sinti and Roma. One of the most well-known cases is that of a Roma family in Freiburg which was the victim of police violence in 2020; the father of the family was seriously injured.<sup>17</sup> In addition, negative portrayals

<sup>11</sup> For practices of institutional antigypsyism see: Roma Büro Freiburg (2022) Sinti / Roma Diskriminierungsbericht 2022 Freiburg, p. 66 ff: <https://www.roma-buero-freiburg.eu/site/assets/files/1522/diskriminierungsbericht22.pdf>

<sup>12</sup> See chapter on antigypsyism in public administration in the RCM report on Germany 2020: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-3-germany-2019-eprint-fin.pdf>

<sup>13</sup> See article in German quoting antigypsyist statements of police and politicians on Roma refugees: [https://www.focus.de/politik/probleme-mit-grossfamilien-kleinstadt-aus-sinti-und-roma-wirbel-um-heim-fuer-ukraine-fluechtlinge-in-muenchen\\_id\\_80658952.html](https://www.focus.de/politik/probleme-mit-grossfamilien-kleinstadt-aus-sinti-und-roma-wirbel-um-heim-fuer-ukraine-fluechtlinge-in-muenchen_id_80658952.html)

<sup>14</sup> Neuburger, Tobias und Hinrichs, Christian (2021) Mechanismen des institutionellen Antiziganismus: Kommunale Praktiken und EU-Binnenmigration am Beispiel einer westdeutschen Großstadt. Forschungsbericht für die Unabhängige Kommission Antiziganismus, p. 37 f.

<sup>15</sup> UKA (2021), p. 375

<sup>16</sup> Report available at: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-2-germany-2018-eprint-fin-3.pdf>

of Sinti and Roma have been disseminated through the statements of police bodies. For example, in one article on the alleged misconduct of citizens in Munich, police officers are quoted as stating that the lawbreakers were Romanian Roma. This happened although this information did not benefit the investigation nor the press releases.<sup>18</sup> In articles on the alleged misconduct of Roma refugees from Ukraine, police statements included quotes giving information about their minority status, and used the wording “extended families” (*Großfamilien*) when describing the criminal acts.<sup>19</sup>

Organisations of Sinti and Roma and other CSOs have continued reporting such cases of mistreatment by the police in the following areas: the design of investigative strategies; inappropriate police behaviour towards Sinti and Roma; and racial profiling and antigypsyist discourses in the internal and external communication of the police.<sup>20</sup>

Despite of the advocacy work of civil society and antidiscrimination training, the discriminatory practices of the police force unfortunately continue. The necessary precondition for eradicating institutional racism and antigypsyism is the existence of the political will of decision makers for the deep reform of structures, including changing administrative procedures, service instructions, and internal narratives. This also implies a change in the legal framework. To date, antidiscrimination legislation has not applied to the public sector insofar as administrative courts have only been able to establish unlawful conduct by a state authority without being able to issue sanctions. This means that a police officer cannot be charged with discrimination. Because of this, the National Antidiscrimination Office and the German National Equality Body cannot act on discrimination taking place in the public sphere. In this context, Berlin is an exception, as in June 2020 parliament adopted an antidiscrimination law that targeted public authorities,<sup>21</sup> shifting the burden of proof from the victim to the public authority. This law was implemented along with the right to compensation, as well as the right of legal standing for associations to sue on behalf of such victims. Nevertheless, it is still unclear whether this law effectively counters discrimination by the police, especially concerning racial profiling.

In the context of preventive action, the Central Council calls on independent complaints offices or independent officers to investigate and combat right-wing extremism in the police force, as well as to address the fact that the police themselves do not investigate allegations against other police officers. There are currently special complaints offices (state police officers) in six federal states, but they are not really independent because they are either integrated into the state chancellery or the interior ministries.

### **Germany's deportation policy towards Roma: The Western Balkans and Moldova**

The deportation of Roma to the Western Balkan states continues following their designation as safe countries in 2014. The large flow of Roma migrants in prior years, especially in 2015/16, gradually declined. As such, the large Roma community in the federal state of North Rhine-Westphalia with its significant and congested areas like Dortmund and Duisburg, effectively declined due to the rigid deportation policy which Germany is pursuing. The refugee council of North Rhine-Westphalia assesses that this did not nonetheless lead to a positive shift in attitudes on the part of the authorities and their

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<sup>18</sup> Article in German: <https://www.abendzeitung-muenchen.de/muenchen/stadtviertel/messerstecherei-auf-der-maximilianstrasse-polizei-nennt-neue-details-art-805969>

<sup>19</sup> Article in German: <https://www.bild.de/bild-plus/regional/muenchen/muenchen-aktuell/muenchen-polizeiangehoerige-packt-aus-grossfamilien-randalieren-im-fluechtlingsh-79607276.bild.html>

<sup>20</sup> Sinti Kultur und Bildungsverein Ingolstadt e.V. Regional Associations of Sinti and Roma Lower-Saxony and Bavaria

policy. On the contrary, they continue to exert strong pressure on Roma to enforce their deportation agenda.<sup>22</sup> Forced returns were not suspended even during the coronavirus pandemic or for people suffering from poor health.<sup>23</sup> A shady side of this policy is the so-called '*Kettenduldung*' status (*exceptional leave to remain*) of Roma asylum seekers. There are still many cases of Roma who were born or have lived in Germany for decades who can still be deported at any time.<sup>24</sup> Despite the inhumane situation for Roma in Western Balkan countries, antigypsyism is still not recognised as a reasonable explanation for persecution by the German courts.<sup>25</sup> There are cases of asylum seekers' families who have faced the arbitrary reduction of their social benefits. Countering this practice, in 2021, a court in the federal state of Lower Saxony strengthened the rights of a Roma family and provided them with a larger range of social benefits.<sup>26</sup>

The number of Roma from Moldova who are applying for asylum has gone up. Approximately 2,000 people from Moldova have applied for asylum in the last two years, many Roma among them. In Berlin, where the most asylum seekers from Moldova arrive, they have been located separately from other asylum seekers in only a few poor-quality forms of emergency accommodation.<sup>27</sup> The purpose behind this is to facilitate their future collective deportation.<sup>28</sup> In 2020, such collective deportation was enacted when 519 persons, many of them Roma, were deported to Moldova.<sup>29</sup> A new study by Pro Asyl and the Refugee Council Berlin show that those refugees have hardly any chance to receive protective refugee status. Rather, they are treated as asylum seekers from Western Balkan 'safe countries'.<sup>30</sup> Their applications are rejected by means of summary processes.<sup>31</sup> It is scandalous that this problem is not addressed in the NRSF at all – especially so when one of main recommendations of the UKA is to stop the deportations of Roma asylum seekers to Balkan countries.<sup>32</sup>

## 2.2. Education

Sinti and Roma in Germany continue to be subject to structural, institutional, and direct discrimination in the education system. They face every-day antigypsyism at school, from teachers, school personnel, classmates, and school authorities.<sup>33</sup>

<sup>22</sup> Interview with Flüchtlingsrat Nordrhein-Westfalen on 27.05.2022.

<sup>23</sup> Suerhoff, Anna; Engelmann, Claudia (2020), Abschiebung trotz Krankheit. Perspektiven aus der Praxis und menschenrechtliche Verpflichtungen, p.12.

<sup>24</sup> One example is the eviction to Kosovo of a 20-year-old mentally disabled girl born in Germany who was forced to leave with her critically ill parents in August 2021, cited from Abschiebungsreporting NRW – News zu Abschiebungen und zur Abschiebungspraxis in Nordrhein-Westfalen (11/2021): [https://www.grundrechtekomitee.de/fileadmin/user\\_upload/Pdf/2021-11\\_NEWS\\_Abschiebungsreporting\\_NRW.pdf](https://www.grundrechtekomitee.de/fileadmin/user_upload/Pdf/2021-11_NEWS_Abschiebungsreporting_NRW.pdf), p.1

<sup>25</sup> Liebscher, Doris (2020) Antiziganismus als asylrechtlicher Verfolgungsgrund in der Praxis des Bundesamtes für Migration und Flüchtlinge und der Rechtsprechung deutscher Gerichte. Rechtswissenschaftliches Gutachten, p.83.

<sup>26</sup> Geflüchtete Roma gestärkt, <https://taz.de/Gerichtsurteil-zu-Sozialleistungen!/5747070/>, last seen on 31.05.2022.

<sup>27</sup> Holzapfel (2022) Diskriminiert und abgelehnt: Rom\*nja aus Moldau: <https://www.proasyl.de/news/diskriminiert-und-abgelehnt-romnja-aus-moldau/>, last seen on 31.05.2022.

<sup>28</sup> Ibid., p.9.

<sup>29</sup> Amaro Foro e.V. (2020 Dokumentation antiziganistischer Vorfälle, p.15.

<sup>30</sup> Holzapfel, p.13.

<sup>31</sup> Ibid.

<sup>32</sup> The German government recently changed the legislation to the benefit of asylum seekers who have the title of '*duldung*' ('tolerated') and who have lived in Germany for longer than five years. They can apply for a permanent residence permit if they can afford this with their livelihood.

<sup>33</sup> Roma Büro Freiburg (2022) Sinti / Roma Diskriminierungsbericht 2022 Freiburg, p. 53 ff.

The more surprising fact is that the German government includes no reference in the NRSF to this phenomenon or measures to prevent and counter antigypsyism at school. There is also no plan to strengthen and expand school counsellor (or mediator) programmes that have proven to be a useful tool for supporting disadvantaged pupils to counter structural and institutional discrimination at school.

