

EU Eastern Enlargement ‘Conditionality’ of Minority Protection as a Political Opportunity for Romanian Roma

Ioana Bunescu is PhD candidate at the Graduate School for Social Research of the Polish Academy of Sciences, Warsaw, Poland and Teaching Assistant at the European Studies Program, Aalborg University, Denmark. © 2007

1. Introduction

The paper explores the development of Roma politics in Romania in the context of EU enlargement. It argues that the Copenhagen criterion of national minorities’ protection as a condition for EU accession for CEE countries represented a political opportunity for Roma political mobilization in the region. The high costs of exclusion from the EU club prompted eastern European states with significant minority populations to accept the Copenhagen conditions and try to implement new policies towards national minorities. However, the sustainability of these policies is questionable due to the possible (negative) effects of the issue of double standards in both pre and post-accession periods.

The paper attempts to illuminate the reasons why minority protection *conditionality* on CEE states in general, and on Romania in particular has reached only a superficial level of implementation in regards to improving the situation of Roma. It is argued that the causes for superficial implementation are multiple and are to be found at the intersection of EU politics, Romania’s domestic politics and Roma politics and in the diffused political responsibility among the three actors involved.

The policy aim to improve the situation of Roma in CEE countries turned out to be an effective *political mean* for the EU, Romanian and Roma political entrepreneurs in as much as the real “winners” of this political opportunity were mainly those people involved in politics, and less so the Roma that truly live in poor social conditions. The resolution of the “Roma problem” as *conditionality* for accession was meant as a policy aim. However, the formulation of the aim was not accompanied by clear evaluation criteria of its execution. The vagueness of the pursuit and the difficulty of reaching a common standard of measuring its implementation, coupled with the problem of double standards, transformed this policy aim into a political connote.

Victimization became a strategy for attracting further EU support an obvious paradoxical effect of creating a politically favorable context of national minorities’ empowerment. The problem remains that once a policy aim is achieved the means for appropriating more power resources tend to disappear which often prompts political entrepreneurs to delay the actual implementation of the policy, and keep the numbers of victims in order to maintain the “problem” as a political mean. This could be illustrated for example by

census and statistic politics. However, this mechanism is not specific only to the policies targeting Roma, but it also stands true in most of the cases of policy formulations¹.

Thus, the Roma were instrumental for EU politics in as much as they often became a scapegoat for delaying accession of CEE countries that raised certain fears for the EU members (i.e.: migration, asylum seekers, unemployment, competition, costs). In turn, the CEE states found Roma instrumental in scapegoating their weaker economical and/or political performance in regards to the fulfillment of the other Copenhagen criteria for being granted accession. Roma political leaders themselves found the context favorable for pursuing their own aims. As a result, negative societal attitudes towards Roma remain salient and lead to further discrimination faced by those Roma that do not yet possess any means to fight against it other than concealing their ethnic identity. Majority of the population regards Roma as the reason for delayed EU accession correlated with a negative image Romania has in 'western' countries. The Gallup survey conducted in 2003 on a national representative sample in Romania revealed that 1/3 of Romanians think that "Roma should not be allowed to travel abroad because they make a bad image of Romania"². In the context, almost half of the population in Romania supports the idea of a demographic policy in view of limiting the growth of Roma population. However, OSI Foundation published a more optimistic view in the Roma Inclusion Barometer 2006, in which it was stated that "Romanian society became much more tolerant towards the Roma (in 1993 over 70% of the Romanians were refusing to have a Roma neighbor, in 2006 only 36% still favors this position)"³.

Although according to such sources the situation of negative stereotyping of Roma has improved in Romania in the last decade, the figures above still illustrate a rather worrying situation. This explains why Roma self-identifications are often confusing and why the numbers of Roma in censuses based on self-identification are dramatically lower than the estimates based on hetero-identification. Roma in Romania often prefer to identify themselves as Romanians or Hungarians for fear of discrimination. Therefore, it is considered that some percents that account of Romanian and Hungarian population in Romania are in fact Roma.

For example, the last Romanian census in 2002 revealed that the number of Roma in Romania is 535.140, which equals 2.5% of the entire population (as compared to 6.6% of Hungarians – the largest minority group in Romania). However, a study conducted in 1998⁴ based on hetero-identification on a national representative sample revealed that the number of Roma in Romania is 1.5 million, which equals 6.7% of the entire population. Certain political interests that revolve around diminishing or, depending on the

¹ For example the feminist buzz words of "mainstream" and "inter-sectionality" initially proposed 1995 during Beijing's conference on feminism as policy means, infiltrated themselves into policy formulations as aims in themselves. This situation is not convenient for some feminist political entrepreneurs that compete for appropriating more power resources. During a lecture given at Aalborg University on April 27th 2007 Nira Yuval-Davis, a reputable theoretician of feminism, pointed out the undesirable transformation effect of policy means into policy aims.

² Source: http://www.gallup.ro/romana/poll_ro/releases_ro/pr031016_ro/pr031016_ro.htm accessed May 2nd 2007

³ Source: www.osf.ro/ro/documente.php?id_document=366 accessed May 2nd 2007.

⁴ The survey was conducted by ICCV (Research Institute of Quality of Life). Source: <http://www.caspis.ro/downloads/Suport%20social%20romi.doc> Accessed May 4th, 2007.

context, increasing these numbers are also important to mention. On one hand, Roma political elites have an interest to increase these numbers in order to legitimize their power and their agency in front of the majority's elites. However, this interest is opposed in practice by the survival strategies of everyday life that discriminated Roma need to employ in order to transcend their stigma. Besides, 40% of the Roma in Romania considered themselves as Romanianized or Hungarianized⁵ and therefore it is questionable to what extent they feel they need to be represented by Roma elites, by Romanian elites or, possibly, by other representatives.

On the other hand, in certain contexts, Romanian authorities at different levels of administration also have an interest to present the number of Roma as bigger. The availability of funds depends in fact on the number of Roma and on their critical socio-economic situation at a national and at a local level. The danger that some powerful actors might actually have an interest in preserving or slowing down the process of improvement of the situation of Roma is to be taken into account. This problem belongs to a more general range, which is that any kinds of policies that have their aims fulfilled lose the resources provided for their implementation as well as the agency responsible for it.

To summarize, all three political actors (EU, Romanian authorities, Roma elites) found the *EU conditionality* instrumental for acquiring their respective political interests, the analysis focuses mainly on Romania's pre-accession developments regarding the improvement of the situation of Roma, as well as provokes insights into post-accession developments. The whole problematic is analyzed in the theoretical framework of power (Foucault, 1990)⁶, while also recognizing the role of agency in the negotiations (Bourdieu, 1979). In the particular case under discussion, the Roma agency is understood to emerge out of the structural context of enlargement. In this sense, the context of EU enlargement is understood as a context of opportunity for political empowerment of Roma elites. However, the maintenance and the strengthening of the Roma agency in the post-enlargement period presuppose the search for or the creation of alternative means in creating a sustainable structural development.

2. Structure of the Paper

The paper is divided into two main parts that analyses the possible interests, cost and benefits of the three actors involved in political negotiation: the EU, Romania and Roma. The first part discusses the EU conditionality of accession with an emphasis on the issue of collective versus individual minority rights, the issue of double standards and the issue of clarity of evaluation and monitoring criteria. This part tries to highlight the reasons and the implications of the conditionality on the protection of minority rights that EU enforced on the CEE states.

