

**FINAL EVENT**

**PART I - SEMINAR “The role of Equality Bodies and National Human Rights Institutions in advancing Roma women’s access to justice”**

**PART II - CONFERENCE: “Taking stock of progress made on enhancing Roma women’s access to justice”**

“*The added value of JUSTROM is that it delivers what people need, a clear result that can help change their lives*”

23rd – 24th February 2022,

Strasbourg, Palais de l’ Europe in hybrid format

Rapporteur Report

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**1. INTRODUCTION**

On 23 - 24 February 2022 a closing event of the Joint EU-CoE Programme “Roma Women Access to Justice (JUSTROM3)” took place in Strasbourg, at the Palais de l’ Europe to celebrate the end of the JUSTROM Programme where the results and conclusions of the Programme were presented. Due to COVID-19 restrictions the event was organised in a hybrid format.

The closing event was attended by 82 people – 16 in person and 66 online - consisting of representatives of various international and national organisations, the European Commission and civil society organisations from four countries, where the Programme was implemented (Bulgaria, Romania, Greece and Italy):

* Equality Bodies:
	+ the Commission for Protection against Discrimination from Bulgaria,
	+ the Ombudsman from Greece,
	+ the National Office against Racial Discrimination – UNAR from Italy,
	+ the National Council for Combating Discrimination from Romania;
* National Human Rights Institutions:
	+ the Ombudsman of the Republic of Bulgaria,
	+ the Greek National Commission for Human Rights,
	+ the Romanian Institute for Human Rights;
* Members of national JUSTROM teams:
	+ national coordinators,
	+ facilitators,
	+ legal consultants,
	+ mentors,
	+ trainers.

The final event was divided into two parts:

* The first part held on 23 February was a seminar about “*The role of Equality Bodies and National Human Rights Institutions in advancing Roma women’s access to justice*”.
* The second part held on 24 February was a conference about “*Taking stock of progress made on enhancing Roma women’s access to justice*”.

**2. PART I – SEMINAR “The role of Equality Bodies and National Human Rights Institutions in advancing Roma women’s access to justice”**

The seminar aimed at sharing experiences and ideas for future work to advance the access to justice of Roma women by involving the Equality Bodies and the National Human Rights Institutions (NHRI). The following questions were tackled during the meeting:

* What is the role of Equality Bodies in the design, implementation and development of National Roma Strategic Frameworks, including best practices in this area?
* How can the gender dimension be better reflected in the National Roma Strategic Frameworks and what can the Equality Bodies do to this end?
* How can access to justice of Roma and Roma women in particular be better reflected in the National Roma Strategic Frameworks and what can the Equality Bodies do to this end?
* How can underreporting of cases of discrimination against Roma, and Roma women, be overcome?
* What can be the role of the National Human Rights Institutions in advancing access to justice for Roma women?

**CONCLUSIONS**

**i. Intersectional approach and increased partnership is the key to combatting multiple discrimination. Member States need to adopt new National Roma Strategic Frameworks ensuring that the gender dimension and access to justice of Roma are adequately reflected following the general guidelines from the recent European Commission’s “Roma Strategic Framework for Equality, Inclusion and Participation for 2020-2030”.**

Previous National Roma Strategic Frameworks largely omitted the gender and multiple discrimination aspects since the first policy instrument that urged Member States to take specific measures to address multiple discrimination and the rights of Roma women and children was the 2013 Council Recommendation.

The previous National Roma Strategic Frameworks did not embody the gender dimension and, for that reason, they in a way promoted discrimination. Nowadays, Roma women and girls still face marginalisation, traditional prejudices and stereotypes, which leads to Roma women often being victims of domestic and gender-based violence. Additionally, Roma women encounter language barriers, in many cases due to illiteracy; they lack knowledge about institutions, on how to file a complaint or receive assistance or support for their children. In addition, they also face technological barriers which leads to digital segregation and further lack of information.

