

## **New Horizons in European Studies**

**Aston University, 24-25 April 2014**

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## **What does EU enlargement offer for socially excluded people?**

### **Abstract**

Even though European membership is thought of as an impetus for democratisation and economic improvement, the situation is on the contrary for socially excluded people. They cannot cope with “the competitive pressure and market forces within the Union” (European Commission 2011). Although European Union (the EU) declared social inclusion as an objective in the Lisbon Summit in 2000, the regulative role of the EU hinders an overarching solution.

As a victim of a deep social exclusion, Roma people are the subject of this paper. Although the membership of Central and Eastern European Countries (CEECs) made them visible at the EU level, they are still struggling with prejudice, discrimination and poverty. The aim of this paper is to answer the question that to what extent the EU offers a solution area for socially excluded people. How has the situation of Romani people changed in Central and Eastern European Countries after they became members of the EU?

*Keywords: Roma people, Europeanization, social exclusion, CEECs*

### **Introduction**

This paper aims to contribute the Europeanization literature regarding its differential impact on society layers. Europeanization literature in general accepts a relationship between the European level institutions and domestic adaptation, not only for the EU members but also for applicant states (Borzel and Risse 2012; Schimmelfennig 2012) and neighbouring countries (Langbein and Wolczuk 2011) However, recent research indicates that, firstly, that relationship is not linear and domestic factors affect the relationship as well. (Noutcheva 2007; Noutcheva and Aydin-Duzgit 2012) Secondly, even though Europeanization has been seen as a positive motivator for, not only for member countries, but also for candidate countries and neighbouring countries, that impact is not at the same direction and at the same gratitude for different layers in society.

Even though European institutions have a long history, Europeanization research exploded after Central and Eastern Countries applied for membership in the EU. Thus, scholars started to analyse the impact of the EU on applicant countries especially after the Copenhagen criteria that puts “rule of law, democracy, human rights and protection of minorities” as

political criteria for EU membership and “competitive economy” as economic criteria (European Commission 1993). Therefore, specific research concerning those principles has been done. However, both economic criteria and political criteria do not necessarily support each other, on the contrary. In the situation of Romani people, even though political EU criteria are for the inclusion of Romani people, the economic criteria exacerbate their situation.

The paper has been split into five parts. The first part investigates the relationship between the EU and Romani people under the concept of social exclusion. As a victim of social exclusion the situation of Romani people under the EU has become important in the EU agenda. The second and third part separately analyse the political and economic conditions and what they offer for Romani people in CEECs. The fourth part analyses the attitude of the EU towards Romani people before the membership of CEECs, and the fifth part indicates how the situation has changed after the membership of the CEECs. Ultimately, the paper concludes the discursive and regulative attitude of the EU towards Romani people in CEECs and old members.

## **1. Social Exclusion, Romani People, and the EU**

Social exclusion is a contested concept. Although it has been accompanied by deprivation and poverty, sustainability of that poverty and deprivation embrace the term social exclusion (Bossert et al 2006). The European Commission (2004) defined social exclusion as:

*“a process whereby certain individuals are pushed to the edge of society and prevented from participating fully by virtue of their poverty, or lack of basic competencies and lifelong learning opportunities, or as a result of discrimination. This distances them from job, income and education opportunities as well as social and community networks and activities. They have little access to power and decision-making bodies and thus often feeling powerless and unable to take control over the decisions that affect their day to day lives.”*

As the definition indicates, the term social exclusion embraces not only economic, but also social and political exclusion. With a population of 8 – 12 million, the European minority Romani people (the term identifies the definition of European Commission (2014) which embraces different names like Roma, Gypsies, Travellers, Manouches, Ashkali, Sinti and Boyash) have been vulnerable not only in CEECs, but also in member countries. The need to

specifically focus on Romani people stems from not only their huge population but also from numerous problems that they face all around the EU. Ram (2012: 1191) defines the situation of Romani people as “largely poor, unmobilised, and with little political representation.” Yet, their situation becomes important with the EU membership conditionality in the CEECs (Ham 2012). Even though Romani people have become important in the EU agenda, their situation remains the same to a large extent.