The second section focuses on the domestic political environment in Romania and the underling interests based on its dynamics. The political aim of EU accession and the high cost of exclusion in the

⁵ Source: The National Agency for Roma Statistics. <http://www.anr.gov.ro/docs/statistici/statistici/t4.pdf> Accessed may 4th, 2007.

⁶ First printed 1978.

eventuality of not reaching it, prompted Romanian state to accept whatever conditions from the part of the EU. However, although the conditionality of developing sustainable minority protection for Roma in Romania was seen as a difficult and costly task by the Romanian government, it also brought about certain advantages for some political actors.

The mutual interest of Romanian and Roma politicians in attracting EU's financing programs for community development for Roma inhabited areas⁷ brought about a possibility for bargaining and cooperation between majority and minority representatives. The absorption of Roma into public administration (in localities where the numbers of Roma were significant) in exchange for attracting EU funds for local development seemed a logical negotiation pattern.

Roma politics in Romania are affected in turn by mainstream party politics and electoral dynamics. These two factors played a major role in the centralization of Roma political power in Romania. Due to the need of facilitating the monitoring of minority protection as well as due to party politics, a single party –Roma Party Pro-Europe⁸ - monopolizes the political power of Roma in Romania. While this situation is thought to be desirable for monitoring purposes and for mainstreaming ethnic party politics, it is also detrimental for the future of Roma politics on a plural spectrum.

However, one could argue that plurality is not necessary in the beginning of ethnic political mobilization, and that, monopoly could prove more functional during the incipient phases of ethnic mobilization. In spite of the monopoly of Roma Party Pro-Europe over official Roma politics in Romania, local leaders, NGOs and alternative political unites create patterns of dissent that form a certain basis for pluralism. The Decade of Roma Inclusion⁹ started in 2005 aims at building up partnerships between these alternative types of agencies in order to achieve a measurable policy outcome.

The paper concludes by saying that the EU focus on the Roma “problem” in the conditionality of CEE states’ accession has constituted an advantageous bargaining tool for all political actors involved, but less so for the regular Roma that were targeted in the first place. The positive societal attitudes towards Roma have not registered a real boost and the negative ones remained dangerously high. This is an indication that, at least for the time being, the conditionality element mainly represented a *discursive mean* for political entrepreneurs to negotiate their power and not so much an attained aim.

The mutual benefits as well as the perspectives of the political bargaining in the new post-accession context are expected to change. However, the battle and the outcomes of the battle remain largely at the high level of politics where increasing centralization of power allows for greater and greater centralization. Therefore, even if EU accession conditionality allowed for the emergence of some Roma political

⁷ Exact information on the financial figures of EU support for Roma in Romania could be found at <http://www.infoeuropa.ro/docs/RevFiche016-772.01.01%20Minority-30Nov06.pdf> (Accessed May 14th, 2007)

⁸ Roma Party Pro-Europe is the current name of the former Partida Romilor

⁹ A more detailed presentation of the Decade of Roma Inclusion will follow in the coming pages.

empowerment, it has so far benefited only those political actors involved in the battle and less so the actual victims of the transition processes. However, there are hopes that, in the future, alternative programs, such as the Decade of Roma Inclusion recently commenced, would allow for a wider plurality of voices and representation as well as for a better implementation of policy.

3. Methodology

From the methodological point of view, the first part of the paper dealing with EU enlargement politics relies mainly on scientific literature. The second and the third part of the paper are results of fieldwork conducted in Romania combined with results from other scientific studies. The main methods used were participant observation and interviews with Roma leaders at different levels of public administration as well as with other Roma figures that occupy certain positions of power in Romania. Participant observation was carried on in some Roma ghettos as well as in Roma palaces and rich residential areas in different Romanian towns. For maintaining the anonymity of the interviewees, names will not be disclosed.

My own positioning within the field that could have biased certain answers during interviews was that of an expert working for an intergovernmental institution (OSCE). With this occasion I would like to acknowledge the opportunity I had to carry out my own research in parallel to some contracted work that I pursued for the OSCE/Contact Point for Roma and Sinti Issues in Warsaw during the first half of 2004.

4. Protection of National Minorities as EU Enlargement Conditionality

4.1 History of Conditionality

The European Council meeting in Copenhagen, in June 1993, marked the most important political moment for the national minorities in Eastern Europe in the last half of the 20th century. The summit concluded that further EU enlargement could only proceed if accession states fulfill certain conditions. The Copenhagen presidency outlined these conditions as follows:

"Membership requires that candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and, protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union."¹⁰

The idea of conditionality of accession was not new in regards to political criteria however, some of the conditions were new in character. Even if the Rome Treaty in 1958 (article 237) stated that "any European state may apply to become a member of the community yet as early as 1962 the then European Assembly stated that democratic rule was a condition for membership". (Eriksen, Fossum, Sjørusen,

¹⁰ http://en.wikipedia.org/wiki/Copenhagen_criteria

2005:243). Later on, at the Hague summit in 1969 it was established that “it was the duty of any applicant state to adopt de *acquis* and the political aims of the treaties.” (Burton, 2002:2) At the Copenhagen summit in 1978 in the view of a possible southern enlargement “respect for representative democracy and human rights were essential elements of membership”. (Idem)

However, the inclusion of an “explicit economic criterion, or the unprecedented reference to minority rights as part of the political criterion” (Ibidem) constituted brand new conditions for the CEE states. One could infer that due to *cumulative conditionality*, the process of EU enlargement became increasingly difficult from one enlargement wave to another.

The causes for introducing the minority protection element in the 1993 Copenhagen criteria for EU accession as well as the effects will be analyzed in short. One of the main causes for introducing the minority protection conditionality was the historical context in which these accession criteria were formulated. Early 90s were for Europe a period of unrest due to the fall of communism and later to the ethnic cleansing in former-Yugoslavia. The ethnic violence between Romanians and Hungarians in Targu Mures in January 1990 that was transmitted live by media all over Europe as well as the later tragic events in former Yugoslavia triggered many fears of chained-effects. (Crowther, 2003: 93) Therefore, the split of Czechoslovakia in January 1993 was feared to bring about similar events in spite of the peaceful character of the Velvet Divorce.

Large waves of asylum seekers from former Yugoslavia heightened the fear that the member states will not be able to cope with the costs involved by granting them asylum status. (Schwellnus, 2006: 187) Roma in particular were regarded as a “special” problem and as a special category of asylum seekers who faced double discrimination in the places from which they immigrated. The member states preferred to assure themselves with the minority protection conditionality that accession of CEE states will not bring about an increased “danger” of immigration and asylum seekers.

“The shift from a focus on territorially-concentrated ethnic minorities to the Roma over the course of the 1990s seemed to reflect the changing political risks and costs of ethnically-driven territorial conflict in Central and Eastern Europe compared to the arrival of Roma asylum seekers in Western Europe.” (Burton, 2002:3)

4.2 Collective versus Individual Minority Rights

This shift ran in parallel with the shift from collective rights to individual rights for members of national minorities. Recommendation 1201 of the Council of Europe in 1993 that included collective minority rights was intended to be “transposed into an additional protocol to the European Convention on Human Rights

and Fundamental Freedoms (Council of Europe 1950)” (Schwellnus, 2006:195) However, the demand on collective rights were dropped and not included into the Council of Europe Framework Convention on National Minorities formulated in 1995. At that point in time “the Commission initially upheld both documents as representing the European minority standard” in the idea that in this way both collective and individual minority rights will be safeguarded. (Idem) A special pressure was put on Slovakia and Romania to recognize collective rights for minorities in 1995.