The broader concept of “access to justice” as access to basic human rights is a prerequisite to all sectoral objectives (housing, education, quality health care, and employment) of the European Commission’s “Roma Strategic Framework for Equality, Inclusion, and Participation for 2020-2030”. In this regard, National Roma Strategic Frameworks need also to include concrete measures to achieve the access to justice for Roma women and girls ensuring their access to information and education and raising awareness on their legal rights and existing complaint mechanisms

**ii. The involvement of Equality Bodies and National Human Rights Institutions in the design, implementation, and development of National Roma Strategic Frameworks depends on their legal competence.**

Throughout Europe, there are different types of Equality Bodies and National Human Rights Institutions. Depending on their legal competence they may have limited or broader activity in the design, implementation, and development of National Roma Strategic Frameworks. In Italy, the Equality Body (National Office against Racial Anti-Discrimination (U.N.A.R.)) has also the role of the national contact point making its involvement a clear example of the equality body having a concrete mandate to design the Strategy and monitor its implementation, while in Romania, however, the Equality Body (National Council for Combating Discrimination) is acting as a law enforcement agency that limits its activity. On the other hand, the example of Greece designating the Greek Ombudsman by law as the National Human Rights Institution permits the development of projects of broader scope and seeking solutions on two levels: a) coordination between state agencies, local authorities, and civil society and b) revision and improvement of legislative/administrative regulations.

**iii. Equality Bodies and NHRIs can have the main role in the process of public consultation and preparation for the adoption of the National Strategy for Roma as well as in the process of implementation and monitoring ensuring that the fight against the rising antigypsyism and gender perspective in multiple discrimination are promoted in all actions and measures.**

Gender dimension constitutes an intersectional approach to all the actions and is considered an imperative on all issues such as: housing, access to health, barriers in achieving equality and non-discrimination, problems related to Roma people’s official registration (Roma invisibility) and also issues such as early marriages and gender-based violence. Equality Bodies have the experience and expertise to contribute to the National Strategies by monitoring their implementation and progress through reporting procedures and handling of complaints.

As Mrs. Lykovardi stated: ***“****The involvement of the Equality Bodies is an added value, and the level of their involvement should have a stable national institutional background***”.**

**iv. The number of cases of discrimination against Roma women is under-reported due to various reasons such as lack of trust in state institutions and lack of information and knowledge about their rights and the mechanisms of complaint. JUSTROM teams in all countries of implementation identified the problems and tried to establish a close collaboration with civil society and state institutions to help change the situation.**

The issue of under-reporting cases of discrimination against Roma is considered critical for Roma women. As it was revealed in all countries of JUSTROM implementation Roma women face more difficulties in reporting a case. NHRIs that have are receiving information about incidents of discrimination report that the number of cases submitted is decreasing due to: a) lack of trust in state institutions competent to sanction behaviours of discrimination, including the police, b) lack of education and resources, especially for Roma women. Roma women’s lack of trust can be justified by their vulnerability related to a low level of education and insufficient financial resources. Roma women very often face extreme poverty and daily discrimination in schools, state hospitals as well as in other public institutions. The collaboration with the JUSTROM team enabled NHRIs to establish a direct communication with the Roma communities and built a relationship of trust in order to overcome the barriers of underreporting. As Mrs. Krumova specifically remarked: “*Roma women are somehow invisible for the institutions*”.

**v.** **NHRIs need to be independent, effective and impactful to promote human rights. They also need to have a clear mandate, adequate resources and must reflect on society’s diversity to ensure a pluralistic representation given the diversity in society.**

NHRIs usually work both as an independent authority as well as a consultative body serving as a bridge between the state and the civil society. They bring together information from the field to be later converted into policies advising the State to follow up. All this allows them to provide advice to policy and lawmakers by addressing reports with consultations and recommendations to parliaments. Moreover, given a diversity in diversity in society a pluralistic representation of society must be ensured within the NHRI. In this context, it is important for NHRIs to co-operate with Romani women’s civil societies on joint programmes such as to improve access to justice and also at the local level with cities and regions.

