



Civil society monitoring report  
on implementation  
of the national Roma integration strategy  
in Luxembourg

*Identifying blind spots  
in Roma inclusion policy*

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## LIST OF ABBREVIATIONS

CoE	Council of Europe
EC	European Commission
ECRI	European Commission against Racism and Intolerance
EU	European Union
EUFW	EU Framework for National Roma Integration Strategies
FRA	Fundamental Rights Agency
NGO	Non-Governmental Organisation
NRCP	National Roma Contact Point
NRIS	National Roma Integration Strategy
OLAI	Luxembourg Reception and Integration Agency
ONA	National Reception Office ( <i>Office national de l'accueil</i> )

## EXECUTIVE SUMMARY

Following the EU Framework for National Roma Integration Strategies up to 2020 guidelines issued by EC in 2011,<sup>1</sup> Luxembourg has opted for an integrated set of policy measures<sup>2</sup> within broader social inclusion policies for implementing its equivalent of a National Roma Integration Strategy (NRIS).<sup>3</sup> To date, Luxembourg failed to report on the implementation of the NRIS. The EC available assessments from 2012 and 2014 were unable to indicate their impact in education, employment, health, housing, anti-discrimination and funding on Roma<sup>4</sup> specifically. According to the government, ethnic data collection is forbidden and therefore all actions referenced in the integrated set of measures apply equally to all community citizens and their family members without any distinctions.<sup>5</sup>

According to the Council of Europe statistics, the Roma community in Luxembourg is very small in size (approx. 300 persons),<sup>6</sup> but diverse and dispersed across the country. There is little to no data about the situation of Roma communities in Luxembourg; there are no registered Roma NGOs or community leaders to represent the interests of Roma communities at national level. When Luxembourg drafted its NRIS, no prior needs assessment or consultation with Roma representatives was conducted. In these conditions, the NRIS adoption appears as a formal compliance with the EU requirements, which cannot produce any real effect for the target group.

### NRIS or a need for a different approach?

The question that is raising is the utility of having an artificial policy document which does not include measures, targets, budget allocations timeline or measurements for the purpose of ensuring the inclusion of Roma communities in Luxembourg and, subsequently, what would be the best policy approach for the inclusion of 300 Roma in Luxembourg?

It is urgent and in the best interest of all stakeholders that all these actions take place as soon as possible, before end of 2020, in order to ensure the direct involvement of all the Roma groups in the post-2020 Roma strategy and determine the most adequate and effective national policy and/or legislative approach.

During the preparatory and negotiation process over the post-2020 EU Roma Framework and NRIS, the EC should play an active role in supporting Member States to adopt NRIS according to common guidelines and minimum standards in order to ensure *de facto* inclusion of Roma and their substantive equality in society, free from discrimination and antigypsyism.

<sup>1</sup> Communication "An EU Framework for National Roma Integration Strategies up to 2020", COM (2011)173 of 5 April 2011

<sup>2</sup> Available at: [https://ec.europa.eu/info/sites/info/files/roma\\_luxembourg\\_strategy\\_fr.pdf](https://ec.europa.eu/info/sites/info/files/roma_luxembourg_strategy_fr.pdf)

<sup>3</sup> COM (2011) 173. In line with the Council conclusions (EPSCO 106665/11) endorsing the framework, Member States were to develop "national Roma inclusion strategies, or integrated sets of policy measures within their broader social inclusion policies". The terms 'NRIS' and 'strategy' also cover integrated sets of policy measures.

<sup>4</sup> In line with the terminology of European institutions and international organisations, the term 'Roma' is used here to refer to a number of different groups (e.g. Roma, Sinti, Kale, Gypsies, Romanichels, Boyash, Ashkali, Egyptians, Yenish, Dom, Lom, Rom, Abdal) and includes travellers, without denying the specificities of these groups.