The topics of the history and persecution of Sinti and Roma are not explicit or mandatory subjects in any of the 197 school curricula examined by the UKA in 16 federal states. When the persecution of Sinti and Roma during the Nazi regime is addressed, it is presented as an issue that happened long ago in the past, while incidents of antigypsyism that have occurred since 1945, including ongoing injustice and its relevance and implications, are not mentioned.

The UKA therefore recommends that curricula and textbooks explicitly address everyday racism and antigypsyism, the legacy of stigmatisation and exclusion after 1945, resistance and the civil rights movement, and the current effects of antigypsyism.

In Germany, education comes under the competence of *Länder*. This means each region has its own school curricula. In 2018, following an invitation of the Conference of Ministers of Education and Culture (from the *Länder*), a working group was set up, composed by organisations of Sinti and Roma, to draft recommendations on how to address the history of Sinti and Roma and its persecution in the school curricula of the *Länder*. The recommendations should be delivered in 2022.

What is very concerning is that a large proportion of Roma children from intra-EU mobile, migrant, or refugee families are sent to separate classes for children with insufficient language skills. Due to a lack of clear criteria for integration into mainstream classes, they often get stuck in this system and many leave school without graduating. A further pattern of segregation is related to the system of 'special schools' (*Förderschulen*). A considerable number of Sinti and Roma children are sent to special schools and classes for children with disabilities (e.g., socio-emotional problems). The criteria for being sent to these schools are not transparent, but antigypsyism is often the motivation among teachers and/or other education authorities. Many 'families with an immigration background' families do not know what such a decision implies for their children's future. As a rule, after having attended a special school, young people will not be able to continue with vocational training courses or find an adequate job. It is very difficult for parents to counter such a decision by the school authorities; families are put under pressure to accept such decisions. With both types of segregation, accessing regular schooling, higher education, and/or vocational training is extremely difficult. Organisations of Sinti and Roma and experts have stated that this fact has not changed in recent years.<sup>34</sup>

In the NRSF there is no reference to the problem of segregation. It is rather stated that education measures will be implemented to address the 'special needs' (*Förderbedarf*) of Sinti and Roma, even though most Sinti and Roma pupils are misdiagnosed as having 'special needs', thus contributing to the spread of stereotypes of the minority. Instead,

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Attia, Iman; Randjelovic, Isidora; Ortega, José Fernández; Gerstenberger, Olga/Kostic, Svetlana (2020) Studie zu Rassismuserfahrungen von Sinti:zze und Rom:nja in Deutschland, ed. Alice-Salomon-Hochschule in Berlin

Neuburger, Tobias und Hinrichs, Christian (2021) Mechanismen des institutionellen Antiziganismus: Kommunale Praktiken und EU-Binnenmigration am Beispiel einer westdeutschen Großstadt. Forschungsbericht für die Unabhängige Kommission Antiziganismus

Leibnitz, Mirja; Schmitt, Anna; Ruiz, Guillermo; Botescu, Diana (2015) Förderprognose Negative

<sup>34</sup> Interviews with AWO-Dortmund; Förderverein Roma (Frankfurt), Amaro Foro (Berlin), Association of Catholic Adults and Family Education (Dortmund), Rom e.V. (Cologne). For more extended information about these patterns of segregation, see the Monitoring Report 2019

Sinti and Roma children should be granted equal access to the regular school system and be treated equally at school. One instrument for achieving this goal would be nationally extending the scope of the application of the antidiscrimination law (which does not presently include the public sector) to school authorities and personnel beyond the city of Berlin, which remains the exception for the moment.

In the NRSF, no distinction between disadvantaged and non-disadvantaged Sinti and Roma is made. Disadvantaged pupils often encounter strong structural problems: pupils live in non-adequate housing; they lack appropriate conditions for learning; they have to deal with operating in the German language, etc. However, a similar situation is also faced by disadvantaged refugees and migrants. According to counselling centres for EU migrants, it is very difficult for families from Bulgaria and Romania who are labelled Roma to find a place in a kindergarten. Antigypsyist discrimination seems to be the main reason for this problem.<sup>35</sup>

### 2.3. Employment

According to organisations of Sinti and Roma and experts, a large proportion of disadvantaged Sinti and Roma are disproportionately affected by unemployment and precarious, often irregular employment. Access to the labour market is made more difficult for them primarily by the lack of school and vocational qualifications, or the fact that these are often not recognised if they were acquired outside Germany.

Sinti and Roma experience extensive discrimination at work, both in their dealings with their superiors and employers and among colleagues and employees, as well as in their relationships with customers and clients. In a study commissioned by the UKA on experiences of racism by Sinti and Roma, a total of 20 members of the minority reported both indirect and direct discrimination which resulted in unequal treatment in the workplace and in some cases even in the loss of their jobs.<sup>36</sup> Cases of wage fraud, overtime, and unequal treatment at the workplace are also regularly recorded by the *Dokumentationsstelle Antiziganismus* (DOSTA), which is managed in Berlin by Amaro Foro e.V., as well as in the discrimination reports of the Roma Büro Freiburg e.V.<sup>37</sup>

In particular, workers in the catering and tourism sectors who work in marginal and precarious jobs were always at risk of unemployment during the coronavirus pandemic. Foreign workers, especially EU nationals from Bulgaria and Romania working in cleaning jobs, were disproportionately affected by unemployment.<sup>38</sup> Many employees were not given written notice of termination and instead were merely offered a 'termination agreement' which was generally regarded by employment offices as a voluntary termination of employment, thus often followed a 12-week suspension of unemployment benefits.<sup>39</sup> The coronavirus crisis also revealed the poor working conditions of seasonal agricultural workers. In Bornheim, North Rhine-Westphalia, for example, more than 100 Romanian seasonal workers from the *Ritter* asparagus company protested because of the lack of wage payments, poor working conditions, and disastrous hygienic conditions in the

<sup>35</sup> Interviews with Rom e.V., Amaro Foro; AWO-Dortmund

<sup>36</sup> Attia, Iman et al, p. 71 onwards.

<sup>37</sup> See: <https://amaroforo.de/wp-content/uploads/2022/03/PMHEUTE.pdf> (Accessed on 02.06.2022) und Roma Büro Freiburg e.V. (Ed.) (2021) Roma/Sinti Diskriminierungsbericht 2021 Freiburg. Online at: [https://roma-buero-freiburg.eu/site/assets/files/1346/diskriminierungsbericht21\\_v3\\_5.pdf](https://roma-buero-freiburg.eu/site/assets/files/1346/diskriminierungsbericht21_v3_5.pdf) (Accessed on 02.06.2022)

<sup>38</sup> Brücker, Herbert (2020) Wie wirkt sich die COVID-19 Pandemie auf die Erwerbsmigration und Arbeitsmarktlage von Migrantinnen und Migranten aus? Online at: [https://www.bertelsmann-stiftung.de/fileadmin/files/Projekte/Migration\\_fair\\_gestalten/IB\\_Vortrag\\_Bruecker\\_COVID19\\_Migration\\_2020.pdf](https://www.bertelsmann-stiftung.de/fileadmin/files/Projekte/Migration_fair_gestalten/IB_Vortrag_Bruecker_COVID19_Migration_2020.pdf) (Accessed on 25.05.2022)

<sup>39</sup> Amaro Foro (2020) Dokumentation antiziganistischer Vorfälle 2019-2020, p. 29. Online at: [https://amaroforo.de/wp-content/uploads/2021/07/DOSTA-Auswertung19\\_20.pdf](https://amaroforo.de/wp-content/uploads/2021/07/DOSTA-Auswertung19_20.pdf) (Accessed on 25.05.2022)

living containers provided by the company close to a sewage treatment plant and a cemetery.<sup>40</sup>

Members of the minority also experience structural and direct discrimination in public employment offices. In the interviews conducted with professionals as part of the study<sup>41</sup> commissioned by the UKA on the mechanisms of institutional antigypsyism, antigypsyist attitudes often came to light openly and undisguisedly. For example, one job centre manager who was interviewed suspects foreign Roma of lying in 90% of cases in order to obtain the highest possible level of social benefits.<sup>42</sup> The study also found that Sinti and Roma who presented themselves at job centres unaccompanied by a social worker experienced worse treatment than those who were accompanied. Reports included incidents of being denied access, application forms not being supplied, and a refusal to accept documents.<sup>43</sup>

A large number of EU citizens from Eastern Europe, especially from Romania and Bulgaria, many of whom are Roma, are also victims of exploitative working conditions or even human trafficking in Germany, with such cases being documented particularly frequently in the meat industry, cleaning, and construction.<sup>44</sup> In addition to poor German-language skills and a lack of contacts in local labour markets, it is the often insecure residency status of many of these people that makes them particularly vulnerable to labour exploitation, as was most recently noted in a report on discrimination by Roma-Büro Freiburg e.V.<sup>45</sup>

In the NRSF, pre-existing programmes for (re-)inserting unemployed people into the labour markets are listed. It is not addressed how disadvantaged Sinti and Roma can get access to mainstream programmes. There is no single mention of antigypsyism as one of the grounds for the disadvantaged position of some of the Sinti and Roma on labour markets.

