



The Quality of Participation in a post-2020 EU-Initiative for Roma Equality and Inclusion

Expert reports building on forward-looking aspects of
the evaluation of the EU Framework for National Roma
Integration Strategies



[Written by Violetta Zentai, Georgeta Munteanu and Simona Torotcoi]
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Executive Summary

This report on Roma participation is meant to inform a post-2020 EU policy initiative on Roma equality and inclusion, scheduled to be presented by the European Commission at the end of 2020. It is one of three reports prepared by an expert team.

This report takes stock of the current state in participation of Roma as citizens, civil society activists, and professionals in policy-making processes that are targeted at Roma equality and inclusion at the European, national and local levels. The report also offers concrete and operational suggestions for institutional developments to address Roma participation. In most cases, the proposals refer to the actors who are the best positioned to initiate interventions and changes. Their mandates and/or duties should embrace the respective proposals. In other cases, EU bodies and national (and local) governments and their designated bodies are the key agents of institutional and procedural innovation serving participation. The report also addresses the status and capacity of civil society actors. This goes beyond the scope of a new EU-level initiative on Roma equality and inclusion but appears as a vital condition to shaping the effective instruments of Roma participation. Finally, the report discusses the needs and opportunities for Roma participation in public administration as individual professionals. A summary table at the end of this document lists all concrete proposals the report presents on three policy making levels (EU, national local).

The key conceptual and policy arguments in support of Roma participation in public affairs should be explicitly highlighted in the new policy initiative. The institutional and procedural proposals could also be referred to in the new initiative, but most importantly it is advised that they be considered in the new national strategies.

The report has greatly benefited from the insights and inputs of a focus group. The focus group has helped the authors critically discuss Roma participation in the current EU Framework, the Member States' National Roma Integration Strategies, and their implementation. The focus group discussions have also assisted the authors in capturing the links of democratic governance, the plurality of forms of citizens' participation, and Roma empowerment reflected in civil society, expert, and academic debates concerning the potential of a new initiative.

The report links the principles and objectives of participation to two other pending issues of policy making on Roma inclusion, namely diversity of the Roma and fighting antigypsyism. These are examined in the other two expert papers prepared in this consultancy assignment.

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Background

The EU Framework (EUFW) for National Roma Integration Strategies (NRIS) is coming to an end and a new post-2020 initiative for Roma equality and inclusion is being discussed. The main milestones at EU level have been the mid-term evaluation of December 2018 (EC, 2018a, 2018b)¹, the publication of the latest 2019 Communication and Staff Working Document on the implementation of NRIS (EC, 2019a, 2019b), and the workshop on future policies for Roma.² Similarly, a number of contributions to the debate have been published by Roma activists and civil society organizations.³ Likewise, a rich academic debate is taking place on key issues of anti-Roma discrimination, the welfare situation of Roma and respective policy measures as well as reflection on policy options for the future.

The overall consultation process on the post-2020 initiative for Roma equality and inclusion is the responsibility of the European Commission. Following the organisation of a workshop on 1 October 2019, the Roma team of DG Justice and Consumers (DG JUST) has published the workshop papers and a workshop report on the EUROPA website, in which next steps towards a post-2020 initiative have been indicated. Preparations also include an intensive process of consulting other Commission services as well as Member States. As for civil society consultations, during the preparations so far, feedback to the Commission by civil society actors has been provided via a number of channels such as for example (1) bilateral meetings and input before and after the workshop, (2) the discussions at the workshop itself, and (3) the option for written submissions. The post-2020 initiative for Roma equality and inclusion is expected to be presented by the Commission in the fourth quarter of 2020.⁴

In parallel but connected to the respective debates and policy formulation processes managed by DG Justice and Consumers, the European Commission has contracted out the present assignment to a consortium in a competitive tendering process.⁵ The consortium is formed of three organizations – Fresno, the right link as consortium leader (fresnoconsulting.es), the Centre for Policy Studies of the Central European University (cps.ceu.edu) and the Amalipe Centre for Intercultural Dialogue (amalipe.com). The team includes the eight experts mentioned below. The assignment is to investigate deeper into three specific issues that have come up strongly in the mid-term evaluation and in other consultation spaces. Specifically, these are **diversity, participation and antigypsyism**.

¹ The respective reports of the mid-term evaluation, namely COM2018/785 and SWD2018/480, as well as the background report, are available at this page https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-and-eu/mid-term-evaluation-eu-framework-nris_en

² Details available at: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-and-eu/roma-integration-eu/workshop-future-policies-roma_en

³ (Alliance Against Antigypsyism, 2019a, 2019b; Carrera, Rostas, & Vosyliūtė, 2017; Carrera et al., 2019; EPHA, 2019; ERGO, 2019a, 2019b; ERIAC, 2019; ERIO, 2017; ERRC, 2015; ERRC, Byrne, & Szira, 2019; ERTF, 2019; Eurodiaconia, 2019b; EuRoma, 2019; Fakali, 2019; FEANTSA, 2019; Fremlova, 2019; FSG, 2019a; Herfort & Munteanu, 2019; Matarazzo & Naydenova, 2019; Mirga-Kruszelnicka, 2017; Misto Avilean, 2019; Phiren Amenca & ternYpe, 2019)

⁴ See the “Strong Social Europe” Communication COM14/2020, p 13. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0014>

⁵ Contractual assignment “JUST/2019/RDIS/PR/EQUA/0046 EU Roma Integration policy – expert reports building on forward-looking aspects of the evaluation of the EU Framework for National Roma Integration Strategies”

An initial framing had been provided in an issue note for the workshop that was meant to kick-start the debate (Fresno, Lajčáková, Zentai, et al., 2019).

The project counts on eight key experts and some support staff. The document on "participation" has been drafted by Violetta Zentai, Georgeta Munteanu and Simona Torotcoi; the document on "diversity" by José Manuel Fresno, Deyan Kolev and Stefan Meyer; the document on "antigypsyism" by Jarmila Lajčáková, Mirjam-Angela Karoly and Marek Hojsik. Collaborators of the teams have been Skye Bain for Fresno and Teodora Krumova for Amalipe.

The consortium's specific task has been to provide the Commission with three reports on the issues of diversity, participation and antigypsyism. The reports reflect the current state of debate and develop recommendations for future policy options related to each of the three issues. The recommendations shall provide concrete forward-looking suggestions for EU policy making and build on already existing knowledge and expertise. They shall be operational, concrete and evidence based, build on good practice and provide insight into what could work for the most vulnerable among the Roma, taking into account the need for implementation also at local level. The overall exercise has a twin objective to (1) provide policy advice to DG Justice and Consumers (and other DGs), and (2) provide an interim reflection to the wider society on potential policy priorities for the post-2020 initiative for Roma equality and inclusion in the field of the three thematic issues.

The research and policy advisory process was expected to be highly participatory. Together with an extensive literature review, the participation in the policy consultation process (such as in the 1st October workshop), access to civil society submissions to DG Justice and Consumers, and the experts' own experience as activists, service providers and researchers, the research process counts on an additional tool included already in the Commission's terms of reference for the assignment: the focus groups. These are meant to enrich the expected outcome – the three reports – by contrasting the findings in the course of the formulation with members of public administrations and civil society, as well as academia. Each theme had a small focus group of between ten and twelve persons. The members of the focus groups were selected as individuals for their trajectory and specific knowledge and experience, as well as based on system of balancing local, national, EU level experiences, as well as North, East and South, and public administration, academia and civil society. The selection and choice on the final composition has not meant to guarantee equal representation but to form three groups that are sufficiently diverse to enter into fruitful and controversial discussions in order to augment the depth and rigour of the analysis. The members of the focus groups were asked to participate at three stages of the drafting process, namely a written survey on key questions, an online discussion group and the feedback to the first draft.

The output of the exercise are three reports on each of the themes. These reports are authored papers by the respective experts. Hence, they reflect the opinion of the authors and are neither consensus papers nor positions of the European Commission.

I. Introduction

In modern policy and political settings, participation in decision-making on public affairs can take three forms: representation, expertise, and citizens' participation. Accordingly, the participation of Roma in decision-making in public affairs that shape the conditions of equality and inclusion in society should also be articulated in all three domains: (1) participation in the institutions of representative democracies, (2) operating manifold channels of Roma citizens and CSO participation in public affairs, (3) inclusion of Roma professionals in public administration.

This paper will discuss the second and third domains where the norm setting power and governance mechanisms of the European Union may have the most impact. Participation theories argue that public participation at its best operates in synergy with representation which yields more desirable practices and outcomes of collective decision-making and action (Fung, 2006). Participation of persons of ethnic groups/minorities in social and public life concerns both **individual and group-based human rights**, and **democratic policy making** and governance, respectively.

Participation in a broad sense in economic, political, social, and cultural domains of life embraces all aspects of **equal citizenship**, that is the full capacities and opportunities that each and every person shall have, regardless of his/her ethnic background or in recognition of his/her ethnic background, to pursue wellbeing and to become part of various communities or group affiliations. Participation in education, health care, labour market, revenue making, housing, sustainable environment, cultural and community activities enact a complexity through which social inclusion (or the stronger concept of equality) is usually defined.

Roma participation in a narrow sense denotes initiatives and spaces that enable the interactions between citizens and decision makers when citizens act through or with their Roma identity in society. These spaces of interactions can be in the governance sphere as well as in a broader array of civil society sphere, which interact in various ways, and debate and articulate relevant public affairs. Participation in shaping public affairs is a condition and an enabling force to ensuring non-discrimination and equal citizenship in addition to promoting democratic and efficient governance of Roma inclusion. These forms of participation are envisioned to contribute to recognition and empowerment, without which an advanced and enduring equality is hardly possible for the Roma.

Section II of this paper will offer a summary assessment of the state of affairs shaped by the current EUFW and the NRIS provisions and their implementation. Section III addresses the links of democratic governance and participation. Section IV discusses the principles and structures of Roma participation in different levels of policy making. Section V draws the attention to what Roma CSO empowerment and infrastructure will require from the EU policy making bodies. Section VI discusses the conditions and proposals for Roma participation in public administration as individual professionals.

The report is based on several sources of information and knowledge. Authors consulted written inputs from different stakeholders to a workshop on October 1st, 2019 (Brussels) on the future EU policies for Roma equality, the background papers presented at the workshop as well as written comments submitted to these papers to the EC mainly by Roma civil society organisations and activists). As a **participatory effort** in support of the current paper, a **focus group** was established. 10 out of the 14 invited people of

diverse backgrounds, including civic, policy and academic ones, accepted the invitation and provided feedbacks. The focus group offered inputs first through an **online survey** (via e-mail) the questions of which can be found in Annex 1 of this document. Responses revealed new insights and endorsed positions already expressed at the October 2019 Brussels workshop or in recent related public statements. Next, the focus group members were asked to participate in a (remote technology based) **focus group discussion** on a detailed outline of the current paper. 6 out of the 10 members of the focus group were able to take part in the discussion and to share their views with the authors. Finally, the **first report draft** was reviewed and commented by almost all focus group members.

II. Roma Participation in the Current EU Framework and NRISs

This section reflects on the current EU framework and NRIS provisions with regards to participation and provides a summary review of its implementation challenges and experiences. The view refers to debates and conclusions of key assessment reports and visionary statements on Roma participation predicaments.

A. Roma Participation in the Current EU Framework and NRIS

Various recent evaluation reports by experts, European institutions, and civil society groups address Roma participation as an acknowledged, yet not powerful enough objective and tool of policy formations in the EU Framework 2011-2020, the NRISs, and their implementation mechanisms. The EU Framework developed a targeted approach for Roma inclusion by setting policy goals in education, employment, health and housing. The Framework did not set, however, clear guidelines on how to ensure participation and empowerment of Roma as equal citizens in society, nor did it foresee mechanisms to enforce or facilitate it. Roma often feel that they are 'objects' of policies rather than **active agents and equal stakeholders** because participation of the Roma remains, both in the European and domestic public spaces, often superficial, fragmented and partially tokenistic (EP 2019; ERGO 2019b; OSF 2019).

According to Carrera et al. (2019) "political participation and the right to participate in the political life of a country is not only a very important component of active citizenship, but also essential for enabling Roma civil societies to **tackle antigypsyism** and to design transitional justice-like tools aiming at building mutual trust. Particularly for minority communities, such as the Roma, ensuring effective and equal access to participation in political and public life is an essential steppingstone towards trust in state institutions" (pp. 15-16). Empowerment and effective participation of Roma, as well as promoting Roma inclusion in public administration at all levels is seen as a prime tool to counter antigypsyism. In reverse, the continued underrepresentation and exclusion of the Roma in EU political and public life is a manifestation of antigypsyism. Roma participation and empowerment should have its own space in a post -2020 EU Roma Framework. The new EU Roma strategy should explicitly call the member states for strengthening Roma participation and empowerment in their NRIS (at all stages of the policy-making process), by involving CSOs in the policy process as well as involving Roma experts and officials in governmental structures, especially the ones dealing with Roma inclusion.

The foundational policy documents of the EU level Roma equality policy making address various aspects of the problem of participation. The table below summarizes the current provisions as stated in these documents.

