

Traveller and Roma Action for the Implementation of Legal and Equality Rights

The TRAILER Project 2004 - 2006

Final Report



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Implementation of Legal and Equality Rights
TRAILER Project 2004 - 2006

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European Dialogue - November 2006

Produced by: Elizabeth Campling, Project Officer - European Dialogue with assistance from Dr Robin Oakley - Project Adviser, and in consultation with Romani Baht Foundation, Romani CRISS - Roma Centre for Social Intervention and Studies, Pavee Point Travellers Centre, Poradna - The Centre for Civil and Human Rights, and Devon Racial Equality Council.

European Dialogue	Tel: +44 (0) 7253 3337
175 Goswell Road	Fax: +44 (0) 7253 5790
London, EC1V 7HJ	info@europeandialogue.org
UK	www.europeandialogue.org

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The Action programme has three main objectives. These are:

1. To improve the understanding of issues related to discrimination.
2. To develop the capacity to tackle discrimination effectively.
3. To promote values underlying the flight against discrimination.

For more information see:

http://europa.eu.int/comm/employment_social/fundamental_rights/index_en.htm

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With the contribution of the European Community Action Programme to Combat Discrimination

Photos on front cover from top left: Human rights monitoring in Miercurea Ciuc, Romania - **Romani CRISS**, Gypsy and Traveller education consultation day, Devon (UK) - **Devon Racial Equality Council**, Bulgarian training seminar - **Romani Baht Foundation**, Slovakian training seminar - **Poradna - The Centre for Civil and Human Rights** and Irish national seminar - **Pavee Point Travellers Centre**.

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Introduction

Roma, Romany Gypsies and Travellers are amongst the most marginalised and disadvantaged groups in Europe. Racist attacks; segregation in housing and service provision; and discrimination when accessing housing, employment, and goods and services, are the result of an interplay of entrenched poverty, racism and discrimination.

The transposition of the EU equality directives into national law has provided a good opportunity to combat discrimination and social exclusion of Roma, Romany Gypsies and Travellers.¹ The transposition has brought national anti-discrimination laws up to, and in some cases, beyond the standards of the directives.

However, legislation by itself is not enough to guarantee equality and equality of opportunity. Roma, Romany Gypsies and Travellers need to be aware of their rights, aware of what discrimination is, and to have the confidence to seek legal advice. On the other hand, the majority, the potential perpetrators of discrimination, need to know whether their actions and policies are discriminatory, and need to have a greater understanding of the culture and experiences of Roma, Romany Gypsies and Travellers.

The TRAILER project - *Traveller and Roma Action for the Implementation of Legal and Equality Rights* (December 2004 – November 2006) was among a number of projects which were funded by the EU Community Action Programme to Combat Discrimination (2000-2006).² To ensure the effective implementation of national anti-discrimination legislation vis-à-vis the EU equality directives (2000/43/EC and 2000/78/EC), the Commission supported actions to 1. Improve the understanding of issues related to discrimination; 2. Develop the capacity to tackle discrimination effectively; and 3. Promote values underlying the fight against discrimination.

The British based NGO European Dialogue brought together human rights/anti-racist NGOs from five European countries, all at different stages of implementing national anti-discrimination legislation, with the aim to improve access to justice and to promote social inclusion for Roma, Romany Gypsies and Travellers. The project included a diverse range of interrelated activities which responded to the local needs of Roma, Romany Gypsies and Travellers, and the state of play of national anti-discrimination legislation.

In Bulgaria, Ireland, Romania, Slovakia and the UK, the project ran trainings, study visits, and

national conferences; monitored and documented incidents of discrimination; undertook cases to test the effectiveness of the new legislation; provided legal assistance; implemented local action plans to combat discrimination; and produced *know your rights* leaflets, practice manuals, human rights reports, and a case law database on Roma/Traveller discrimination. Although the activities of each of the countries were based upon the national situation concerning the state of play of the implementation of anti-discrimination legislation, and the local needs of Roma, Romany Gypsies and Travellers, the project was interconnected through an exchange of experience at transnational study visits. These aimed to provide the project team with the opportunity to learn more about the implementation of anti-discrimination legislation in other European countries as well as to disseminate the work of the project to key players in the human rights/non-discrimination field.

The overall project was managed and co-ordinated by European Dialogue, and the country activities were managed by Romani Baht Foundation (Bulgaria), Pavee Point Travellers Centre (Ireland), Poradna pre občianske a ľudske práva – The Centre for Civil and Human Rights (Slovakia), Romani CRISS - Roma Centre for Social Intervention and Studies (Romania) and Devon Racial Equality Council (UK).

TRAILER's Approach

During the course of the implementation of the project the TRAILER team identified four key interconnected areas for action if Roma, Romany Gypsies and Travellers are to have effective access to their rights under national anti-discrimination legislation.

ACTION ONE

Community development to promote awareness and self-help among Roma, Romany Gypsies and Travellers.

ACTION TWO

Building the capacity of NGOs to tackle discrimination against Roma, Romany Gypsies and Travellers.

ACTION THREE

Training for lawyers, prosecutors, judges and service providers on Roma-, Gypsy- and Traveller-related issues and anti-discrimination legislation.

ACTION FOUR

Monitoring incidents and taking cases of discrimination against Roma to court and before the specialised equality bodies, including 'test cases'.³

These areas of action have drawn together the eight objectives of the project and will form the basis of this report. The report will outline the main achievements of the project, and provide recommendations to further promote effective implementation of national anti-discrimination legislation for Roma, Romany Gypsies and Travellers.

Objectives of the TRAILER Project

Objective 1 To empower Roma/Travellers by raising awareness and understanding of national anti-discrimination law vis-à-vis the EU Race Equality Directive; their rights, including their right to seek redress for discrimination; and how to make complaints if they are discriminated against.

Objective 2 To build the capacity of Roma/Traveller activists/NGOs to; (1) assist Roma/Travellers to take cases against discrimination, and (2) to push for the implementation of anti-discrimination legislation and pro-active measures to promote equality for Roma/Travellers.

Objective 3 To increase understanding and knowledge among legal practitioners of anti-discrimination legislation vis-à-vis the EU Race Equality Directive and how to apply the law to Roma/Travellers.

Objective 4 To increase awareness among service providers and local government about institutional racism and the pro-active and strategic responses required to address it.

Objective 5 To increase awareness among legal practitioners, service providers and local government about Roma and Traveller identity and culture, and their experiences of discrimination.

Objective 6 To test national anti-discrimination legislation by taking “test cases” to highlight effectiveness of the law vis-à-vis the EU Race Equality Directive.⁴

Objective 7 To document incidents of discrimination against Roma/Travellers to back-up recommendations for legislative and policy reform.

Objective 8 To exchange knowledge and experiences among the five participating countries about national anti-discrimination legislation and its implementation; pro-active measures to achieve equality and social inclusion for Roma/Travellers; and methods of working to raise awareness of rights in the Roma/Traveller community.

1 For further information about the Community Action Programme to Combat Discrimination go to http://ec.europa.eu/employment_social/fundamental_rights/index_en.htm

2 In 2000 the European Commission adopted two directives, the Racial Equal Treatment Directive (2000/43/EC) and the Employment Equal Treatment Directive (2000/78/EC). This was the first time that all forms of discrimination were prohibited in a European context. The aim of these directives were to ensure that member states through the transposition of the directives would have comprehensive legislation to ensure full protection from discrimination.

