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The Report on the Situation of Roma Community in Poland – March 2012.

In the face of lasting economic breakdown in Poland and the growing number of racism, xenophobia and discrimination acts' against Roma as the Member of the Joint Government and National and Ethnic Minorities Commission as well as the President of Polish Roma Union based in Szczecinek in the agreement with other Romani activists I have decided to prepare the report on the situation of persons of Romani origin in Poland.

The aim of the below report is to show the truth about the real situation of Roma in the territory of the Republic of Poland as well as to show the scale of intolerance and discrimination phenomena and the approach of Polish authorities towards Roma. We, the activists and our association want to point out the examples of negative phenomena touching Roma in Poland as well as inadequacy of actions being taken up by officials, associated with neglecting opinion of the very interested. The Report will be presented to the representatives of the most important national and foreign institutions. It will be also available in Polish and English language version on the website of the Polish Roma Union based in Szczecinek www.romowie.com

The below Report is based on the data submitted by 15 Romani organizations acting in Poland, on the information collected by 28 Professional and Social Assistants of Polish Roma Union (Professional and Social Assistants are employed in a framework of the project “Innovative Roma on the labor market II”, financed in a framework of the Operational Program Human Capital Priority 1 Sub - Action 1.3.1. Assistants are persons of Romani origin, in the majority possessing high education, who deal with social assistance and professional activation of Roma in the area of 68 municipalities and 20 villages) and 10 assistants of Romani education. The data were also collected on the basis of the telephone conversations and letters submitted to our organization. Besides

we based on the letters from 83 Town Halls and Community Offices, received in a framework of the report on the Increased Educational Subsidy from the year 2008 and on the information sent to us by 9 Romani detained in penitentiaries. Our information were also obtained directly from Romani beneficiaries. Moreover, there were used information put on the Ministry for Digitalization and Administration's website.

1. Roma Community in Poland consists of approximately 20 thousands persons. Roma are divided into several groups: Polish Roma, Bergitka (Mountain, Carpathian Roma), Lovara, Kelderari, Sinti, Chaladytka (Russian) Roma.

Lovara, Kelderari, Polish and Russian Roma were nomads until the half of 60s. The elderly representatives of Roma Community in Poland positively perceive the period of Polish People's Republic due to various assistance actions implemented in favor of them. Unfortunately besides the assistance, communist authorities aimed at assimilation and breaking internal Roma social relations as well as at disappearance of Romani culture and tradition. Romani language was and still is perceived as a monolith, like the whole community. The differences between Roma in Poland are present in the ethnic and language issues. The small knowledge on this topic among the persons from outside the environment makes, that their specifics is not understood and they frequently encounter the disapproval.

Over the period of last 30 years there took place two great Romani emigration from Poland. The first wave was in the years 1983 – 1995. It covered 60% (30.000) of the 50.000 then Romani population. 90% of them came back to Poland after several months or years. Their main destinations were Germany, the Netherlands and Scandinavia and in some cases the USA as well. The Second Romani emigration from Poland started in the year 2000 and it reached its' peak after the 1st of May 2004 and it still continues. It covered 60% of 47.000 Roma living then in Poland. In many cases the departures covered 80 and in some cases even 90% of Romani population in particular cities. The present number of Roma in Poland is a result of the fact, that as the EU citizens they used the right to settling in the chosen member states. The above data were collected over the 12 years period of our association activity using the method of direct reaching Roma communities in 20 towns in the territory of the whole country. There were used own estimations and those conducted in a cooperation with the International Romani Union (IRU).

| Migration | 1st wave of migration | 2nd wave of migration |
|-------------------------------------|--|--------------------------|
| Time of duration | 1983-1995 | 2000 – until present |
| Percentage of migrating Roma | 60% | 60% |
| Number of migrating Roma | 30.000 | 28.200 |
| Destinations of migration | Germany, the Netherlands, Scandinavia, the USA, Canada | EU Member States, Canada |

The table was prepared on the basis of the information of Polish Roma Union, International Romani Union and the reports by the Professional and Social Assistants, which were prepared on the basis of information received from the beneficiaries.