Common Basic Principles 2009

Member States also need to design, develop, implement and evaluate Roma inclusion policy initiatives in close cooperation with civil society actors such as non-governmental organisations, social partners and academics/researchers. The effectiveness of policies is enhanced with the involvement of Roma people at every stage of the process. Roma involvement must take place at both national and European levels through the input of expertise from Roma experts and civil servants, as well as by consultation with a range of Roma stakeholders in the design, implementation and evaluation of policy initiatives

EU Framework for National Roma Integration Strategies 2011

The EU Framework for NRISs is a means to complement and reinforce the EU's equality legislation and policies by addressing, at national, regional and local level, but also through dialogue with and participation of Roma, the specific needs of Roma regarding equal access to employment, education, housing and healthcare. In the public sector, due attention should be given to employment of qualified Roma civil servants. Where possible, qualified Roma should be involved in healthcare programmes targeting their communities.

When developing national Roma integration strategies, Member States should bear in mind the following approaches: Be designed, implemented and monitored in close cooperation and continuous dialogue with Roma civil society, regional and local authorities; Appoint a national contact point for the national Roma integration strategy with the authority to coordinate the development and implementation of the strategy or, where relevant, rely on suitable existing administrative structures.

Council Recommendation 2013/C 378/01

Providing equal access to mainstream public employment services, alongside individual support to job-seekers, focusing on personalised guidance and individual action planning and, where appropriate, promoting employment opportunities within the civil service.

Support the active citizenship of Roma by promoting their social, economic, political and cultural participation in society, including at the local level, since the active involvement and participation of Roma themselves, including through their representatives and organisations, is crucial for the improvement of their living conditions, as well as for the advancement of their social inclusion.

Promote the training and employment of qualified mediators dedicated to Roma and use mediation as one of the measures to tackle the inequalities Roma face in terms of access to quality education, employment, healthcare and housing.

Involve regional and local authorities and local civil society in developing, implementing and monitoring their national strategies or integrated sets of policy measures within broader social inclusion policies. Relevant representatives and stakeholders should be involved as regards partnership agreements and operational programmes co-financed by the ESIF. Central and local authorities should cooperate in the implementation of those strategies.

Involve National Contact Points for Roma integration in decision-making processes regarding the development, funding and implementation of relevant policies. The National Contact Points for Roma integration should facilitate the participation and involvement of Roma civil society in the implementation of national Roma integration strategies and local action plans.

European Parliament & Soraya Post Report 2017

Calls on the Commission and the MS and local authorities to (1) design strategies featuring both proactive and reactive measures on the basis of real, systematic consultations with Roma representatives and NGOs, and to involve them in the running, monitoring and evaluation of mainstream programmes and projects launched at all levels, including at the local level; Calls on the Commission and the Member States to promote the establishment of independent Roma civil organisations and public institutions and the empowerment of a young, progressive Roma leadership; (2) to actively involve the Roma addressees of the projects in their monitoring and evaluation process in an effective and transparent manner; (3) to involve Roma women in the preparation, implementation, evaluation and monitoring of the NRISs; (4) to encourage and support the effective participation of Roma women in public and political life and that their participation in policy and decision-making is enhanced;

Encourages EU and MS' institutions and political parties to actively promote the political participation and empowerment of Roma and their recruitment into public administrations;

Promotes the recruitment of Roma in public media, encourage the active recruitment of Roma as members of the police force.

Commission Communication COM/2018/785

States that in order to ensure Roma empowerment and participation, dedicated measures need to be encouraged to strengthen the Roma voice in the policy process. These include political participation through community action; promoting Roma participation in professions in which they are underrepresented; promoting good practices for cooperation between Roma and non-Roma; supporting Roma engagement with local authorities and civil society. Moreover, gender equality needs to be considered when promoting more effective Roma engagement at all levels. Engaging Roma communities in initiatives targeting them and building their capacity to take the leadership in such projects improves the effectiveness and efficiency of EU funds for Roma inclusion and contributes to empowering the people usually referred to as “target group”.

Roma as a largely disadvantaged ethnic group has weak voice and poor access to participation in political and policy decisions. The reasons are manifold and coalesce in low presence of Roma people in political life, decision-making positions, municipal governments, and professions of high prestige and high social capital. The **Midterm Evaluation** of the current EUFW acknowledges that the EU framework was effective in introducing several instruments and governance structures to promote civil society and citizens participation (COM/2018/785, p. 23). Matarazzo and Naydenova (2019) acknowledge and applaud the involvement of European Roma CSOs in the EU Roma policy scene, the Roma and pro-Roma CSOs and experts in the systematic monitoring of policies targeting the Roma, the involvement of Roma MEPs in pressuring Member States to implement their NRIS, and the Roma CSOs in consultation meetings with the EC. Despite these positive practices, the authors state that the “Roma rarely obtain decision-making positions or full managerial power” (ibid, p. 20).

Scholars and activists identify several further challenges and weaknesses with regards to the EU mechanisms of Roma participation. Firstly, they propose that the Roma Platforms should become truly consultative participatory fora where the voices of stakeholders can be heard, where opportunities to promote networking and sharing of expertise can be created, and where political commitments and accountability among participating politicians and policymakers can be fostered (Sobotka and Vermeersch, 2012). Secondly, it is believed that the ‘most representative and legitimate Roma CSOs’ are not sufficiently involved in relevant policy making processes and EU consultation meetings in Brussels, such as the Roma Platforms and Roma Summits. The expert consultations in support of the current report voiced the account that these major Brussels meetings are dialogues with big NGOs rather than with the Roma. Thirdly, the EC does not have clear policy on the principles of selecting the CSO participants at these meetings (representativeness, knowledge or specific expertise), which questions the legitimacy of the results of these meetings. D’Agostino (2014) points out that the criterion of gender equality is not applied when selecting organisations and individual activists taking part in consultation processes. Fourthly, one-sided information sharing from the EC towards the rest of the invited stakeholders still prevails undermining the credibility of the Platform and weakening the legitimacy of pro-Roma decisions regarding different practices at the EU level.

Taking a more critical position than the Midterm Evaluation, a major European Parliament report (EP and Post, 2017) acknowledges that the EUFW has failed to establish an effective mechanism for Roma participation at EU, regional, national or local levels. The recent report for EP LIBE Committee proposes that Roma still lack ownership in the design, adoption, implementation and monitoring of the NRIS (Carrerra et al., 2019).

Bartlett, Gordon, and Kamphuis's study (2015) argues that most Member States made attempts to involve Roma CSOs in the preparation and design of their strategies, yet they did not incorporate the results in the implementation of their NRIS (i.e., Romania). In other cases, the depth of Roma involvement could be questioned (i.e., Slovakia) due to the institutional and administrative structures set up for the coordination and implementation of NRIS. Bartlett, Gordon, and Kamphuis's study also shows that in most of the countries the National Roma Contact Points (NRCP) have no Roma employees or representatives, and the NRCPs do not have the necessary capacity or experience to coordinate and implement Roma inclusion policies. The latter observation is endorsed by the RCM 2018 reports and the expert consultations in support of this report. In Bulgaria, Roma organisations discontinued their participation in the national coordination council on Roma issues, whose secretariat also serves as the NRCP, in protest over its lack of capacity to manage the implementation of the NRIS (Carrera et al., 2019).

The focus group consultation and review pursued as part of this report writing stressed that Roma communities continue to be poorly represented in decision-making processes. With a few exceptions, Roma civil society has remained rather weak (in terms of capacity, resources, advocacy power, legitimacy, and independence). In several EU countries, it is difficult to secure an independent voice for Roma CSOs. Roma professionals and experts, who can provide substantive input and critique on policy design and decisions, also have limited visibility and opportunities to participate. There is a lack of Roma ownership in the EU Roma policy making because the Roma communities (in their diversity including youth, elderly, women, LGBTIQ, disabled, low-socio economic background, etc.) are not empowered as a target group.

The focus group consultations embraced by this report writing confirmed a long-standing claim for meaningful, informed and quality participation of Roma in decision-making within the NRIS and the EUFW. The new EUFW for Roma equality and inclusion should stress empowerment and participation of Roma in decision-making processes as well as Roma representation in high-level positions in the EU and national institutions as explicit priorities (Alliance, 2019). As a recent report by the European Parliament (2017) proposes, both EU and Member States' institutions and political parties should actively promote the political participation and empowerment of Roma (including youth, women and LGBTIQ) and their recruitment into public administrations and as representatives of local, regional and national governments. The new EUFW for Roma equality and inclusion should also **deliberately ask the Member States to strengthen Roma participation** and empowerment in their NRIS (in all stages of the policy-making process), by involving CSOs in the policy process as well as involving Roma experts and officials in governmental structures, especially the ones dealing with Roma inclusion. This should happen at all levels-local, regional, national and European (Mirga-Kruselniczka, 2019).

B. Critical Debates: Diversity, Coalitions and Expertise

One of the most pressing, if not the prime, issue of Roma participation is the strength and position of **Roma voices** among the actors who identify themselves and work as advocates of Roma equality. Solidarity and support of pro-Roma organisations or non-Roma independent experts is welcomed within the Roma policy making arena, however, this can turn to unwanted hegemony (Kóczé and Rövid, 2017). These pro-Roma organisations are often perceived by EU institutions as more reliable and professional partners due to their qualified staff and administrative capacity. Parallel to this hegemony concern and experiences of Roma CSOs and leaders, non-governmental actors in the field

of Roma policy formations and implementation continue to rely on coalitions and alliances between Roma and pro-Roma experts and organisations. An explicit pro-coalition argument is articulated by Kóczé et al. (2018) who advocate for Romani women's cooperation with Roma communities and allies but also with other women's and feminist groups.

The Roma participation literature reveals that the ideological differences between the older, conservative generation on the one hand, and the younger, more liberal, radical generation, including Roma women activists, youth and LGBTIQ groups generate frictions and debates within the broader Roma movement. Most critical voices usher in acknowledging the diversity of Roma when enhancing participation. Fremlová and McGarry (2018) propose that "As in the case of Romani women/feminists facing the identity dilemma as to the 'compatibility' of ethnicity and gender ..., a similar dilemma has occurred in the case of LGBTIQ Roma" (p. 63). Romani women's experiences are diverse and there is no single ideological background shaping their political discourses, argue Kóczé, Jovanovic and Balogh (2015, p. 8). This conviction refers to the diversity of experiences of political and policy puzzles within one single intersectional category. Together with women and Roma LGBTIQ groups, Roma youth also represent an important component in the Romani movement. Finally, Roma who move within and across boundaries either as labour migrants, circular migrants, family members, and non-autochthonous Roma also have their individual and collective experiences.

If for the Roma women's and LGBTIQ movements the biggest challenges are the male dominated structures, discourses and practices, which exclude gender and sexuality, for the youth it is the perception that they are passive beneficiaries or negatively influenced by the mainstream non-Roma culture (especially the educated youth), excessively integrated and 'less-Roma' (Mirga, 2014). In some countries, like Spain, the obedience and respect towards the elders creates an obstacle for Roma youth to participate on equal terms (OSCE, 2016). Such phenomena lead youth to prefer establishing new youth organisations in which they gain ownership and share decision-making power (Mirga, 2014; Vermeersch, 2017).

The issue of who is an expert of Roma equality issues also provokes debates on the invitation lists of Roma-related events at the European or national levels. While some scholars refer to experts as autonomous and neutral researchers, some others propose that ordinary members of an ethnic group themselves are expert witnesses (Mirga, 2018). The debate is further taken by stressing the tension of 'local knowledge' and professionalized expert knowledge within the Roma movements and communities.

III. Participation and democratic governance

A. Rationale and justification for participation claims

Roma participation in public policy formations and implementation contributes to three important objectives of democratic governance towards more equal societies. The democratic qualities of policy making are enhanced due to that:

- 1) Participation beyond electoral politics helps in substituting the necessary **imperfections of any democratic systems** and including the voice and interest of those groups of citizens that have less efficient representation in decision-making due to historically enduring conditions of marginalisation. Participation enhances the political rights of all citizens including the marginalised or disadvantaged.
- 2) Participation of citizens and civil society in policy making is an essential instrument of **equality mainstreaming** which is the most transformative governance mode to pursue equal access to means and conditions of life and equal citizenship on any protected ground.
- 3) Participation is a path to **recognition** of social groups including ethnic minorities and to their equal respect in society.

Participation improves quality of life in general by enhancing citizens' opportunities to contribute to public affairs that shape their and their fellow citizens' lives. Through participation, citizens are considered partakers or partners rather than users or data providers of public services and policy programmes. Participation in public decisions emphasises the capacity of citizens to change the borders and social links of the community to which they belong.

Inclusive policy making and governance are part of the wider democratic norms of the European Union, but these are also pronounced by generations of UN declarations and schemes on global development in the last three decades (UN, 2015). Public administration and public service delivery is not governed by hard EU provisions in the Member States, but in the multi-level governance scheme of the EU policy making, various expectations are articulated as to promote the norms of inclusion and participation. The concept of **inclusive policy making** often embraces two principles and governance practices: **citizens'** participation in general terms, and the involvement of **disempowered** groups and voices. These two components have their own logic, instruments, theories, and technologies, and when the participation of the Roma is addressed, they may have some tensions and contradictions. The different forms of participation established for the wider public can crowd out the less resourceful and disempowered groups. But recent investigations show that especially public affairs on municipal and neighbourhood levels, if organised smartly, tend to mobilise the least powerful, the ones who have no other forms of interest representation (Fung, 2006).