Support and counselling structures for victims of antigypsyist exclusion and discrimination in the labour market need to be permanently strengthened. Programmes and projects for strengthening equal treatment, fostering integration into the labour market, and supporting professional recognition, as mentioned in the NRSF,<sup>46</sup> should in future be geared more closely to the needs of foreign Roma of foreign background. In addition, care must be taken to ensure that the staff of corresponding contact points have sufficient knowledge in the area of labour law in general and in particular of the labour rights of citizens of other EU Member States as well as third countries. The practices of institutional discrimination observed in employment agencies, which strongly affect foreign Roma, also highlight the need for increased training about the socioeconomic situation of Sinti and

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<sup>40</sup> See: [https://www.general-anzeiger-bonn.de/region/voreifel-und-vorgebirge/bornheim/spargel-ritter-in-bornheim-rumaenische-arbeitsministerin-unterstuetzt-erntehelfer\\_aid-51244373](https://www.general-anzeiger-bonn.de/region/voreifel-und-vorgebirge/bornheim/spargel-ritter-in-bornheim-rumaenische-arbeitsministerin-unterstuetzt-erntehelfer_aid-51244373) (Accessed on 02.06.2022).

<sup>41</sup> Neuburger, Tobias und Hinrichs, Christian (2021), , p. 70 onwards. Online at: [https://www.institut-fuer-menschenrechte.de/fileadmin/Redaktion/PDF/UKA/Forschungsbericht\\_Mechanismen\\_des\\_institutionellen\\_Antiziganismus.pdf](https://www.institut-fuer-menschenrechte.de/fileadmin/Redaktion/PDF/UKA/Forschungsbericht_Mechanismen_des_institutionellen_Antiziganismus.pdf) (Accessed on 25.05.2022).

<sup>42</sup> Neuburger; Hinrichs (2021), p. 75.

<sup>43</sup> Ibid., p. 82.

<sup>44</sup> Friedrich Ebert Stiftung (2015) Menschenhandel zum Zweck der Ausbeutung. Eine Auswertung staatsanwaltschaftlicher Ermittlungsakten und gerichtlicher Entscheidungen, p. 13-15.

<sup>45</sup> See: <https://www.rechtaufstadt-freiburg.de/blog/2021/07/01/roma-sinti-diskriminierungsbericht-Interviews-with-Rom-e.V.>

<sup>46</sup> Bundesministerium des Innern und für Heimat- BMI (2022) Nationale Strategie "Antiziganismus bekämpfen, Teilhabe sichern!" zur Umsetzung der EU-Roma-Strategie 2030 in Deutschland. Available at: [https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/heimat-integration/minderheiten/eu-roma-strategie-2030.pdf?\\_\\_blob=publicationFile&v=5](https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/heimat-integration/minderheiten/eu-roma-strategie-2030.pdf?__blob=publicationFile&v=5) (Accessed on 25.05.2022)

Roma as well as on the issue of antigypsyism for employees of public employment agencies in the future. There is also an urgent need to actively involve Roma in programmes to facilitate legal labour migration from the Western Balkans and to recognise antigypsyism as the main cause of forced migration.

## 2.4. Healthcare

Sinti and Roma are affected by structural, institutional, and individual antigypsyism in the German health system due to prevailing legislation, institutional practices, and the antigypsyist behaviour of medical staff. This often results in poorer medical care and limited access to comprehensive health care compared to the German majority population. However, antigypsyist structures and attitudes are neither mentioned nor addressed in the area related to health and access to high-quality health and social services of the NRSF.

### **Securing access to the German healthcare system**

According to the NRSF, German legislation already secures access to comprehensive health care services and only needs to be implemented. Further, it recognises certain rights and opportunities for EU citizens based on their right to freedom of movement, for instance.

However, EU citizens residing permanently in Germany have a right to comprehensive health care only if they: a) are in employment and are subject to making compulsory social security contributions; b) have paid social security contributions for at least six or twelve months and are thus entitled to social benefits in the case of unemployment, are receiving social benefits in addition to a minimum income, or have resided in Germany for at least five years; or, c) have the financial means to pay the minimum contribution to statutory health insurance of (currently) 166.69 EUR per month. Private health insurance companies do not accept people with little or no financial means/savings.

As explained above, the right to *statutory* health insurance is actually only guaranteed once employment is subject to compulsory social security contributions, or a person is able to pay the minimum statutory health insurance contribution. In reality this is denied to newly immigrating EU-citizens who are looking for work, among them many Roma, who cannot afford the minimum contribution fee to statutory health insurance. Additionally, the strategy does not refer to the fact that the rights of EU citizens to receive social benefits, and thus de facto also access to health insurance, were considerably reduced in the context of Bulgaria's and Romania's accession to the EU in 2014 and again in 2017.<sup>47</sup> As various research studies and reports show, EU citizens from Bulgaria and Romania are disproportionately affected by this, among them many Roma.<sup>48</sup>

The NRSF states that "EU-citizens [...], based on the European law on the coordination of social security schemes, can receive assistance in the form of benefits in kind via German service providers".<sup>49</sup> This implies that people have unrestricted access to the health care system in their country of origin and can obtain a European Health Insurance Card (EHIC) without any problems. However, this cannot be taken for granted. In Romania, for example, it is almost impossible to obtain an EHIC.<sup>50</sup> Additionally, a number of people, among them Roma, are not able to pay health insurance contributions in their countries

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<sup>47</sup> Systematische Leistungsverweigerung gegenüber EU-Bürger\*innen Antiziganismuskritische Handreichung zu Abwehrstrategien und Diskriminierungsmustern in Jobcentern. Edited by Adam Strauß Verband Deutscher Sinti und Roma – Landesverband Hessen 2022, <https://sinti-roma-hessen.de/2022/02/neuerscheinung-systematische-leistungsverweigerung-gegen-eu-buergerinnen/>

<sup>48</sup> See for example: Systematische Leistungsverweigerung; RCM report on Germany 2019; Amaro Foro 2020; Interviews with Rom e.V., Amaro Foro, Förderverein Roma

<sup>49</sup> BMI, p. 61 ff

<sup>50</sup> [broschuere-zugang-zum-gesundheitssystem-data.pdf](#), p. 17

of origin due to their precarious economic situation.<sup>51</sup> In order to clarify these cases and the right of access to statutory German health insurance, the clearing centres mentioned in the National Strategy may be able to provide support through counselling and assistance in relation to obtaining access to coverage in the case of illness.<sup>52</sup> However, it is also pointed out that in the context of these consultations social workers often encounter precarious living situations combined with existential emergencies. In many cases, it appears to be impossible to meet the legal requirements for regular health insurance due to those individual circumstances.

Furthermore, it must be pointed out that counselling centres and organisations of Sinti and Roma report many cases of EHIC cards not being recognised by medical staff. The respective patients either had to immediately pay their invoice, or were sent away without treatment.<sup>53</sup>

The NRSF states also that:

*"If statutory or private health insurance cannot be accessed due to a missing EU entitlement to freedom of movement, or if the competent insurance state in the European Union cannot be determined in the short term, the law on social assistance offers possibilities to obtain access to health care in case of acute medical need. The same applies to persons who are staying in Germany with a not yet clarified residence status. Here again, treatment in case of acute medical need is guaranteed."*<sup>54</sup>

In reality, people not entitled to EU freedom of movement, and people whose country of origin is not in the EU and who have been given a suspension of deportation order or are navigating the asylum procedure have only limited entitlement to health care. This affects many Roma from Bosnia, Serbia, and Macedonia as well as Albania, Kosovo, and Montenegro. Since their countries of origin were officially classified as "safe countries of origin" in 2015 and 2017, they are threatened with deportation and suspension of the latter needs to be constantly renewed, although most of them are finally deported. Medical care is limited, and treatment for chronic illnesses is almost always excluded. It is the social service and its officers, rarely unaffected by individual and structural racist and antigypsyist attitudes and practices, who decide on the granting of further medical benefits to the people concerned, and for people without papers the Residence Act in Germany is a clear violation of the human right to health ratified in international and European agreements. Section 87 (2) of the Residence Act obliges the social welfare office to report undocumented people to the Foreigners' Registration Office if medical costs need to be covered; deportation in this case is imminent.<sup>55</sup>

### ***Institutional practices and individual-level antigypsyism***

As stated above, access to the public health care system or to coverage in the case of illness has been and continues to be severely restricted for many people and especially

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<sup>51</sup> Interviews with Rom e.V., Amaro Foro

<sup>52</sup> As of May 2021, 18 Clearing centres in seven Bundesländern existed. Additionally there are clearing centres in Berlin, Hamburg, and Bremen, see: <https://www.eu-gleichbehandlungsstelle.de/resource/blob/203274/1594458/49cd7b962c4bd4701c329ed50025dad2/verzeichnis-clearingstellen-2020-data.pdf>

<sup>53</sup> Interviews with Rom e.V. Förderverein Frankfurt and RCM report on Germany 2019: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-2-germany-2018-eprint-fin-3.pdf>

<sup>54</sup> BMI, p. 62

<sup>55</sup> Fallsammlung der BAG Gesundheit/Illegalität: Krank und ohne Papiere (April 2018): [https://www.diakonie.de/fileadmin/user\\_upload/Diakonie/PDFs/Broschuere\\_PDF/Krank\\_und\\_ohne\\_Papiere\\_Fallsammlung\\_der\\_BAG\\_Gesundheit\\_Illegalitaet\\_April\\_2018\\_Web.pdf](https://www.diakonie.de/fileadmin/user_upload/Diakonie/PDFs/Broschuere_PDF/Krank_und_ohne_Papiere_Fallsammlung_der_BAG_Gesundheit_Illegalitaet_April_2018_Web.pdf), in particular p. 4 & 9



those in vulnerable living conditions, including many disadvantaged Sinti and Roma. The NRSF, however, suggests that this is not the case. On the contrary, according to the 'strategy', people themselves for various reasons do not take advantage of the possibilities of coverage offered to them in case of illness. In making reference to the very institution (the State Secretaries' Committee) that in fact has complicated access, the responsibilities are reversed.