3 “Test cases” refer to cases being taken to court to test the effectiveness of the law. The cases taken as part of the TRAILER project were among the first of their kind to apply national anti-discrimination legislation to cases of racial discrimination.

4 See footnote 3.



1 Community development

Promoting awareness and self-help among Roma, Romany Gypsies and Travellers

The TRAILER project recognised the need to reach out to Roma, Romany Gypsies and Travellers as excluded and discriminated communities, and to empower them as pro-active actors in combating discrimination and social exclusion. In particular, the activities in Devon (UK) and Ireland as part of TRAILER have been framed by the community development approach; an approach which challenges the marginalisation of excluded groups and promotes empowerment to ensure the community's ownership of processes for positive change.

TRAILER recognised the need to challenge mistrust and apathy about the law and to ensure that Roma, Romany Gypsies and Travellers, as potential victims of discrimination, have knowledge about their rights, in particular their right to seek redress if they have been discriminated, and an awareness of where to seek legal assistance. In Romania and Slovakia *know your rights* leaflets were produced and distributed in Roma communities. In Devon and Ireland the NGO partners actively engaged with Romany Gypsies and Travellers respectively to raise awareness of their rights; to discuss and share experiences of discrimination; and to strengthen their confidence to challenge racism and discrimination.

Below are a number of case studies from the TRAILER project which illustrate how a community development approach has been applied to enable Roma, Romany Gypsies and Travellers to have a greater voice in local decision-making, and to make the legal framework more meaningful and accessible.

1. *Every Traveller Child Matters* - Romany and Traveller women in Devon actively challenging discrimination.
2. Romania - *You have the right not to be discriminated against*.
3. Offering legal advice and support to Roma in Slovakia.
4. Making the law understandable to Travellers in Ireland.

Example 1

Every Traveller Child Matters

Romany and Traveller women in Devon actively challenging discrimination

Devon Racial Equality Council (Devon REC) has recognised the need to engage the active involvement of the Romany and Traveller community in Devon (UK) to challenge racism and discrimination. Romany Gypsies and Irish Travellers are amongst the most disadvantaged groups in the UK. They experience high levels of racial discrimination, do not have adequate provision for accommodation, and according to OFSTED (schools inspection service), in 2003 their children were the group most at risk in the education system. The Gypsy/Traveller community in Devon is small (numbers are estimated to be around four thousand) and they often live in isolated rural areas.

As part of the TRAILER project, Devon REC held an education consultation day looking at the poor performance of Traveller children in Devon's schools. There were twenty places and thirteen members of the Gypsy community participated, aged from seventeen to seventy. A teacher from a large secondary school and representatives from Traveller Education Service also participated. Five more members of the Gypsy community were unable to attend on the day but signed up to participate in future projects.



There was huge energy and enthusiasm from the Gypsy participants and a feeling that they themselves could work to change attitudes and challenge prejudice.

Events like this are usually agency-led and have only a few representatives from the community. However, this was the first time that Romany Gypsies had a voice, were able to speak out about their experiences of discrimination, and could use their experiences to form the basis of new projects to influence policy and practice in regards to Gypsies and Travellers in Devon.

The effect of this is that the participants have felt empowered to initiate consultation and change and have decided on ways to carry this forward. Instead of being resigned to accept situations in which they experience disadvantage and discrimination, they are now finding ways to challenge it.

A very successful outcome of this day was the production and dissemination of a booklet named *Every Traveller Child Matters* addressing the needs of Traveller children in education. This was produced by the Gypsy

and Traveller participants and has been a very useful tool to inform and educate both professionals working in the field of education, and the general public. Based upon the British Government's *Every Child Matters agenda*, the booklet has now been endorsed by Devon County Council Children's Service and is being sent out to all Devon schools.⁵

Every Traveller Child Matters Too



A response to
Every Child Matters

Producing the booklet has given the community the confidence to undertake more projects. DREC, as an independent non-governmental agency, has been able to support the community in doing what they want to do, without any other agenda.

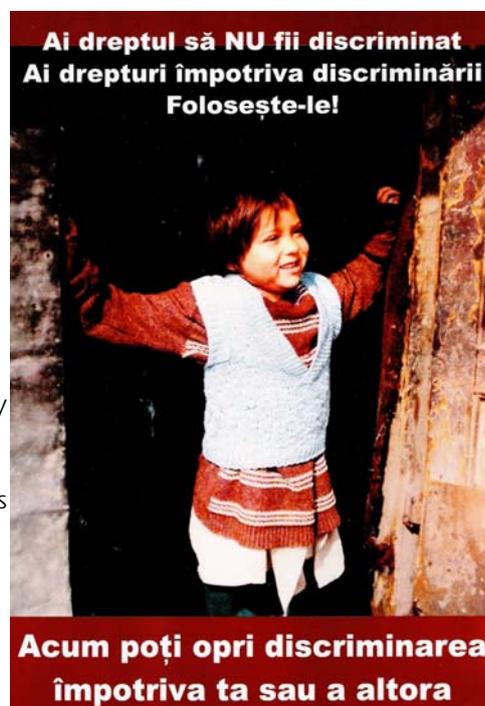
Example 2

Romania - *You have the right not to be discriminated against*

Romania's anti-discrimination legislation was adopted in 2000 but there remains a great lack of information about its provisions and the Roma population cannot distinguish when they confront themselves with being discriminated against. Consequently, very few individuals complain to the law enforcement officers, since they do not know what is included in the legislation.

There is a need to raise awareness amongst Roma communities about the existence of discrimination. Firstly, people have to know what discrimination is. Although they have to face it very often, they do not know about the rights they have, and as a consequence they cannot establish when a violation of their rights has occurred. Secondly they have to be informed about the penalties that can be applied in such cases. Last but not least, they have to know where to complain when they confront themselves with discrimination: National Council for Combating Discrimination (NCCD), local human rights NGOs, police etc.

As part of the TRAILER project Romani CRISS - Roma Centre for Social Intervention and Studies produced a brochure named *You have the right not to be discriminated against*, which contains information about what is discrimination; how the law can provide protection from discrimination; what you should do if you have been discriminated; where to seek legal advice; and lists the NCCD's decisions to complaints of discrimination. Roma activists/NGOs who participated in Romani CRISS's trainings have received copies of the brochure (See Chapter 2).

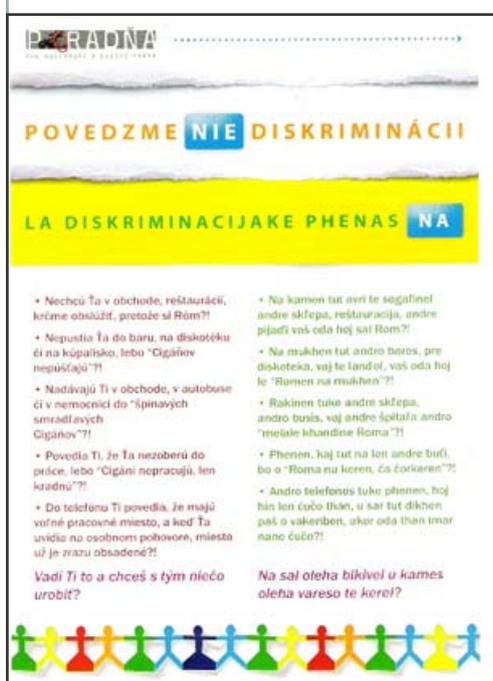


Example 3

Offering free legal advice and support to Roma in Slovakia

Poradna pre občianske a ľudské práva - the Centre for Civil and Human Rights, based in Eastern Slovakia, provides legal counseling to people who they consider have been discriminated against on the ground of ethnic origin. The aim of this activity was to offer victims of discrimination legal advice and to identify strategic cases for litigation. Poradna's legal services are advertised in the Roma communities through local NGOs, leaflets and adverts in the media.