Participation enhances not only the democratic content but the **ultimate quality of policy making and governance**. Through inclusive policy making state institutions can better use their public resources and deliver their services more productively. Increased public participation in governance processes at local and national levels provides decision-makers with direct knowledge on citizens' needs and may create more interest and satisfaction with their services. In other words, governments become more **efficient and legitimate**. Policy problems are often contradictory, their definitions are contested,

findings solutions require access to different kinds of knowledge, and cooperation between different stakeholders is dependent on horizontal and vertical actions. **Learning based negotiations of problems** and solutions augment democratic legitimacy output and problem-solving capacities of decisions (Torfing and Triantafyllou, 2011).

Ideally, officials in public administration are **accountable** to their political superiors who are subject to electoral sanctions. Yet, the length of the chain of delegation combined with the magnitude of administrative discretion often makes their democratic accountability weak (Papadopoulos, 2010). State institutions that are accountable to their people will use their resources constructively rather than mispend them. This stands for the public affairs related to equal citizenship and recognition of the Roma as well. Greater governmental **transparency** will allow Roma and concerned non-Roma citizens to determine exert well-targeted pressure on the elected political leaders (Carothers and Brechenmacher, 2014).

Beyond the general qualities of policy making, pursuing substantive equality requires a serious commitment to **equality mainstreaming**, which moves policy visions to address equality of outcomes. In its most advanced form, mainstreaming is understood as a **regular duty** for the governmental bodies and institutions of the European Union and the Member States (MtM Toolkit, 2015). The EUFW 2011 already embraced the spirit of equality mainstreaming even if it did not use the vocabulary too often. Mainstreaming equality with respect to ethnicity/race creates some paramount challenges. Two crucial components of mainstreaming policy measures, civil society participation and systematic data collection work differently in this equality field compared to gender, the pioneer mainstreaming field in Europe. Citizens and civil society participation in ethnic equality tend to be politically controversial in domestic contexts and to some extent at the European level as well, as various socio-economic grievances and political power fights could easily be represented and explained through interethnic relations. Genuine transformative equality policies, however, should invest in the participation pillar of mainstreaming. All this is outlined in the somewhat neglected **Common Basic Principles on Roma Inclusion** (2009), a norm setting document preceding the EUFW, which articulates the principles of a well-developed mainstreaming strategy.

B. Normative hierarchy versus plurality of forms of participation

To outline a normative ground for designing genuine forms of participation, Roma and non-Roma in support of Roma participation frequently call for the adoption of the 'Arnstein ladder' as a gold standard. The author of this famous concept portrays a ladder of citizens' empowerment with eight rungs: manipulation, therapy, informing, consultation, placation, partnership, delegated power, and finally, citizen control by considering only the latter three ones as valuable modes of participation (Arnstein 1969).

The current document proposes that it is hard and disempowering to promote a normative canon of direct participation in modern democratic governance. Social justice and empowerment visions may assign credibility to metaphorically powerful and mobilising concepts of participation, such as the above ladder, promising a development from hypocrisy to perfection. Arnstein's classification provides help resisting to over-optimistic enthusiasm for public participation, but as an analytic tool, the ladder is obsolete (Fung, 2006). It fuses qualitatively different forms and rationales of citizens' participation with an unquestionable normative hierarchy. Various empirical inquiries from different parts of the world, supportive to the norms of participation, reveal the

empowerment and impact effects of different forms of participation including the ones judged as hypocritical by Arnstein. Variations in the empowerment and equality promoting effects depend on the institutional context, the policy problem, the scale of actions, composition of the participating public, etc. (Bobbio, 2018). Accordingly, why shall we see tokenism by default if, for example, Roma grassroots engage with local governments to discuss the needs, experiences, and ideas of Roma citizens but the budget decisions and implementation responsibility is taken by the local authorities?

More recent and largely converging theories and proposals on participation⁶ outline the following major forms of citizens and civil society participation: **information sharing, consultation, deliberation/advice, partnership, co-decision, and delegation**. This row does not create normative hierarchy, yet it enacts growing intensity and increasingly demanding governance mechanisms of participation. This row is best imagined as a horizontal continuum on which distinctive points could be identified. All elements of this scheme offer valuable mechanisms and results of participation for Roma equality policy making. Forms of participation can be associated with some known institutional forms of participatory engagements. The table below (Table 1) sums up the models and the institutional forms of participation in a vertical but non-hierarchical presentation. The problem of scales or levels of governance will be addressed later.

Table 1. Participation models in participatory governance theory and policy practices

Type of engagement and typical institutional form	Strategy and mechanism
information sharing platforms, townhall meetings	comprehensive and fair information by public authorities; informing citizens on policy directions and envisioned changes
consultation councils, committees, platforms	structured conversation to solicit citizens' feedback; citizens and CSOs provide knowledge on needs, problems, policy implementation gaps, etc.
deliberation/advice councils, committees, advisory bodies	commitment to and tangible instances of taking into account the opinion of consulted citizens and CSOs; regularized venues of engagement
partnership task forces; agencies, monitoring committees	regular participation in agenda setting (implementation), monitoring and evaluation of policies; enduring working relations between authorities and citizens based on divided responsibilities
co-decision task forces, agencies	regular participation in agenda setting, programming, and evaluation (full policy cycle) with partly shared and partly divided responsibilities; joint decision-making in designated matters
delegation independent agencies or public	giving full authority to non-governmental actors outside of government to make and implement decisions

⁶ Recent Council of Europe recommendation also proposes a refined typology of participation in different stages of the policy cycle. For further reference see Council of Europe (2017).

bodies, contracted CSOs for programme management, service provision, policy evaluation, etc.

(Informed by Beckley et al., 2006)

All these forms may be established and cultivated in all three major levels of policy making (EU, national, and local) but an operational logic of scales prevails. The general conditions for collective actions producing trust, accountability, transparency, and efficiency different on transnational, national and local levels of policy making, although a rigid bureaucratic theory for scales does not support participatory governance.

At EU level, deliberation and advice seems to be the highest form of regular engagement yet some elements of partnership can be claimed by Roma non-governmental actors. The latter appears to be essential in the very formation of the new EU framework for Roma equality and inclusion, the setting of standards for the subsequent NRIS, and the regular EU level assessment of NRIS implementation. At national level, the co-decision mode of engagement can be conceived and practiced in the implementation of ESIF and could be considered in designing of the NRIS and the monitoring and assessment of its implementation. Partnership can also work to the mutual benefit of policy efficiency and Roma empowerment in the design and allocation of the ESIF even if experiences show that operationalising a true partnership scheme is highly challenging. All other forms of participation also have appropriate place in governing domestic equality work as detailed below.

At local level, engagement can be extended even to the form of delegation due to the increased chances for more transparency and trust between the parties than at national level. Nonetheless important caveats will be discussed below.

IV. Institutionalised forms of participation at different scales of policy making

As the policy making arena on Roma equality is embedded in the wider **European multilevel governance structures**, opportunities for participation are differently shaped at the EU, national and local levels. The actors of civil society and citizens groups organising themselves on these scales show major differences in their operational logic and mission.

The scholarly literature is divided on the impacts of EU and domestic policy actors on shaping and implementing binding and soft policy impulses. Some authors demonstrate the primacy of the EU actors, whereas others emphasise the entrepreneurial and opportunity grasping capacities of the domestic actors. The European politics of Roma equality literature and the often-cited civil society statements all acknowledge the norm-setting and policy shaping power of the EU and its activism in the last decade of the EUFW. Some authors propose that in addition to the institutionalised modes of interaction between the EC and domestic actors, it is the agency of the EC, notably its proactive reaching out to national stakeholders that has transformative power through presenting and explaining the EU impulse to them (Schreiber, 2017).

In larger in/equality fields, the EU-level policy making pursues norm alignments (adopting and sharpening EU directives and soft law communications), shapes the strategic framing of policy areas, supports policy innovations and policy development, and conducts coordinated policy implementation assessments. In addition, it sets the broad terms of the allocation of the ESF and ERDF sources. To promote the principles and practices of inclusive governance and Roma participation, the EU institutions have roles and opportunities within the remit of their own institutional and policy making spaces and they have some leverage over the Member States' practices. Civil society and citizens' participation are often part of complex schemes of stakeholders' cooperation and coordination on these policy making avenues. Civil society often has limited influence due to its weaker infrastructure and institutional backing compared to other social partners and professional association, which deserves attention when designing participatory mechanisms.

A. Entry points and directions of change and consolidation at European level

The prime venues for Roma participation within the broader EU Roma equality policy field include the DG JUST Roma Team's various consultation processes, such as European Platform for Roma Inclusion, moreover, the European Parliament, its committees and their ad hoc Roma related events. In addition, the EU Framework and the 2013 Council Recommendation introduced new EU-level governance structures of participatory components, most importantly the annual reporting scheme by the Member States (from 2016). The Commission piloted the Roma Civil Monitoring 2017-2020 initiative on the implementation of the NRIS by civil society in all Member States (but Malta). Earlier participatory experiments had been conducted under the 'Decade of the Roma' transnational coordination mechanism (2005-2015) and the joint Shadow Reporting Initiative of the Decade Secretariat and the Open Society Foundations in 2012-13. Classical consultation opportunities between EU-level Roma CSO actors and the DGs are

also exploited from time to time but comprehensive evaluations of these encounters are not known. The fact that, for the first time, an EU Commissioner specifically in charge of equality is part of the College of Commissioners, is an obvious but hitherto open-ended opportunity for Roma participation.

Consultations in support of this report revealed that Roma CSOs and experts most importantly propose that: dialogue with the Roma Task Force, the DG JUST Roma Team and other Commission departments should be regular; information sharing and transparency concerning policy formulations should be improved; and the Commission should help to upscaling the participatory capacities of NRCPs.

Proposal 1 – A Roma Advisory Board or Committee

The DG JUST Roma Team should establish a Roma Advisory Board or Committee of 6-8 regular members who should be rotated in meaningful terms (e.g. 2 years with some of the members starting with 3 years to ensure a rolling rotation). In addition to regular consultations with the DG JUST Roma Team, the Board would be available to advise, deliberate and consult both with various European institutions and bodies in different policy areas. The invitation to membership stems from **knowledge and expertise** in Roma equality affairs yet the composition should reflect the diversity of the Roma (most importantly but not limited to gender, European geography, and age). Adding one member on a rolling basis from the respective presidency country of the European Council could be considered. The members should not represent organisations and groups but speak on behalf of their own experiences. The Board could also co-share the responsibility of organising the European Roma Platforms. Roma experts, advocates and activists can propose to invite a few non-Roma experts to support their work on ad hoc or regular bases. The costs of operation shall be borne by the Commission. Online communication and facilities shall be exploited provided those enable truly dialogical communication. This participation enacts the form of **advice**.

Proposal 2 - A European Umbrella Organisation of Roma CSOs

In support of sustained consultations with the EP, DGs, and participation in ad hoc policy discussions, a European umbrella organisation representing the Roma CSOs can be established. This proposal is informed by the advocacy power of other EU-level umbrella organisations of other equality grounds (e.g. European Women's Lobby, European Disability Forum, etc.). The umbrella arrangement entails that **national coalitions of Roma civil society organisations** are represented through one country/one delegate arrangements. It is proposed that the most reputable and active pro-Roma organizations can also become part of the national coalitions. The rules of rotation of national delegates in the European umbrella should be defined by the statute of the organization. This sort of delegation would reflect upon the diversity of the politics of Roma equality in geographical terms but would not ensure representation by other type of diversity. The latter should be a concern to the leadership of the umbrella organisation. The umbrella has a small secretariat based in Brussels. This arrangement should not endanger the operation and core funding of the established network-based advocacy organisations, ERGO and ERIO. The European Roma Umbrella will have strong representative power and standing to forge coalitions with other crucial European-level equality CSO umbrellas and councils (EWL, EDF, ENAR, ECRE, etc.) and promote cross-categorical equality and human rights politics. Coordination between ERGO, ERIO and the new umbrella organization in

policy advocacy, civil society capacity building and mobilization should be elaborated and made known to the concerned European and international policy making bodies.

The umbrella organisation should receive core institutional grants from the EC similarly to the other equality grounds. The standard two-year-long preliminary operation as an entry condition for funding can be reduced based on the principle of accelerated empowerment. The DGs and other EU bodies may make proposals on the forms and regularity of dialogue with the new umbrella. This form of participation enacts **consultation** which can turn to **advice on specific occasions or agendas**. The activity of the umbrella organisation will be continuous and multi-layered, and its mission may serve the implementation of a new EUFW by critical cross-country monitoring of selected policy problems, working on political participation in the Member States, and facilitating knowledge sharing, capacity building, and advocacy innovations on both domestic and EU contexts. If Roma civil society does not feel comfortable with this proposal (i.e. opposing voices are stronger than the supporting ones), the idea should be declined, and the main existing Roma advocacy organisations should be considered as partner for regular consultations. An alternative might seek to help revising and supporting (financially and capacity-wise) the European Roma and Travelers Forum (ERTF), a formerly active and the largest international non-governmental Roma platform in Europe.

Proposal 3 – A New Cycle of Civil Society Monitoring

A new cycle of Civil Society Monitoring of the NRIS implementation should be launched and financially supported by the EC. Ideally, the new initiative should embrace four years and commission **bi-annual country reports** and comparative thematic reports in between. In the second term of the up-coming EU financial cycle (e.g. in 2025), a comparative mid-term review of the EUFW implementation could be prepared by the new monitoring CSO coalition. This form of participation qualifies for a **partnership** mode between a wider body of Roma civil society and the European Commission.