Antigypsyist practices in authorities and public departments actually make access to the health system and medical care more difficult instead of facilitating it. For example, counselling centres and organisations of Sinti and Roma report that both Sinti (with primarily German citizenship) and Roma are repeatedly confronted with longer waiting times, disrespectful treatment, a lack of translation assistance, non-recognition of their European Health Insurance Card (EHIC), and stereotyping attitudes and behaviour. These reinforce the distrust in 'gadje' and state institutions. As a consequence, those who are affected may reduce or totally stop seeking preventive or medical care.<sup>56</sup>

## 2.5. Housing, essential services, and environmental justice

In the NRSF, the social housing programmes which disadvantaged people could benefit from are listed. There is no reference to the difficulties disadvantaged people have accessing social housing. The antigypsyism that Sinti and Roma face in access to housing is not addressed at all.

This happens despite current research that confirms that institutional and individual discrimination in access to housing remains the greatest obstacle to improving the housing situation of disadvantaged Sinti and Roma.<sup>57</sup> Moreover, it should be noted that the coronavirus pandemic, as well as the contact-related restrictions enacted in its wake, further worsened the housing situation of disadvantaged foreign Roma, especially those living in collective housing for seasonal workers and refugee shelters with low spatial capacity and often poor hygienic infrastructure.<sup>58</sup>

In a study commissioned by UKA on experiences of racism by Sinti and Roma, members of the minority report to experiencing widespread discrimination in the housing market by private landlords and estate agents. For example, the stated or assumed membership of the minority often leads to Sinti and Roma being excluded from the housing allocation process in advance through the making of false claims, or not handing them application documents on site, and in extreme cases preventing them from entering the residential premises to be rented.<sup>59</sup> Discriminatory allocation practices in the search for housing, however, are not limited to the private housing market. In 2021, it became known in Bremen that Brebau, the municipal housing company there, had its employees prepare files on housing applicants in which characteristics such as skin colour, religious affiliation, and supposed ancestry were listed and people classified as Sinti and Roma were recorded separately using a special abbreviation.<sup>60</sup> Conviction of the municipal company for violations of the General Equal Treatment Act (AGG) has yet to occur – the latter was only fined for violating data protection rules.<sup>61</sup>

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<sup>56</sup> Ibid., p. 275f.

<sup>57</sup> Attia et al. (2020)

<sup>58</sup> Interviews with Förderverein Roma, Rom e.V.

<sup>59</sup> Attia et al., p. 101-104.

<sup>60</sup> TAZ Bremen vom 01.06.2021, Erschreckende Bestätigung: <https://taz.de/Archiv-Suche/?s=brebau&SuchRahmen=Print> (Abruf vom 11.05.2022).

<sup>61</sup> TAZ Bremen vom 04.03.2022, Millionenstrafe für die Brebau: <https://taz.de/Datenschutz-ahndet-rassistische-Praxis/?s=brebau/> (Abruf vom 11.05.2022).

Sinti and Roma experience discrimination by their landlords and their neighbourhood even when they are in 'proper' residences and regularly pay their rent. Discriminatory rental practices were most recently observed, for example, in the context of the redevelopment of the Georgswerder Ring housing estate in Hamburg, which is home to numerous families of Sinti and Roma Holocaust survivors. An audit of the newly drafted rental agreements and house rules commissioned by the *Landesverein der Sinti* in Hamburg e.V. revealed that they contained inadmissible and unusual clauses, such as a ban on parking campers and mobile homes in the settlement and rented properties, which expresses discriminatory general suspicion. Above all, one clause was sharply criticised: the landlord was allowed to enter the rented apartments "to check their condition" without any reason. Such a provision not only makes a sweeping inference that the residents generally do not treat the city's property with care, but also blatantly contradicts the right to inviolability of the home enshrined in Article 13 of the Basic Law, the German Constitution.<sup>62</sup>

A research report commissioned by UKA on the mechanisms of institutional antigypsyism, using the example of an unnamed major West German city, shows that in the area of housing it is primarily immigrants from Bulgaria and Romania, including many Roma who are housed in municipal homeless shelters after their arrival in Germany, who are affected by systematic exclusion and discrimination. In particular, official occupancy policies and location-related decisions connected with homeless shelters are among the selection processes whose real goal, according to the authors, is the "establishment of a culture of discomfort" and thus the prevention of the incentivisation of migration. In this context, the exploitation of social benefits is implied openly or indirectly. Moreover, the establishment of several socio-spatially segregated urban shelters for persons labelled as Roma which are located in peripheral locations such as near highway exits, train lines, marshalling yards, or waste disposal plants – and in one case only a few hundred meters from the historical site of a municipal Nazi forced-labour camp for Sinti and Roma – are in obvious continuity with post-Nazi municipal policies of the post-war period<sup>63</sup> and testify to the longevity of antigypsyist patterns of exclusion at the level of institutional action by municipal authorities.

Discrimination against Roma and Sinti as well as other minorities in the housing market continues to be promoted by an exemption in the AGG which justifies unequal treatment in the rental of housing if it serves for the "creation and maintenance of socially stable housing structures and balanced settlement structures as well as balanced economic, social and cultural conditions" (§3, Art. 19 AGG), thus making it significantly more difficult to take legal action against landlords who refuse to accept tenants with a minority background. The repeal of this exemption and the introduction of a right of association to take legal action on behalf of victims would therefore be important amendments to the AGG.

More participatory research is needed to better understand the barriers and discrimination faced by Sinti and Roma in the German housing market. Exemplary in this context is the needs-analysis published in 2020 by the city of Frankfurt am Main in cooperation with Förderverein Roma e.V. regarding homeless EU citizens with a special focus on Roma.<sup>64</sup> The findings of this study show that urgent measures need to be taken to permanently improve the situation of homeless EU citizens, including many Roma from Bulgaria and Romania. In addition to a consistent expansion of the stock of adequate accommodation capacity in shared accommodation, this requires above all an efficient fight against the

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<sup>62</sup> Interview with Regional Association of German Sinti and Roma Hamburg.

<sup>63</sup> Neuburger; Hinrichs (2021) p. 57 f. and p. 70.

<sup>64</sup> Riedner, Lisa; Hay Ahmad, Marie-Therese (2020) Bedarfsanalyse wohnungsloser EU-Bürger:innen – unter Berücksichtigung der besonderen Situation von Rom:nja in Frankfurt am Main. Magistrat der Stadt Frankfurt am Main. Amt für multikulturelle Angelegenheiten.

“culture of discomfort” identified by Neuburger and Hinrichs which is partly responsible for the fact that many immigrants have to live in inhumane housing conditions.

## 2.6. Social protection

In the NRSF, the legal frameworks are referred to which unemployed people (ALG I and II), those who are not able to work (*Sozialhilfe*), and asylum seekers (the Asylum Seekers Benefits Act) can refer to. It is mentioned that the government is aware that discrimination by civil servants of the related state agencies could lead to exclusion from the social benefit system. Apart from citing a project, no concrete measures are foreseen to fight this institutional discrimination. The absence of measures is alarming, taking into consideration the increasing number of studies and statements by organisations of Sinti and Roma about discrimination faced by disadvantaged Sinti and Roma in terms of accessing social benefits.

Direct, structural, and institutional antigypsyism is present in the field of income support. According to studies, organisations of Sinti and Roma, and other CSOs, disadvantaged Sinti and Roma face discrimination when they have to access social support because they are unemployed or they have to apply for top-up benefits.<sup>65</sup> This often happens when they have to deal with public employment offices (*Agentur für Arbeit and Jobcenters*), Social Welfare Offices (*Sozialämter*), and Youth Welfare Offices (*Jugendämter*).<sup>66</sup> Additionally, a legal framework has been developed that is influenced by antigypsyist public discourses that spread a picture of Romanian and Bulgarian citizens abusing the German welfare state. This legal framework has increasingly limited the access to income support of EU-mobile citizens, especially those from Romania and Bulgaria, among them Roma.

Accordingly, the narrative of so-called ‘poverty migration’ of intra-EU mobile citizens is still being upheld by conservative political parties to target the free movement of primarily persons who are labelled ‘Roma’.<sup>67,68</sup> It is known from previous research that this kind of discourse reproduced by the media and politicians reinforces discrimination against Sinti and Roma.<sup>69</sup> As such, Sinti and Roma have become perceived as the embodiment of social fraud and are confronted with mistrust by state institutions.

The most recent tightening of the legislation was the Law on Illegal Employment and Abuse of Social Benefits that was passed in July 2019, further restricting the right to child allowance – e.g., for unemployed intra-EU mobile citizens. According to the law, intra-EU mobile citizens are not allowed to apply for child allowance within the first three months of their residence in Germany if: a) they do not have any revenue, or b) they have lost their job but remain in Germany because, for example, their children are attending school in Germany.

Furthermore, the Roma organisation Amaro Foro e.V. revealed that Sinti and Roma are still viewed with general suspicion by public authorities when applying for social benefits. This leads to an increase in institutional control mechanisms and existential hardship, especially for already disadvantaged groups. This administrative approach represents a

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<sup>65</sup> Interviews with Regional Associations of German Sinti and Roma of Lower-Saxony and Bavaria, Amaro Foro Berlin, Förderverein Roma (Frankfurt), AWO-Dortmund; Catholic Adults and Family Education (Dortmund)

<sup>66</sup> See RCM report on Germany 2019

<sup>67</sup> This antigypsyist pattern is also used in the European and global context. Kristian Frigelj, “Führt in der Wahrnehmung der Bürger dazu, dass etwas schief läuft in der EU”. See: <https://www.welt.de/politik/deutschland/article238994453/Armutszuwanderung-Fuehrt-in-Wahrnehmung-dazu-dass-etwas-schieflaeuft-in-EU.html>, last seen on 31.05.2022. Simon Langemann, Roma aus der Republik Moldau. Berlin zahlt: <https://www.zeit.de/2021/41/roma-republik-moldau-berlin-migration-asyl-sozialeleistungen-migrationspolitik>, viewed on 31.05.2022.