<sup>5</sup> [https://ec.europa.eu/info/sites/info/files/roma\\_luxembourg\\_strategy\\_fr.pdf](https://ec.europa.eu/info/sites/info/files/roma_luxembourg_strategy_fr.pdf)

<sup>6</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680088ea9>

## INTRODUCTION

The EU framework for National Roma Integration Strategies up to 2020 (EUFW)<sup>7</sup> drew guidelines for the Member States to develop national strategies for integration of Roma (NRIS) and to address the gaps between Roma communities and mainstream society. To a certain extent, due to its flexibility in setting targets and the non-binding nature, the EUFW has allowed Member States to follow a tailored approach taking into account their specific national contexts.

The Luxembourg's NRIS is a set of policy measures which addresses the main thematic priorities in the EUFW in a generic manner for all those residing legally in the country, with no reference to Roma. While the NRIS explains that the collection of ethnic data is prohibited under national legislation, the government has published no evaluation reports on the implementation of the strategy. In addition, under the two EC assessment reports of the strategy implementation, from 2012 and 2014,<sup>8</sup> the government failed to indicate the impact on Roma of the measures adopted and implemented under the priority areas. An important shortcoming of the design and implementation process has been the complete lack of consultation and engagement of the Roma groups. To this, the authorities have declared that they were unable to contact the target group in order to assess its results and impact. Previous Roma Civic Monitor (RCM) reports<sup>9</sup> were an attempt to understand how the NRIS functions in Luxembourg and with what results for the Roma communities. The two previous reports have shown that while there is an apparent commitment from the government toward the inclusion of Roma, the NRIS is in fact a set of integrated measures dedicated to migrant/EU-mobile and disadvantaged groups, with no guarantees that these would reach Roma communities and without measurements of their impact on Roma.

Therefore, the present report addresses the recurring question whether the current policy approach is effective and should be replicated in the future EU Roma policy, post 2020. The conclusion of this report is that a new policy approach should be enforced in order to ensure more adequate solutions to the needs of Roma in Luxembourg, including a more pro-active support by the EC and possible warranties and as well as the engagement of other Roma civil society organisations outside of Luxembourg.

This report is based on data collected from desk research of reports, analysis, strategies, action plans issued by the National Reception Office (ONA; previously Luxembourg Reception and Integration Agency, OLAI),<sup>10</sup> the European Commission against Racism and Intolerance in Luxembourg (ECRI), FRANET, *Médecins du Monde*, etc. There are no recent official data on the situation of Roma in Luxembourg released by the Luxembourg authorities. Additional sources were the local media and the internet (i.e. *Chachipe* blog).<sup>11</sup> Moreover, interviews and e-mail exchanges were carried out with the NRCP, OLAI/ONA, Centre for Equal Treatment, several non-profit organisations in Luxembourg: Caritas, *Croix Rouge*, *Médecins du Monde*, Inter-action, etc. Currently, there is no Roma or pro-Roma NGO in Luxembourg. There were no interviews with local Roma due to time limitations and difficulties in identifying and reaching them out.

<sup>7</sup> Communication "An EU Framework for National Roma Integration Strategies up to 2020", COM (2011)173 of 5 April 2011

<sup>8</sup> [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-and-eu/roma-integration-eu-country/roma-integration-luxembourg\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-and-eu/roma-integration-eu-country/roma-integration-luxembourg_en)

<sup>9</sup> The first annual cycle of the Roma Civil Monitor was focused on the horizontal precondition of the Roma inclusion – governance, fight against antigypsyism and anti-discrimination. The second cycle concerned the four key policy fields – education, employment, healthcare and housing. All reports are available at: <https://cps.ceu.edu/roma-civil-monitor-reports>

<sup>10</sup> The National Reception Office ("*Office national de l'accueil*", ONA) replaces the Luxembourg Office for Reception and Integration (OLAI) established by the law of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg.