However, the collective rights were in the end dropped and even discouraged by the EU in 2001 when Hungary adopted the Status Law enforcing rights for Hungarian minorities abroad. Although the law was regarded as “ a novel approach to the problem of a diaspora’s relations with its ‘kin-state’” (Stewart, 2004: 122)¹¹ it brought about “a remarkable degree of controversy into Hungarian foreign relations, both with neighboring states and with the European Union”. (Idem, 121)

Recommendation 1201¹² was in the end abandoned all together and the only document with some sort of binding remained the EC Framework Convention for the Protection of National Minorities, which is individualistic in character. The differential pressure EU put on the accession states and the member states to comply with these norms further enhanced this inconsistency.

4.3 Common European Standard versus Double Standards

Accession countries’ signatures of the Council of Europe’s Framework Convention for the Protection of National Minorities represented the first action that ensured a safer heaven for minorities within these countries. However, the requirements set for the candidate countries did not apply to existing members and failed to be incorporated within the Community’s *acquis*. Therefore “there is no legal basis in current EU law as long as the Charter of Fundamental Rights remains outside of the formal *acquis*.” (Burton, 2002:3)

Till date, the Framework Convention received 43 signatures and 39 ratifications.¹³ The notable exception of non-signatory state is France that declared the Framework as unconstitutional, whereas Belgium has signed but hasn’t yet ratified the Convention. It could be speculated that the reasons for which France rejected the Convention were similar in character with the reasons for which Central and Eastern European states were expected to signed and ratify it.

One reason for which the Convention was found uncomfortable was that its accent on individual rights had implications upon its “reaches far into the particular structure of each domestic political system”. Thus, due to its double standards application, the Framework Convention started to be seen as a tool for exercising power between a “hard core of member states (...) and the remaining integration ‘laggards’.” (Majone, 2005: 15) As an effect, it generated “intense resentment in the Central and Eastern European candidates” (Burton, 2002:4) which regarded this particular conditionality as a differentiated treatment. It

¹¹ http://src-h.slav.hokudai.ac.jp/coe21/publish/no4_ses/chapter05.pdf

¹² <http://assembly.coe.int/Documents/AdoptedText/ta93/EREC1201.HTM>

¹³ According to the Council of Europe Chart of Signatures and Ratifications updated May 14th, 2007. Source: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=157&CM=&DF=&CL=ENG>

would be perhaps worth meditating on the question some prominent scholars asked rhetorically: “If the EU decided to apply for membership (my note: after 1993), would it be accepted?” (Eriksen, Fossum and Sjursen, 2005:244)

In this context the view and the fear that “a new type of order is emerging in Europe: an order in which an authority above the states can itself legitimately ‘lay down the law’ and legitimately set standards for appropriate government” (idem) became salient. As some authors opine, “it was, and is, entirely unacceptable for the EU to interfere in the relations between the central governments of the member states and the ethnic minorities living within their borders.” (De Witte, 2002: 150)

Besides the perceived threat that the Convention puts in the issue of national sovereignty, another uncomfortable perception has formed – that of a multi-tiered EU composed by first, second and even third class citizens. The differential treatment not only between member states and accession states but also even among the accession states filled “national rivalries and resentments between candidate countries” (Burton, 2002: 4). For example Latvia had not ratified the Convention earlier than 2005 but this did not constitute an obstacle for its EU accession in 2004. Thus, the differential treatment of the *conditionality* criterion regarding minority protection (and not only) undermined the belief in its importance.

Perhaps the most detrimental effect of the EU’s double standards on the issue of protection of ethnic minorities was an actual increase of the negative societal attitudes that majority populations experienced over minority populations, especially over Roma¹⁴. The public perception that Roma’s backwardness is responsible for delaying the process of accession fueled ever-growing resentments and discrimination against the Roma minority in accession countries. The role of media that contributed to an essentialized image of Eastern Europe in general and of Romania in particular as the land of Roma, portrayed as ‘the land of trouble’, indicated the negative attitudes and fears of the ‘west’ regarding Roma in as much as it strengthened further the negative attitudes Romanian majority had on Roma minority. As an effect Roma were held to be responsible for delaying accession for some CEE countries.

4.4 Vague Evaluation and Monitoring Criteria. Which is the Threshold?

Besides the questionable character of the minority protection criterion due to the acceptance of its inconsistent application by the candidate states, and its criticism of being merely a discursive political tool, the assessment practices on candidate states performance in fulfilling the Copenhagen conditions for EU accession were criticized of being too reliant on candidate state governments as sources of information.

In turn, these governments were not clearly instructed as to which level of implementation were they suppose to reach in order to be granted accession. There was not clear threshold for assessing the fulfillment of the criteria and no clear measuring instruments with which one could commensurate the actual

¹⁴ See figures at page 2.

achievement of a threshold. In fact, no threshold was set. In other words, EC established conditions for accession states but did not provide tools of measuring and monitoring efficiently their fulfillment.

The “uneven use of conditionality” (Burton, 2002:4), coupled up with the absence of a threshold, fueled mistrust in the serious nature of the Framework Convention and in the importance of its application. In the same time it brought about the “feel” that it was a mere rhetorical tool for delaying the process of accession, which pleased those countries which were more in favor of deepening instead of widening. This in turn, encapsulated the Framework into a “rhetoric of accession” (Sasse, 2005:18) with no apparent incentives to transform itself into effective implemented policies.

This situation, in turn, benefited widely the *political spectrum* in the accession countries as well as the Roma political activists involved in one way or another in the process of implementation. The rhetorical nature of the Convention allowed for its maintenance as a bargaining tool for those inserted or about to be inserted into the political arena. This in turn constituted a political opportunity for the ethnic mobilization of, in as much as a bargaining tool for local authorities in localities that comprise high numbers of Roma to attract more funds.

5. Post- Copenhagen Policy and Practice in Romania Regarding National Minority Protection

Reformation of public administration so as it comprises new institutions dealing directly with the Roma “problem” were an expected outcome of EU accession conditionality on CEE states that comprised large numbers of Roma. In the following paragraphs, I will outline the developments of public administration regarding Roma in Romania.

5.1 Policy Developments and Changes in Public Administration¹⁵

Romania signed and ratified the Council of Europe Framework Convention for the Protection of National Minorities in 1995 and it came into force in 1998. As an out come of this development the Romanian Government issued in 2001 the Governmental Strategy for the Improvement of the Situation of Roma which aimed to create a Roma decentralized elite with the role of “facilitator of social integration and emancipation policies”¹⁶. Decentralization was planned to emerge from the creation of different new structures within Public Administration. As a consequence, four main institutions directly responsible for the implementation of the Strategy were expected to be created and to start functioning in the first years of its implementation. Nonetheless not all of them functioned as expected.