A Europe-wide civil society monitoring cooperation could fulfil two different goals in cognizance of that this duality enacts a tension which the current pilot Roma Civil Monitoring initiative also faces. The monitoring scheme on the one hand provides the EC and the EP with structured and comparable reports, which genuinely shadow and critique the respective governmental reports on each MS (quality knowledge outcome). On the other hand, this cooperation scheme can catalyse wide discussions within the Roma civil society by embracing their diversity and scales of actions, thus making Roma participation in policy monitoring more robust and plural (empowerment and participatory outcome). The mechanisms that support these two different objectives are not fully identical and to reconcile these two objectives in one operational model requires creative rather than technocratic thinking. As civil society-based policy monitoring requires an independent voice, the whole mechanism is eminently connected to the participating CSOs' access to institutional funding which will be discussed in Section V.

Proposal 4 – Improving Roma Participation in the European Platform for Roma Inclusion

The **European Roma Platform** should be understood as a high-level and inclusive venue for structured policy dialogue. The Platform cannot replace and fulfil various policy coordination roles that the EC and other EU bodies do. Likewise, the Platform is not a decision-making and policy making body even if its discussions and recommendations

should inform and influence the course of policy decisions. The Platform should stimulate exchanges of stakeholders' experiences on Roma equality concerning all Member States; enhance a policy dialogue between governmental and non-governmental actors on a European level with reflections on pressing policy problems on national and local levels; and facilitate the implementation of a post-2020 EU Roma Framework at all levels.

There is a need to turn the EU Roma Platform into a truly **consultative participatory** forum where the voices of stakeholders can be heard, where opportunities to promote networking and sharing of expertise can be created. The European Platform should continue to bring together national governments, EU institutions, international organisations and Roma civil society representatives. Some civil society activists believe that the Platform can foster the political commitment and accountability of participating politicians and policymakers. Consultations in support of the current expert paper proposed that the inputs from National Roma Platforms are better linked and represented at the European level. The authors of this paper believe that an annual EU-level event cannot ensure or substitute for what various other participatory mechanisms should do. (As later will be discussed, the National Roma Platforms can inform directly and most importantly the DG JUST Roma Team, the Roma Advisory Board, the EU level Roma CSO umbrella. The invitation and the attention shall come from these established bodies as the NRPs are not operational entities). The EU Roma Platform should remain a high level, broad and delicately interwoven **stakeholder exchange and dialogue** which is informed by National Roma platforms but cannot promise to systematically review or process their experiences. The EC should create clear conditions and transparent criteria on civil society participation (i.e., representativeness, knowledge, mission or role, etc.) in order to legitimise the outcomes or the recommendations that the meetings adopts.

As far as the **organisation, content and outcome** of the EU Roma Platforms are concerned, the Platform agenda should be prepared together with the above proposed EU Roma Advisory Board or Committee and the European umbrella of Roma CSOs (or the current network of CSOs). Prior to the Platform, participants and the wider public should be invited to provide written input to the agenda. Both, background papers commissioned by the organizers (EC DG JUST) and the participatory contributions, should be made available online. The discussions and the recommendations of the Platform meetings should be presented in an official report for the general public (again with documented commentaries of the participants). A **more robust and impactful** Platform operation could be conceived through increasing the duration of the Platform meetings. Thematic, country and regional overviews of the implementation of the EUFW and the NRISs can be organised through adding a day to the annual Platform meeting by embracing the outputs of the (new) Roma Civil Monitor initiative.

B. Entry points and directions of change and consolidation at the national level

At the national level, non-governmental actors can and should engage in the full policy cycle, sector based and cross-sectoral policies, and occasionally in larger strategic programming and/or distributive decisions. These functions could be best met by **consultation and deliberation/advice**. NRCPs, ministries, inter-ministerial Roma inclusion policy coordination bodies, ESIF Management Authorities and Monitoring Committees should have regular engagement with Roma representatives. The engagement schemes can range from consultation to partnership. Anti-discrimination/Equality Bodies are rarely discussed in the context of participation, yet

Roma participation in civil society or/and expert advisory committees of these bodies is essential. Further, minimum compulsory content of Roma participation should be outlined in the NRIS concerning the most important domains, units and programming areas.

Due to the size and complexity of the larger equality interventions, domestic level participatory engagement can hardly advance to participatory governance except for the very adoption of the new NRISs and their monitoring and assessment plans. Setting the structure of policy performance indicators is a professional work but judging the relevance and appropriateness of indicators should be informed by citizens and CSOs' experience as well.

Proposal 5 - Applying Participatory Models for Developing NRISs

A participatory model should be used for developing NRISs. The **symbolic, political and agenda setting significance** of the new NRISs is enormous. The way in which the participatory schemes of their production and endorsement is built can have long-lasting impacts on the quality of Roma equality policy making. Two participatory models are outline below but other ones can also be conceived.

When developing the new NRISs, a high-level core group (composed by governmental representatives, civil society, experts, donors, etc.) could have the task of drafting the national strategy in view of a post-2020 EU Roma Framework and the assessment of the previous NRIS. Depending on the local context and the politico-administrative situation, cities/counties (and/or regions) together with Roma and CSOs that promote Roma equality and inclusion should map out the situation of the Roma (informal economy, health, diversity, access to key institutions and key services, socio-economic situation, housing, education). A more detailed policy diagnostic analysis might be conducted by involving focus groups with Roma individuals and CSOs, and institutions working on Roma related issues. Based on the identified needs and policy gaps, teams/smaller groups of stakeholders should be consulted at regional and local levels. The input of such consultations and debates could then be put together in thematic reports to tailor the strategy.

As an alternative, Member States could follow an approach taken by the Western Balkan countries which established working groups for designing each chapter of their EU accession strategic document. Similarly, Member States could establish topical working groups (WGs) for each policy area in line with the post-2020 EUFW. Working group protocols define the relevant stakeholders, responsible ministries, donors, civil society representatives, NRCPs, experts and academics in the specific area, etc. and the main operational rules (including responsibilities, leadership, working methods, dissemination duties, transparency norms, etc.). The main aim of the WGs is to propose strategies and programmes relevant to the policy area. After the NRIS is formally approved, the WGs may continue to collaborate on monitoring and assessing policy implementation if a proper institutional anchor and coordination can be provided. Such an anchor could be found in the NRCP or other governmental bodies directly responsible for coordination of Roma equality policies in the executive powers. National parliaments could be involved in approving the implementation and progress reports (c.f. Bulgaria Roma NRIS example). This model ensures wider and deeper participation from the very beginning of the strategic planning but requires sophisticated cross-sector coordination and discussions. In both models, the draft strategy should be available for wider citizens' consultation through written comments addressed to the WGs.

Proposal 6 – Revitalizing the NRCs and Strengthening NRPs

The **National Roma Contact Points** have become important policy actors in the field. In some cases, these units possess reasonable human resources, engage in the political decision-making with relatively strong mandate (possibilities to comment on draft policy documents and regulations, monitoring of the ministries' activities, implementation of programmes for Roma inclusion by using ESIF, etc.), and conduct consultations with NGOs and/or local governments. In other cases, weak capacities of these units are accompanied by minor mandates and human resources for largely technical and policy communication roles, while other parallel or even stronger institution(s) coordinating wider social inclusion or Roma inclusion agendas are also in place. In some cases, as the worst configuration, strong mandates with weak capacities prevail.

It is unlikely that the EC can stipulate the shape and the weight of NRCs in the executive structures of the Member States. The new EUFW for Roma equality and the EC could insist, however, that the NRISs include an explicit statement on the policy coordination mechanisms and the designated unit, if different than NRC. This main policy coordination unit should also embrace proper participation mechanisms which may range from consultation to deliberation. NRCs could have their **own regular consultative bodies** either for all types of stakeholders or clustered by some types of actors (academics, CSOs, social partners, etc.). It would be difficult and unnecessary to try to regulate the institutional forms of participation that NRCs pursue. One of the most visible participation instruments that NRCs can support are the NRPs, which have come on the horizon as soft policy tools of the EC.

The **National Roma Platforms (NRPs)** are relatively new and increasingly important actors due to their visibility and capacity for embracing diversity in an inclusive way. NRPs are supported by the EC as major participatory instruments suitable for enacting policy dialogues way beyond the breadth and depth of the European Roma Platform. Key Communication documents by the EC (2015-2018) addressing NRPs reveal that the EU policy makers put increasing trust in the potential of this institution. Accordingly, NRPs should promote mutual learning at local level and ensure **broad involvement of all stakeholders and Roma communities** in implementation and monitoring, and that they should play a crucial role in ensuring the transparent and inclusive involvement of all stakeholders in implementation, monitoring and reporting activities. The 2018 EC call for proposal in support of NRPs nurtures the hope that NRPs will address the gaps in the implementation of the NRISs and the challenges which are specific to the national context. Leading Roma advocacy actors articulate similarly ambitious demands towards NRPs. The ERGO Network (2015) suggests that governmental bodies directly involved in Roma-related policy implementation should participate in NRPs. Roma civil society inputs (i.e., through field investigations, consultations) should be sought and supported in shaping the agenda of all NRP meetings. ERGO also proposes that the NRPs may turn themselves to policy preparation and development councils with clear structures, working mandates and principles (i.e., transparency, representativeness).

To judge if these high hopes are realistic or overstated, it is recommended that the **DG JUST commissions a review** of the operation, challenges, and achievements of the NRPs. The review should illuminate the participation mechanisms and shortcomings of these national platforms. Expert accounts suggest that the NRPs embody different policy making and participation visions and models. Some of them purport national platform type of activities, most importantly facilitating classical stakeholder consultations on

policy implementation and assessment. Others are moving towards operating as knowledge banks on good practices and policy innovations in domestic contexts. Some of the NRPs act as agencies matching governmental, non-governmental actors, and experts often on sub-national levels. All these missions and formats could comply with the inclusive policy dialogue and increasingly sophisticated participation criteria. Depending on the results of the commissioned review, the EC may choose to continue a flexible and blue-sky approach in promoting NRPs. This entails that increasingly inclusive participation and proven contribution to the implementation of NRIS are the benchmarks to continued EC support and funding. Alternatively, the EC could promote certain functions of NRPs across the board without judging other ones unnecessary.

The expert and civil society consultations to drafting the current report have raised the idea that NRPs can contribute to enhancing the coordination and cooperation between the national and European level policy-making processes. The authors of this report argue that NRPs' main mission should most importantly be the widening of the policy discussions, the deepening of the domestic accountability structures, and linking of the local and national experiences regarding Roma equalities interventions in **domestic contexts**. NRPs can inform the EU Roma Platform agendas and discussions, but in view of the geographical, political, and administrative diversity that these platforms embody, they cannot ensure policy coordination between the member state and the EU levels. At the same time, NRPs can and should share their insights, reports, and discussion documents with the new EU Roma Advisory Board or Committee, or the European umbrella of Roma CSOs, and the DG JUST Roma Team.

Often predated and parallel to the NRPs, almost all MSs have **council-type bodies** in which state, CSOs, expert groups, municipalities and other stakeholders are involved to enable policy dialogues on wider policy fields or specific policy puzzles. These are part both of governance mainstreaming and participation mechanisms.⁷ These bodies tend to embrace Roma voices and facilitate interest representation and deliberate equality policy knowledge but can rarely serve genuine policy formations. Empowering NRPs as parallel structures to these institutional arrangements requires cautionary deliberations to avoid unhealthy competition and thinning the participatory capacities of CSOs. Some good examples for council-based participation in the policy process are reported from sector-based or territorial governmental structures (Roma Civil Monitor 2018a, 2018b).

National Roma civil society umbrella organisations could be established in support of sustained consultations and participation in policy discussions in countries with larger shares/sizes of Roma (e.g. 5 CEE countries with the largest Roma population, and a select of old Member States). The umbrella organisations should receive core institutional grants from the respective national governments or regular civil society support funds. These national umbrellas will have important functions regardless of the future of the European Roma CSO umbrella proposal, but evidently connected to its operation, if established.

⁷ For example, in Portugal the Consulting Group for Roma Communities' Integration is formed by the representatives of seven ministries, of the Regional Governments of Madeira and Azores, of Municipalities and Civil Parishes, civil society organisations and Roma associations, research institutions and experts. In Spain, a State Council for the Roma Community (CEPG) is established to master the cooperation with Roma NGOs. In Romania, the National Agency for Roma, the governmental structures responsible for the implementation of NRIS, created a consultative committee composed of 60 Roma NGOs having meetings at least twice a year.

Proposal 7 – Inclusive Governance Training for Senior Civil Servants

Beyond the designated Roma equality policy actors of the national governments, **senior managers of civil services** play an important role in supporting inclusive policy making. Their attitudes and skills have an impact on the engagement practice of state agencies. Working with and through participatory structures is often beyond the curricula of public administration training, or if so, new dynamic forms of inclusive governance need attention. General and/or more specific equality policy related training on participatory methods helps senior leaders in civil services develop the most suitable and creative avenues for inclusive policy making.

The new EUFW for Roma equality and inclusion and its implementing actions by the EC should encourage regular compulsory training for senior civil servants on participation models in policy making and inclusive governance. The implementation of the new EU framework for Roma equality should call for MS governments to regularly organise training and retraining courses on the ethos and mechanisms of engagement and participation for public officials for various equality purposes including Roma equality. Parts of this knowledge are social group or ground specific, and parts of it are common to various citizens' participation agendas. Good practices should be promoted by the EC. Training does not have to be classroom-based learning. Some excellent trainers, for and non-for-profit ones, are available to provide coaching-based support to senior leaders of organisations in the process of building up participatory processes and ethos in their institutional environment.