2. Discrimination towards Roma refers to various aspects of social life. It touches persons at various age, of various education and economic status, women and men. Persons of Romani origin experience unwillingness, rejection, negligence as well as open hostility and aggression from average persons and representatives of various institutions. They use frequent lack education and knowledge of law. The discrimination is also seen in the number of tender granted to Romani organizations and scrutiny of audits carried on them. Only 25% of *the Program for Roma Community* tender, which is implemented since 2004 came to Romani subjects. Besides Roma are frequently treated a priori as thieves and perpetrators of various crimes by the judiciary and Police officials. Also in shops, mall centers and restaurants they are a subject of ethnic profiling and against their will they focus attention of employees and other persons assembled there. In the past Roma suspiciously approached to contacts with institutions such as Police, Public Prosecutor, Health Service. Fortunately, presently that attitude gradually changes. Unfortunately, the attitude of some employees of those institutions does not encourage Roma to trust them. The flashing example of that treatment took place in the Opolskie Voyvodship, when a Romani woman was refused an injection, which was explained by the fact that she was dirty. It was false because she has her dark skin complexion since her birth. That woman felt very humiliated. As regards the Police they often do not want to conduct the detail investigations in cases with Roma as the suspected. In such cases Roma are frequently found guilty a priori. The Police on the central and regional (Voyvodship) level shows the will of cooperation and assistance to the persons from Roma community, however on the local level it does not always have its' implications. Persons of Romani origin often do not trust the Police and judiciary institutions, because they are convinced, that as the persons with no knowledge about the law they will not be able to prove their rights before the court.

That situation was reported to Polish Roma Union by the leader of Roma from Opatów. The woman complained about the discriminatory and racist treatment of her and her son by the town authorities, local judiciary and Police as well as by some inhabitants of the town. The local law enforcement in a insufficiently detail, sometimes even neglecting way dealt with the cases of beating up Roma and destroying Romani property in Stalowa Wola and Świdnik. The similar situation also took place in Chojnice in December 2009, where a man died in the result of beating with the persons of Romani origin. For a couple of days in the town there was an atmosphere of chasing and will of revenge against the consisting of 100 persons Romani community. For Roma it is also humiliating the way of solving their housing problems, which are solved by placing them in the building inhabited by the persons from the social margin.

Such an approach is an additional barrier in coming out of unemployment, poverty and social pathology for the persons of Romani origin. Counteracting unemployment among Roma has also difficulties from employers, who are unwilling to employ persons of that community. They do not want Romani employees even in the situation, when their work is fully or partially co – financed from outside and they do not have any costs due to that fact. Professional and Social Assistants of PRU very often encounter such an approach, when looking for a job for their Romani beneficiaries. **By the discriminatory and hostile to Roma actions on the area of Poland there were and there are still violated rules of the Act on National Minorities of January 6th, 2005 and the Act on Equal Treatment of January 1st, 2011 as well as there were violated principles of the European Framework Convention on Protection of National Minorities from the year 1995 and the European Directive on Equal Treatment regard off the racial origin from the year 2000. Poland in an insufficient way implements the number of its' obligations towards Romani such as supporting social integration and using civil rights by the persons belonging to minorities.** For such a violation can be also classified unwillingness to granting financial assistance for the tasks implemented by Romani associations. The Roma community in Poland not always can rely on the protection against the actions of a discriminatory and racist character and only the cases properly covered by media can expect a proper reaction.

As the case of an open discrimination, we cite a part of a speech by the Professional and Social Assistant working in the Lower Silesia Voyvodship. “Roma from Strzelin are friends with the Poles, but it does not mean, that they do not discriminate us. In Strzelin on the Pocztowa 4 Street there is an old building in which the living conditions are just terrible. It is dirty, stinky in here and the flats have no toilets. What is the most important, in that building live people abusing alcohol and the Roma. In that building does not live any

normal Romani family. The question is, why does a normal Romani family have to live there? Why is it so, that when a Roma goes to the Town Hall and Commune and asks for a social flat he or she has to receive flat in a destroyed building, where there are no conditions for living? Why every Roma family has to live in such a terrible conditions? Why can't we receive social flats in decent conditions with a running water and a toilet? Romani children who live in that building surely cannot invite colleagues to their, because what parents will risk their children encounter a drunk person, who can hurt it or be present in such dirty place, where they catch an infection? Not a single! So why should we risk Romani children to face such a danger?

On the question whether there is discrimination at schools every school headmaster will say, that there is no discrimination at his/her school. In my opinion it is not true. There is discrimination in Strzelin schools. Why do I think so? Because when there is a problem with a Romani child truancy, wrong behavior, low grades, such a person is sent off to a special school. Is not it a discrimination? Polish youth misbehaves as well. One day on a meeting with a Madam from the Education Department there was a question: "When there are no problems with Romani pupils in the schools of Strzelin, why most of them graduated special schools in spite of the fact that they are not mentally disable? The Madam from the Education said, that I put into the question the diagnoses by psychologists. I think that such eliminating of the problem is not a solution. Do that people realize, that they harm that young people? The next example of racism is a situation when the Director of the Communal Center of Social Help forbade attending the day – room activities to one of Romani children in spite of the fact, that we offered paying for that child's stay in the day – room. Its' parents wanted it to spend time with the peers. When the Supervisor saw him, she forbade it entering.