At the start of the project Poradna published 2000 leaflets, in Slovak and Romani, containing information about discrimination; what the signs of discrimination in real life look like; what the victims of discrimination are able to do in order to fight discrimination; and where they can seek legal help.



During the field visits approximately 1000 copies were distributed among Roma NGOs, Roma activists and individual Roma. A copy of the leaflet was also issued in Romano Nevo lil, a Roma newspaper, which publishes 11,000 copies every two weeks.

Legal counseling is provided in the office, directly in Roma communities during field visits, and by phone or email. If Poradna assesses the problem as racial discrimination they inform the victim of the necessary steps to be taken to solve the case. The individual then decides which steps to take.

In general, legal counseling is provided to five individuals per week. Poradna's legal service is used more by Roma NGOs and Roma activists than by Roma individuals. However, more than half of the people who approached Poradna could not be qualified as having been discriminated on the basis of ethnic origin. Often

Roma mistakenly consider any conduct relating to them to be discrimination on the basis of their Roma origin, and in many cases the problem does not fall into the scope of the anti-discrimination law. In such cases Poradna provides basic legal advice and refers the client to a specific NGO or state body dealing with these problems.

Poradna also obtains a number of contacts from non-Roma persons asking for legal advice in cases of discrimination based on other grounds, especially age. In all those cases Poradna provides basic legal advice and refers them either to specific organisations dealing with these problems or to the Slovak National Centre for Human Rights, the specialised equality body.

Poradna considers legal counseling to be a very successful activity as through it they have identified several strong cases for litigation (See Chapter 4, example 1).

Example 4

Making the law understandable to Travellers in Ireland

Discrimination in the form of racism is an integral part of Travellers lives; so much so that many Travellers no longer see it or they believe nothing will ever adequately challenge it to change it. This is particularly evident on the issue of employment.

Community development is a key principle of Pavee Point Travellers Centre (Dublin) and how it carries out its work. Pavee Point, as a partner in TRAILER, focused on equality legislation in Ireland in relation to employment, namely the Employment Equality Act. The regional workshops and national seminar organised were designed to support the active participation of attendees. In particular the workshops used hypothetical case studies to give participants an opportunity to apply what they had heard about the Employment Equality Act to their own lives and organisations.

During the course of the project Pavee Point ran three regional workshops in Sligo, Dublin and Wexford. Fifty-one participants took part in these workshops; of these twenty-six were Travellers. Twenty-one different organisations took part of which a third were Traveller organisations but the vast majority of the organisations work with Travellers. The format of the three workshops was the same:

- Brainstorming exercise ensuring people had an understanding of key words;
- Presentation and discussion on Travellers' employment experience at both the local and national levels;
- Presentation and discussion on the Employment Equality Act (1998) and the Equality Act (2004).

The second half of each workshop presented a case study of positive action and encouraged the participants to talk through its implications for their own lives and work. Interestingly these studies are more tangible than the legislation itself as participants have struggled with how the legislation can be transferred to their own local area and situation.

Each group was asked to discuss whether the incident outlined:

1. Was wrong?
2. Could the Employment Equality Act be used to address the issues raised?
3. What should management/employer have done to prevent it happening?
4. If you were the employer/part of management what would you do now to address it?

The complexity of the legislation; the language it contains and its underlying concepts present particular challenges when working with a community which lacks literacy skills. The case studies and small group work were used to ground the legal and conceptual language in potentially every day realities for participants.

A write-up from each workshop was sent to attendees following the training and feedback from the workshops was presented at the Pavee Point TRAILER seminar in October 2006 (See Chapter 3, example 1).



5 "Every Child Matters: Change for Children is a new approach to the well-being of children and young people from birth to age 19. The British Government's aim is for every child, whatever their background or their circumstances, to have the support they need to: Be healthy; Stay safe; Enjoy and achieve; Make a positive contribution; and Achieve economic well-being". For further information go to <http://www.everychildmatters.gov.uk>

2 NGO capacity building

To tackle discrimination against Roma, Romany Gypsies and Travellers

One of the main objectives of the TRAILER project was to build the capacity of non-governmental organisations (NGOs) to combat discrimination against Roma, Romany Gypsies and Travellers. The project team recognised the need to ensure that NGOs, as essential organisations in promoting equality and supporting victims of discrimination, have the capacity to monitor and document discrimination, provide legal assistance, and to work in partnership with local government and state institutions.

Throughout the two year project, workshops reflecting the national situation and local needs took place in Bulgaria, Ireland, Romania and Slovakia to train local Roma/Traveller organisations, activists and the community in the provisions of national anti-discrimination legislation vis-à-vis the EU equality directives; how to take cases to court; how to collect adequate evidence; and how to take cases before the specialised equality bodies.

Below are a number of case studies from the project which illustrate how the partner organisations worked with NGOs, activists and the community to enable them to effectively use national anti-discrimination legislation and to work with the specialised equality bodies.

1. *Fighting discrimination through the law* - practical seminar for Roma NGOs and activists to combat discrimination, Slovakia.
2. Building the capacity of local Roma organisations to combat discrimination, Bulgaria.
3. Strengthening networks to build the capacity of NGOs, Romania.

Example 1

Fighting discrimination through the law - practical seminar for Roma NGOs and activists to combat discrimination, Slovakia



Poradna pre občianske a ľudské práva - the Centre for Civil and Human Rights organised a two-day training in June 2005 for Romani activists and people working with Roma communities within the Presov and Kosice regions of Slovakia. The participants learnt about the provisions of the Slovak anti-discrimination legislation; the role and competencies of the National Centre for Human Rights (the specialised equality body); how to proceed in a discrimination case; and how to organise testing experiments.⁶ In small groups the participants were given the opportunity to apply the theoretical knowledge gained in the opening sessions of the seminar to solve hypothetical cases of discrimination.

Poradna envisaged that once the group had been trained they would be equipped to train others who work in the non-discrimination field. In August 2005, New Way NGO (located in Michalovce), who participated in the training, organised their own training in the provisions of the Slovak anti-discrimination law for local Roma activists, and invited Poradna to supervise the training.

To accompany and enhance the training Poradna produced a manual which provides simple and clear information on how to identify discrimination; how to proceed with a case of discrimination; relevant laws; and templates for making claims. Orders for the manual were received from the National Centre for Human Rights; the Office of the Deputy Prime Minister for Human Rights; and non-Roma organisations who wanted to adapt the information to their work (e.g. disabled). NGOs were especially pleased with the manual as it presented the law in a very manageable way.