<sup>68</sup> In continuation of the poverty-migration narrative, Friedrich Merz, chief of the CDU, recently stated that asylum seekers from Ukraine are doing “social tourism”.

<sup>69</sup> UKA, p. 299.

risk factor for becoming homeless as an EU citizen. Immigration offices are investigating systematically the status of the free movement of their clients, which in turn may lead to the withdrawal of any social rights.<sup>70</sup>

## 2.7. Social services

The reports of UKA on institutional antigypsyism address antigypsyism in social services and by social workers. Despite this copious information, in the NRSF there is no reference to this problem and no measures foreseen for addressing antigypsyism in social services. The Central Council of German Sinti and Roma calls upon city administrations to set up standards for providing NGOs and enterprises with funding for providing social services.

Disadvantaged Sinti and Roma get in touch with social welfare services and social workers because they often need support to claim their social rights. As it is across wider society, antigypsyism is unfortunately present in the social sector. Some social workers tend to treat their clients disrespectfully and to reproduce antigypsyist stereotypes. Thus, structures in the social sector may contribute to constantly reproducing antigypsyism. A common thought among some social workers is that the disadvantaged position of parts of the Sinti and Roma are related to their culture, and that they are not capable of escaping the vicious circle of social exclusion. Antigypsyism is expressed in different ways – either directly and openly, or indirectly, based on thoughts and attitudes that reduce Sinti and Roma to certain stereotypes. A notable proportion of all social workers are guided by the goal of disciplining their clients, countering behaviour perceived as ‘deviated’, and (re)integrating them into society.<sup>71</sup>

## 2.8. Child protection

The NRSF lists programmes through which Sinti and Roma children could enjoy their civil and social rights, such as their right to (pre-)school education and access to social programmes under FEAD. The German NRSF does not mention specific child protection issues such as the need for protection from sexual, physical, or emotional violence or abuse, nor does it create synergies with wider child protection policies and services. However, some media and independent research reports on child trafficking are inclined to indicate the ethnicity of Roma children and that of their family, especially when the parents are the alleged perpetrators.<sup>72</sup> The Central Council of German Sinti and Roma perceives the ethnicisation and culturalisation of specific social problems and criminal activities as highly problematic, and counter to the ‘Basic Law’ of Germany.<sup>73</sup> By contrast, exemplary research on antigypsyism and the Protestant church, describing more than two centuries of antigypsyist and paternalistic policies and practices, including state-led violence against Sinti and Roma families and the forced institutionalisation of children, has not yet been researched and neither recognised as problem by the public authorities. Institutional antigypsyism continues to lead to disproportionate policing and wider repressive state intervention against Sinti and Roma families or the criminalisation of

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<sup>70</sup> Riedner; Haj Ahmad, p.41.

<sup>71</sup> See chapter on antigypsyism in social work in the RCM report 2020

<sup>72</sup> Welttag gegen Menschenhandel: Schutz von Roma-Jungen als Opfer von Kinderhandel in Deutschland | Jugendhilfeportal: <https://jugendhilfeportal.de/artikel/welttag-gegen-menschenhandel-schutz-von-roma-jungen-als-opfer-von-kinderhandel-in-deutschland>

<sup>73</sup> Meier, Verena (2017). Research Report on the State of Research on the Topic of “Protestantism and Antigypsyism” [Gutachten zum Forschungsstand zum Thema “Protestantismus und Antiziganismus”], published by the Central Council of German Sinti and Roma: <https://zentralrat.sintiundroma.de/mehr-forschung-zu-protestantismus-und-antiziganismus-ist-notwendig/>

children victims;<sup>74</sup> however, the principles of the participation of disadvantaged children and meeting their best interests, as well as ensuring the integrity of adequate social protection for their families, are often not fulfilled.

In Germany, the most acute problems that children from a disadvantaged background face include discrimination at school and a lack of access to decent housing. As mentioned in the subchapter on education, in the NRSF no measure is foreseen to counter discrimination or bullying at school. German social policy has failed so far to counter child poverty, which also affects disadvantaged Sinti and Roma, although worldwide statistics show that poverty has a direct effect on educational attainment and children's physical and mental health with consequences for adult life in relation to employment, income and wealth, health and wellbeing, while also one of the leading contributory factors to child protection issues. In Germany, one in every five children are at risk of falling into poverty.<sup>75</sup> In the case of children with a direct migration background the share is fifty percent (50%). In the case of disadvantaged Sinti and Roma children, the situation is even worse because they are also victims of institutional antigypsyism, which makes them extremely vulnerable in the hands of the state if they become victims of child abuse.

## 2.9. Promoting (awareness of) Roma arts, culture, and history

In the NRSF, the most important projects are mentioned in the field of political education concerning fighting and preventing antigypsyism. Projects of the Federal Office of Political Education and support from the Documentation Centre of German Sinti and Roma and the European Roma Institute for Arts and Culture (ERIAC) are mentioned, among others.

The most important project with regard to raising awareness in majority society is the aforementioned working group set up by KMK to develop recommendations for how to address the history of Sinti and Roma and their persecution in school curricula. Nevertheless, these are just recommendations that only may be implemented by the regional governments. It is urgent that these recommendations are implemented.

While holocaust memorials are being renovated, it is necessary to ensure that the history of Sinti and Roma and their genocide are included in all memorials. Furthermore, the recommendations of the 'Independent Commission on Antigypsyism' should be implemented, including:

- 1) the systematic and continuous transfer of knowledge on the origin and spread of the various manifestations of antigypsyism at universities, schools, educational institutions and to political institutions and the media;
- 2) fostering research on the history of antigypsyism;
- 3) the scientific institutionalisation of research on the history of Sinti and Roma;
- 4) the collection and presentation of the diverse arts and cultural production of the Sinti and Roma in Germany in cooperation with the communities.

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<sup>74</sup> End, Markus (2019): Antigypsyism and police [Antiziganismus und Polizei. Schriftenreihe Band 12], published by the Central Council of German Sinti and Roma: <https://zentralrat.sintiundroma.de/antiziganismus-und-polizei/>

<sup>75</sup> *Entwicklung von Kinderarmut im Rahmen der Corona-Krise – Weitere Entwicklungen und neue Daten (2022) Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Heidi Reichinnek, Susanne Ferschl, Gökay Akbulut, weiterer Abgeordneter und der Fraktion DIE LINKE.* [Development of child poverty in the context of the coronavirus crisis - Further developments and new data (2022) Answer by the Federal Government to the minor enquiry by the Members of Parliament Heidi Reichinnek, Susanne Ferschl, Gökay Akbulut, other Members of Parliament and the parliamentary group DIE LINKE] – Drucksache 20/906

## 3. EXPECTED EFFECTIVENESS

### 3.1. Coherence with related domestic and European policies

The NRSF combines measures that were mainly not developed within a policy-making process associated with a German strategy, but originated in various separate policy-making processes of the last years – for instance, in the context of minority protection, policies against racism and against antigypsyism, or general inclusion policies for EU mobile citizens. The NRSF includes as an overall framework the priority to fight against antigypsyism; at the same time no strategic approach is taken to ensure comprehensiveness, coherence, and synergy with all relevant policies. The NRSF builds at its core on three major policy fields: minority protection policies for German Sinti and Roma, policies against racism, and in particular, against antigypsyism and social inclusion for migrants and EU-mobile citizens.

Most obviously lacking are measures that target institutional antigypsyism. Measures aimed at eliminating antigypsyism from the police, schools, and public institutions urgently need to be addressed. One of the main problems in this field is that the antidiscrimination law (AGG) does not apply to the public sphere. It seems that this will not change during this legislative period.

### 3.2. Responsibility for NRSF coordination and monitoring

The responsibility for the NRSF in Germany has until now been with Unit M II 4 of the Federal Ministry of the Interior (National Minorities in Germany, European Minority Policy). This department does not have the competence, capacities, or resources to act as the NRCP and draft a strategy and develop and coordinate policies. In the NRSF it is stated that the NRCP will be strengthened. According to official information, the new NRCP will be set up at the Ministry of Family, Elderly People, Women and Youth (MFSMJ) with better resources. The new NRCP will set up the Platform for Sinti and Roma, strengthen cooperation and consultation with minority organisations, and set up monitoring and evaluation mechanisms. Since the new NRCP will be set up with more resources, it is expected that there will be an improvement in policy design and better consultation with Sinti and Roma CSOs.

### 3.3. Quality of the plan

The German government published in February 2022 policy paper entitled '*Nationale Strategie "Antiziganismus bekämpfen, Teilhabe sichern!" zur Umsetzung der EU-Roma-Strategie 2030 in Deutschland*' (National Strategy "Fighting antigypsyism, ensuring participation!" Towards the implementation of the EU-Roma Strategy 2030 in Germany'). It is the first time that this policy paper has included the denomination "Strategy". The previous policy documents were called "integrated measures packages".

It is expected that the new NRCP will more strongly coordinate between federal and regional ministries and municipalities and will engage in broader consultation before drawing up and developing further the NRSF.