Talking about the discrimination towards Romani minority it is worth to mention about the role played by the media, who frequently too carelessly and not in accordance with the law present information of Romani origin of potential perpetrators of the crimes and offences. Such the actions reinforce the already negative image of Romani community in Poland. The next issue is the role of the internet discussion forums and their administrators, which publish the opinions of a racist content and incite to violence on the ethnic background.

The Professional and Social Assistants from the Silesia Voyvodship informed, that they personally and in particular average Roma were the object of pernicious and negligence from the side of public administration employees. Persons of Romani origin in Silesia many times were victims of aggression by some hostilely attributed towards them settlement bullies, quasi – fans and skinheads. Persecutions, threats as well as the acts of violence against Roma often take place in the Małopolskie, Silesia, Opolskie and Wielkopolskie Voyvoship. Over the

period of last several months in the area of Mazowieckie and Lubelskie Voyvodship there took place acts of aggression against persons of Romani origin.

Roma encounter hidden discrimination in the area of Western Pomeranian, Lubuskie, Kujawsko – Pomorskie, Łódzkie and Warmińsko – Mazurskie Voyvodships. A classic example of the hidden discrimination is granting Roma employment by Labor Offices in the professions forbidden from the Romani culture and tradition point of view. This kind of discrimination is also seen in a deliberate negligence of their needs in terms of social, health and housing affairs reported to various kind of institutions representatives. The other noticeable example of discrimination against Roma is violating Romani prisoners rights' in the penitentiaries. They are placed in the prisons which are very far away from their places of living and besides they are refused leaves and they are difficulties in finding job in the area of prison and outside of it. Other detained have not got such a problem and their applications for shortcutting the sentence are rejected. Our association appealed in the affair of Romani prisoners to the European Commission for Racism and Intolerance (ECRI) of the Council of Europe in the year 2009.

3. Initiatives and actions for Roma Community implemented in a framework of “the Program for the Roma Community in Poland” and the Increased Educational Subsidy are rarely consulted with the Romani environment. The reasons for that situation are bad will officials and the lack of knowledge on needs and specifics of Roma society.

| Year | The amount of grants for Roma Community from “the Program for the Roma Community in Poland” |
|--|--|
| 2004 | 4 750 000,00 PLN |
| 2005 | 6 443 020,00 PLN |
| 2006 | 4 759 840,00 PLN |
| 2007 | 9 756 080,00 PLN |
| 2008 | 10 000 000,00 PLN |
| 2009 | 9 985 600,00 PLN |
| 2010 | 10 000 000,00 PLN |
| 2011 | 10 000 000,00 PLN |
| 2012 | 10 000 000,00 PLN |
| In total | 75 694 540,00 PLN |
| The Romani organisation received: | About 25% |

The table was prepared on the basis of the reports presented annually by the Ministry of Administration and Digitalization (previously the Ministry of Interior and Administration)

Realization of the tasks for Roma by the local government units is not a subject of scrutinized supervision as it takes place in case of the challenges implemented Romani subjects. Local government institutions also do not want to reveal how they really spend public money destined, which they receive for the persons of Roma nationality. Lack of the actions consultations with the whole society or their influential representatives makes, that the supporting actions are not always adequate and in the result they fail. As the PRU Professional and Social Assistants working for Roma in various regions of the country inform at least $\frac{1}{4}$ and sometimes even $\frac{1}{3}$ of Romani population living in the areas of their work regularly emigrates from Poland to the West and come back to their places of residence in Poland after some time. It is particularly seen among the Romani groups of wandering traditions, however the foreign migrations are frequent among the Roma settled for a long time as well. All of them, as the rest of society in this benefit from the possibilities, which result from the EU membership, such as the freedom of travelling and working abroad. The responsibility of every state, in this situation Poland is to create such conditions for living in that country, so that its' citizens do not have to go abroad to in the fear of their and their families welfare and security.

According to the report on the way of using and implementation of the Educational Subsidies from the year 2009, which was conducted by the Polish Roma Union that Subsidy was used in a following way:

- employing and salaries of Romani Assistants and Supporting Teachers,
- extra lessons, group of hobbies and interests,
- correction and compensation activities,
- consultations with psychologists and pedagogics,
- social scholarships for the Romani children,
- buying manuals and other school equipment,
- insurances of the children,
- educational trips and meetings,
- co - financing the day – room.