The manual is available in Slovak to download for free from Poradna's website www.poradna-prava.sk

Example 2

Building the capacity of local Roma organisations to combat discrimination in Bulgaria

Although Bulgaria has adopted the new Protection Against Discrimination Act (2004) in compliance with the EU Race Directive, the implementation of the law remains weak and many cases of discrimination against Roma in Bulgaria are not adequately addressed. The goal of the TRAILER project was to make significant impact upon improving the implementation of anti-discrimination law in Bulgaria by building the capacity of Roma NGOs/activists and the local Roma communities to gain necessary skills to implement the law, and thus to guarantee the equal rights of the Roma community. The project also aimed to raise the awareness of legal practitioners (judges, lawyers) about discrimination against the Roma community and to train them to work with the Protection Against Discrimination Act (See Chapter 3, example 2).



Following-on from a series of eight regional trainings in the first year of the project, in the second year Romani Baht Foundation ran another series of trainings. These follow-up sessions mainly took place in the same locations as the first year's trainings in order to provide continuous support to local Roma grassroots organisations and to enhance their capacity to implement the anti-discrimination law.⁷

The programme designed for the follow-up trainings differed from those implemented in the first year of the project by focusing more on community empowerment and enhancing the capacity of NGOs to practically use the law. The programme was implemented in the frame of a one-day seminar in four parts.

Part 1 - Presentation of the European Union's standards regarding equal treatment and non-discrimination and the Bulgarian Protection Against Discrimination Act.

Part 2 - Presentation of Bulgarian court practice regarding equal treatment and the procedure of the Commission for Protection Against Discrimination.

Part 3 - Discussion about the practical use of the law and the capacity of local organisations to use the law.

Part 4 - Discussion of the new opportunities of the Commission for Protection Against Discrimination.

An important aspect of these trainings was the engagement of the Commission for Protection Against Discrimination, the specialised equality body. In March 2006 the Commission organised trainings in the

provisions of the Bulgarian anti-discrimination law in a number of locations for mayors, head teachers, police and local government but they did not invite any Roma representatives to participate. Romani Baht recognised the need to have the participation of the Commission in their trainings, since the Commission already works and takes cases, and the local communities need to be prepared to initiate procedures before the Commission.

Participating in the trainings also helped the Commission to get closer to the victims of discrimination, and as a result the Commission started to review more applications and to provide more detailed information to the victims on how to prepare their application and the procedures of the Commission.

The trainings were also very useful to Romani Baht as they strengthened their connections with many local communities and organisations as well as with the local authorities.

Example 3

Strengthening networks to build the capacity of NGOs in Romania

To ensure that Romani CRISS - Roma Centre for Social Intervention and Studies, as a human rights NGO based in Bucharest, can secure the rights of Roma throughout the country, they work closely with a network of human rights monitors. Set up by Romani CRISS in 2000 this network consists of fifteen monitors based in fifteen counties of Romania and are linked to local NGOs. The monitors visit Roma communities to investigate claims of discrimination against Roma and to document the findings. Romani CRISS then decides whether to act upon the findings by either lodging complaints with the National Council for Combating Discrimination, the specialised equality body, or to take the case to court.

The TRAILER project supported Romani CRISS to build the capacity of the monitors, and the local Roma organisations where the monitors are based, to work on human rights issues without their support. Two workshops for the monitors took place providing an opportunity to evaluate the work of the network and to discuss how to intervene in new cases of discrimination, abuse and violence against Roma.

In addition Romani CRISS with the cooperation of the National Council for Combating Discrimination (NCCD) ran five training courses in Muntenia, Moldova, Banat, Dobrogea and Transylvania regions. Roma NGOs, Roma activists, Roma experts in municipalities and the human rights monitors were trained in the meaning of human rights and non-discrimination; the provisions of the national anti-discrimination legislation; how to document cases; the role of the NCCD; and how to lodge a complaint with the NCCD.

Following on from the trainings Romani CRISS selected five local Roma NGOs to develop local action plans to combat Roma discrimination. Over a two month period with financial support from TRAILER, the NGOs from five different areas developed the action plans. Romani CRISS assisted the NGOs with identifying key actors at the local level, including public authorities, institutions, and other NGOs; in identifying financial resources; and in the implementation of the action plans.

6 Testing experiments are used to gather reliable evidence to prove that discrimination against Roma has taken place and to improve the chances of succeeding with the case at court. A similar situation is set up to observe whether another Roma person also experiences discrimination, e.g. when accessing a service or applying for a job, and a comparison is made with the treatment received by a non-Roma person.

7 The trainings took place in Lom, Montana, Plovdiv, Kyustendi, Haskovo, Stara Zagora, Varna, Petrich and Pazardjik.

3 Trainings

For lawyers, prosecutors, judges and service providers

A positive feature of the TRAILER project was the recognition of the value of bringing together for discussion and training, service providers, local government, NGOs and members of the Roma/Romany Gypsy/Traveller communities. This provides the opportunity to meet together to inform each other of different perspectives, to breakdown barriers, and to form partnerships to combat discrimination and promote equality.

In Bulgaria and Ireland joint trainings took place to enable lawyers, prosecutors, judges and service providers to increase their awareness about Roma and Traveller culture and identity, and Roma and Traveller experiences of discrimination in the context of learning about the provisions of national anti-discrimination legislation vis-à-vis the EU equality directives.

In Slovakia, Poradna pre občianske a ľudské práva - Centre for Civil and Human Rights decided to hold their trainings separately, and ran a training for NGOs and activists working in the field of non-discrimination, and a training for attorneys. In Romania, Romani CRISS - Roma Centre for Social Intervention and Studies ran a series of five trainings for Roma NGOs, activists and monitors.

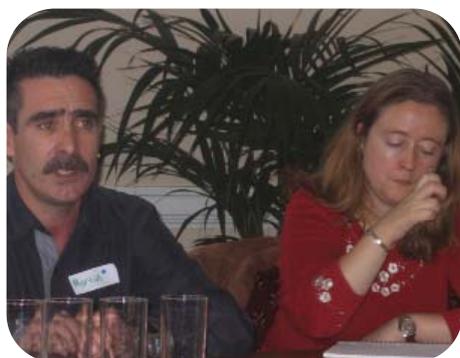
Below are a number of case studies from the project which illustrate how the partner organisations trained a diverse audience to improve the implementation of the law for Roma and Travellers.

1. Breaking down barriers to Travellers' access to employment in Ireland.
2. Enabling attorneys to represent victims of discrimination before the courts in Slovakia.
3. Challenging prejudices and discriminatory policy and practice in Bulgaria.

Example 1

Breaking down barriers to Travellers' access to employment in Ireland

Given the depth and nature of the exclusion facing Travellers the role of community based organisations who work from a structural and anti-racist analysis, such as Pavee Point Travellers Centre (Dublin), is crucial. However, NGOs alone cannot address these issues and working in partnership with other key players provides a mechanism to move issues along. Through the introduction of the equality legislation and its' strengthening via the EU Race Directive a wider acknowledgement to pro-actively address equality issues is noticeable. However, a major challenge remains as the State does not recognise Travellers as a minority ethnic group.



Most of the service providers who work with Travellers to some extent are favourable to them but this does not mean that they have a good analysis of the issues facing Travellers and how they should be addressed in a culturally appropriate manner. Very few service providers or indeed policy makers understand positive action. They often believe that treating everyone the same will lead to equal treatment, while Pavee Point would argue that treating everyone the same in an unequal world only perpetuates inequalities.