1. The Mixed Committee for Implementation and Monitoring. Its executive organ is the National Office for Roma within the Department of Inter-Ethnic Relations of the Ministry of Public Information.
2. The Inter-Ministerial Commission for Roma that is responsible for applying the Governmental Strategy 430/2001 in the activity sector of a particular Minister (Education, Health, etc.). According to an interview

¹⁵ Parts of the data were gathered during a fieldwork in 2004 contracted by the OSCE Warsaw. A report was written but it remained in the form of a manuscript. Parts of this chapter are from that manuscript authored by me.

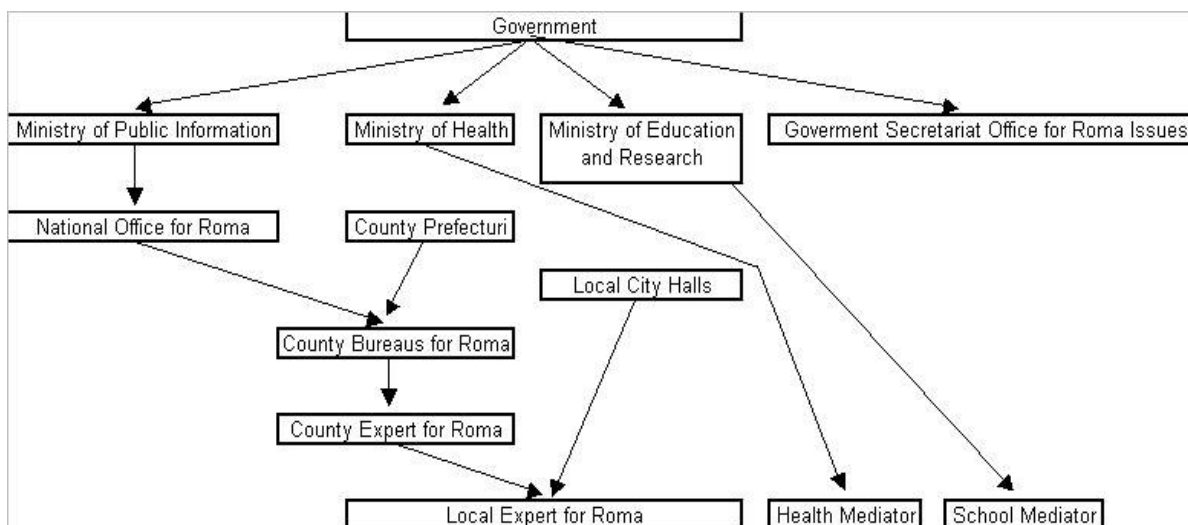
¹⁶ Governmental Decision 430/2001 for the Improvement of the Situation of Roma

held with the County¹⁷ Expert in Bucharest¹⁸, this Inter-Ministerial Commission for Roma existed only on paper but never functioned.

“The Mixed Committee existed at the level of Ministries. It did not function. It existed only on paper. It existed but never functioned.” (Regional expert Bucharest)

3. The County Bureaus for Roma. According to the Governmental Strategy they are supposed to contain 3-4 Regional Experts on Roma issues out of which at least one should be Rom. In reality all there is only one expert in these Regional Bureaus for Roma and they are of Roma background.
4. The Local Experts for Roma. They are meant to be the main mediators between the local public authorities and the Roma communities. They should function within the Local City Halls. At the level of the Commune (more villages form a Commune) one clerk of the City Hall (Commune Hall) holds the function of the Local Expert on Roma issues as a cumulus of functions.

The following Institutional Diagram shows the types of institutions that emerged as an outcome of the Governmental Strategy 430/2001 and their inter-relations.



In Romania the institutions of Regional (County) and Local Expert were officially recognized through the Governmental Decision for the Improvement of the Situation of Roma 430/2001. At the time of research, only the institution of Regional Experts was integrated within the public administration structure of Regional Prefectures. The institution of Local Expert was integrated at the local level within the City Halls only in isolate cases, most of the times the City Halls lacking any kind of institution to deal with the implementation of the Governmental Strategy.

The Regional (County) Experts function within the Regional (County) Bureaus for Roma were integrated within Prefectures in 2001, immediately after the elaboration of the Governmental Strategy for the Improvement of the Situation of Roma 430/2001. From 4 regions taken into the sample (Dolj, Bucuresti, Botosani, Neamt) of the research, all 4 Roma Regional Experts were proposed to function as such by

¹⁷ The county is the administrative term for region in Romania. However, the county does not have the same degree of autonomy as an administrative region. In this paper I use the term County and region interchangeably.

¹⁸ Interview was taken in February 2004.

Partida Romilor¹⁹ - political party of which all of them are members. All the Regional Experts interviewed were of Roma origin, a situation that was said to be widespread at the national level.

The homogeneity of their political affiliation could be explained by the time pressure for finding human resources for occupying these functions in 2001. Partida Romilor had always been a vote provider for the Social Democrat Party that time in Romania. The political party, Partida Romilor was in 2001 the main institution that had a developed national database of human resources due to its national widespread, thus, the members of the party proposed to occupy these positions within regional (county) prefectures. The solution was appropriate for the immediate start of the implementation of GS 430/2001, but in the end, it eventually led to conflicting situations between NGOs and other agencies entitled to provide candidates for these positions.

Another important element of the Strategy was to create inside the local public administration the institutions of Local and Regional Experts for Roma. The responsibility for creating these institutions was delegated at the local level, to the local City Halls and at the regional level, to Counties' Prefectures.

However, in 2004 when the empirical research was conducted, the positions of Local Experts were not fully institutionalized and in the few cases in which it was, only members of the Roma political party – Partida Romilor, held these functions²⁰. From the interviews conducted in Romania in January 2004 some members of Partida Romilor functioned as both Local Advisors (Consilieri Locali) and party members, most of the time their roles not being clearly distinguished. The Local Advisors are therefore a hybrid version of the Local Roma Expert and an activist within Partida Romilor. They cooperated but they were not paid by the City Halls and they did not officially hold the position of the Local Expert within the Local City Hall.

A general outlook on the situation of reform in Public Administration in Romania in regards to Roma issues shows that the actual implementation is less real than its existence on paper. This situation stagnated for a while due to the rotations of parties that won the elections in Romania. The limited absorption of Roma in local public administration was slowed down by the electoral loss of the Social Democrat Party in 2004. The new Alliance that won the elections changed the people at all levels of administration and did not have any sort of agreement with Partida Romilor. The political rivalries between the Social Democrat Party and the winning Alliance placed Partida Romilor in an unfavorable competition position.

The reform in public administration and the need for implementing it under the time pressure of accession brought about a tendency to appeal to solution which were mostly at hand at that time, but which did not necessarily mean that they were the best sustainable solutions as well. This situation benefited those Roma who were part of former Partida Romilor but left apart all the others who might have been suited to occupy these positions of power. Under the circumstances of governmental change the whole reform slowed

¹⁹ Presently, the former Partida Romilor is Called Roma Party Pro-Europe.