Many towns' authorities answered on my questions about the subsidies in a very general way, with no details explaining in which way the granted subsidy was used , in the others particular sums of money were inadequate to the expenditures on which they were destined. As the person representing Romani Community and taking care of their welfare in Poland and abroad I wanted that all misusages and errors associated with extra subsidy for the education of Romani children and its' spending were explained as soon as possible. I did not want the large money received by particular towns were used not accordance with their destination, but my efforts failed. The Report did not result in any actions explaining that state of affairs which continues up till now.

4. Supporting actions for Roma are limited due to financial crisis in Poland and in Europe, besides the time of crisis makes, that destining public tender for the Roma Community inflicts often unjustified jealousy of Polish surrounding. The main emphasis is put on the needs of Romani children and youth. These actions concentrate mainly on integration and common participation of both nationalities. Unfortunately, the young generation is still perceived through the prism of long year stereotypes applying to Roma. Romani pupils are frequently persecuted by the teachers and other pupils, however that phenomenon decreases when comparing to previous ages. The teachers often lack good will, understanding and patience to Romani pupils, their parents and caretakers. This is one of the most important reason for dropping education by underage Roma. However in a comparison to previous ages the awareness of the education meaning among the Romani parents. Talking about the education of Romani pupils it is necessary to mention about the high rate of children directed to special kindergartens and schools in a reference to the general number of Roma

under the obligation of learning. In the Małopolskie, Śląskie and Opolskie these rates are as follows: 32, 37, 24,8%. The data received by the Ministry of Interior and Administration from the Voyevoda Offices show, that among the Romani pupils with diagnosis of special education need the most of them attended primary schools (70%), junior high schools (almost 25%) and the rest 5% to secondary schools. According to the data from the Education Information System (EIS) of the year 2010 16,8% Romani pupils were classified there as requiring special classes, divisions, schools or kindergartens. It is however worth remembering, that not all educational units notify about their Romani pupils to EIS. The main reason for such a high rate of Romani pupils with diagnoses of mental disability is the approach of the psychological and pedagogical advisories' employees. On the basis of weak results in learning received by Romani children and their potential problems with using Polish language and pedagogical reported by schools and social care institutions they are defined as disable. Until January 31st in a framework of the project "Innovative Roma on the labor market II" we managed to reach 1.126 persons of Romani origin at the productive way:

- 76,20% of them poses primary, junior high school and lower education,
- 27,20% secondary school education,
- 1,60% post – secondary education.

5. In the years 2008 – 2010 on the initiative by the Ministry of Interior and Administration (presently the Ministry of Administration and Digitalization) and the Ministry of National Education there were conducted works associated with standardization of Romani language in Poland. Their actions came across the strong resistance from the vast majority of Romani community. The resistance by Roma resulted in the Team for the Romani Language Standardization stopped working. **That objection was caused by the fact that the initiative was taken up by the officials and quasi experts in the field of Romani issues. The tried to impose Roma the new way of using their language without any previous consultation of this affair.** They did not consult their idea with the representatives of particular Romani groups, what made that the project of Romani language codification from its' very beginning was an artificial and vertically implemented initiative. Though, it did not take into account the differences between particular Romani language dialects of Poland. The objectives of codification were worked up by a narrow group of activists, who did not discussed its' principles before could not be approved by Roma. The authorities of the Republic of Poland

were criticized in the last Report by the Council of Europe for the insufficient actions for the protection and promotion of Romani language in the public space.

States institutions do not want the participation of Roma in all the initiatives for the promotion of their own language. They want to create history, culture and Romani language without the participation of Roma. From the state budget there are financed publications offending Romani minority and falsifying the true knowledge about it. The officials of institutions responsible for Roma community affairs still do not trust Romani activists and the initiatives realized by their associations. They do not appreciate the fact, that they know the specifics of Romani community very well and they know what challenges are necessary in the Romani environment. They can also make contact with Roma and get their trust, which is not an easy thing for the persons from outside that community. The state institutions employees however lack this skills.