<sup>11</sup> *Chachipe* blog: <https://romarights.wordpress.com/about-us/>

# NRIS OR A NEED FOR A DIFFERENT APPROACH?

## Definition of the problem

Taking into account the lack of progress indicated by the EC evaluation reports of the NRIS, in the context of the universal approach employed by Luxembourg to address the inclusion of Roma, the main problem this report is trying to address is whether this current policy setting is adequate and efficient to address the inclusion of Roma and to respond to the EC requirements regarding the NRIS; and if not should Luxembourg develop a specific National Roma Strategy post-2020 and what should it contain?

## Background and cause of the problem

The previous RCM have one by one assessed the provisions of the NRIS of Luxembourg and the impossibility of measuring outcomes of and impact on Roma in the four priority areas, in the absence of ethnically disaggregated data and specific measures, targets, budgets or monitoring mechanisms regarding Roma inclusion. The two reports tried to assess without success to which degree Roma have access to those policies in Luxembourg and how the integrated set of policy measures has answered the needs of Roma in Luxembourg. The RCM reports could only assume *in bona fide* that Roma would possibly benefit of most measures in place as any other non-Luxembourgish living in Luxembourg legally, as since 2012, there have been no publicly available monitoring or progress reports regarding the implementation of the NRIS.

With regard to the lack of Roma outreach, the authorities invoked the impossibility of collecting ethnically disaggregated data, while arguing that there is no need for specific measures, since they apply a universal approach to everyone residing in Luxembourg. It has to be mentioned that Luxembourg has a blind approach when it comes to ethnic minorities and racialised groups in general, including of Roma. A more detailed account about Luxembourg on this topic is presented in the previous RCM. Of a total population of 602,000 as per 2018, where 47.9% are foreigners of 170 nationalities, there are an average of 300 Roma (CoE, 2012), who have arrived in Luxembourg starting with 1970s, through bilateral work agreements; or after 1990, as refugee and asylum seekers, mostly from Balkans, currently dispersed all over Luxembourg. According to the authorities, there are no indigenous/local Roma.

The NRIS takes note of the use of the umbrella term "Roma" by various European and international organisations, particularly, the European Parliament, EC, EU FRA and the Council of Europe. Nonetheless the NRIS indicates that none of the above-referenced definitions are sufficient to define a policy targeted to a specific group and determine an operation strategy. Despite this, the strategy indicates that public authorities do take into account individual needs and their life situation on a case-by-case basis, in line with the European Convention on Human Rights and the case law of the European Court of Human Rights. In reality, when the needs assessment was carried out in relation to NRIS, some interviewees said that they declared themselves Yenish,<sup>12</sup> Ashkali or Egyptians, and not Roma; therefore, they were disregarded. All these three groups and many others are part of the umbrella term Roma and therefore legitimately the target group of the NRIS. Out of ten persons identified and asked for an interview under the needs' assessment,<sup>13</sup> only one was willing to speak under anonymity. This can indicate a lack of trust in the authorities, but also a decision to keep a low profile due to possible or already experienced stigmatisation and discrimination. The only pro-Roma NGO at that time, *Chachipe*, was not consulted when NRIS was drafted. Currently, there is no Roma or pro-Roma NGO in Luxembourg.

<sup>12</sup> Yenish or Lakerten is a group of people that are included, according the definition of the Council of Europe, under the generic term of "Roma". They live in Luxembourg as well as in other European countries.

<sup>13</sup> Document de réflexion dans le cadre de la Stratégie nationale d'intégration des Roms [https://mfamigr.gouvernement.lu/content/dam/gouv\\_mfamigr/leminist%C3%A8re/attributions/solidarit%C3%A9/document-reflexion-strategie-nationale-integration-roms.pdf](https://mfamigr.gouvernement.lu/content/dam/gouv_mfamigr/leminist%C3%A8re/attributions/solidarit%C3%A9/document-reflexion-strategie-nationale-integration-roms.pdf)

Luxembourg authorities admitted that identifying the target group was one of the main impediments in assessing the needs of and collect data about the situation of Roma. They presented as arguments the small size of the community, the fact that Roma are dispersed over the country, but also because of their refusal to participate and be interviewed.