However, the NRSF does not have any overall goals or specific goals to be implemented within defined timeframes (short-, mid- and long-term goals), nor any benchmarks or indicators, and nor are any measures through which the goals to be achieved are defined. The NRSF contains a less exhaustive list compared to the previous reports. It again outlines the programmes which every citizen and/or migrant can access. There is no explanation why certain programmes and measures are listed, and others not.

There is no clear target group. It is implicit that the target group for measures aimed at fighting antigypsyism is majority society. With regard to social programmes, the target group is not clear. It is mentioned that Sinti and Roma could benefit from them. No

differentiation is made between Sinti and Roma who are disadvantaged from those who are not. Sinti and Roma who are not socially disadvantaged may not have the need to access social programmes. Nevertheless, there is strong generalisation in the wording that implies that all Sinti and Roma are socially disadvantaged.

There is no information about the impact of these policies and programmes on the equal treatment and social inclusion of disadvantaged Sinti and Roma or in the fight against antigypsyism. Nor is it clear if they have prompted any change in the overall social climate that would enhance the participation of Sinti and Roma. No information on the evaluation of the listed programmes and measures is provided. In addition, there is no description or analysis of the problems and needs of disadvantaged Sinti and Roma, or indication as to what extent they have benefited from the programmes and measures that are listed.

There is a strong focus on integration policies. The term 'integration' is questioned by critical academics and CSOs, especially migrant organisations, because it may imply 'assimilation'. Organisations of German Sinti and Roma criticise the focus on integration policies because they target migrants. Additionally, the focus on integration may give the impression that disadvantaged Sinti and Roma face social exclusion because they are not 'integrated' but need to be, and not because they suffer from antigypsyism that puts them in a disadvantaged position in society.

### 3.4. Funding

There has been an increase in funding with regard to programmes and measures for fighting antigypsyism. A large part of this funding has been allocated to setting up the office of the Federal Commissioner for Antigypsyism, the new NRCP, and the Antigypsyism Monitoring and Information Office (MIA). Furthermore, funding has been allocated to setting up the 'Competence Network on Antigypsyism' funded by the federal programme 'Live Democracy!' and run by the Documentation Centre of German Sinti and Roma and Amaro Drom.

With regard to funds intended to support disadvantaged people, among them Sinti and Roma, these originate to the largest extent in the employment office for supporting unemployed citizens. Additional funding for reinserting unemployed and/or citizens living in poverty into employment comes to a significant extent from the European Social Funds Plus (ESF). Since this funding period the Fund for European Aid to the Most Deprived – FEAD has been a part of ESF. FEAD in Germany focuses much more explicitly on newcomers from EU Member States living in precariousness; a large proportion of these are disadvantaged Roma. The dominant approach of these projects is that of a 'bridging logic'; i.e., they aim to provide referrals to mainstream social services.

Germany is getting a smaller amount of ESF Funds because a certain number of projects are not considered successful. Interview partners have stated that it is necessary to redefine the category of 'success'. 'Success' might mean that a certain number of participants of a vocational training course have concluded it by passing an examination. This criterion does not take into consideration the living conditions of participants: some of them have been living in poverty for long time, not in formal education schemes, facing severe housing problems, having to work hard, or take care of children. Under such conditions, even participation in vocational training courses represents a success.<sup>76</sup>

In contrast, within FEAD the criteria for success should be revised. According to a study on institutional antigypsyism, supporting disadvantaged families from Bulgaria and Romania by looking for kindergarten places for them is considered already a 'success'. In

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<sup>76</sup> Interview with Förderverein Roma e.V.

practice, these families do not get kindergarten places because they are often labelled Roma and as such discriminated against.<sup>77</sup>

The ESF often targets participants with higher formal qualifications while lacks low-threshold support measures. At the same time, through the FEAD programme it is not possible to implement vocational training that would support young people's insertion into labour markets.<sup>78</sup>

No organisations that represent Sinti and Roma are running an ESF project. There is only one Roma organisation running a FEAD project. This is because the technical requirements for running an ESF or FEAD project are very demanding. There is no political will to provide capacity building for organisations of migrants or of Sinti and Roma to help them professionalise and acquire the necessary skills for applying to and managing ESF. At the moment, there is a gap of one-and-a-half years between the previous and next funding period of FEAD, as a result of which most of the implementing organisations were forced to stop their projects. Almost all FEAD projects have disadvantaged Roma as the target group.

The Hildegard Lagrenne Foundation for Education, Inclusion and Participation of Sinti and Roma in Germany is a member of the Monitoring Committee of the FEAD program. However, there is no representative from a organisation of Sinti and Roma on the ESF advisory board.

Roma face antigypsyism by employers of the organisations implementing ESF and FEAD projects. Training on antigypsyism is provided within the framework of the FEAD program, but these training programmes are taken on a voluntary basis. Training on antigypsyism should be an obligation for organisations that implement ESF or FEAD projects that target Sinti and Roma.

### 3.5. Monitoring and evaluation

In the NRSF it is announced that a discussion forum will be organised by the Federal Antidiscrimination Office and the NRCP in cooperation with civil society. Through the discussion forum, it is intended to identify the feasibility of community-based studies with the participation of the communities. Equality data should be collected through these studies. It is also intended to foster cooperation between research and the organisations of Sinti and Roma so that studies can be carried out on the living conditions of Sinti and Roma. It is expected that through such studies to what extent Sinti and Roma benefit from pre-existing measures and programmes can be identified.

At present, there is no overall comprehensive monitoring and evaluation approach in relation to the NRSF. Programmes included in the NRSF have monitoring and evaluation mechanisms such as Live Democracy! or the ESF programmes. The 'Advisory Committee on Issues of Sinti and Roma' is a body in which NRSF implementation can be discussed. At the regional (*Land*) and local level there are individual mechanisms of monitoring and evaluating measures that target disadvantaged Sinti and Roma and those fighting antigypsyism. In Berlin, the regional government has set up a monitoring process for the 'Action Plan of the Inclusion of Foreign Roma'. In the cities of Munich and Dortmund, and in smaller cities in Northern Rhine-Westphalia such as Herne, Siegen, and Hagen there are meetings in which organisations of Sinti and Roma, other CSOs, and civil servants exchange opinions about measures that target disadvantaged Sinti and Roma, and about those aimed at fighting antigypsyism.

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<sup>77</sup> Neuburger; Hinrichs, p. 37 f.

<sup>78</sup> Interview with Förderverein Roma



These are some positive aims of the German government. Nevertheless, it should be ensured that there is regular collection of equality data that creates more accurate information about structural and institutional antigypsyism, and information about to what extent disadvantaged Sinti and Roma have access to social measures and programmes that is equal to that of other citizens. No statistics should be collected on the number of Sinti and Roma.

With regard to the monitoring of antigypsyism, the most important measure is the establishment of the MIA, with regional offices in Berlin, Saxony, Rhineland-Palatinate, and North Rhine-Westphalia. Further regional offices should be set up in the coming years. The community-based study on the discrimination faced by Sinti and Roma which will be carried out in cooperation with the ADS represents another important monitoring instrument.

### 3.6. Assessment of the expected effectiveness and sustainability

It is not possible to assess the expected effectiveness and sustainability of the package of measures since there is no strategic approach to the design and implementation of the strategy. It is possible however to assess the effectiveness and sustainability of the most important measures announced in the policy document; namely, on the new Federal Commissioner for Antigypsyism, the new NRCP, and MIA. These measures show the stronger commitment of the German state to strengthen the fight against antigypsyism. We do expect that as an effect of these measures the negative consequences of antigypsyism will become more visible, that individuals, institutions and CSOs will be more aware of antigypsyism and the need to combat it, and that the link between antigypsyism and the social exclusion of disadvantaged Sinti and Roma will be clearer. It seems that there is a political will from the German state.

Nevertheless, there is no explicit mention of the need to address institutional antigypsyism, which is one of the strongest forms of antigypsyism. Antigypsyism is strongly reproduced through the school system, the public administration, and the police. No strategy against antigypsyism will be successful without fighting institutional antigypsyism.<sup>79</sup>

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<sup>79</sup> Interview with Silas Kropf, UKA member.

## 4. ALIGNMENT WITH THE EU ROMA STRATEGIC FRAMEWORK

### 4.1. Reflecting diversity among Roma

The programmes and measures included in NRSF are those which disadvantaged Sinti and Roma could benefit from. Programmes that target various groups refer to German citizens, EU-mobile citizens, migrants, and asylum seekers. Sinti and Roma could benefit from these programmes. The Strategy does not distinguish between disadvantaged and non-disadvantaged Sinti and Roma. The NRSF's narrative strengthens the perception that all Sinti and Roma are disadvantaged, reproducing the stigmatisation of the community.

There is a need to strengthen programmes and measures that target children and youth, women, and elderly people living in poverty or at risk of poverty. According to Romani youth activists, youth participation should be fostered, ensuring institutional funding for youth organisations of Sinti and Roma and supporting local groups to set up organisations.<sup>80</sup>

### 4.2. Combining mainstream and targeted approaches

In the NRSF, it is stated that mainstream measures are complemented by targeted measures. The establishment of the MIA and the setup of the 'Competence Network Antigypsyism' funded by the federal programme 'Live Democracy!' are examples of targeted measures. There are programmes and measures which disadvantaged Sinti and Roma could benefit from, among other citizens, such as FEAD, which includes targeted measures like training on antigypsyism that targets NGOs that carry out FEAD projects. Nevertheless, these training sessions are attended on a voluntary basis; they should be obligatory for the organisations implementing ESF and FEAD projects.