6. Polish authorities and public institutions, especially on the local level lack knowledge and skills as well as good will in the field of multicultural approach. It does not apply to Roma only, but also to the majority of foreigners and persons from abroad of a different physical appearance and clothes. This state of affairs is the result of a low level skills and knowledge in this field, which is common among the large part of Polish society. It makes that Roma do not trust in the efficiency of reactions by the responsible institutions on cases of discrimination against them and only **5% cases** of discrimination, racism or xenophobia is reported. The majority of such kind of information goes to Romani organizations through the telephone calls, rarely by the e – mail or traditional mail, which unfortunately is an obstacle in the actions for the persons offended. During the recent Common Census in January 2011 Roma very unwillingly declared their ethnic affiliation, because they do not trust in confidence and security of data collected during the Census. They are afraid of potential problems due to their national origin. In September 2011 there took place an affair of moving away the Priest Stanisław Opocki – The National Priest of Roma in Poland and the defender of their rights from the parish in Łososina Górna. From the unofficial information it is known, that it was caused by his engagement in defending rights of Romani population living in the Małopolska mountain area. The moving away of the Priest was a classic example of unwillingness towards Roma which is present among the wide circles of Polish society. The same kind of unwillingness towards the initiatives for that community can be the fact of

ignoring achievements and actions implemented by the soundly acting Romani organizations. It is frequent in various kind of reports prepared by the state institutions.

7. The tender in favor of Roma community in Poland – the table.

| Co-financing: | Amount: |
|--|--------------------------------------|
| Operational Program Human Capital | 22000 000 EUR |
| Government Program for the Roma Community | 10 000 000 PLN annually |
| Educational Subsidy | 10 000 000 – 12 000 000 PLN annually |

The table was prepared on the basis of reports by the Ministry of Interior and Administration, information by the Authority Implementing European Programs and the Ministry of National Education.

8. The Strategy for the prevention of discrimination against Roma in Poland.

The Roma Community in Poland will still need support for a long time. Currently lasting programs and various kind of initiatives need to be continued, because as the long – term tasks they cannot bring the results immediately. Their expected results are achieved gradually, but consequently. The changes introduced among Roma and their relations with the surrounding society are more and more noticeable, such as the in the field of Romani children education. These actions are designed first of all for the future generations of Roma than the present. Due to the fact that so many Roma emigrated from Roma after the year 2004 it would recommended to carry encouraging actions such as in case of the rest of emigration. In order these action to succeed there are necessary various ways of help in favor of those persons. They have to concentrate particularly on ensuring Roma the conditions for personal and professional development. The same as in case of other emigrants it is necessary to use their potential, experience and skills obtained during the stay abroad. In order to make Roma come back from abroad to Poland and no longer go there it is also necessary to eliminate all cases of

racism, discrimination and xenophobia. Besides the poverty, unemployment and lack of development perspectives these phenomena are responsible for Roma emigration in highest extent. In order to fight against the cases of hostility and aggression against Roma, it would be recommended to launch a multimedia monitoring center (for example creation of info line carried by Romani organizations), oriented on detection, documentation and reporting this kind of cases to the responsible persons and institutions. It would reinforce the Roma faith in the possibility of fighting against threats addressed towards them, besides the information collected there would be a basis of materials for the legal procedures. There will be necessary an information campaign on the objectives of its' activity among the Roma community to make as much Roma and not only Roma as possible used the services of monitoring center.

The young Romani intellectual elite educated over the period of last few years should be guides of their communities in the world of the 21st century. Their role in solving affairs of the persons of Romani origin ought to be increased at the cost of state administration. Romani leaders should take up a number of duties from the state institutions for their communities, however besides the required qualifications and prerogatives they also need to be equipped with a proper financial support. The role of Romani organizations in solving all kind of Romani minority affairs should be increased at the cost of administration units and public institutions as well. The size of the support granted to Romani associations need to depend on effects of the actions taken up by them as well as their scale of actions. The large and soundly acting associations deal with actions in the field Romani culture, identity and language preservation and counteracting discrimination as well as they implement large projects in the field of education and professional activation of Roma. In this way they do a lot of things instead of state institutions.

This kind of challenge and activity need to receive a proper financial support. There cannot take place any longer the situation, when the same actions by the subjects from outside the Romani environment and those representing Roma receive totally different financing. Additionally, they face the totally different approach in the field of controlling their tasks and noting, which is a classic example of discrimination. There cannot take place any longer the situation of favoring some associations and their leaders at the cost of other associations and leaders as well. The support for the culture, identity and Romani language also should be the responsibility of the Republic of Poland authorities'. Roma have not got their own state, which would be interested in this kind of actions, so they can rely on their own initiatives and the good will of the states they are citizens only. Their implementation should be first of all the responsibility of Romani associations, which know best all aspects and complexity of

Romani issues. They are the most important source of a true knowledge on history, culture, customs and language of Romani nation.

The tasks for Roma in Poland need to be implemented after the year 2013 as well, since the long term projects cannot be interrupted in the halfway of their implementation. Present social and economic situation in Poland and in the world as well as the common negative attribution towards Romani minority make that the further support for this society is necessary.

Polish Roma Union based in Szczecinek