The focus of Pavee Point's training workshops was Travellers' access to employment and the importance of positive action to enable Travellers not only to become employed but to retain and enjoy their work.

Travellers, service providers and organisations working with Travellers were trained in the provisions of Irish anti-discrimination legislation vis-à-vis the EU Race Directive. A particular focus was on positive action to raise people's awareness of its potential and explore how it could be applied to their own lives and work. Examples of positive action initiatives were presented at the three training workshops.

The workshops aimed to challenge the perception that positive discrimination is wrong because it is discriminatory. As noted earlier in Chapter 1, example 2, case studies and small group work were used to ground the legal and conceptual language in potentially every day realities for participants, and to provide the opportunity for the service providers to develop a better understanding of the experiences of Travellers.

The issue of positive action was further explored at the Pavee Point TRAILER seminar entitled *The Role of Positive Action in Pursuing Traveller and Roma Employment Equality* held in October 2006. The seminar was also an opportunity to feedback information from the three training workshops. The seminar was attended by service providers, Traveller NGOs, members of the Traveller Community and the other TRAILER partners. A report on the seminar has been produced by Pavee Point and disseminated widely.

Example 2

Enabling attorneys to represent victims of discrimination before the courts in Slovakia

Poradna pre občianske a ľudské práva - The Centre for Civil and Human Rights, Slovakia, recognised the need to train attorneys as most do not fully understand domestic anti-discrimination law and international standards, and few represent victims of discrimination before the courts. Poradna disseminated information about the planned seminar via the Slovak Bar Association and invited them to submit an application and motivation letter. From all applications received, Poradna selected and invited nineteen attorneys to participate in the training. Some of them already had been engaged in cases regarding human rights issues, and some had shown a strong interest to represent victims of discrimination before the courts.

A two-day training seminar was held in Starý Smokovec. The training focused on legal tools on fighting discrimination on various grounds as race, ethnic origin, gender, disability and sexual orientation. The main aim of the practical seminar was to introduce to attorneys, who may be interested in representing victims of discrimination before the courts, all possible and relevant instruments in international and national law.

The training was divided into two parts. The first part was theoretical and the second part focused on solving hypothetical cases. Due to the participation of lawyers from the Czech Republic, Hungary and Great Britain, and a lawyer from the European Court on Human Rights registry, the participants had the opportunity to gather information on the legal framework of anti-discrimination under the United Nations and Council of Europe mechanisms and comparative jurisprudence. Upon agreement of the participants and trainers Poradna made the list of participants available to enable the group to keep in touch and exchange their experiences in the litigation of human rights cases.

To complement the training Poradna produced a manual providing information about international instruments and national instruments in fighting racial discrimination, and the jurisprudence of UN committees, European Court of Justice, and European Court on Human Rights. The manual is in Slovak and has been distributed to all participants of the seminar as well as to other lawyers and attorneys who are willing to take discrimination cases.

The manual is available to download for free from Poradna's website www.poradna-prava.sk



Example 3

Challenging prejudices and discriminatory policy and practice in Bulgaria

In an attempt to tackle prejudice against Roma and discriminatory policy and practice, Romani Baht Foundation, based in Sofia, aimed to jointly train Roma NGOs/activists and public officials. In the first year of the project Romani Baht ran eight trainings in towns and cities throughout Bulgaria where there was a significant Roma population. Romani Baht engaged a wide range of actors, including Roma NGOs and activists, local government, legal professionals from NGOs, local administration, the courts and the police. On average forty-seven people participated in each of the trainings, with about a 50:50 ratio of Roma and non-Roma participants.

The aim of these trainings was to raise awareness of the provisions and procedures of the Protection Against Discrimination Act, and the EU standards for equal treatment and non-discrimination, and to apply the provisions to cases of discrimination. The one-day programme included:-

Part 1 - Informal discussion on the necessity of special anti-discrimination legislation in Bulgaria.

Part 2 - Presentation of the European Union's standards regarding equal treatment and non-discrimination and the Bulgarian Protection Against Discrimination Act.

Part 3 - Presentation of relevant European court practice regarding equal treatment regulations as well as presentation of Bulgarian court practice regarding equal treatment regulations (court practice before the enforcement of the Protection Against Discrimination Act and court practice under the Discrimination Act).

Part 4 - Role-play of a hypothetical case regarding unequal treatment based on ethnic origin.

An interesting training method was the use of mock trials to give the group the opportunity to view cases of discrimination from a different position. Romani Baht prepared four hypothetical cases based upon real cases that they had dealt with. The participants from the institutions acted as the plaintiffs, and the Roma participants and activists as the respondents. After the role-play the group was informed about the 'real' decisions and court procedures. This aspect of the seminar was very useful since it enabled the group to become much more open and discursive.

4 Monitoring and Litigation

Monitoring incidents and taking cases of discrimination against Roma to court and before the specialised equality bodies

Non-governmental organisations (NGOs) play a key role in ensuring that cases of Roma discrimination are taken to court and to the specialised equality bodies. They monitor and document incidents of discrimination; collect evidence; provide free legal assistance to victims of discrimination; represent the victims in court; and train NGOs, activists and lawyers in the provisions of the law.

As part of the TRAILER project, monitoring incidents of Roma discrimination was a key activity in Bulgaria, Romania and Slovakia. Working at the local level with NGOs, Roma activists and human rights monitors incidents of discrimination against Roma were monitored, and in some cases, further evidence was collected in specific documentation visits and through 'testing' to establish adequate evidence to pursue litigation or to take the cases to the specialised equality bodies.⁸

Litigation was another important activity, especially in Bulgaria and Slovakia, since there are few lawyers taking racial discrimination cases, and the specialised equality bodies are representing very few victims of discrimination. Due to the newness of the law there is a lack of knowledge of the law by legal practitioners and a lack of awareness and confidence amongst victims of discrimination that the law can provide them with redress. Taking cases is thereby very necessary to put pressure on public bodies and private entities to change discriminatory policy and practice; to make acts of discrimination public and announce that discrimination is wrong; to restore faith that the justice system can provide redress; and to assess whether the legislation is adequate or needs adjusting.

TRAILER provided financial support to Romani Baht Foundation (Bulgaria), Poradna pre občianske a ľudske práva - The Centre for Civil and Human Rights (Slovakia) and Romani CRIS - Roma Centre for Social Intervention and Studies (Romania) to represent Roma victims of discrimination before the courts and in administrative proceedings. The cases cover a wide range of areas, including employment, education, housing, health care, and access to goods and services, and are documented in a database available on European Dialogue's website www.europeandialogue.org

Below are a number of case studies from the project which illustrate the work of the partners in monitoring Roma discrimination, and taking cases to court or the specialised equality body. As you can see from these case studies, the activities of the project - documentation, monitoring, trainings, legal assistance and litigation, all interrelate to support one another.

1. Slovakia's first ruling on a racial discrimination case.
2. Public interest litigation in Bulgaria.
3. Working in partnership with the National Council for Combating Discrimination, Romania.