Proposal 8 – Enhancing the Roma Participation in the EU Funds⁸

In the domestic arenas, public services and developmental schemes sponsored by the current ESIFs (future EU Funds) stand out as profound opportunities for Roma participation in policy making. The draft Common Provisions Regulation (CPR) 2021-27 proposes that Member States encourage the participation of social partners and civil society in the implementation of EU Funds⁹. The CPR draft verbatim stipulates that the Member State shall involve social partners in the preparation of the Partnership Agreements and the implementation of programmes through participation in the monitoring committees. The list of compulsory partners includes civil society and 'bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination'. This latter formulation should be extended to **Roma civil society organisations** at least in countries of major Roma minority and major exclusion problems (5 CEE countries, Italy, Spain, Greece, etc.) The **thematic enabling conditions**, which are meant to replace the ex-ante conditionalities, include provisions on Roma equality policies. Accordingly, the National Roma Integration Strategy (NRIS) should be in place and incorporate, among other matters, 'arrangements for ensuring that its design, implementation, monitoring and review is conducted in a

⁸ The paper uses EU Funds to denote seven different funds called until now ESIF but not used in the new financial cycle.

⁹ COM(2018)375 - Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument Explanatory Memorandum. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52018PC0375&from=EN>

close cooperation with the Roma civil society and all other relevant stakeholders, including at the regional and local levels'. Arguably, the new CPR will give the European Commission more ground to insist on proper domestic participatory regulations and practices in the use of EU Funds.

For agenda-setting and programming participation in the EU Funds operation, relevant CSOs should be involved in the design and management of the Operational Programme (OPs) and the work of the Managing Authorities. The DG JUST Roma Team should encourage the EC units responsible for negotiating the Partnership Agreements to advise the MSs and their new OPs in 2021-27 on including equality CSOs in the planning and programming of the Funds. **Permanent equality working groups or committees** are most suitable forms for involving experienced gender, ethnicity, and disability rights CSOs at the minimum. These bodies should enter a multiyear partnership contract with the respective OPs. **Deliberative** decision-making processes should be used in designing the most sensitive and/or comprehensive programming areas within each OPS. Ideally, each OP should have its own equality working group. The working groups could be part of the consultation on preparation of calls for proposals, including a direct involvement of Roma CSOs as members of the expert teams. In most cases, competitive calls and selection committees sealed off from the planning bodies ensure that conflict of interest for participating organizations does not emerge.¹⁰ The remaining cases (e.g. earmarked or targeted mega-programs for restricted beneficiaries) should be regulated by national level provisions making all efforts for that participation in planning does not disqualify CSOs from taking part in funding interventions. The equality working groups should also have a key role in commissioning and endorsing evaluation reports on the equality and inclusion outcomes of the EU Funds interventions.

Further, the flagship interventions tackling Roma inclusion, such as the ones addressing **antigypsyism, desegregation, elimination of Roma settlements**, anti-discrimination legal reform and victim protection measures are encouraged to be discussed separately with **Roma CSOs** as well from their planning phase. This is a consultation and 'reality checking' exchange. The CSOs ideally offer their consulting capacities to all managing authorities to ensure a proper cross-reading of EU Funds based policy interventions. In some countries, the capacity of the CSOs and the administrative openness of the authorities allow that some nationally relevant and properly diverse Roma CSOs are incorporated in the central coordinating body of the Managing Authorities. The NRCPs can take the role of facilitating the delegation and matching process if they are competent and well established, otherwise, the most relevant unit for the Roma inclusion should resume this role (i.e., in Romania the National Agency for Roma or the NRCP under the Ministry of European Funds; in the Czech Republic the Agency for Social Inclusion). For a noteworthy policy learning mechanism called *EURoma* on administering the ESF resources in the Managing Authorities relevant to Roma policies see Annex 2 of this report.

Monitoring committees are serious devices for ensuring that the respective enabling conditions are observed throughout the multi-year implementation of EU Funds. These

¹⁰ See a critical assessment of CPR EU 1303/2013, Article 5 provisions on Partnership Agreements and ECCP practices in a recent report by DG Employment (2018).

committees formally embody the opportunity of deliberative decisions, yet, those decisions are largely concern ex-post review of programming and implementation. There are notable exceptions that take advantage of the regulations. Monitoring committees approve the draft OP negotiated between Member States and the EC and they must approve any modifications in the OP. The most important responsibility of the Monitoring committees is to approve the operational principles of the respective OP. In many cases this is a rather formal possibility, nevertheless there are also examples when it is properly used and empowers NGOs to be part of the decision-making process¹¹.

Roma and other independent experts on Roma inclusion can be involved in the evaluation of EU Funds project proposals and could also be mobilised for reporting on the implementation of the NRISs and the European Semester Review. A partnership principle should also be developed at lower levels of governance (local, regional) in developing local/regional strategies and action plans, and their evaluations. NRCPs could engage in systematic monitoring of the appropriate use of EU Funds through Roma inclusion impact screening. Members, factions, and committees in the national Parliaments can also be on alert to the importance of the planning and programming of the EU Funds and their equality and non-discrimination objectives. To that end, they should seek the advice of the above CSO actors.

Key **mainstream policy interventions** funded by sources **other than EU Funds** and concerning labour market, housing infrastructure, education, domestic transport development, health care services, childcare development, etc. should go through equality screenings including gender, disability, citizenship and ethnic equality. The EU Funds mechanisms can give inspiration and know-how on how to do this in a participatory fashion. To this end, equality policy experts and civil society members, including the Roma civil society should be involved by either ad-hoc or permanent bodies. This could be promoted by part of the NRCP policy coordination mandate, through good practice exchange within governments, and bottom up civil society claims. Again, national parliaments should also be lobbied for their critical eye and policy making power.

C. Entry points and directions of change at the local level

At local level, Roma individuals - as citizens of their respective countries - and their CSOs should participate in the full policy cycle in targeted Roma equality policy interventions and in major mainstream development actions, and larger distributive decisions as well. At this policy making level, all forms of participatory governance could be used in principle. Deliberative engagement for agenda setting and policy evaluation seems to be the necessary engagement intensity. Taking part in policy implementation and the delivery of public services, partnership and delegation could be considered and experimented with a cautionary approach to the potential and tangible risks that CSOs may take. Roma participation in monitoring and assessment of targeted policy actions is a must, most preferably on deliberative and advisory forms but local monitoring reporting by citizens' groups reaches the level of participatory governance and delegation.

¹¹ For example, in Romania, there are different advocacy platforms to debate and shape policy agendas, such as the Non-Discrimination Coalition and the NGO Structural Fund Coalition. In Bulgaria, the Council of Ministers has recently proposed to establish a permanent Roma Integration Subcommittee to the Partnership Agreement Monitoring Committee (ESIF mechanisms) which is hoped to re-establish policy dialogue between the government and Roma civil society (Roma Civil Monitoring SYN1, 2018).

Moreover, Roma professionals are needed in the systematic monitoring of policies targeting Roma.

When advancing local participatory mechanisms, it is vital to look beyond the field of Roma equality. The experiences of some trailblazer **cities** are instructive even if the conditions for participation are largely different in smaller and rural municipalities. Several cities in the world have conceived governance procedures that dwell on the energies and ideas of the grassroots, civic movements, and social innovations, and move away from the dominance of corporate interests. This entails building policy making through bottom-up and citizen-centric versions of planning. These initiatives have relied on the 'right to the city' ideals (Cardullo and Kitchin, 2018). Inclusive and deliberative framing of citizen participation beyond consumer perspectives has been achieved through extensive public consultation, collaboration and co-production, and citizens occupying roles such as creators, members and leaders. See a summary presentation of some recent noteworthy cases (e.g. Barcelona, Medellín) in Annex 2 of this report.

The LERI initiative sponsored by the Fundamental Rights Agency (FRA) experimented with **externally assisted participatory** local development. Its summary report (FRA, 2018) argues that empowering local communities can help breaking the stereotypical image of Roma in perpetual victimhood and encourage them to stand as equals in claiming their share of social development. Participatory approaches are particularly important when in localities where earlier initiatives failed to reach the people including the Roma, and where communities have continually felt disappointment in the past. Promoting small-scale, community-based activities, targeting interventions both towards Roma and non-Roma citizens could lead to change the situation of Roma at local level (ibid: 6-7). Other experimental initiatives, such as the ROMACT Programme implemented by the Council of Europe and the European Commission¹² also show that participatory mechanisms can empower those members of the local community who do not have other means of interest representation. External expertise, if proven to be independent, can balance the differential access to development knowledge by governmental and citizen actors.

Proposal 9 - Capacity Building of Roma grassroots and Local CSOs

Roma organisations, especially the smaller grassroots entities, are less skilled and resourced than non-Roma and pro-Roma ones. These organisations that echo the local communities' voice and make local knowledge available face enhanced difficulties in accessing EU funds (Mirga 2018, p. 201). Robust and regularly available capacity building programmes should be offered for Roma grassroots and local CSOs, financed through the **EU Funds** and other mechanisms. These programmes should cover basic and more advanced knowledge of participation and know-how of Roma equality screening of the local policy plans and their implementation. The EC should encourage national governments to use the EU Funds for this sort of partnership capacity building in view of that genuine participation evolves through a constantly renewing set of actors.

¹² For further details see ROMACT Programme, available at <http://coe-romact.org/>

Proposal 10 – The Participation of Independent Experts in Local Developments

ESIF or other domestic funds should be made available in a multi-year scheme (e.g. three years) for local Roma grassroots and citizen groups to pursue quality participation through contracting **external and independent expertise**. This could be provided by regional or national networks of independent experts maintained by central governmental funding. As the concept and experiences of 'velvet triangle' (Woodward, 2004) reveal, influencing powerholders on any level of policy making becomes smoother and often more efficient if the deliberation of ideas is not limited to two sides. In local contexts, these two sides may have histories of debates and tensions, or sometimes may just be distanced from each other in a stubborn power and knowledge hierarchy. Further, the smaller grassroots, especially Roma CSOs, often need advice on the vocabulary and reasoning by which their understanding of local affairs is translated to the policy and administrative language. This is a benign and necessary assistance even after or in addition to capacity building support to these local actors. EU Funds mechanisms are again perfectly suitable sources for building this sort of resource for local CSOs.

D. Promises and challenges of participation in service provision

Empowerment and participation can also be ensured by the involvement of members and representatives of citizens groups in policy implementation. **Delegation**, or as often called in the literature, **coproduction** of policy, not only focuses on citizens' participation in the decision-making stage of public services but also captures citizens' productive efforts in service delivery (Jakobsen and Andersen 2013). The benefits include better targeting, increased service quality, and greater efficiency in the provision of services. In the field of Roma equality, it can also enhance trust and more informed uses of public services by the Roma communities.

Some experiments beyond the Roma equality field reveal that coproduction in social services targeting families of members of disadvantaged groups increases the outcomes for the beneficiaries and results in more efficient service provision. In some recent policy innovations, increased policy outcomes are acknowledged with the strongest increase among beneficiaries of the disadvantaged families compared to the more resourceful ones thus diminishing existing inequities. Further, programmes implemented through intensive coproducing participation can save special assistance type of policy investments in support of the disadvantaged group and mobilise resources for the group's participation in mainstream societal structures and places.

The well documented Spanish ACCEDER programme, managed by the Fundación Secretariado Gitano (FSG) is considered as a service provision model in cooperation with public, private and civil society actors. The scheme allowed FSG to take the challenge of directly managing EU Funds, and to act both as a planning and implementing agency. Elsewhere, programmes involving **Roma mediators** in various MSs can be considered important participatory and empowering initiatives even if this scheme does not promise a balanced relationship and power-sharing patterns. The position of Roma mediators is delicate due to several reasons, most importantly for the conflict of dual loyalty. For example, mediators as field workers may have to defend their client's interest against the local government which employs them. To circumvent this sort of conflicting loyalty, local health mediators in Slovakia are employed by a central agency, which has enacted one of the most successful programmes within the current NRIS for providing better access to healthcare services. In the old Member States, tangible empowerment impacts are

reported through two multi-year flagship initiatives sponsored jointly by the EU and the CoE, namely ROMACT and ROMED.¹³ More experiments and assessments are needed to gauge the potential of moving from mediator-based participation to coproduction in managing services.

Delegation of the design and implementation of **services to non-governmental actors** is theoretically the most intensive participation form. The recent Roma Civil Monitoring reports and other sources of information unveil that funding for civil society activities through contracting out public services has obvious drawbacks: NGOs often become dependent on public authorities and good relations with them may curtail critical voices (Roma Civil Monitor 2018). Subcontracted NGOs that provide mainly local social services or protection of vulnerable people receive regional or local government funding. The provision of social services has become a matter of competition in which local grassroots organisations with lower capacities, including those serving disadvantaged Roma, with far slimmer chances of winning and surviving (crowding out effect).