²⁰ An interesting point stressed by many of the persons interviewed (that are members of Partida Romilor) is that Partida Romilor is first of all an NGO that becomes a political party only during electoral years. 2004 was an electoral year in Romania and the interviews were conducted in January 2004.

down due to political rivalries. Although on paper the reform had to be implemented anyhow regardless of the party in power, the actual situation in the field proved otherwise. This situation had a positive end as the diminishing of monopoly power of Partida Romilor that came about as a “collateral damage” of the governmental change (from social democrats to liberals), made space for other Roma actors to compete for occupying the new positions offered under the administrative reform. This opportunity for plurality in Roma representation was strengthened by the later regional policy development by The Decade of Roma Inclusion.²¹

5.2 Decentralization through Centralization Due to Electoral Interests and Time pressure of Implementing Changes

The Social Democrat Party was in power in Romania between 2001 when the Governmental Strategy was approved and 2004 when they lost the elections in favor of the National Liberal Party and Democrat Party Alliance (PNL-PD). Partida Romilor, otherwise registered as an NGO, signed at the end of 2003 a special political agreement with the Social Democrat Party. Point 9 of the Political Agreement stipulated that Partida Romilor functioning as a political party during electoral years²² is to support the candidates of the Social Democrat Party on presidential, parliamentary, regional and local elections lists. In exchange, the Social Democrat Party agreed, “the representatives of the two political organization will collaborate in the government, in central public authorities, as well as in Prefectures (regional offices) and in Local Councils”²³.

As a result of this Political Agreement, members of Partida Romilor filled the positions for Roma within all available levels of public administration in Romania. Besides the electoral logic another one that reinforced this result was that of the time pressure Romania had to comply with EU conditionality of accession. As Ned Burton (2002) put it in his report on Workshop 1 on Political Dimension of the Accession Criteria “the need for speed and the appearance of results has sometimes encouraged candidate state elites to go for centralized solutions”.

One could notice that in Romania the Strategy aimed at decentralization at the level of administration, however the way it was realized brought about a certain monopoly of one party over the positions and, as an effect a centralization of the Roma political power in the hands of Partida Romilor. An additional risk posed by this situation was the post-communist context in the region, which constituted a fertile ground for the “centralizing bias of EU conditionality in reinforcing communist legacies.” (Burton, 2002: 7)

However, due to elections’ results in 2004 the change of government brought about a possibility for decentralization of power not only on paper, but also in practice. This opportunity was not a direct result of

²¹ The Decade of Roma Inclusion will be discussed later in the paper. For now it is only important to mention that this regional strategy that started in 2005 appeared to be right in time to encourage continuation of policies and their monitoring.

²² Romanian law allowed for such anomalies regarding shifting governmental and non-governmental status of an organization. In electoral years Partida Romilor has functioned as political party whereas the rest of the time they were regarded as a NGO. 2004 was electoral year in Romania.

²³ Political Agreement on Partnership Between the Social Democrat Party and Social-Democrat Roma Party in Romania

the governmental efforts, but rather the result of a coincidental mix of factors. These factors were on one hand the continued pressure on Romania²⁴ to comply with the accession criteria and, on the other hand the apparition in 2005 of a new policy strategy to be applied through the Decade of Roma Inclusion.

“The Decade is an international initiative, which brings together Governments, inter-governmental and non-governmental organizations, as well as Romani civil society to (i) launch initiatives to strengthen Roma inclusion as a high priority on the regional and European political agendas; (ii) learn and exchange experiences; (iii) involve Roma meaningfully in all policy making on matters concerning them; (iv) bring in international experience and expertise to help make progress on challenging issues; (v) raise public awareness on the situation of Roma through active communications.”²⁵

The regional character of the decade as well as the mix of agencies involved and responsible for its execution brings about a possibility for plurality. The main organizations that worked together on this regional program are as follows: World Bank, the Open Society Institute, the United Nations Development Program, the Council of Europe, Council of Europe Development Bank, the Contact Point for Roma and Sinti Issues of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, the European Roma Information Office, the European Roma and Travelers Forum, the European Roma Rights Centre, and the Roma Education Fund²⁶. This strategy tackles the issue of measurability of policy outcomes. Thus, the Decade main objectives are to:

- Accelerate progress toward improving the welfare of Roma by including Roma in the decision-making process and,
- Review such progress in a transparent and quantifiable way (Page 3)

The Decade is targeted towards Central and South-East European countries and its signatory countries are Bulgaria, Croatia, the Czech Republic, Hungary, Macedonia, Montenegro, Romania, Serbia, and Slovakia. However, The Decade states very clearly on its first page of the policy document issued in Sofia on February 2nd 2005 that “We invite other states to join our effort.”²⁷ In spite of this encouragement, none of the old member states offered to join in even if countries like Spain, United Kingdom and France comprises large numbers of Roma confronting with similar discriminatory treatment and relatively lower social and economic conditions as in eastern European countries. Therefore, besides its merits of tackling the issue of measurability with policy, the area of application of the Decade reinforces the double standards within Europe and, as an effect, the view that the Roma remain an exclusive “problem” of Eastern Europe.

²⁴ Romania was not part of the big accession wave in 2004 and it only entered European Union in January 2007. Therefore, the continuation of reforms was regarded as very important by Romanian government.

²⁵ Source: official website of The Decade of Roma Inclusion:
<http://www.romadecade.org/itencms/www/roma/portal/downloads/Decade%20Documents/Roma%20Decade%20TOR.pdf> Accessed May 4th, 2007.

²⁶ Source: <http://www.romadecade.org/itencms/www/roma/index.php?content=1> Accessed May 4th, 2007.

²⁷ Source:
<http://www.romadecade.org/itencms/www/roma/portal/downloads/Decade%20Documents/Roma%20Decade%20TOR.pdf> Accessed May 4th, 2007.

5.3 Roma and Minority Rights: Western Europe's stick on Eastern Europe?

The Issue of Numbers' Politics

Policy developments in Eastern Europe triggered by EU's conditionality might bring about in the end a much better situation for Roma in Eastern Europe than in Western Europe. While some institutional changes do happen in eastern Europe although not yet reaching deep enough, in western European countries that comprise large numbers of Roma the issue is not even recognized as worth bringing up into the public discourse and thus it stays entirely ignored.

As Clark puts it:

"Although the situation of the Roma in Central and Eastern Europe is almost unanimously acknowledged to be horrendous by many Non-Governmental Organizations (NGOs) (e.g., Amnesty International, Helsinki Watch, Project on Ethnic Relations), it is equally true that the established bourgeois liberal democracies of the West have treated Roma living in their own countries with just as much contempt, hatred, fear and loathing as their Eastern neighbors during the last five hundred years (Fraser, 1995)."²⁸

In fact, if one compares the official census number of Roma in France, for example, with that in Romania will notice no real difference. In France there are 500.000 Roma officially recognized and about 1.2 million estimates. However, the Roma issue in France does not even have a place in the public discourse, it is totally ignored as if it does not exist. This problem was noticed also by organizations monitoring Roma discrimination such as the European Roma Rights Center.

"France is renowned as the source and guardian of modern democracy and of individual rights and freedoms; yet, hundreds of thousands of French citizens are subject to severe violations of the most basic civil and political rights without this seeming to cause even a ripple of protest, let alone public outcry, at the challenge posed to the very foundations of the French Republic. A large part of those affected by these violations are Gypsies and Travelers, indicating that these violations are in fact racist in character"²⁹.