Example 1

Slovakia's first ruling on a racial discrimination case

Litigation in cases of racial discrimination under Slovak anti-discrimination law is a pioneering activity. Poradna pre občianske a ľudské práva - The Centre for Civil and Human Rights, as part of the TRAILER project, represented Roma in eight cases of racial discrimination before the courts in Slovakia. Further cases were taken under civil proceedings. All the claims submitted as part of TRAILER were the very first of their kind brought before the Slovak courts since the adoption of the anti-discrimination law in July 2004. The cases were identified through research and legal counseling, and if it was necessary, testing experiments were conducted to secure adequate evidence that discrimination against Roma had occurred.⁸

Case of denied disco access

The facts: A group of Roma were refused entry into the IDEA disco in Michalovce on the premises that it was a private club, while non-Romani people were let in without having to prove they were members of the club.

The ruling: The decision of the District Court in Michalovce (31st August 2006) was the first known court decision on racial discrimination under Slovak anti-discrimination law. The court decided in favour of the applicants but stated that the discriminatory treatment against the applicants was not on the ground of their ethnic origin. The court did not specify on what ground the applicants were discriminated against. The court ruled that although the Roma were discriminated, it could not be based on their Roma ethnic origin as other Roma at other times are usually served. The court rejected the claim for financial compensation reasoning that the applicants knew that they would not be served in the given disco and were prepared for discriminatory treatment.

This is only the first instance court's decision. In October 2006 the applicants filed an appeal against the decision concerning financial compensation. The defendant also appealed. The case is now pending before the Regional Court in Kosice.

Example 2

Public interest litigation in Bulgaria

Public interest litigation versus litigation on an individualistic basis has many advantages for both the victims of discrimination and for NGOs. It enables cases to go to court which may not go to court due to the victim's inability to access legal advice and to pay for legal representation, and the victim's reluctance to pursue legal proceedings due to a lack of immediate results and a fear of reprisals. Public interest litigation provides anonymity to the victim, and as the public interest is represented it is easier to attract media attention and thereby provide greater prominence to the incidents of discrimination.

Romani Baht Foundation uses the special provision included within Bulgaria's anti-discrimination legislation, which enables public interest NGOs to initiate court procedures in cases of discrimination where the rights of many are affected. Two such cases, funded by the TRAILER project, where Romani Baht acted as the plaintiff, were the cases of Romani Baht Foundation versus KFC Bulgaria, Samex LTD (2168/2005 with the Sofia District Court) and Romani Baht Foundation versus Volen Siderov (2752/2006 with the Sofia District Court).

Romani Baht Foundation versus KFC Bulgaria, Samex LTD

Facts: The case involves refusal of a pizza and chicken delivery service to deliver food to the office of Romani Baht Foundation which is located in a Roma neighbourhood in Sofia.

Legal action: The case is filed before the Sofia District Court under Art. 71 of the Protection Against Discrimination Act against the Bulgarian firm who has the franchise to use the KFC trade mark in Bulgaria. Romani Baht also prepared a statement to inform the parent company about the incident as KFC states that the firm supports equal opportunities. Evidence has been gathered at an open hearing and the first instance court made a decision in favour of the plaintiff, stating that the action of the respondent amounts to direct discrimination. The respondent appealed and the case is presently pending before Sofia City Court.

Romani Baht Foundation versus Volen Siderov

Facts: The case involves a claim that the respondent, the leader of the nationalist party ATAKA, repeatedly harassed the Roma community in written and oral declarations.

Legal action: The case is filed before the Sofia District Court under Art. 71 of the Protection Against Discrimination Act. Romani Baht Foundation is the plaintiff and has asked the court to find Volen Siderov responsible for incitement to discrimination on an ethnic basis and of causing harassment. The case is pending.

Other public interest cases undertaken by Romani Baht during the time-frame of the TRAILER project are documented in a database available on European Dialogue's website

Example 3

Working in partnership with the National Council for Combating Discrimination in Romania

Romani CRISS - Roma Centre for Social Intervention and Studies has a constructive relationship with the National Council for Combating Discrimination (NCCD), the specialised equality body in Romania. From the start of the project Romani CRISS has formally consulted with the NCCD in the design of its trainings and the content of its *You have the right not to be discriminated against* brochure. Through its human rights monitors network cases are identified and where appropriate are taken to the NCCD who will then investigate the case to decide whether discrimination has occurred.¹⁰ Most of Romani CRISS's cases are not taken to the courts but are taken to the NCCD which has the power to make legally binding decisions and to award compensation to victims of discrimination.

The cases documented as part of TRAILER are included in Romani CRISS's human rights annual report 2006, and in their human rights database - both available on their website www.romanicriss.org. The cases are also documented in a database on European Dialogue's website www.europeandialogue.org



CRISS vs. City Hall Miercurea Ciuc - Harghita County

On the 6th June 2005 Mr. Robert Vaszi Janos, a human rights local monitor contracted by Romani CRISS for Salaj County, informed Romani CRISS about the eviction of 140 Roma from a building in the town of Miercurea Ciuc to its periphery near to a purification station in extremely precarious living conditions. The eviction occurred in May 2004.

Between the 12th -20th July 2005, Romani CRISS in partnership with the National Council for Combating Discrimination (NCCD), documented the case. The NCCD has issued a press release on the case, stating that a violation of the law has occurred, and has imposed a fine of approximately EUR 1000.

8 & 9 See footnote 6.

10 See chapter 2, example 3 for further information on Romani CRISS's human rights monitors.

Conclusions

The successes of the TRAILER project to combat discrimination against Roma, Romany Gypsies and Travellers illustrate the need for continuous support to NGOs. As indicated in this report NGOs have a variety of important functions in supporting victims of discrimination in their quest for legal redress. They monitor and document incidents of discrimination; provide trainings to Roma NGOs/activists, service providers, legal practitioners and local government; provide free legal assistance to victims of discrimination; and represent victims in court.

To summarise, the TRAILER project's main achievements are as follows:-

Bulgaria Romani Baht Foundation has successfully jointly trained Roma NGOs/activists, local government and legal practitioners throughout Bulgaria in the provisions of national anti-discrimination legislation. They have taken and continue to take cases of Roma discrimination to court, and have developed a good relationship with the Commission for Protection Against Discrimination.

Ireland Pavee Point Travellers Centre carried out trainings, hosted a seminar and produced a report on equality legislation in relation to the issue of employment and positive action. This has enabled Pavee Point to raise awareness amongst Travellers about their rights under the law, to build Travellers' confidence to speak out about their experiences of discrimination, and to seek initiatives promoting Travellers' access to mainstream employment. Additionally Pavee Point has continued to inform service providers and the government of the importance of positive action in accessing employment for Travellers.

Romania Romani CRISS continues to build the capacity of their human rights monitors' network, and has established a constructive relationship with the National Council for Combating Discrimination. More Roma in Romania are aware of their rights under Romania's national anti-discrimination legislation.

Slovakia Poradna's legal work has resulted with the first ruling of a racial discrimination case under Slovakia's anti-discrimination legislation. They have trained NGOs/activists and attorneys in the provisions of domestic anti-discrimination legislation and international standards, and provided practical guidance on applying the law to cases of discrimination. More Roma in Slovakia are aware of their rights under Slovakia's national anti-discrimination legislation, and are exercising these rights. The activities under TRAILER project helped to implement the anti-discrimination legislation into practice.