¹³ For further details see ROMACT and ROMED, available at <http://coe-romact.org/> and <http://www.coe-romed.org/>

V. Critical Conditions for Participation of Roma Civil Society Organisations

A. Rationale for critical attention to Roma CSOs

Citizens' groups, grassroots and advocacy CSOs promoting equality and social justice have fundamental roles to play in policy development and inclusive governance. In addition to bringing direct experiences of various forms of inequality mechanisms and its social consequences, they act as advocacy mobilisers and norm entrepreneurs. Larger and experienced CSOs, including the Roma rights and equality ones, serve both as catalysts of domestic brokers of EU and international human rights norms. Many critical observers state that equality advocacy CSOs are becoming ever more professionalised through transnational networking, advocacy, and participatory engagements. They are becoming beholders of policy expertise on horizontal and targeted equality policy making.

Notwithstanding, the relations between authorities and citizens are always embedded in **uneven power relations**, especially regarding access to knowledge and financial resources indispensable for engaging in public affairs. Therefore, in all forms of participatory engagements (from information sharing to delegation) preparation for and participation in policy making engagement should be supported by information, knowledge, capacity building and financial means. Elementary **prerequisites** such as **financial resources** for travelling to meetings or remuneration for participation in consultative bodies are often lacking on the side of Roma CSOs. Especially deliberative or more intensive forms of participation can become time intensive for the non-governmental actors. Holding background discussions among various citizens' groups, managing recruitments, information gathering, data analysis and co-designing meetings incur various tangible costs. Participatory decision-making and coproduction of policy design, conducting detailed equality screening and assessment, etc. must offer fair honoraria for participants' time, with room for unanticipated contingencies.

B. Funding support

Funding support is by no means an easy target for civil society organisations working on equality and human rights (FRA, 2017). The aftermath of the 2008 crisis in Europe has shrunk sources for civil society activities, especially for maintaining their independent operation. Although the current EU Framework calls for continued attention to Roma civil society actors, in general they face unfavourable conditions for funding. State budget and EU funding compose the major sources of income of Roma and pro-Roma CSOs which are enriched by the EEA/Norwegian and Swiss Financial Mechanisms in the new Member States. The RCM 2018 country reports reveal that civil society monitors assign dramatically different expectations and meanings to state funding and support. In the new democracies of Central and Eastern Europe, state funding tends to be associated with ideological capture, good relationship with the ruling political forces, and even ultimate capture. At the other end of the spectrum, civil society is expected to be sharply critical towards public authorities despite state funding (SE). In some countries, where state or tax-based revenues are available for independent civil society activities, large and established charities often crowd out smaller NGOs, such as the Roma ones. In other countries with reasonably transparent and stable CSO funding systems, Roma is not pronounced as targeted group in distribution (UK) and in the competition with mainstream organisations the typically smaller Roma NGOs stay behind (FI).

C. Empowerment, alliances and network building

The new EUFW should advocate for diversifying Roma participation. It is imperative to acknowledge that **Roma women and youth** have not only diverse and intersectional experiences of disadvantages, but they are beholders of critical reflections on these experiences. They are equally important members, leaders, and professionals of the Roma communities, thus, their knowledge is not limited to their own intersectional positions.¹⁴ Leading Roma activists argue that positive action should support 'minorities' within a minority such as Romani women, youth or Romani LGBTIQ when designing and establishing fora of participation. It is essential to bring the perspective of **socio-economic, citizenship status, and residential difference** among the Roma when designing mainstream and local policy interventions. Not all these groups and positions are directly mirrored in the structure of the Roma movement which is a challenge and tasks to the leading Roma advocacy organisations. Grassroots communities are often able to represent multiple interests and voices due to the composite nature of their activism.

Several country reports of Roma Civil Monitoring schemes mention bottom-up civil society empowerment through **alliances and network building initiatives**.¹⁵ Domestic Roma CSO coalitions work for example in Czech Republic and Greece. Spanish experiences show that broader youth and women activism may offer empowerment opportunities for the Roma, especially if organised through non-hierarchical structures of social media. In Belgium, several nation-wide main non-Roma organisations working on equality make efforts to ensure the participation of Roma and Travellers organisations/spokespersons in their collective actions. On the contrary, in the Netherlands, the human rights initiatives are promoted by mainstream civil society structures which are not sensitive to the problems that Roma communities are confronting. In some of the 'old' democracies in Europe, the participation Roma is lagging or slowly developing due to missing recognition of the Roma as a distinctive ethnic group.

D. Accountability

CSOs embarking on intensive participatory engagement in policy making should acknowledge that they are **not accountable in formal terms** either to the general public or to the communities' affected by their actions. Therefore, these groups' credibility and legitimacy is grounded on their multiple and long-lasting ties to the community or membership, backing their knowledge of the field, reflexive capacities, and moral integrity. Specifically, the intensive models of participation may require that some form of consent or endorsement are ensured ex post on behalf of the represented. This entails that CSOs participating in committees, councils, task forces do offer information to their constituency or/and the general public on their positions, statements, and decisions taken by the participatory fora. All this enacts deeper and broader practices of accountability. The processes and decisions in which CSOs participate in various governance schemes should be transparent and documented as discussed in Section VI.

¹⁴ SWD/2018/480 contends there is a need for more effective Roma engagement at all levels, including from the gender perspective, and to ensure systems of consultations include Roma professionals.

¹⁵ For further details see the first cycle of the Roma Civil Monitoring Reports, available at:

<https://cps.ceu.edu/roma-civil-monitor-reports>

The terms of invitation and selection of civil society (and other) actors should be set in written **Protocols of Participation** or the statute of the respective governmental body. It is important to note that governmental parties often cannot and should not be responsible for the selection of the participating CSOs as they do not have the knowledge and the legitimacy for such a selection. In these cases, the CSOs should select or elect the suitable CSO delegates and make them accountable to the electorate.

By now, the wider Roma civil movement has brought together a **diversity of prepared, educated, experienced and competent Roma** who possess knowledge, expertise and leadership skills to contribute to policy, advocacy and public administration work. These capable Roma often enjoy high trust by the Roma communities, have understanding over the processes at hand; and send a strong symbolic message about Roma as valuable and responsible members of the society. Notwithstanding, institutionalised empowerment is not without some risks and prices to pay. The co-optation of professionalized NGOs as implementing partners in government services often cement old hierarchies or create new ones (Mirga 2018). The co-optation of Roma NGOs often results in abandoning the mobilising, organising, and grassroots operations in favour of bureaucratic compliance with donors' demands (ibid:18).

Despite of this caveat, the very existence of an independent and lively civil society is a condition for inclusive governance and Roma participation. Civil society actors participate in the political processes in multiple ways and contribute to building active citizenship in different domains of life. Thus, they have values and missions beyond participation in policy debates and formations. CSOs representing the voice, matters of concerns, and claims of a diverse Roma society should be a concern and value to a variety of EU bodies. The following proposals highlight more closely the issue of resources without which equal participation is only a promise.

Proposal 11 - Regular Capacity Building on general Policy Participation for Civil Society Actors

The EC should promote the development of Roma CSOs and Roma rights actors' capacity to participate in policy making and represent marginalised groups that lack access to mainstream services and resources. Strengthening their capacity is a pre-condition for a more equitable and open society and equal citizenship for all. The new EUFW should verbatim encourage the use of domestic and EU funds to offer ad-hoc and regular training course to Roma CSO activists on inclusive policy making forms with lessons on promising and even failing examples from different fields and country contexts. Further, knowledge on equality mainstreaming, equality screening, and intersectionality know-how can also be obtained through cross-field equality learning (gender, disability, LGBTQI, etc.) as well.

Proposal 12 - Capacity Building on Policy Monitoring and Assessment for Civil Society Actors

In the field of Roma quality participation, CSO actors can and should contribute to regular monitoring of the implementation of both the new EUFW and the new NRISs. Monitoring local interventions is vital. Through a new Roma Civil Monitoring initiative, the EU can provide policy assessment capacities for CSO actors by direct involvement in crafting and disseminating reports. Major capacity building support could take place if various EU bodies mobilised the authors of these reports to take part in various empowerment and

learning mechanisms in which they could create visibility and receive reactions to their reports (or selected parts of those) both from EU and domestic governmental actors. These encounters and exchanges would have capacity building returns and impacts at the level of governmental bodies and agencies as well.

VI. Participation of Roma professionals in public administration

A. General principles for participation of Roma professionals

In addition to citizens and civil society forms of participation, Roma experts and professionals can and should participate in mainstream decision-making, managing and monitoring bodies as appointed members of the personnel. It is essential that Roma are involved not only in **narrowly defined 'Roma issues'** but in a wider range of policies¹⁶. This would also contribute to the de-stigmatisation of Roma inclusion matters and could contribute to understanding other vulnerable groups or experiences of marginalisation. Participation within public authorities means having Roma within administration structures at all levels¹⁷. The EU and the Member States should promote the participation of Roma in their administrative personnel by positive actions. This concerns both the structures specifically addressing Roma equality and beyond. Addressing antigypsyism in public institutions, especially law enforcement and educational institutions, is essential. Participation of Roma professionals in various related interventions that are launched by national and local governments, law enforcement bodies and the judiciary is an act against antigypsyism on its own and it also enriches the knowledge and credibility of these governmental institutions.

Empowerment in the workplace and public institutions is designed to benefit the minority groups who have a history of multifaceted marginalisation. Positive action is meant to address structural inequality by levelling the playing field for social groups which have been the subject of marginalisation. Positive actions in public administration provide the target group additional support for gaining the necessary skills, competence, and professional networks to which marginalised groups have limited access and these actions also **tailor the institutional environment**. These actions may precede and accompany the actual employment to help the beneficiaries comply with the merit and competence requirements of professional public administration appointments. In addition, enlarging the diversity of the workforce in any field is believed to improve interactions amongst diverse people and enhances creativity, fuller and greater organisational effectiveness. To make all this happen, the institutional environment should be adjusted before and during the appointment of members of the supported group. Promising international practices sponsored by OSCE ODIHR and Council of Europe, respectively, are discussed in Annex 2 of this report.

B. Entry points and directions of change at EU level

EU institutions should promote the participation of Roma in the EU's administrative personnel through positive action (including appointments to senior and mid-level positions) and establish **career development opportunities** for junior Roma professionals. Positive action resonates with various EU equality provisions, therefore, if

¹⁶ OSCE. (2018). Third Status Report - Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area. Available at: <https://www.osce.org/odihr/roma-sinti-action-plan-2018-status-report?download=true>

¹⁷ COM/2018/785 states that in order to ensure Roma empowerment and participation, dedicated measures need to be encouraged to strengthen the Roma voice in the policy process. These include, among others, promoting Roma participation in professions in which they are underrepresented (especially for Romani women).

the regular recruitment channels do not allow ethnic identification, separate measures and means should be developed. The EC can provide earmarked internship opportunities for young Roma, including on-the-job training within its structures dealing with Roma policies and beyond. In addition to capacity building, encouragement, and targeted recruitment, mentorship and shadowing schemes should be put in place to assist the newly appointed Roma. Prior to launching positive actions, senior managers, if needed, by asking for professional support, shall prepare their staff for accepting and supporting Roma professionals. Positive actions by the EU bodies should make specific efforts to engage Roma women so that they consider international professional careers and thus create wider recognition for Roma women, women's rights and gender-equal role models.

Proposal 13 - The Participation and Employment of Roma Professionals in EC Units

The EC (and its Roma Task Force or the Equality Commissioner) should initiate the hiring of 3-4 senior and junior Roma professionals by DGs most relevant to Roma equality policy making parallel to drafting the new EU FW for Roma equality and inclusion in the first two years of the new FW cycle. It may seek assistance for expertise in equality mainstreaming in the workplace (e.g. successful institutional actors from the Member States, but also from Australia, Canada, South Africa, etc.) from qualified NGOs or equality employment trainers. Opportunities for appointment should be sought beyond the field of Roma equality as well. Follow-up recruitment rounds should be planned, pending on the pilot assessment and emerging vacancies to reach the number of 6-8 new Roma hiring altogether across the EC in five years.

In acknowledgment of that several Roma experts have been involved in REC evaluations, the EC should further support the participation of Roma professionals in the expert pool reviewing funding and action calls (e.g. by setting minimum required Roma participation). Roma experts should also be sought for contracted consultancy work with different DGs on Roma equality and other affairs where this experience is relevant. The current consultancy assignment for writing three expert reports is a noteworthy good example for empowerment action with pre-determined 50% Roma participation in the authors' team.

C. Entry points and directions of change at the national level

Member States should design, develop, implement and evaluate Roma inclusion policy initiatives in close cooperation, among others, with academics and researchers¹⁸. They should also develop positive action measures that would encourage Roma of tertiary education to consider public administration and public service career. Public authorities should develop systematic possibilities to employ Roma in the public sector and not only for implementing Roma-related projects, which are generally short-term. If potential Roma candidates do not possess all the entry capacities yet are promising, investment in mentoring their starting engagements upon hiring is recommended.

Involving Roma experts and officials in governmental structures, especially the ones dealing with Roma inclusion, should be a prerequisite to inclusive governance. In most

¹⁸ The 10 Common Basic Principles on Roma Inclusion. (2010). Available at: <https://op.europa.eu/en/publication-detail/-/publication/7573706d-e7c4-4ece-ae59-2b361246a7b0>

countries, the NRCPs have none or not enough Roma employees. Professional and motivated Roma, both men and women, should be sought as employees of NRCPs and other main governmental Roma equality policy coordinating units. Annex 2 of this report offers references to a promising practice in the recent past where Roma were supported to become civil servants through a large and complex positive action (HU).