**vi.** **Key aspects for the empowerment and social integration of Roma are a) access to education, especially for Roma women, b) equal employment opportunities for Roma women to enhance financial independence and c) effective access to justice in civil, criminal, and administrative matters.**

JUSTROM Programme identified significant problems Roma women and girls face including extreme poverty, low level of education, early dropout from school, early marriages, unemployment, a very high level of domestic violence. Early dropout from school causes a low level of education, which in turn leads to poor opportunities in the labour market for Roma women. In addition, they encounter multiple discrimination due to their origin and gender preventing them from the access to education, employment, and justice as they lack basic information about their rights.

In this respect, JUSTROM Programme organised trainings, seminars, and round tables promoting the idea of further capacity-building activities aiming at empowerment of Roma women. This was done through mentoring sessions for Roma women on various topics such as: gender-based and domestic violence, trafficking in human beings, access to free legal aid, drafting family law petitions, personal development, discrimination against Roma women, networking, statelessness, etc.

**vii.** **We need to understand the importance of co-operation between state institutions, existing mechanisms and institutions from civil society in order to ensure equality, inclusion and participation of Roma women in Member States as well as the fight against multiple discrimination and stereotypes. For that purpose JUSTROM managed to liaise with authorities and institutions to promote access to justice for Roma women.**

**3. PART II – CONFERENCE “Taking stock of progress made on enhancing Roma women’s access to justice”**

The conference held on 24 February presented the results and achievements of JUSTROM Programme where involved collaborators (facilitators, legal consultants, national coordinators, trainers) shared their experiences, lessons learned, and tools developed under the Programme aiming at improving Roma women’s access to justice.

**CONCLUSIONS**

**i. Legal empowerment of Roma women as a component of JUSTROM Programme resulted in facilitators and Roma women leaders becoming excellent examples and role models for other women and girls from the communities acting as a bridge between Roma women and institutions. Since Roma and Traveller women and girls still remain one of the most vulnerable groups in Europe facing multiple and intersectional discrimination, JUSTROM Programme has enabled a systematic and comprehensive approach for tackling Roma and Traveller women’s issues: JUSTROM beneficiaries were provided with legal advice and assistance that helped them feel respected and empowered, particularly in their relations with the local authorities.**

Roma women and girls play crucial role in the entire Roma inclusion process: they are “agents” of change for their communities while also being the main caregivers in their families. As a consequence, empowering Roma women has a direct impact on the whole Roma community. By targeting Roma women and girls JUSTROM Programme has increased the level of awareness among Roma women about their rights, existing complaint mechanisms, and about the fundamental issues regarding issues of sexual health and early marriages. As stated at the conference by one of the participants: *“you cannot defend your rights if you are not aware of them”*.

**ii. We need to understand that the aim of access to justice cannot be fulfilled without a holistic approach: first by gaining trust of the community and identifying all the barriers and obstacles preventing access to justice, then by providing information and raising awareness about their rights and mechanisms of complaints, enhancing professional capacities and finally increasing synergies and partnerships with state authorities and civil society institutions.**

Access to justice is not only about access to courts but also about:

1. knowing the law,
2. raising awareness among the authorities that public services must be accessible to all citizens and most importantly to vulnerable people,
3. free legal aid properly operating and offering quality services,
4. comprehensive legal framework to ensure the citizens’ rights,
5. access to all basic human rights (e.g. legal status, housing, labour, healthcare, education) including the rehabilitation processes.

During JUSTROM1 10700 beneficiaries (most of them Roma women) benefited from awareness-raising events and legal consultations on cases of discrimination, administrative, criminal and civil law, including legal consultations on gender-based violence cases. 709 events were organised including:

* awareness-raising gatherings,
* info days,
* mentoring sessions and outreach activities organised by Roma women leaders,
* and meetings of Roma women leaders with representatives of municipalities, Equality Bodies, and other institutions.