The mainstream approach should be more strongly complemented by the targeted approach by implementing measures for fighting antigypsyism in social programmes. Measures to fight antigypsyism should also be implemented in programmes implemented in all societal fields: education, labour, health, housing, and social services. These measures should aim at fighting the antigypsyist placement of children and young people in special schools and classes, at combating antigypsyism in employment offices and public administration, in the public health service and social fields. Further targeted measures should be included for the strengthening of organisations of Sinti and Roma, education programmes, participation, youth and remembrance projects.

### 4.3. Usage of instruments introduced by the Council Recommendation

The goal of fighting antigypsyism has been defined by the German NRSF, although measures are not included in all policy fields. The most important instrument introduced by the Council Recommendation – namely, the fight against antigypsyism as a cross-cutting/transversal category throughout all policy fields – is addressed by the NRSF. The newly appointed Federal Commissioner for Antigypsyism and MIA should work on antigypsyism that is present in all societal spaces and policy fields. At the same time, there should be a stronger cross-cutting approach in fields such as education, labour, the housing market, health care, public institutions, and social services. In the NRSF, no targets are set up and no measures are defined in relation to carrying out institutional or administrative reforms that would contribute to greater equality and inclusion, as stated in the Council Recommendation. In the German NRSF, the following points related to participation are included: strengthening the connection of the NRCP with the

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<sup>80</sup> Input from focus group on youth participation of Sinti and Roma.

organisations of Sinti and Roma; capacity building of the CSOs of the Sinti and Roma; and setting up the Platform of Sinti and Roma. Participation is a crucial component of the Council Recommendation.

## 5. ADDITIONAL FINDINGS

### *Discrimination against Roma refugees from Ukraine*

Since the beginning of the war in Ukraine, Ukrainians have been fleeing to Germany. Germany willingness to take in war refugees and the provision of resources is impressive and shows unprecedented solidarity. However, the situation of Ukrainian refugees from the Roma minority is different. They were exposed to discrimination and antigypsyism in their home country, and after fleeing this continues in Germany.

Roma refugees from Ukraine face discrimination by institutions.<sup>81</sup> Roma refugees are segregated in makeshift shelters and halls. In some places, this happens under the pretext that they would harass other refugees. In Munich, as many as 2,000 Roma refugees had to live in mass accommodation in units with separating walls of 1.60 meters high for several weeks at city events hall, while refugees who belonged to the Ukrainian majority society were sent to decentralised quarters within a few days. In numerous cities and regional districts there is a lack of political will to create adequate accommodation conditions for Roma refugees, and sometimes admitting Roma refugees is expressly rejected. Administrative authorities have accused the Ukrainian Roma of not being "real" war refugees and only wanting to receive benefits. Institutional antigypsyism is also expressed in public statements of the police authorities to the press, according to which Roma refugees are held responsible for abuses.

Discrimination also manifests itself at the individual level by security personnel and service providers. Examples include the incidents at Mannheim main station, where Roma refugees were turned away by security staff of the German railroad enterprise Deutsche Bahn and denied access to the designated common rooms. Other incidents were reported in shelters in Berlin and Riem, and in the region Mecklenburg-Vorpommern, among others, always accompanied by the allegation that the Roma had taken too many supplies and services. In addition, many interpreters in arrival halls refused to interpret for Roma or even mistranslated to the detriment of the refugees. According to reports, Roma refugees are even discriminated against by volunteers and other Ukrainian refugees. In some press reports, the current crisis situation, especially at hubs like the one in Munich, was deliberately ethicised and the entire minority stigmatised.

Equal treatment and equal protection should be granted to Roma refugees from Ukraine. The most important measure is to ensure that those segregated in provisional accommodation are quickly distributed to decentralised, smaller forms of accommodation. At the same time, it must be noted that families should not be torn apart. Any form of segregation must be prevented at all costs. At the same time, any antigypsyist practices of civil servants and volunteers must be relentlessly addressed and resolutely countered. This includes, in particular, ensuring equal access to social services and local support structures. Germany has a historical responsibility towards Ukrainian Roma who are descendants of Holocaust victims; among them are even some Holocaust survivors.

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<sup>81</sup> These antigypsyist incidents against Roma refugees from Ukraine have happened in Bavaria, Baden-Württemberg, Berlin, Hesse, Saxony and Mecklenburg-Western Pomerania. Interviews with two representatives of the city administration Munich, of the Regional Association of German Sinti and Roma of Bavaria, Romanity (Munich), Madhouse (Munich), Sinti Kultur und Bildungsverein Ingolstadt, Roma Info Centrum (Berlin), Amaro Foro (Berlin) and talks and meetings with civil servants of the Mecklenburg-Western Pomerania were conducted. No specific reference has been made to the source of information related to specific incidents as a way of protecting the identity of those who testified to such incidents.

## CONCLUSIONS AND RECOMMENDATIONS

The fight against antigypsyism is recognised as a core element of the NRSF that should be a cross-cutting/transversal category throughout all policy fields. Measures are foreseen that are of relevance, such as the appointment of a Federal Commissioner for Antigypsyism, the establishment of the National Roma Contact Point (NRCP) and the establishment of the Antigypsyism Monitoring and Information Office for monitoring antigypsyist incidents and criminal acts. In the NRSF, measures are listed on which basis the new NRCP will strengthen its work, such as the establishment of a dialogue platform for Sinti and Roma and stronger consultation mechanisms with the CSOs of Sinti and Roma.

Nevertheless, despite the increase in the number of reports and studies and statements of organisations of Sinti and Roma about the various forms of expression of antigypsyism and urgent measures that should be implemented, in the German NRSF those are not addressed. The latter include, among others: the need to build the capacity of police officers, prosecutors, and judges in relation to antigypsyism through which the number of unreported cases might be reduced; the need to fight segregation and antigypsyism at school; the need to fight institutional antigypsyism; and the need to stop the deportations of Roma asylum seekers to their countries of origin. These are policy measures that should at least be recognised as part of the whole problem of antigypsyism and should be addressed through policy measures. The NRCP should develop the next NRSF to include overall goals and specific goals to be implemented in accordance with defined timeframes (short-, mid- and long-term goals), benchmarks, indicators, and monitoring and evaluation mechanisms.

### *Recommendations to national authorities*

- 1) **Strengthen the NRCP:** The National Roma Contact Point (NRCP) should have the necessary resources, personnel, and competences to design and coordinate policies. The NRCP should strengthen the consultation and participation of organisations of Sinti and Roma, ensuring that they have both voice and vote in decision-making processes.
- 2) **Improve the NRSF:** The NRCP should revise and further improve the NRSF in consultation with organisations of Sinti and Roma, particularly concerning the main goals, specific targets and objectives, indicators, benchmarks, and monitoring and evaluation mechanisms.
- 3) **Extend the scope of anti-discrimination legislation:** The General Equal Treatment Act (AGG) does not apply to the public sector, except for in Berlin. It is not possible to lodge a case of discrimination against a public school or public administration unless the law is changed at federal level to include the public sphere.
- 4) **Ensure the right to collective action on behalf of victims:** The General Equal Treatment Act (AGG) needs to be amended and its scope broadened so that associations and organisations working in the field of anti-discrimination are granted the right to undertake collective action on behalf of victims (legal standing).
- 5) **Ensure participation of Sinti and Roma in all *Länder's* broadcasting and state media authorities:** Representatives of Sinti and Roma should be appointed to broadcasting councils and state media authorities, but this has not happened in all *Länder*, yet. The express appointment of Sinti and Roma to the supervisory bodies of private and public media is a socio-political and legal obligation that follows on from the recognition of the Sinti and Roma as an autochthonous national minority in Germany. For example, the Federal Republic of Germany has committed

itself to the inclusion of Sinti and Roma in social and political life by ratifying the 'Framework Convention for the Protection of National Minorities'.

#### ***Recommendations to European institutions***

- 6) European institutions should more strongly encourage Member States and Candidate Countries to strengthen their efforts to fight antigypsyism – e.g., by strengthening the focus on the fight against antigypsyism at the National Equality Body, and fostering structural changes in police authorities and public administration that will eliminate institutional antigypsyism.

#### ***Recommendations to civil society***

- 7) **Increase support from civil society organisations (CSOs):** CSOs should support the fight against antigypsyism and give more support to organisations of Sinti and Roma in this fight. Church-, welfare-, women's-, migrant- and antiracist organisations should join efforts with the organisations of Sinti and Roma in their fight against antigypsyism and help them to gain recognition. This will help mainstream the fight against antigypsyism.