Proposal 14 - Training for Senior Servants in Public Administration

Senior servants in public administration should be trained on the mechanisms of affirmative action in hiring and placement and helped in finding contacts to young Roma professionals (e.g. universities, *Romaversitas* chapters and other higher education supporting organisations of the Roma). Recommendations offered on the methods of training in Proposal 7 are all relevant here.

Proposal 15 – Placements of Roma with research and analytical capacities in Public Administration

Roma with research and analytical capacities working at research and CSO organisations could be placed for multi-year secondment positions to domestic public administration bodies. This would create bridges between Roma expertise and policy knowledge production, most notably in the agenda setting and assessment phase of the policy process. The EC should encourage the use of ESF funding for this purpose.

VII. Procedural proposals and concluding considerations

Proposal 16 – Promoting Protocols of Participation

Written protocols of participation should be established in all sustained and institutionalised schemes of Roma participation in policy development and implementation to ensure effective cooperation, trust and accountability. A model template of such protocols could be crafted and included in the Annex to the new EUFW. A detailed Code of Conduct is part of the current and the future CPR of the ESIF/EU Funds mechanisms, the spirit of which could be a guidance.

Protocols of participation are documents that define:

- general principles driving participation (confidentiality, openness, etc.)
- the principles of selecting participants (recruitment, replacement, etc.)
- scope and nature of engagement for all major parties (regularity, role, preparatory duties, etc.)
- working method (discussion forum, discussing specific proposals, debate, etc.)
- pre-participation communication and information sharing
- expected outcome of the participation exercise
- communication obligations and limitations for parties towards each other and to the wider public, and access to information
- detailed explanation of responsibilities regarding agreements, decisions, etc.
- handling of conflicts and disagreements
- the actual outcome of the participation
- participants/ organizers feedback on the overall participation process

These protocols are likely to be different by modes of engagement (ranging from information sharing to co-governance) and along different levels of participation. The new EUFW for Roma equality and inclusion may include an appendix with 2-3 model protocols of participation.

Concluding considerations: looking beyond an EUFW

Quality participation is not always smooth and visibly fruitful. It maintains or increases the inclusive and democratic properties of decision-making. It enhances the public good, however, small that might be. It conveys the hope of improvements in both the process and the content of public affairs and creates growing rather than shrinking public trust. **Temporary lapses** and **drawbacks** may occur which should not immediately disprove the institutional mechanisms of participation.

Participation may induce the transformations of policy norms and practices, significantly back policy reform objectives, and sharpen the understanding of the impacts of public decisions. But it **cannot substitute policy coordination** and equality mainstreaming tasks. Likewise, it cannot be a glue between poorly functioning executives and administrative units.

Participatory mechanisms do not make **critical scrutiny** on the overall work of governments obsolete. Taking part in inclusive policy making does not delegitimise citizens and CSOs' watchdog activities. It is not unparalleled that the same organisation sits on a deliberative committee but also participates in shadow reporting on governmental performance. The delicate and transparent way of practicing and relating these modalities in different settings is an art of public action which could be learnt through continuous experiments by both governments and citizens.

Civil society organisations gaining seats and roles in councils and committees of decision-making should develop a self-reflexive mode of operation for not losing connection, dialogue, and true interest in their constituency. The **ethos of solidarity and sharing** toward one's constituency or members is ideally stronger than the formal provisions of any protocols of participation.

Inclusive diversity should be a principle of any community and citizens mobilisation. When designing participatory mechanisms, the governmental actors cannot have the knowledge and the ethical ground to define what constitutes a proper representation of diversity. Selection and delegation methods applied in participatory structures should foster fair representation of diversity in the respective citizens group.

Governments should be discouraged to build clientelism in participation and even more seriously watched for building **clientelism instead of participation**. Yet, there is no full protection against clientelism in governmental-civil society/citizens encounters. Formally satisfactory and intensive participatory methods can be applied to pretend genuine interest in and attention in citizens' needs and voices, and a respect to plurality of a social group. This paper has not discussed but hereby reminds of the caveats that the literature articulates about the fine line between democratic and clientelistic modes of participation.

All identity and **group-based thinking** generates unwanted homogenization and solidifies boundaries, often more than intended or noticed. Notwithstanding, Roma empowerment and citizenship matters should be led by the Roma. Roma CSOs are directed and governed by the Roma. Pro-Roma CSOs should be self-restrictive in claiming places and voices in participatory mechanisms especially if the seats are limited in a respective platform. By the same token, in/equality is a matter of both the mainstream and the disadvantaged group until the distinction is relevant.

Table 2. Summary of Roma participation proposals in post-2020 EUFW for Roma Equality and Inclusion

LEVEL	PROPOSALS	GUIDING EU POLICY PROVISIONS	TYPE OF ENGAGEMENT	TARGET	INDICATORS
EUROPEAN	(P1) A Roma Advisory Board or Committee		Advice	Roma professionals and CSO leaders	Committee is established, regular meetings are held; annual report on issues discussed are presented at the EU Roma platform
	(P2) A European umbrella organisation of Roma CSOs	EP 2017/2038(INI) ¹⁹	Consultation Advice	Roma civil society organisations	The organisation is established, and regular core funding is secured; annual reports are made public; regular meetings are held and reported to EC and EP bodies
	(P3) A new cycle of Civil Society Monitoring	EP 2017/2038(INI) ²⁰	Partnership Consultation	Roma civil society and allies	EP and EC decisions are made; Call for proposal is out; Initiative launched; reports are delivered
	(P4) Improving Roma participation in the EU Platform for Roma Inclusion	EU Framework for National Roma Integration Strategies 2011 ²¹	Consultation Advice Information sharing	Roma professionals, CSOs and allies	Increasing the duration of the Platform Roma CSOs input in planning The diversity of participants attending the platforms Detailed post-Platform outcome report
	(P13) The participation and employment of Roma professionals in EC units	EP 2017/2038(INI) ²² Council Directive 2000/78/EC Directive 2006/54/EC COM/2018/785 ²³	Positive action Equal opportunity	Roma professionals	3-4 Roma professionals are hired in years 1-2; further hiring up to at least 8 Roma professionals No. of trained/mentored Roma for such positions (i.e., through internships, on the job trainings) No. of consultants involved in EC work

¹⁹ Calls on the Commission and the Member States to design strategies featuring both proactive and reactive measures on the basis of real, systematic consultations with Roma representatives and NGOs, and to involve them in the running, monitoring and evaluation of mainstream programmes and projects launched at all levels, including at the local level; calls on the Commission and the Member States to promote the establishment of independent Roma civil organisations and public institutions and the empowerment of a young, progressive Roma leadership;

²⁰ Ibid.

²¹ Empowering civil society through participation in the European Platforms for Roma Inclusion

²² Encourages EU and Member States' institutions and political parties to actively promote the political participation and empowerment of Roma and their recruitment into public administrations;

²³ Promoting Roma participation in professions in which they are underrepresented;

NATIONAL	(P5) A participatory model for developing NRISs	EU Framework for National Roma Integration Strategies 2011 ²⁴ EP 2017/2038(INI) ²⁵	Consultation	Roma professionals, CSOs and allies (explicitly named among the partnership actors)	Number/share of Roma organisations consulted in the design and implementation of interventions No. of working groups established, of feedback groups consulted, of debates held, of written submissions, of accepted amendments Working group protocols The establishment of a National Roma and pro-Roma umbrella organisation
	(P6) Revitalizing the NRCPs and strengthening NRPs	EU Framework for National Roma Integration Strategies 2011 ²⁶ Council Recommendation 2013/C 378/01 ²⁷	Consultation Information sharing	Roma professionals, CSOs and allies (explicitly named among the partnership actors)	NRCP performances in actions and public feedback increases according to the EC and RCM assessment No. of Roma employees The diversity of participants attending the platforms Detailed post-Platform outcome report Involvement of stakeholders and Roma communities in NRIS implementation and monitoring
	(P7) Inclusive governance training for senior civil servants	Communication COM/2018/785 ²⁸ Council Recommendation 2013/C 378/01 ²⁹	Affirmative action and equal opportunity	Mainstream civil servants and Roma professionals	No. of civil servants received (affirmative action) training The existence and type of quota

²⁴ When developing national Roma integration strategies, Member States should bear in mind the following approaches: Be designed, implemented and monitored in close cooperation and continuous dialogue with Roma civil society, regional and local authorities;

²⁵ Calls on Member State governments and local authorities to involve Roma women in the preparation, implementation, evaluation and monitoring of the NRISs;

²⁶ Appoint a national contact point for the national Roma integration strategy with the authority to coordinate the development and implementation of the strategy or, where relevant, rely on suitable existing administrative structures.

²⁷ Involve National Contact Points for Roma integration in decision-making processes regarding the development, funding and implementation of relevant policies. The National Contact Points for Roma integration should facilitate the participation and involvement of Roma civil society in the implementation of national Roma integration strategies and local action plans.

²⁸ Promoting Roma participation in professions in which they are underrepresented;

²⁹ Providing equal access to mainstream public employment services, [...] and, where appropriate, promoting employment opportunities within the civil service. [...] Where appropriate to local approaches to integration, promote the training and employment of qualified mediators dedicated to Roma and use mediation as one of the measures to tackle the inequalities Roma face in terms of access to quality education, employment, healthcare and housing;

(P8) Enhancing the Roma participation in the EU Funds	Communication COM/2018/785 ³⁰	Consultation Partnership Support to local CSOs	Roma professionals, CSOs and allies	Equality working groups are established; their PoPs are accepted and announced No. of Roma experts involved in ESIF funded developments
(P11) Regular capacity building on general policy participation for civil society actors	EP 2017/2038(INI) ³¹	Consultation	Roma civil society	No. of civil society actors and CSO representatives trained in general policy participation (by type of training) No. projects targeting different forms of civil society capacity building No. of events funded targeting different forms of civil society capacity building
(P12) Capacity building on policy monitoring and assessment for civil society actors	EP 2017/2038(INI) ³²	Consultation	Roma civil society	Presence/absence of a monitoring mechanisms involving CSOs No. of CSOs involved in monitoring at the national level, and national level coalitions No. of Roma professionals employed as data collectors, fieldworkers, analysts (i.e., FRA, EEA Grants)
(P14) Senior servants in public administration	EP 2017/2038(INI) ³³ Communication COM/2018/785	Affirmative action Equal opportunity Potential advice	Roma professionals	The existence and type of quota No. of Roma civil servants employed
(P15) Placements of Roma with research and analytical capacities in public administration	The 10 Common Basic Principles on Roma Inclusion	Affirmative action	Roma professionals	No. of secondment positions No. of ESIF funded projects targeting Roma participation in public administration

³⁰ Engaging Roma communities in initiatives targeting them and building their capacity to take the leadership in such projects improves the effectiveness and efficiency of EU funds for Roma inclusion and contributes to empowering the people usually referred to as “target group”. Improve their management, monitoring and evaluation capacities with the support of the ESIF technical assistance and facilitate the use of national and Union funds to support capacity building for local authorities and civil society organisations so that they can effectively implement projects.

³¹ See first footnote under the table

³² See first footnote under the table

³³ Calls on Member State governments and local authorities to involve Roma women in the preparation, implementation, evaluation and monitoring of the NRISs; Encourages EU and Member States’ institutions and political parties to actively promote the political participation and empowerment of Roma and their recruitment into public administrations; Promote the recruitment of Roma in public media, encourage the active recruitment of Roma as members of the police force;

LOCAL	(P9) Capacity building of Roma grassroots and local CSOs	Communication COM/2018/785 ³⁴ EP 2017/2038(INI) ³⁵	Empowerment	Roma civil society	No. of capacity-building events targeting Roma (women, LGBTIQ, migrant Roma, youth, etc) communities, experts, politicians, public officials and civil society activists and organisations No. of funded capacity-building projects targeting Roma (the use of domestic and EU funds to offer ad-hoc and regular training course to Roma CSO activists)
	(P10) The participation of independent experts in local developments	Communication COM/2018/785 ³⁶	Advice Consultation	Roma professionals	No. of external contracts granted to Roma (independent) experts No. of Roma experts involved in ESIF funded developments
EUROPEAN NATIONAL LOCAL	(P16) Protocols of participation	i.e., European Code of Conduct on Partnership			The existence and number of Protocols of Participation at the EU, national and local level

³⁴ States that in order to ensure Roma empowerment and participation, dedicated measures need to be encouraged to strengthen the Roma voice in the policy process.

³⁵ Calls on the Commission and the Member States to design strategies featuring both proactive and reactive measures on the basis of real, systematic consultations with Roma representatives and NGOs, and to involve them in the running, monitoring and evaluation of mainstream programmes and projects launched at all levels, including at the local level; calls on the Commission and the Member States to promote the establishment of independent Roma civil organisations and public institutions and the empowerment of a young, progressive Roma leadership;

³⁶ Improve their management, monitoring and evaluation capacities with the support of the ESIF technical assistance and facilitate the use of national and Union funds to support capacity building for local authorities and civil society organisations so that they can effectively implement projects.

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Annex 1: Online survey questions to Focus Groups consultation

The following questions were asked to the members of the participation focus group.