In the context of Roma diversity, the authorities have also failed to recognise and include the issues of migrant and EU-mobile Roma in in the NRIS. A more detailed account of these aspects was presented in the previous RCM reports.

In the meantime, the current setting is proving to be just conformism, a formal compliance with the EU request and there is no political commitment from the government to address the situation of Roma in Luxembourg. Up to this third RCM, it has been difficult to understand how the current institutional set-up addresses the challenges of Roma community in Luxembourg.

Presently, in the context of the preparation of the post-2020 EU framework for Roma inclusion, several Roma and pro-Roma NGOs and networks, including the Alliance against Antigypsyism advocate that a set of minimum standards, targets and indicators for all Member States could help bring more progress in Roma inclusion and equality at national level; this is particularly true for countries such as Luxembourg, which struggle to show specific results for Roma.

### Policy answer to the problem

Luxembourg has issued its NRIS in 2012, as a formal compliance to the EUFW, in the conditions explained in the previous sections. In 2013, a needs assessment was carried out,<sup>14</sup> which raised more questions than answers and the input of Roma was almost inexistent. As discussed in [previous RCM report](#) theoretically, Roma can benefit from all the public policies and services, if legally residing in Luxembourg. However, as indicated also in the EC report,<sup>15</sup> there is no information about the situation of Roma in the education system in Luxembourg (i.e. attendance, school segregation, special education, discrimination), on actual access to public employment and health services among Roma.

There are policies in place tackling integration and discrimination, as the government has issued a National Action Plan for Integration and Fight against Discrimination,<sup>16</sup> and a multi-annual integration plan in 2018,<sup>17</sup> but no information on how Roma benefited from them.

The equality body in Luxembourg, the Centre for Equal Treatment (CET), cannot receive complaints about discrimination, according to their status. When it comes to antigypsyism, it is not officially recognised by the state. Luxembourg has not recognised the Roma Holocaust and there are no official statistics regarding the hate crime or speech against Roma. However, there are no acts of discrimination, antigypsyism and hate speech reported by Roma.

To summarise, there is no evidence of the diversity and complexity of Roma on the territory of Luxembourg and of the extent to which they are benefiting from any of the state policies, programs or measures and of the quality of services nor of the access to justice or complaints mechanisms in case of abuse or discrimination. In addition, the National Roma Contact Point representative complains of the same lack of information and resources to perform its work, while little to no step has been taken to address some of the institutional challenges, enabling studies and methods in reaching our Roma, identifying problems, assessing access to services and rights, etc.

<sup>14</sup> *Idem*.

<sup>15</sup> 2019 Commission staff working document, available at: <https://eur-lex.europa.eu/legal-content/FR/TXT/?qid=1575907500935&uri=CELEX%3A52019SC0320>

<sup>16</sup> National Action Plan for Integration and Fight against Discrimination 2010-2014. Available at: <http://www.olai.public.lu/fr/publications/programmes-planactionscampagnes/plan/priorites-2014-fr.pdf>

<sup>17</sup> Plan d'action national pluriannuel d'intégration 2018: <https://mfamigr.gouvernement.lu/dam-assets/le-minist%C3%A8re/attributions/int%C3%A9gration/pan-2018/PAN-integration-2018-FR.pdf>

The lack of any public information regarding the government assessment of the impact of implementation of the policy measures on social inclusion for Roma in Luxembourg is an indication that the current policy approach is not efficient and that it should be changed or that it should include at minimum a set of specific targets and indicators to measure results and impact.