UK Devon Racial Equality Council has given a voice, for the first time, to Romany Gypsies and Travellers in the county of Devon to express their experiences and needs related to their children in mainstream education. Devon County Council's Head of Children's Services has supported the dissemination of the *Every Traveller Child Matters* brochure to all schools in Devon. The group of Romany Gypsies and Travellers involved in producing this brochure now have the confidence to work on other initiatives to strengthen their position in local service provision and decision-making.

Recommendations

The TRAILER project implemented projects in five different countries across Europe, in order to promote effective access for Roma, Romany Gypsies and Travellers to rights under national anti-discrimination legislation based on (or compliant with) the EU equality directives.

This final section of the report draws out recommendations, based upon the experience of the five projects, for action by States across Europe for promoting the access of Roma, Romany Gypsies and Travellers to their rights under national anti-discrimination law.

As already noted earlier in this report, the TRAILER project identified four key interconnected areas in which action needs to be taken if Roma, Romany Gypsies and Travellers are to have effective access to their rights under national anti-discrimination legislation:

1. Community development to promote awareness and self-help among Roma, Romany Gypsies and Travellers.
2. Capacity-Building for NGOs to tackle discrimination against Roma, Romany Gypsies and Travellers.
3. Training for lawyers, prosecutors, judges and service-providers on Roma-, Romany Gypsy- and Traveller-related issues and anti-discrimination legislation.
4. Monitoring incidents and taking cases of discrimination against Roma, Romany Gypsies and Travellers to court and the specialised bodies, including 'test cases'.

The recommendations that follow are grouped under each of these headings.

1. Community development

1.1 The awareness of Roma, Romany Gypsies and Travellers needs to be raised with regard to their rights and opportunities under national anti-discrimination legislation, and how to make complaints if they are discriminated against.

1.2 A variety of methods need to be used for this purpose, including information leaflets, community forums, public meetings, mass media, etc.

1.3 The confidence of Roma, Romany Gypsies and Travellers to challenge discrimination and to use legal and other mechanisms to obtain redress also needs to be strengthened.

1.4 Confidence-building needs to be promoted by encouraging self-help, mutual support and the sharing of experience within communities, and through provision of external support by community development workers and from local NGOs.

1.5 The participation of Roma, Romany Gypsies and Travellers in community activities, consultation and decision-making in all fields and at all levels needs to be actively promoted, and especially in the field of actions relating to combating discrimination (e.g. in trainings and in the production of information leaflets and other materials).

1.6 Individuals who can be active as leaders within their communities, and become role models for strengthening confidence to challenge discrimination, need to be identified and supported (e.g. through training and provision of practical experience), especially among women and young people.

1.8 Educational programmes should be undertaken in schools to ensure that young people from Roma, Romany Gypsy and Traveller communities are aware of their rights and are confident about asserting them.

2. Capacity-building for NGOs

2.1 Effective NGOs need to be established, especially at the local level, to provide Roma, Romany Gypsy and Traveller communities with a 'critical voice' - to challenge anti-Gypsyism/anti-Travellerism and discriminatory practices and policies.

2.2 NGOs need to be able to advise Roma, Romany Gypsies and Travellers on their rights, and assist them to report incidents, make formal complaints and take legal cases against discrimination.

2.3 NGOs should also monitor incidents of discrimination, and should campaign for the effective implementation of anti-discrimination legislation and for pro-active measures to promote equality for Roma, Romany Gypsies and Travellers.

2.4 NGOs should also play an active role in community development, by strengthening the capacity for self-help and mutual support among Roma, Romany Gypsies and Travellers and promoting their participation in decision-making in the wider community.

2.5 Governments and public authorities need to recognise the importance of the role of NGOs in implementing anti-discrimination legislation, and should involve them as partners, especially at the local level.

2.6 Training and practical guidance (e.g. in the form of handbooks) need to be provided to ensure that those working in NGOs have the skills to undertake these various tasks, including detailed knowledge of national anti-discrimination legislation and of procedures relating to it.

2.7 Adequate support needs to be provided to enable NGOs to function effectively and in a sustainable manner so that they can undertake the above mentioned roles.

3. Training for legal practitioners and service providers

3.1 Training, supported by guidance manuals, needs to be provided to legal practitioners (lawyers, prosecutors, judges) on anti-discrimination legislation relating to the EU equality directives and on how the law applies to Roma, Romany Gypsies and Travellers.

3.2 Training for legal practitioners needs to be an on-going activity to keep people informed about new developments in the law and practice.

3.3 Training also needs to be provided to service providers and local government, not only to inform them about the legislation, but also to raise awareness about institutional racism and the proactive and strategic responses required to address it.

3.4 The training should ensure that service providers and local government recognise that discrimination against Roma, Romany Gypsies and Travellers is a form of racism and prohibited by national law and the EU Race Directive.

3.5 The training should provide awareness about Roma, Romany Gypsy and Traveller identity and culture, and their experiences of discrimination to ensure culturally sensitive approaches.

3.6 Roma, Romany Gypsies and Travellers should be involved in the planning of training so that it is appropriate to their needs, and also in the delivery so that participants hear at first hand about Roma, Romany Gypsies and Travellers' experiences.

3.7 The training should be experiential (e.g. through use of role play, involving reversal of roles of Roma and legal practitioner/service provider), and practical (e.g. focusing on how to take Roma, Romany Gypsy and

Traveller discrimination cases).

3.8 Such training should be fully integrated into mainstream professional training programmes and not just delivered as an isolated Roma/ Romany Gypsy/Traveller specific event.

3.9 Such training should be supported by governments, and should form an integral part of national strategies for Roma, Romany Gypsy and Traveller integration.

4. Monitoring incidents and taking cases

4.1 Monitoring and documenting incidents of discrimination against Roma, Romany Gypsies and Travellers needs to be undertaken (including where possible by means of systematic research) in order to establish the nature and extent of such incidents, to analyse patterns and to help to identify underlying causes.

4.2 The results should be used to provide an evidence base for policy development, and also for evaluation of the effectiveness of legislation and of the response by public authorities to incidents affecting Roma, Romany Gypsies and Travellers.

4.3 Documented incidents of discrimination against Roma, Romany Gypsies and Travellers should also be used as a learning resource in training for legal practitioners and service-providers (e.g. in the form of 'case-studies').

4.4 Monitoring and documentation needs particularly to be carried out at the local level, for example by independent monitors working closely with local NGOs, so that they can readily obtain reports of such incidents and communicate with Roma, Romany Gypsy and Traveller communities.

4.5 Where monitoring is undertaken of incidents of discrimination generally, it is important to ensure that Roma, Romany Gypsies and Travellers are reached by such programmes, and that incidents are classified by ethnic group and analysed in terms of the ethnic group of the victim.

4.6 NGOs should also consider the possibility of undertaking 'discrimination-testing' not only as a means of proving discriminatory treatment, but also to measure the actual incidence of discrimination against Roma, Romany Gypsies and Travellers, and to alert potential discriminators to the dangers of breaking the law.

4.7 Particular attention should be given to selecting cases for 'strategic litigation', i.e. litigation designed to test the effectiveness of national anti-discrimination legislation as a means of ensuring that Roma, Romany Gypsies and Travellers have the protection against discrimination envisaged by the EU equality directives.

4.8 While NGOs should, as far as possible, assist all Roma, Romany Gypsies and Travellers who have been victims of discrimination, in selecting cases for litigation they should particularly prioritise those cases which have the greatest chance of success and of gaining greatest media attention. However, the NGO

should respect the victim's decision whether to proceed with the case, and also secure the victim's consent for media attention.