In these events 7917 people took part, out of which 4811 were Roma women (around 4811). 47 Roma women leaders were included in the mentoring sessions and later organised the outreach activities. Regarding the enhancement of professional capacities, number of training sessions and seminars were organised on anti-discrimination and Roma issues: training for trainers sessions (for legal and other professionals) and cascade training sessions on the Council of Europe Convention on preventing and combating violence against women and domestic violence (“Istanbul Convention”), European Court of Human Rights standards and case law on Roma and women, statelessness, gender equality, Council of Europe Convention on action against trafficking in human beings. The above-mentioned training sessions and seminars targeted various stakeholders: lawyers, law students, judges, prosecutors, police officers, prison staff, teachers, Equality Bodies, and NHRIs, staff of municipalities, socials workers, health mediators, staff of NGOs and law enforcement officials. The total number of participants in capacity building activities under JUSTROM1 and JUSTROM2 activities amounts to 968 and for JUSTROM3 1854 participants.

**iii. It is important to understand that working in the field is crucial. Thanks to legal clinics many problems were identified much easier, which as a consequence helped establish and facilitate the co-operation with authorities and relevant bodies in order to solve those problems. Thanks to their flexibility, commitment and methodology legal consultants have managed to advocate for and make the problems of Roma women visible to the authorities, and in some cases influence policy changes.**

**4. RECOMMENDATIONS**

**i. Regarding the role of Equality Bodies and NHRIs in the National Roma Strategic Frameworks for Roma equality, inclusion, and participation (design, implementation, monitor):**

* The ways of their involvement can be agreed with relevant authorities, respecting the following principles: a) respect for the independence of the Equality Body, b) provision of adequate resources to enable the agreed involvement and c) commitment to meaningful active involvement.
* Mapping the Equality Bodies’ and NHRIs’ capacity building needs concerning Roma women issues, based on a needs assessment process, in accordance with the European Commission’s new initiative on binding standards on Equality Bodies. Synergies should be identified with the OSCE’s tool for the capacity building (under development).
* Launching new national legislation to support the strengthening of Equality Bodies and NHRIs, that also need to comply fully with the Paris Principle, to ensure their independence and resources: Member States need to protect NHRIs, their members and staff, and safeguard NHRI’s full independence in their work, including through adoption of relevant legislation.
* Member States should provide additional financial support for institutions to be efficient and achieve maximum results within short deadlines in the field of human rights protection. NHRIs have a need for adequate resources: procedures for adopting NHRI budgets should be transparent and participatory, involving parliaments, and funding must be protected against unjustified cuts or delays.
* NHRIs need to have sufficient power to make an impact, a strong legal basis (something that NHRIs in EU generally have), and a mandate broad enough to cover all fundamental rights.
* It is important to ensure a pluralistic representation within the NHRIs given the existing social diversity and in particular taking into consideration the need representation of Roma women
* NHRIs and Equality Bodies should develop co-operation and co-ordination with Romani institutions and organisations working closely with Roma to overcome existing challenges and problems.
* NHRIs and Equality Bodies should continue promoting the idea of a culture of human rights and provide training and seminars with a focus on human rights situation of Roma taking into account all key actors of society: students, experts, specialists, teachers, and lawyers, prosecutors, police officers, and other professionals.
* It is important for the NHRIs and Equality Bodies to make their decisions concerning Roma issues public. Publication of these cases could be considered as a way to educate people in the spirit of mutual respect, esteem for human dignity, and non-discrimination.

**ii. On the National Strategic Frameworks on Roma** **equality, inclusion, and participation:**

* The new National Strategic Frameworks for Roma equality, inclusion, and participation in every country should be in line with the EU Roma Strategic Framework 2020-2030 promoting effective equality, inclusion, and meaningful and substantial participation of the Roma community. The National Strategic Frameworks for Roma should include indicators on measuring progress for a comprehensive evaluation of implemented actions.
* The new National Strategic Frameworks for Roma equality, inclusion, and participation should contain realistic objectives and should be easy to implement in order to be effective.
* EU Roma Strategic Framework 2020-2030 encourages an intersectional approach, bearing in mind different aspects of identity and the gender dimension. National Strategic Frameworks for Roma should take positive measures for Roma women including measures to facilitate their access to justice.