Similar situation exists in Spain and in the United Kingdom. In Spain there is no official number of Roma/Gitanos identified because they do not form a separate category in censuses. This situation is as such because "Roma/Gitanos are not recognized either as an ethnic minority, or as one of the "peoples of Spain" (not to speak of being recognized as a national minority), and there has been no response to Romani requests for political recognition. Thus there is no legal protection of their identity, culture, language

²⁸ Source: <http://www.radstats.org.uk/no069/article4.htm> Accessed May 5th, 2007.

²⁹ Source: <http://www.euractiv.com/en/justice/situation-roma-france-crisis-proportions-report/article-150507> Accessed May 4th, 2007.

and other minority rights.”³⁰ However, according to the estimates in Spain live about 500.000 and 800.000 out of which “up to 30 percent live in substandard housing, and up to 90 percent of the inhabitants of shanty towns are Roma/Gitanos”.³¹

In the United Kingdom, according to the governmental website of the Commission for Racial Equality³² live an estimate of 200.000 to 300.000 Roma and travelers. Like in Spain, the Roma and Travelers in UK are not monitored in statistics and schools gather the only survey data available.

These figures show that Eastern Europe is not a singular case in Europe and that in fact Roma people live in poor conditions and are discriminated all around the continent. However, the context of EU enlargement and the accession conditionality criteria on CEE states together with the ways the issue was covered in European press, build up a public consciousness that Roma are to be protected only in Eastern Europe. Therefore, not many in Western Europe question the possibility that Roma are as discriminated in their own country and they need as much protection as they do in Eastern Europe.

Clark, a British social scientist from the University of Newcastle noticed this discrepancy and accounted for it in his text on number politics:

“For many national and local politicians it is just too much of a temptation to “forget” about the Roma by ignoring them in census counts. If they don't “exist” then their needs can be denied: they do not require grants, services or “special needs” funding because they are “invisible” or “look after their own”. A case of counting backwards?”³³

If in western Europe Roma are “invisible” and denied existence as a group while their social problems are not recognized as such, in Eastern Europe however, the situation seems to be the other way round. Due to EU conditionality of accession for eastern European states the importance of the Roma “problem” increased in the region while the figures on their numbers are often manipulated (increased or decreased) by NGOs that live on funding coming from Roma sponsored projects, by Roma politicians, and, not less so, by public authorities, (especially local authorities) who need to attract more funds for their localities.

Thus, there is no wonder that the ignored numbers of Roma in western Europe together with those highlighted in eastern Europe tend to decrease, and respectively, to increase. In this way the Roma problem “remains” in the public consciousness exclusive for Eastern Europe and apparently inexistent in Western Europe. Efforts to improve the Roma situation are thus continuing in CEE states and remain not even tackled in Western Europe.

³⁰ Source: OSI Report on The Situation of Roma in Spain

http://www.eumap.org/reports/2002/eu/international/sections/spain/2002_m_spain.pdf Accessed May 4th, 2007.

³¹ Source: OSI Monitoring the EU Accession Process on Minority Protection (2002)

http://www.eumap.org/reports/2002/eu/international/sections/spain/2002_m_spain.pdf Accessed May 4th, 2007.

³² http://www.cre.gov.uk/gdpract/g_and_t_facts.html Accessed May 5th, 2007.

³³ <http://www.radstats.org.uk/no069/article4.htm> Accessed May 5th, 2007.

Under such conditions it would perhaps not be too much to forth see that in the near future the outcomes of the double standards attitude still prevailing in currently enlarged EU will bring about much better protection for ethnic diversity and difference in the “wild” east then in the “tolerant” west. To avoid such further differentiations it would perhaps be wise that *all* EU member states comply with the same conditions of membership and approach the Roma issue in a non/differentiating way if any real change in the plight of the largest European minority is intended.

5.4 Numbers, Financing and Mutual Interests

Closely connected to the issue of numbers and statistics is the issue of funding and the interests that revolve around different sources of funding. One could identify four types of actors that could benefit from funding. The main target for funding is the Roma that live in sub-standard conditions. However, in order to reach their target the funds are to be disseminated by different agencies, which in turn need funding to survive as agencies. I argue that more often than not the funds remain concentrated at different levels of administration in charge with their dissemination and that the targeted population benefit less than the agencies.

Different types of agencies of dissemination of funding have been identified at European, national and local levels: EU through the national delegations of European Commission³⁴, inter-governmental organizations, state governments, regional (County) councils, local organizations and authorities (city halls), non-governmental organizations (local, national and international) eligible for EU funding if their programs deal with Roma issues and Roma activists (activating in local, national and international organizations). I argue that all these actors mutually instrumentalize each other to gain some benefits from the very existence of the “Roma problem”.

In an interview conducted in 2004 with a Roma member of County Bureau for Roma the issue has been expressed crystal clear by the interviewee who said:

“The fact that the Rom is important only as long as we could use him as an instrument to absorb some money from EU is demonstrable. And I believe that, unfortunately, this (*my note: Botosani*) is not a singular case of Romania. Because us, the Roma, have become a pre-accession criterion.”

I argue that in Romania the Roma that have benefited most from the EU programs and other regional policies are primarily members of Partida Romilor and, perhaps to a less extent, those Roma work as activists within different NGOs. Therefore, for the time being, the real gain of the policies designed to solve the social problems of the Roma is the creation of different agencies dealing with the Roma “problem”, but not so much the tackling of the Roma problem from below.

³⁴ Source: http://www.infoeuropa.ro/docs/Fisa_de_sector-Spriijin_pentru_romi.pdf Accessed May 11th 2007

Currently, the interests at stake revolve around maintaining these agencies and often their maintenance depend on the maintenance of the Roma “problem”. Beside, the placement of the different agencies dealing with Roma at different levels of public administration in Romania is often at the periphery of funding availability. Therefore, other than having some people hired to occupy certain positions at those levels, the resources to implement any sort of impacted policy at the local level are so scarce that they seldom reach the target. Due to the general economic scarcity in Romania, targeting funds for Roma only is hard to maintain as a sustainable strategy that receives public approval.

Political and electoral interests of mainstream parties play a major role in this equation as well. Since 1989, when Romania was again allowed to have free elections, the Roma became an important instrument used for gaining votes (especially for the Social Democrat Party³⁵ that promised in returned better policies). However, the flip side of this coin revealed fears of losing electorate if the policies were too obviously targeted on a specific ethnic group at the expense of other categories of Romanian population that live in poor economic conditions.

The political game was thus one that had to deal with this paradox in a creative way. Unsurprisingly the outcome was that the Roma were praised during electoral campaigns and almost forgotten after. However, a certain sustainability of interest from the part of public authorities to address the Roma issue had to be maintained after elections as well in order to maintain a minimum of credibility in the perspective of future elections.

The domestic political situation coupled with the European pressure brought about a series of public agencies to deal with Roma issues. However, these agencies created to deal with Roma within the Romanian public administration did not have much power to implement strategies for their funding depended on the decisions taken at other levels of administration.

For example, the institution of Regional Expert for Roma is placed within County’s Prefectures. In turn, the County’s Prefectures have no funding available. The institutions responsible for decision-making on funds are the Regional Councils. Within these institutions Roma are not represented. However, an attempt was made to include Roma as Local Experts in the City Halls where financial decisions are taken. Unfortunately, by the time of research in 2004 the implementation of this discursive aim was almost inexistent. The Regional (County) Office for Roma during that time was mainly a one-person institution, which had no real influence on the life of Roma. The Regional Council was the authority to decide if any money would go to the Roma filed, but there was no representative of Roma in these Councils. Therefore, the institution of Regional Roma Expert was disconnected from the other institutions that have and administered funds.