4.9 Funding and other resources need to be made available to assist NGOs to play this 'strategic litigation' role, and also to establish databases of documented cases.

4.10 Programmes also need to be established to ensure that, where appropriate, Roma, Romany Gypsies and Travellers who have been victims of discrimination can have direct access to free legal aid so that they can obtain effective access to justice.

4.11 NGOs need to directly engage, or work in partnership with, appropriately trained lawyers who can take on cases of discrimination against Roma, Romany Gypsies and Travellers.

4.12 Successful cases should be widely disseminated, both to demonstrate to Roma, Romany Gypsies and Travellers that their rights can be secured under the law, and to put pressure on service providers to ensure non-discriminatory treatment.

Profile of the project team

Romani Baht Foundation

Romani Baht Foundation (RBF) was established in 1996 as a Roma non-governmental organisation, which represents the Roma community in Bulgaria. RBF's legal programme aims to secure legal aid for the Roma community and legal representation in cases of ethnic discrimination and human rights abuses. In 2003 RBF was an active member of the Working Group created by the Council of Ministers to draft the Protection Against Discrimination Act. Following the requirements of the European Commission the Bulgarian Parliament passed the anti-discrimination act and enforced it from 1st January 2004. Since then RBF has supported many Roma individuals and community groups to seek protection against discrimination under the new law. The organisation also uses the special provision, included within the anti-discrimination act, which provides possibility for the public interest NGOs to initiate court procedures in cases of discrimination where the rights of many are affected.

RBF also works on educational and cultural programmes to provide opportunities for the equal promotion of the Roma minority and its traditions in Bulgaria as well as to secure equal access to education for Romani children in mainstream educational resources.

Further information: Mihail Georgiev, Chair, office@romanibaht.com

Pavee Point Travellers Centre

Pavee Point Travellers Centre, based in Dublin, is a national Traveller organisation established in 1985 where Travellers and members of the majority population work together in partnership to address Traveller social and economic exclusion. The work of Pavee Point is based on two key premises:

- Real improvement in Travellers' living circumstances and social situation requires the active

involvement of Travellers themselves.

- Non-Travellers have a responsibility to address the various processes which serve to exclude Travellers from participating as equals in society.

Pavee Point works at the local, regional, national and international levels. The organisation's work seeks to develop understanding and responses to a wide range of issues facing Travellers through programmes covering: community development; youth work and early years; education; health, drugs and violence against women; culture and heritage; mediation; and local and economic development.

The work of the programmes includes:

- Direct work with Travellers and Traveller organisations;
- Piloting and disseminating innovative approaches on Travellers issues;
- Networking with and supporting individuals and organisations working with Travellers and other marginalised groups;
- Formulating and making submissions to influence policies;
- Dissemination of information and the commissioning of research and its publication.

Further information: Emma Kennedy, community development worker
pavee11@iol.ie www.paveepoint.ie

Romani CRISS - Roma Centre for Social Intervention and Studies

Romani CRISS - Roma Centre for Social Intervention and Studies is a non-governmental organisation, which defends and promotes the rights of Roma in Romania by providing legal assistance in cases of abuse and works to combat and prevent racial discrimination against Roma in all areas of public life, including the fields of education, employment, housing, and health.

The founding members of the organisation are: Roma Ethnic Federation (FER), Research Centre of Roma/Gypsies from the Rene Descartes University in Paris, and the Sociology Institute of the Romanian Academy.

The organisation was established in 1993, in a period marked by violent conflicts. The organisation addresses problems faced by the Roma population from a human rights perspective, by using specific tools such as conflict resolution, mediation, litigation, and advocacy.

Romani CRISS plays not only the role of an organisation that criticises public institutions when they do not meet the legal requirements in relation to Roma people, but also tries to support the authorities in their attempt to change the situation. This has been achieved by promoting the development of good practices which can then be adopted by government Ministries (e.g. the role of 'Roma health mediator'), and by acting as partners in projects aiming to train public officers of various institutions (City Hall, Police) which work with Roma.

Objectives of the organisation:

- Protection of human rights and fundamental freedoms;
- Roma's access to civil, economic, social and cultural rights;
- Prevention of discrimination and tension between the majority population and the Roma communities;

- Promotion of public policies that would generate the process of Roma social inclusion;
- Building a dialogue and partnership between public institutions (central, local), mass media and Roma minority;
- Capacity building of Roma minority at local level;
- International cooperation in order to strengthen the dialogue between international institutions and Roma minority in a European context.

Further information: Marian Mandache, coordinator of human rights department and lawyer
marian@romanicriss.org www.romanicriss.org

Poradna - Centre for Civil and Human Rights

Poradna pre občianske a ľudské práva - Centre for Civil and Human Rights is a non-governmental organisation based in Košice, Eastern Slovakia which was established in 2001. Poradna focuses upon the protection of the rights of minorities in Slovakia and protection from racial discrimination. The organisation works with Roma minority in Slovakia, mainly in its eastern part (Eastern Slovakia - Košice and Prešov region), where it is based.

Poradna implements projects and programmes through research, litigation and advocacy, and aims to raise attention to a given problem, gain compensation for the victims of human rights violations, and bring systematic changes. Since 2002, Poradna has been working extensively on the problem of racial discrimination in the health care system and has been trying to eradicate the practice of forced sterilization of Romani women and obtain compensation for the victims.

Since 2004, Poradna extended its activities to the issue of discrimination in general, in particular discrimination of Roma in access to goods and services, employment and housing. In cases of discrimination, Poradna arranges free legal representation for victims and covers all expenses of litigation, and organises educational activities to train NGOs and legal practitioners in the provisions of Slovakia's anti-discrimination legislation. Poradna cooperates with several Slovak and international NGOs, Roma activists and community workers.

Further information: Vanda Durbakova, attorney
vanda.durbakova@poradna-prava.sk www.poradna-prava.sk

Devon Racial Equality Council

Devon Racial Equality Council (DREC) is an independent organisation based in Devon in the South West of the UK which exists to promote racial equality for everyone, and to assist and support people who have been discriminated against because of their race, religion, colour, national or ethnic origin.

DREC provides a complainant aid service to advice on race discrimination complaints; works to support vulnerable Black and minority ethnic children in schools; has a support service for the Gypsy/Traveller community; trains and provides advice to organisations on race equality; and promotes Black and minority ethnic arts in the community.

In October 2004, DREC set up a Gypsy/Traveller support service funded primarily by the Devon Children's Fund. The project aims to encourage social inclusion and to strengthen the community in tackling disadvantage and discrimination.

Further information: Penny Dane, community development worker for Gypsies and Travellers
penny@devonrec.org www.devonrec.org

European Dialogue

European Dialogue is a London based independent, not-for-profit organisation which was launched in 1990. We work to engage and support excluded communities and vulnerable minorities in their struggle to combat discrimination, racism and exclusive nationalism, in the interests of justice, social cohesion, sustainable security and global responsibility. European Dialogue has four programme areas: Roma Rights, Russia and the Caucasus, Balkan Peace and Integration, and Future of Europe.

Further information: Jeanette Buirski, Project Director
jeanette@europeandialogue.org www.europeandialogue.org

Traveller and Roma Action for the Implementation of Legal and Equality Rights

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