1. How can a new EU initiative for Roma equality and inclusion guide forms and modes of representations? How can it be ensured that Roma are posited as resources and assets as opposed to be depicted as mere problem holders?
2. What is the purpose of Roma participation? How would a new EU initiative for Roma equality and inclusion support the most inclusive and impactful participation in setting and monitoring of the policy agenda? What enabling conditions and instruments are proposed at EU, national and local level? Should a new EU initiative promote different forms of participation (e.g. voice, consultation, partnership, etc.)? Which criteria and measures for quality participation should be defined and prescribed? How should this be done?
3. Are there preconditions which would make mainstream public institutions (policy making and implementing, regulatory, service providing, etc.) more receptive to Roma participation? How could a new EU-level initiative promote institutional change and opening to shape more equal relations between Roma and non-Roma in their own settings and among their constituencies?

Annex 2: Selected Examples of Participatory Mechanisms

- 1. EURoma assistance for promoting participation in EU Funds**
- 2. Participatory governance procedures in the city of Barcelona (Spain) and Medellin (Colombia)**
- 3. Promising international practices on Romani professionals' participation in the public administration**
- 4. Training and employment in public administration**

1. EURoma assistance for promoting participation in EU Funds

The EURoma³⁷ is a Europe-wide network of bodies responsible for administering the ESF resources in the Managing Authorities relevant to Roma policies. The EURoma has incorporated the knowledge and experience of European Regional Development Fund (ERDF) Managing Authorities, European institutions, relevant international organisations, and EU agencies with a mandate and responsibilities to promote Roma inclusion. The network has produced elaborate guidelines on operationalising the partnership principle in the use of the EISFs throughout the whole policy process. For the current programming period, the EURoma articulated recommendations along the European Code of Conduct on Partnership regarding ESIF developments ‘...to establish processes and methods that allow for an active and quality partnership... to get involved not only to merely participate’ (EURoma, 2018). Particularly instructive among these proposals are: 1. to pay attention to vulnerable and marginalised communities, including persons with disabilities, migrants and the Roma; 2. to strengthen the institutional capacity of partners to help quality participation 3. and to encourage the use EU Technical Assistance capacities to foster dedicated workshops, training sessions, coordination and networking structures or contributions to the cost of participating in meetings on the preparation, implementation, monitoring and evaluation of a programme.

2. Participatory governance procedures in the city of Barcelona (Spain) and Medellin (Colombia)

As one of the most inspiring examples, the city of Barcelona has introduced path-breaking initiatives towards transformative citizenship by decidim.barcelona which enacts a widely accessible space for deliberation both through ICT and face-to-face communication for the local citizens. The critical assessment highlights that these new governance mechanisms have created a balance between CSOs, local community leaders, and individual citizens by making up a new ecosystem of actors. The assessments acknowledge that that city has witnessed an increase in the participation of minorities and other groups that used to act outside of formal institutions (Peña-López, 2019). Parallel to this innovation, the Municipal Council for Roma People, which is the oldest in Spain, also functions in Barcelona to ensure the participation of a wide range of interested parties in city neighbourhoods³⁸.

In the case of Medellín in Colombia, the city has promoted ‘social urbanism’ to enhance social inclusion in a shared public realm (McLaren and Agyeman, 2015). From the mid-

³⁷ For more information see: <https://www.euromanet.eu/about-us/>

³⁸ For further details see Barcelona Municipal Council of Roma people, available at <https://ajuntament.barcelona.cat/consell-municipal-poble-gitano/en/about-us>

1990s the Medellín City Government has focused on empowering citizens, including the poorest neighbourhoods, through initiatives relating to access to ICT, education, cultural activities, infrastructure and economic development, as well as using participatory budgeting and community planning, to create an urban commons of public services and spaces (McLaren and Agyeman, 2015).

3. Promising international practices on Romani professionals' participation in the public administration

At international level, a good example of Roma professionals' participation is established by OSCE ODIHR, which since 1998 is the only international organisation that has invested in having Roma within the ODIHR Contact Point for Roma and Sinti Issues – an ODIHR unit which is Roma-led. Further, ODIHR has organised trainings, workshops, awareness raising and voter education campaigns, with a focus on capacity building of Roma women and youth (OSCE ODIHR, 2018). These events aimed to empower Roma communities and individual activists, and provided forums for Roma experts, politicians, public officials and civil society activists to contribute to shaping national and international discussion and agendas regarding the importance of participation of Roma in public and political life. The unit developed opportunities particularly for young Roma professionals and currently has a diverse team including Roma women and men.

The Council of Europe engages consultants, young Roma activists or junior professionals, and more experienced Roma activists or professionals in different areas (community organising, management of project and programmes, public administration, social inclusion experts, education advisors etc.). With the aim of building capacity and train/mentor these young people in different areas, when commissioning expert service, CoE selects both senior and junior consultants. Capacity building is used as a transversal component and it is present in all their activities. Most of the Roma employees that are working in the CoE Roma and Travellers Team started as consultants and later got appointed. They receive continued mentoring by the organisation for a few months to help them become self-confident staff members.

4. Training and employment in public administration

When searching for good or promising practices, national governments may look beyond their borders but also 'look back' in time to assess recent promising experiments on positive actions for professional Roma employment in public administration. In 2010, in Hungary a complex initiative was launched to train young educated Roma and prepare them for a public service entry exam, and then to hire them by national and regional public administration institutions for a minimum two years. The programme was sponsored by the ESIF Public Administration Reform operational programme. The target number was to embrace 200 Roma professionals out of which 120 hiring came true. The new government coming to power during the implementation process did not stop the initiative, yet it did not usher in obtaining genuine assessment of and follow-up to the initiatives. The then ombudsman for minority rights issued a report on the programme and uncovered implementation flaws due to a rushed timeline and inefficient communication yet the potential transformative idea and the envisioned effects have not been questioned.

Annex 3: Proposed Protocol of Participation - Roma Advisory Board

Protocol of Participation/Partnership Roma Advisory Board (RAB) to DG JUST

Status

RAB is established to serve as a permanent advisory body of DG JUST and its Roma Team in promoting, managing, and assessing the implementation of Roma equality and inclusions policies of the EU.

RAB members and their selection, terms of membership

- 6-8 individuals of outstanding *knowledge and expertise* in Roma equality affairs and international reputation are invited by DJ JUST (invited members should not represent organisations and groups, instead, they should speak on behalf of their own experiences and viewpoints)
- invitees should not be executive officials, should not have governmental positions during their RAB engagement; they ideally work as individual experts, activists, researchers, movement leaders, etc.
- Roma empowerment should guide the selection among the suitable candidates
- adding an additional member on a rolling basis from the respective presidency country of the European Council could be considered (e.g. for 12 months)
- composition should reflect the diversity of the Roma (most importantly but not limited to gender, European geography, and age)
- members should be rotated in meaningful terms (e.g. 2 years with some of the members starting with 3 years to ensure a rolling rotation)
- invitation to membership should highlight the status and standing of RAB and a preliminary vision of the working method
- recommendations for candidates can be solicited through an open process or consultations with larger Roma CSOs, advocates, academics

Scope and nature of RAB and DG JUST Roma team engagement

- *consultation and advice* can be the typical content of the interface but occasionally the two parties can elaborate joint statements or recommendations to other important EU or MS actors
- in addition to regular consultations with the DG JUST Roma Team, RAB can be available to advise, deliberate and consult both with various European institutions and bodies in different policy areas
- ideally, the Roma Team consults RAB on its annual assessment of the Member States implementation of their NRISs, the emerging concerns with broader Roma equality issues across the board; European Semester reviews and any other major tasks that concern the EURW
- RAB and the Roma Team can co-share the responsibility of designing the European Roma Platform programs

Working method

- the two parties regularly meet (e.g. three or four times a year) but interim meetings can be called for by mutual agreement
- schedules of the meetings shall be set well in advance; online participation should be made possible for RAB members as an exception or in case of health or family matters
- an initial agenda of a meeting is proposed by the Roma Team, but the final agenda should be jointly agreed
- in view of the duties and tasks of the Roma Team, landmark items can be determined in an annual or a rolling schedule
- there is no need for quorum but in case of less than 50% participation commitment by RAB, the meeting should be postponed
- information, data, and background materials that facilitate genuine RAB engagement should be provided by the Roma Team
- the meetings are not public, but guests can be invited by mutual agreement

- RAB members can have internal meetings and consultations among themselves using online communication which does not create any communication duties
- in case of major deterioration of trust, conflicts or disagreements between the parties or within RAB, third party mediator should be commissioned to assist the situation

Internal and external communication

- minutes are prepared of each RAB and Roma Team meeting by the latter party which should be made public;
- if needed, the parties can decide on Chatham House rules (the opinions and debates become public but cannot be associated with any participant); a softer version of this rule is to identify a voice with one or the other parties
- beyond the minutes, the parties do not (should not) issue communication or statements about the meetings
- the status and publicity of background materials to the meetings for further information sharing should be carefully and precisely defined

Other provisions

- the costs of operation shall be borne by the Commission including travel and accommodation of the RAB members unless a meeting is conducted online
- annual honorarium for serving on RAB should be offered (and pro-rated if meetings are missed for any reasons)
- parties are obliged to make efforts to engage in respectful and fair communication about their joint work towards the wider public against possible disagreements

Annex 4: Proposed Protocol of Participation - Working Groups

Protocol of Participation/Partnership Working Groups supporting the development of NRISs

A deep participatory mechanism can be followed in the development of the new NRISs by establishing thematic working groups. These bodies will address the main fields of the policy strategy with relatively wide autonomy but through regular consultations across the working groups and a final fine-tuning work of a synthesis group. The current draft protocol of participation does not touch upon the horizontal coordination mechanisms which rely on classical policy coordination wisdom and knowledge beyond the scope of this template.

The experience from countries where the NRIS (or action plans) have been prepared in a participatory way has shown that the production of the NRIS should have a strong political mandate. This can be achieved, for example, by establishing a steering committee that will oversee the process of drafting of the strategy and before which the working groups will defend their proposal. To ensure that the process of the strategy development will have permanent political support (that is necessary to keep this process high in priorities of the participating public administration structures), the steering committee can be composed by politicians (ministers, deputy ministers) and/or senior officers who should be kept well informed about the process and the strategy itself.

WG composition and terms of membership

- all WGs have similar proportion of the central government, representatives of regional and local governments and nongovernmental actors in rough terms unless a compelling reason suggests otherwise
- a participation of the central government, representatives of local and regional governments, civil society, and expert delegates can create balance and external (public) trust
- governmental actors should come from the senior decision-making level (political or administrative leadership) who will formally represent the line ministries, launch the work groups and be later represented by delegate concrete executive officers (see next point), including national and sub-national actors and ministries' background research or policy bodies, and these bodies should be explicitly named in each WGs
- ideally, the governmental representatives shall be designated by name and with a substitute delegate; a cap for substitution should be set regarding the number of WG meetings (e.g. 40%); this is to ensure a reasonable continuity of trust inducing partnership relations between the parties
- civil society delegates should be nominated by the national Roma CSO umbrella or a national network or platform of these CSOs, otherwise nominated by any Roma and pro-Roma CSO and selected by a one-time assembly of these CSOs
- nomination of the CSO delegates should be based on proven experience and knowledge of the respective field and ideally some public acknowledgement of credibility
- CSO delegates can have deputy delegates for limited functions (e.g. replacement at meetings) but the delegates remain responsible for contributing to the WG outputs to ensure proper substitution; delegates should be elected in similar procedures; cap on maximum number of substitutions can be set
- independent experts should be nominated by any actors and those who accept the invitation should take part in electing the given number of delegates to the WG by either a secret ballot or through a one-time assembly, gathered and invited to vote on WG members among themselves
- terms of engagement refer to the whole NRIS planning process

Scope and missions of the WG

- classical governance act of defining the scope of the work of a WG by assigned a specific task (draft wording of a chapter of the NRIS or prepare a policy diagnosis as a first step, etc.)
- define the output of the work in well-defined quantitative and qualitative terms (e.g. chapter draft or draft versions of xx pages or words, plus discussion note in debated issues, expected annexes and supporting documents)
- define the minimum and maximum number of WG meetings and the overall timeline of the WG assignment.

Working method

- define the underlying method of cooperation between governmental, civil society and expert delegates (e.g. advice, partnership or co-authorship)
- design the procedural steppingstones: e.g. a limited number of lead authors draft the main sections and the WG collective discusses and recommends revisions, the second draft is discussed and revised through the same method, whereas the third and final version is endorsed by $\frac{3}{4}$ majority threshold vote, the dissenting opinions are summed up and attached to the final draft; or, smaller teams prepare first draft on sub-sections of the chapter and the WG collective deliberates all drafts
- define the meeting choreographies and mechanisms and expected frequency; ideally, the WG has a chair and a facilitator which could be identical; the latter function requires facilitating experience as well
- the governmental/ministerial delegates should have the duty and mandate to conduct internal consultations in their respective units and represent institutional positions; prepare guidelines on handling disagreements and method of reconciliation (e.g. external mediation, multiple voices and opinions in the draft, majority and minority voices, etc.)
- if needed, cross-WG link persons are elected to engage with other WGs and report back

Internal and external communication

- define the level of confidentiality considering the level of involvement
- identify the communication mechanisms to be used within the group, and towards the general public
- define minimum communication duties on behalf of the governmental bodies
- indicate possibilities through which external members of a WGs can express disagreements

Other provisions

- the costs of operation shall be borne by the NRCP or PM office
- honorarium for serving on the WG should be offered (and pro-rated if meetings are missed for any reasons)
- parties are obliged to make efforts to engage in respectful and fair communication about their joint work towards the wider public against possible disagreements