³⁵ See the Political Agreement between the Social Democrat Party and Partida Romilor signed in the electoral year 2004.

In an interview with Craiova's Regional Expert for Roma, when asked "how free do you feel in influencing Prefecture (The County Public Office) or the City Hall where the decisions are made?" the interviewee answered:

"Well, you know, we – Prefecture- we do not have funds. It's more the Regional (County) Council. They are the main funding agency at the regional level. We ask for money to the Regional Council. One recommendation would be to have someone there, at the Regional Council level."

The regional and local funds depend on the availability of funds at the national level, which in turn depend largely on funds coming from EU. Thus the financial interest to recognize the magnitude of the social problems of Roma at local, regional and national level is high but it often collides with the political interests of gaining electorate from the part of majority population. The Regional Expert for Roma in Botosani explained the mechanism:

"How could one (locality) persuade the Local Council that you have problems and you need money to solve them? Is by showing that you have Roma. Where there are Roma, there must be also a representative in the local public administration. It is clear that this would be an extra advantage. Because, this is useful, in my opinion, as a very good instrument, which I am convinced it will remain as such, to use those programs, to use those opportunities. Even if it does not sound good, I think that the local public administration should be a little opportunistic. Because the development is only coming from this attitude."

Therefore, the attitude of victimization proves to be instrumental in the battle for attracting funds. This stays true for all agencies involved. The Roma are placed in an area of confluence of interests of the different agencies competing for funding. However, this image of Roma as victims is often counter-balanced by the image of Roma as extremely rich. In Romania, there are some categories of Roma (mostly Calderas), which live in palaces and they are as eligible for funding as those Roma who do not have any decent housing available. The problem of categorization following an ethnic criterion as opposed to a social criterion leads to manipulation of the policies.

In the same time, the image of the rich Roma is often advertised in press and brings about negative societal attitudes from majority population that also lives often in sub-standard conditions. The idea that funds coming from taxes are used to improve the conditions of some people who are often portrayed as very rich encounters harsh opposition and translated itself in ethnic hatred and discrimination. Unfortunately, the categories that bear these negative effects are those, which were disadvantaged in the first place, since policies designed for them are sabotaged or manipulated to serve interests of more powerful actors.

In an interview with the president of Dolj County's branch of Partida Romilor the issue was illustrated as following:

"If some have managed to get rich and they are still managing, these people spoil the image of those poor ones, of those unfortunate who sleep on the street or in the field. And because of this, then the others say look what the gypsies have! And then they create this image and the European Community could say at some point that it is not necessary (my note: to help)..." (...)

"And all these contribute to create a bad image, especially the image and the lack of credibility of those leaders that represent us at the top but also those at the local level. And then I say that well, come on brothers, now you say that you are poor and so on but then in turn what are you doing? When one says his roof has only 1200 kg copper and his palace has 100 rooms or 50 rooms...but then there are 50 families of Roma that do not have housing. And then you end up begging the State, which is poor, which has no budget and then...from the point of view of the legislative..."

The interviewee referred here to those rich Roma that are often portrayed in international media as some of the bearers of EU funding. The issue is quite clear and a recommendation that came from many Roma I have interviewed was that the Roma should not be treated as a homogenous social category. A translation of this recommendation into policy would mean that programs should be designed for poor people and not necessarily for all Roma. Perhaps an inter-sectional approach that combines a disadvantaged social category with the ethnicity background could be a better solution.

Besides the difficulty in reaching the categories in need when the policies are formulated on ethnic grounds, another negative effect is that of increased discrimination and ethnic hatred. The same interviewee mentioned:

"because of those rich Roma a huge confusion comes about the Roma. The image and the de-linkage of the majority population from the minority population, especially from the Roma community, creates hatred."

6. Conclusion

The paper explored the effects of EU accession conditionality on Eastern European states to tackle minority protection. The focus was on the way the Roma question was tackled in Romania. It is argued that even if the minority protection conditionality brought about certain agencies dealing with Roma in eastern European countries, the actual implementation of policies remained superficial. However, even if the targeted disadvantaged group remained largely untouched by these developments, mutual benefits of EU actors, Romanian government, political parties and Roma representatives emerged from this context.

There are several reasons for which the policies did not reach deep enough into society's structure and merely represented a political opportunity to create agencies of representation for Roma. One of the general reasons was that Roma at the intersection of several interests coming from different agencies involved in the process of accession negotiation. In this context, Roma were regarded as an instrument for politics more than a target for policies.

Briefly, the reasons for which policies remained largely discursive tools than actual implementation are thought to derive from the double standards application still existent in European Union. At the same time, the conditionality itself suffered several transformations from advocating collective rights to resuming itself to guarding individual rights. The fact that old members states were not expected to comply with the Framework Convention for the Protection of National Minorities in the same degree with accession countries, backed by the inconsistent application even among Eastern European countries brought about a diminished credibility in its aims, and to its interpretation as a political bargaining tool.

Methodological drawbacks of measuring the implementation of minority protection were also a hole in the design of the Copenhagen criterion of minority protection. No real thresholds were set, no practical tools for measuring implementation were designed, consequently governments felt free to report in whatever way suited their agendas, while the "Roma problem" continued to persist.

The Roma issue is thus understood as instrumental in European, national and local politics in the context of EU enlargement. However, the instrumental character of the "Roma problem" in the context of EU enlargement has proven beneficial for some Roma actors that seized the opportunity to create their own agencies of representation. In Romania, a single political party – Partida Romilor, monopolized these agencies until 2004.

The reform in Romanian public administration to include agencies dealing with the "Roma problem" was meant to decentralize the issue. However, until 2004 the single party monopoly of representation brought about a centralization of the Roma power in the hands of a few members of this party. After 2004, due to rotation of governments, when the liberals took over, Partida Romilor lost some of its power and thus allowed for greater pluralism for Roma political representation. This, in turn, was backed up by the regional program the Decade of Roma Inclusion aimed at empowering different types of agencies of representation – from NGOs to political parties.

Along additional ones, two main undesirable effects of the double standards application of minority protection conditionality for membership in European Union were identified. First, it did not improve the negative societal attitudes majority population holds on Roma. This happened because Roma are regarded as the main reasons for which accession was delayed for some countries and for which these countries, Romania in particular, have a bad image abroad. For this reason Roma became target of increased ethnic hatred even if some new legislation allow on paper for their better protection. Secondly, the double standard

implementation of minority protection allows the Roma problem to be perceived as an exclusive problem of eastern European states while being completely ignored in Western Europe. This in turn, raises doubts on the normative aim of the minority protection conditionality and therefore diminishes further its credibility. In this light, a recommendation for having a single European standard of minority protection seems feasible, since this is the only way that the Roma, the largest European minority, could become truly protected, while divisions and rivalries among European states and regions will be diminished.