The lack of civil society organisations, Roma and non-Roma dealing with Roma issues is problematic from the perspective of ensuring active citizenship, participation of Roma, on the ground, to decision-making and democratic processes at national and local level. Until 2012, ECRI<sup>18</sup> and other international institutions were including recommendations concerning Roma rights. After the pro-Roma NGO, *Chachipe*, stopped its activity (2012), the human rights organisations do not mention anything about Roma in Luxembourg in their reports, and the reason is mainly lack of sources, in this case the closing of *Chachipe*.

The fact that Luxembourg is a multicultural country with a well-sustained economy and public services should enable the government to ensure that all its citizens and residents enjoy the same rights and access to services. By committing to the social inclusion of Roma in Luxembourg, the government has a moral and statutory obligation to report based on evidence on the status and wellbeing of Roma in Luxembourg. Unfortunately, through the current policy set-up and measures, Luxembourg falls short of showing how its current policies and programs further the social inclusion of Roma and ensure protection of their rights. More needs to be done both by Luxembourg authorities, mainstream civil society organisations and EU institutions, specifically the European Parliament and the EC to ensure that Luxembourg complies with its obligations and commitments.

<sup>18</sup> ECRI, 2012. ECRI Report on Luxembourg (fourth monitoring cycle). Available at: <https://rm.coe.int/fourth-report-on-luxembourg/16808b5899>

## RECOMMENDATIONS

### *1. To adopt a specific National Roma Strategy post 2020*

Roma in Luxembourg will benefit *de facto* from a dedicated national Roma strategy, flowing from the post-2020 EU Roma Framework. The strategy should have specific targets and indicators in all priority and cross-cutting areas, following closely the upcoming EC communication on the future EU Roma Framework, including with regard to antigypsyism. In addition, Luxembourg should consider including additional priorities and or cross-cutting areas, in line with the national specificities and needs, such as Roma empowerment and participation.

### *2. To implement fully the EU definition of Roma as the umbrella term for the target group*

Luxembourg has to fully comply with the already existing EU and Council of Europe definition of Roma in order to guarantee fundamental rights principles and EC soft regulations on Roma. More specifically, needs to apply the EU wide definition of Roma, to all groups which fall under the umbrella term, regardless of whether they identify or not as Roma (i.e. from an ethnic point of view).

### *3. To establish a contact and trust building dialogue with Roma communities in Luxembourg*

A cooperation should be initiated as soon as possible (by end 2020) by the NRCP between government (ONA) NGOs, EU and international Roma and pro-Roma civil society organisations, especially from the country of origin like those in Balkans, which through professional, personal or family relations can connect with the Roma living in Luxembourg, establish trust building dialogue and partnerships.

### *4. Capacity building and raising awareness*

The NRCP in cooperation with ONA and other relevant institutions and committees (i.e. National Council for Foreigners in Luxembourg) should support capacity building of Roma at local level through local government initiatives, including to establish themselves in local action groups or even NGOs. The equality body should also engage in outreach and awareness raising.

### *5. Needs assessment and policy making*

If knowledge is missing at national level to develop a needs assessment mapping of Roma in Luxembourg, the NRCP with the support of the EC should bring expertise from neighbouring countries. Based on the needs assessment and in direct consultation with the Roma communities and the EC, an appropriate future policy approach regarding Roma inclusion in Luxembourg should be initiated. This action should be taken well before end of 2020, in order to provide the information for the future policy.

### *6. EC's support*

Viewed that Luxembourg is lagging far behind on following the common basic principles of Roma inclusion, the EC should engage proactively with Luxembourg and civil society organisations in Luxembourg and beyond to ensure that the future Roma policy of Luxembourg will reflect the minimum standards set for all the countries, without exception. Additional technical support should be provided to countries like Luxembourg which face practical and institutional challenges in addressing the situation of Roma.

### *7. European Parliament monitoring*

Luxembourg, as well as other Member States should be held accountable to the same standards as everybody else. The European Parliament should exercise its power to review progress by Member States, particularly countries with a general approach on the inclusion of Roma such as Luxembourg. Regular inquiries should be submitted both to Luxembourg and to the EC on Luxembourg.

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