**iii. On the issue of under-reporting hate and discrimination incidents:**

* Continue with the awareness raising and empowering of and among Roma women through seminars, mentoring, training sessions to improve their self-esteem, which will lead to increased reporting of discrimination cases to state institutions.
* Support associations involved in providing legal assistance to Roma and vulnerable women in general and organise awareness raising campaigns to reach out to every concerned citizen and group.
* Include in the educational system a syllabus on human rights and Roma in order to stop or at least to reduce the number of discrimination cases.
* Increase visibility of reported cases of human rights violations against Roma, especially cases with successful outcome. Highlighting positively solved cases could have an effect both on Roma communities and state institutions: a) this way the perception within Roma communities that it is pointless to report will change and Roma will understand that they have the power to initiate official procedures by the authorities to investigate human rights violations against them and b) state institutions will be very careful when handling cases of human rights violations as there will be an increased public interest and monitoring by NHRIs and Equality Bodies.
* A more enhanced and focused inter-institutional co-operation between several institutions in each country together with an appointed rapporteur who could follow and encourage reporting of discrimination cases. Additionally, an increased co-operation with the media in order to highlight and bring more visibility to the examined cases and raise public awareness.
* Concrete measures for assisting victims with reporting hate crimes and facilitating their access to justice and supportive social structures.

**iv. Based on JUSTROM experience**

* Developing initiatives to continue the JUSTROM activity and experience in other forms: during the event, three initiatives inspired by JUSTROM were announced: a) the relaunch of a legal clinic for primary legal aid in Thessaloniki (Greece), b) the establishment of an NGO on Roma women’s rights in Romania, c) the establishment of an NGO in Athens (Greece).
* After its end the results of JUSTROM Programme are available and should be used by all relevant stakeholders, especially the tools developed under JUSTROM for improving Roma women’s access to justice. In particular:
1. the development of national pools of trainers made of representatives from various legal professions to allow cascading effect and the development of long-lasting training capacities and opportunities in various institutions through training sessions on the topics of anti-discrimination, gender equality, gender-based violence, trafficking in human beings, Roma issues and ECHR standards and case law as part of the component for the enhancement of professional resources on the application of anti-discrimination standards with a focus on multiple discrimination, gender equality, and Roma women;
2. Module on Roma within the HELP course on anti-discrimination for legal professionals that was translated and launched in 4 beneficiary countries of JUSTROM Programme;
3. the Syllabus on Anti-Roma Discrimination and Gender Inequality;
4. the summary report on research on Roma Women’s Barriers to Access to Justice;
5. the collection of good practices, lessons learnt, and topic-specific experiences based on JUSTROM;
6. Roma women leaders mentored through JUSTROM Programme and who organized outreach activities and meetings with representatives of municipalities, Equality Bodies, and other institutions. Their gained experience and knowledge can be useful for continuing the empowerment of other Roma women in collaboration with any relevant stakeholder;
7. JUSTROM national team members (national co-ordinators, facilitators, legal consultants, mentors, and trainers) with their expertise, skills, competences and methodologies used within JUSTROM Programme.
* It is essential for Roma themselves to be included in the process of designing programmes and strategies for Roma to ensure that special attention will be paid to the needs of Roma women and to include them in the needs assessment process. Moreover, national policies and Strategic Frameworks for Roma should develop measures for Roma women’s empowerment promoting their active participation in the public life and decision-making process, addressing discrimination and violence against Roma women, and providing effective access to justice for Roma women.
* Promoting positive narratives and Roma role models, combating negative stereotypes, and raising awareness on Roma history and culture.
* Multilateral co-operation between stakeholders (Roma communities, government, Equality Bodies, NHRIs, local authorities).

“*Behind all numbers there are people who were at the centre of JUSTROM intervention*”.