However, if the double standard tendency continues, one could imagine also a more pessimistic scenario in which the situation will even get worse. The pressure to improve minority protection in eastern Europe will continue (see for instance the Decade of Roma Inclusion), while in western Europe will stay un-tackled. As a result of the public attention given to the issue and to the association of eastern Europe with the “land of troubles”, the negative societal attitudes against Roma will increase in the region for they will be regarded as the main reason for the bad image of eastern Europe in general and of Romania in particular.

In the same time, discontent with the attitude of the old member states will deepen a division within European Union, which in turn will become weaker as an actor in the international arena of power relations. From the perspective of the impoverished Roma, chances are still bleak that their situation will improve, especially in those western European countries where they are ignored.

An avoidance of this pessimistic scenario could be achieved by implementing a single European standard of minority protection for all member countries. The forces that might work against this achievement might be those responsible for the dynamics of agency maintenance at the expense of policy implementation. So the question remains: Could the attainment of the policy aim to improve the situation of Roma run in parallel with a non-threatening power dynamic for the maintenance of the agencies involved. If yes, where could the compromise be located?

Bibliography:

Bourdieu, P. *Distinction. A Social Critique of the Judgement of Taste*. Routledge, Harvard, 1979.

Burton, N. *Assessing the Accession Criteria. Report from Workshop 1: Political Dimensions of the Accession Criteria*. European Research Institute, Birmingham 2002.

Clark, C. *Counting Backwards: the Roma 'numbers game' in Central and Eastern Europe*. Radstads Journal, (<http://www.radstats.org.uk/no069/article4.htm>). Document accessed 04-05-2007.

- Commission for Racial Equality of The Government of the United Kingdom. *Gypsies and Irish travellers. The Facts*. Commission for Racial Equality, 2007. (http://www.cre.gov.uk/gdpract/g_and_t_facts.html) Document accessed 05-05-2007.
- Council of Europe. *Framework Convention for the Protection of national Minorities Chart of Signatures and Ratifications*. Council of Europe, 2007. (<http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=157&CM=&DF=&CL=ENG>), Document dated 14-05-2007. Document accessed 14-05-2007.
- Council of Europe Parliamentary Assembly. *Recommendation 1201 on an additional protocol on the rights of national minorities to the European Convention on Human Rights*, 1993. (<http://assembly.coe.int/Documents/AdoptedText/ta93/EREC1201.HTM>) Document Accessed 04-04-2007.
- Crowther, W. "The European Union and Romania: Politics of Constrained Transition". In *The European Union and Democratization*, ed. Kubicek, P. J. Routledge, New York, 2003, 87-111.
- De Witte, B. "Politics Versus law in the EU's Approach to Ethnic Minorities". In *Europe Unbound. Enlarging and Reshaping the Boundaries of the European Union* ed. Zielonka, J. Routledge, New York, 2002, 137-161.
- The Decade of Roma Inclusion. *Terms of reference*. The Decade of Roma Inclusion, Sofia, 2005. (<http://www.romadecade.org/itentcms/www/roma/portal/downloads/Decade%20Documents/Roma%20Decade%20TOR.pdf>) Document dated 2-02-2005. Document accessed 04-05-2007.
- Eriksen, E.O, Fossum, J.E, Sjursen, H. "Widening or reconstituting the EU?" In *Making the European Polity. Reflexive Integration in the EU*, ed. Eriksen, O. E. Routledge, New York, 2005, 237-253.
- Euroactiv. *Situation of Roma in France at Crisis Proportions – Report*. (<http://www.euractiv.com/en/justice/situation-roma-france-crisis-proportions-report/article-150507>) Document accessed 04-05-2007.
- European Commission Delegation in Romania. *Fisa de Sector. Sprijin pentru Romi*. European Commission, 2007 (http://www.infoeuropa.ro/docs/Fisa_de_sector-Sprijin_pentru_romi.pdf) Document dated 02-2007. Document accessed 11-05-2007.
- Foucault, M. *The History of Sexuality: an Introduction*. Vintage Books (reprint): New York (Volume 1: 1990, first printed 1978).
- _____ *The History of Sexuality. The Use of Pleasure* Vintage Books: New York (Volume 2: 1990, first printed 1985).
- Gallup Organization. *Intoleranță, Discriminare și Autoritarism în Opinia Publica*. Bucharest, 2003. (http://www.gallup.ro/romana/poll_ro/releases_ro/pr031016_ro/pr031016_ro.htm) Document dated 16-10-2003. Document accessed 02-11-2007.
- Guvernul Romaniei. Comisia Anti-Saracie si Promovare a Incluziunii Sociale (CASPIIS). *Suportul Social pentru Populatia de Romi*. CASPIIS, Bucharest (<http://www.caspis.ro/downloads/Suport%20social%20romi.doc>), Document accessed 04-05-2007.

- Majone, G. *Dilemmas of European Integration. The Ambiguities and Pitfalls of Integration by Stealth*. Oxford University Press, Oxford, 2005.
- The National Agency for Roma Statistics. *Populatia dupa Etnie si Limba Materna pe Judete*. Guvernul Romaniei ANR, Bucharest (<http://www.anr.gov.ro/docs/statistici/statistici/t4.pdf>) Document dated March 18th -27th 2002 (National Census Data). Document accessed 04-05-2007.
- Open Society Foundation. *Roma Inclusion Barometer*. Bucharest, 2006. (www.osf.ro/ro/documente.php?id_document=366) Document accessed 02-05-2007.
- Open Society Institute. *Report on the Situation of Roma in Spain*. OSI, 2002 (http://www.eumap.org/reports/2002/eu/international/sections/spain/2002_m_spain.pdf) Document accessed 04 – 05- 2007.
- Partidul Social Democrat, Partida Romilor Social Democrata. *Acord Politic privind Parteneriatul dintre Partidul Social Democrat si Partida Romilor Social-Democrata din Romania*. Partidul Social Democrat, Partida Romilor Social-Democrata, Bucharest, 2003. Document dated 24-11-2003.
- PHARE Program in Romania. *Accelerating the Implementation of the National Strategy for Improving Roma Condition*. PHARE Program, 2006. (<http://www.infoeuropa.ro/docs/RevFiche016-772.01.01%20Minority-30Nov06.pdf>) Document dated November 30th 2006. Document accessed May 14th 2007.
- Romanian Government. *Governmental Decision 430/2001 for the Improvement of the Situation of Roma*. Romanian Government, Bucharest, 2001.
- Sasse, G. *EU Conditionality and Minority Rights: Translating the Copenhagen Criterion into Policy*. European University Institute Working Papers, Florence, 2005/16.
- Schwellnus, G. "Double Standards: Minority Protection as a Condition for Membership". In *Questioning EU Enlargement*, ed. Sjursen, H. Routledge, New York, 2006, 186-201.
- Stewart, M. *The Hungarian Status Law: a New European Form of Transnational Politics?* Slavic Eurasian Studies Occasional Papers, Hokkaido University, 2004, Vol. 4, 120-151. (http://src-h.slav.hokudai.ac.jp/coe21/publish/no4_ses/chapter05.pdf) Document accessed 05-05-2007.
- Wikipedia. *Copenhagen Criteria*. Wikipedia, 2007. (http://en.wikipedia.org/wiki/Copenhagen_criteria) Document dated 12-05-2007. Document accessed 14-05-2007.
- Yuval Davis, N. *Mainstreaming and Intersectionality*. Research Seminar, Aalborg University, April 24th 2007.