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## ANNEX: LIST OF PROBLEMS AND CONDITIONS

### 2.1. Fighting antigypsyism and discrimination

<b>Problems and conditions</b>	<b>Significance:</b>	<b>Identified by strategy:</b>	<b>Measures to address:</b>	<b>Targets defined:</b>
Antigypsyism not recognised as a specific problem in national policy frameworks	critical problem	understood with limitations	adequate but with room for improvement	adequate but with room for improvement
Prejudice against Roma	critical problem	understood with limitations	adequate but with room for improvement	some targets but not relevant,
Hate crimes against Roma	critical problem	understood with limitations	present but insufficient	some targets but not relevant
Hate speech towards and against Roma (online and offline)	critical problem	mentioned but not analysed sufficiently	present but insufficient	some targets but not relevant
Weak effectiveness of protection from discrimination	significant problem	irrelevant	absent	absent
Segregation in education, housing, or provision of public services	significant problem	irrelevant	absent	absent
Forced evictions and demolitions leading to homelessness, inadequate housing, and social exclusion	significant problem	Irrelevant	absent	absent
Statelessness, missing ID documents	minor problem	irrelevant	absent	absent
Misconduct and discriminatory behaviour by police (under-policing/under-policing)	critical problem	irrelevant	absent	absent

Barriers to <i>de facto</i> exercise of EU right to free movement	significant problem	mentioned but not analysed sufficiently	absent	absent
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## 2.2. Education

<b>Problems and conditions</b>	<b>Significance:</b>	<b>Identified by strategy:</b>	<b>Measures to address:</b>	<b>Targets defined:</b>
Lack of available and accessible pre-school education and ECEC services for Roma	irrelevant	irrelevant	absent	absent
Lower quality of pre-school education and ECEC services for Roma	irrelevant	irrelevant	absent	absent
High drop-out rate before completion of primary education	irrelevant	irrelevant	absent	absent
Early leaving from secondary education	minor problem	irrelevant	absent	absent
Secondary education/vocational training disconnected from labour market needs	significant problem	irrelevant	absent	absent
Misplacement of Roma pupils into special education	critical problem	irrelevant	absent	absent
Education segregation of Roma pupils	significant problem	irrelevant	absent	absent
Increased selectivity of the educational system resulting in concentration of Roma or other disadvantaged pupils in educational facilities of lower quality	significant problem	irrelevant	absent	absent
Limited access to second-chance education, adult education, and lifelong learning	minor problem	irrelevant	absent	absent

Limited access to and support for online and distance learning if education and training institutions close, as occurred during the coronavirus pandemic	significant problem	irrelevant	absent	absent
Low level of digital skills and competences and limited opportunities for their development among pupils	significant problem	irrelevant	absent	absent
Low level of digital skills and competences and limited opportunities for their development among adults	significant problem	irrelevant	absent	absent

### 2.3. Employment

<b>Problems and conditions</b>	<b>Significance:</b>	<b>Identified by strategy:</b>	<b>Measures to address:</b>	<b>Targets defined:</b>
Poor access to or low effectiveness of public employment services	significant problem	irrelevant	absent	absent
Youth not in employment, education or training (NEET)	significant problem	irrelevant	absent	absent
Poor access to (re-) training, lifelong learning and skills development	significant problem	irrelevant	absent	absent
Discrimination on the labour market by employers	critical problem	irrelevant	absent	absent
Risk for Roma women and girls from disadvantaged areas of being subjected to trafficking and forced prostitution	minor problem	irrelevant	absent	absent
Primary labour market opportunities substituted by public	minor problem	irrelevant	absent	absent

work				
Barriers and disincentives to employment (such as indebtedness, low income from work compared to social income)	significant problem	irrelevant	absent	absent
Lack of activation measures, employment support	significant problem	irrelevant	absent	absent

## 2.4. Healthcare

<b>Problems and conditions</b>	<b>Significance:</b>	<b>Identified by strategy:</b>	<b>Measures to address:</b>	<b>Targets defined:</b>
Exclusion from public health insurance coverage (including those who are stateless, third country nationals, or EU-mobile)	significant problem	irrelevant	absent	absent
Poor supply/availability of healthcare services (including lack of means to cover out-of-pocket health costs)	significant problem	irrelevant	absent	absent
Limited access to emergency care	irrelevant	irrelevant	absent	absent
Limited access to primary care	significant problem	irrelevant	absent	absent
Limited access to prenatal and postnatal care	irrelevant	irrelevant	absent	absent
Limited access to health-related information	significant problem	irrelevant	absent	absent
Poor access to preventive care (vaccination, check-ups, screenings, awareness-raising about healthy)	minor problem	irrelevant	absent	absent

lifestyles)				
Poor access to sexual/reproductive healthcare and family planning services	minor problem	irrelevant	absent	absent
Specific barriers to better healthcare of vulnerable groups such as elderly Roma people, Roma with disabilities, LGBTI and others	significant problem	irrelevant	absent	absent
Discrimination/ antigypsyism in healthcare (e.g., segregated services, forced sterilisation)	significant problem	irrelevant	absent	absent
Unrecognised historical injustices, such as forced sterilisation	significant problem	irrelevant	absent	absent
Inequalities in measures for combating and preventing potential outbreaks of diseases in marginalised or remote localities	minor problem	irrelevant	absent	absent

### 2.5. Housing, essential services, and environmental justice

<b>Problems and conditions</b>	<b>Significance:</b>	<b>Identified by strategy:</b>	<b>Measures to address:</b>	<b>Targets defined:</b>
Poor physical security of housing (ruined or slum housing)	significant problem	irrelevant	absent	absent
Lack of access to drinking water	minor problem	irrelevant	absent	absent
Lack of access to sanitation	minor problem	irrelevant	absent	absent
Lack of access to electricity	minor problem	irrelevant	absent	absent
Limited or absent	minor problem	irrelevant	absent	absent

public waste collection				
Restricted heating capability (families unable to heat all rooms/all times when necessary) or solid waste used for heating	minor problem	irrelevant	absent	absent
Lack of security of tenure (legal titles are not clear and secure)	irrelevant	irrelevant	absent	absent
Lacking or limited access to social housing	significant problem	irrelevant	absent	absent
Overcrowding (available space/room for families)	significant problem	irrelevant	absent	absent
Housing-related indebtedness at levels which may cause eviction	significant problem	irrelevant	absent	absent
Housing in segregated settlements/ neighbourhoods	significant problem	irrelevant	absent	absent
Housing in informal or illegal settlements/ neighbourhoods	irrelevant	irrelevant	absent	absent
Exposure to hazardous factors (living in areas prone to natural disasters or environmentally hazardous areas)	irrelevant	irrelevant	absent	absent
Limited or lacking access to public transport	irrelevant	irrelevant	absent	absent
Limited or lacking internet access (e.g., public internet access points in deprived areas, areas not covered by broadband internet)	irrelevant	irrelevant	absent	absent
Limited or lacking	irrelevant	irrelevant	absent	absent

access to green spaces				
Roma excluded from environmental democracy	irrelevant	irrelevant	absent	absent

## 2.6. Social protection

Problems and conditions	Significance:	Identified by strategy:	Measures to address:	Targets defined:
High at-risk-of-poverty rate and material and social deprivation	significant problem	irrelevant	absent	absent
Income support programmes fail to guarantee an acceptable level of minimum income for every household	minor problem	irrelevant	absent	absent
Limited access to income support schemes (low awareness, barrier of administrative burdens, stigma attached)	significant problem	irrelevant	absent	absent
Ineffective eligibility rules (well-designed means-testing ensures that those who need support can get it; job-search conditions ensure the motivation for returning to work)	minor problem	irrelevant	absent	absent
Low flexibility of income support programmes for addressing changing conditions of the household	minor problem	irrelevant	absent	absent
Discrimination by agencies managing income-support programmes	critical problem	irrelevant	absent	absent
Risk of municipalities misusing income support to buy votes	irrelevant	irrelevant	absent	absent

## 2.7. Social services

Problems and conditions	Significance:	Identified by strategy:	Measures to address:	Targets defined:
Limited quality, capacity and comprehensiveness of help provided by social services	significant problem	irrelevant	absent	absent
Limited access to social services: low awareness of them, low accessibility, (e.g., due to travel costs) or limited availability	significant problem	irrelevant	absent	absent
Services providers do not actively reach out to those in need	significant problem	irrelevant	absent	absent
Limited ability of social services to effectively work together with other agencies (e.g., public employment service) to help clients	significant problem	irrelevant	absent	absent
Discrimination by social service providers	significant problem	irrelevant	absent	absent
Lack of adequacy of programmes for addressing indebtedness (providing counselling and financial support)	significant problem	irrelevant	absent	absent

## 2.8. Child protection

Problems and conditions	Significance:	Identified by strategy:	Measures to address:	Targets defined:
Child protection not considered in the NRSF	irrelevant	irrelevant	absent	absent
Specific vulnerability of Romani children as victims of violence not considered	minor problem	irrelevant	absent	absent



Segregated or discriminatory child-protection services provided to Roma	minor problem	irrelevant	absent	absent
Activities aimed at strengthening parental responsibility and skills not available or not reaching out to Roma parents	irrelevant	irrelevant	absent	absent
Illegal practices of child labour	irrelevant	irrelevant	absent	absent
Large-scale and discriminatory placement of Romani children in early childhood care institutions	critical problem	irrelevant	absent	absent
Persistence of large-scale institutions rather than family-type arrangements	minor problem	irrelevant	absent	absent
Early marriages	irrelevant	irrelevant	absent	absent
Barriers to children's registration; statelessness	irrelevant	irrelevant	absent	absent
Biased treatment of Roma youth by security and law enforcement	significant problem	irrelevant	absent	absent
Inadequate child/adolescent participation	significant problem	irrelevant	absent	absent

### 2.9. Promoting (awareness of) Roma arts, culture, and history

Problems and conditions	Significance:	Identified by strategy:	Measures to address:	Targets defined:
Poor or lacking awareness of the general population of the contribution of Roma art and culture to national and European heritage	significant problem	mentioned but not analysed sufficiently	present but insufficient	absent

Exclusion of Roma communities from national cultural narratives	critical problem	mentioned but not analysed sufficiently	present but insufficient	absent
Romani history and culture not included in school curricula and textbooks for both Roma and non-Roma students	critical problem	understood with limitations	adequate but with room for improvement	adequate but with room for improvement
Lack of inclusion of Romani language in schools, and development of necessary educational materials and resources for Romani language preservation and teaching	irrelevant	irrelevant	absent	absent
Lack of memorialisation of Roma history through establishing monuments, commemorative activities, and institutionalising dates relevant to Roma history	significant problem	mentioned but not analysed sufficiently	present but insufficient	absent

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