The EU and CEECs relationship is based on March and Olsen’s (1998) twofold mechanism: logic of consequences and logic of appropriateness. In logic of consequences, the main reason for domestic adaption is expected benefits, and in logic of appropriateness, actors follow rules because of shared identity. Yet, those two approaches do not have to exclude each other. On the contrary, in some cases they started with one and turned into the other (March and Olsen 1998).

## **2. Political Conditions of the EU and Romani people**

Research about Europeanization mainly analyses the adaption in candidate countries in relation with conditionality. According to that approach, the EU-induced reforms have been fulfilled by countries because of conditionality. That conditionality is a bargaining process “comparing the reward and the burden” (Schimmelfennig and Sedelmeier 2004: 670). Thus, countries fulfil the demands coming from the EU because of logic of consequences. While the EU membership is important for candidate countries, they are ready to fulfil what the EU demands. However, if the demands are not credible then the adaptation is limited with legislative change rather than a behavioural change (Schimmelfennig and Sedelmeier 2004). Therefore, according to the above approach, if *acquis communautaire* is compared with democratic adaption, then the change seems more in *acquis* because of credibility purposes (Schimmelfennig and Sedelmeier 2004). In *acquis*, candidate countries know what to do in order to get membership, while for democratic adaptation concepts are vague.

The other Europeanization based explanation is logic of appropriateness which analyses the adaptation process in accordance with normative resonance. Actually, in the case of CEECs many researchers have argued about the role of normative resonance between the EU and domestic adaptation. Accordingly, if EU based norms are closer to the domestic norms or if the identity is shared between the EU and candidate countries (such as being European) even in democratic adaptation concerning democracy, human rights and minority rights, the adoption will be more likely. (See Sasse 2003; Schimmelfennig and Sedelmeier 2004; Lerch

and Schweltnus 2006). Furthermore, for CEECs even democratic adaptation is thought of as highly adapted because of normative resonance. After the fall of the communist system, CEECs refer to “European” values in order to prove that they are part of Europe. Yet, there are two problems: Firstly, as mentioned before, those European values are too vague. Secondly, there is an inconsistency between member states and candidate states. For instance, even though the EU expects group-specific rights from candidate countries; however, for existing member countries minority rights are solely based on non-discrimination (Lerch and Schweltnus 2006). Similarly, Grabbe (2002) indicates the importance of the consistency between member countries and candidate countries even for conditionality based approach.

On the other hand, domestic factors have been neglected in those researches for a long time. Elbasani (2013: 9) indicates that strength of stateness, historical legacies, and reformist elites facilitate Europeanization impact. Accordingly, Borzel and Risse (2012) additionally use democracy level as a domestic facilitating factor for Europeanization. The change in domestic policy such as democratisation might be in parallel with Europeanization or be the result of Europeanisation. The number and attitude of veto players towards EU membership, adoption costs (Schimmelfennig and Sedelmeier 2004), the capacity to implement the reforms, support of EU-induced reforms by elites, historical background of the country, such as the communist transformation of CEEC (Elbasani 2013) are important domestic factors for an operative Europeanization. Domestic factors can enhance or mitigate Europeanization (Borzel and Risse 2012).

Yet, even though candidate countries realise the duality between existing members and themselves, they still align their domestic policy with the EU-demands. However, two problems need to be solved. First even though there is inconsistency, would candidate countries fulfil the EU demands? And if the main motivator is the EU membership, how has the situation changed after CEECs became members?

### **3. Economic conditions and Romani people**

The economic expectations of the EU from candidate countries set forth in Copenhagen criteria as “existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union” (European Commission 1993). On the other hand, especially Romani minorities who are victims of social exclusion cannot easily cope with “competitive economies”. As the UNDP (2012: 19) report concerning the situation of Romani people in Romania indicates, “56% of all employed Roma people work

in the informal sector, compared to 15% of the employed Romanian people and 12% of the people with a different ethnic origin.” Additionally they work mainly for uncertain, unstable, and seasonal works such as out-of store trade, recovery and recycling of certain materials (UNDP 2012). As Gabel (2008) exemplifies for Bulgaria with the closing of factories and collective farms in the 1990ies, the Romani people struggled to find jobs in transitional economies which increase their unemployment rate three times more than Bulgarians. Additionally, the UNDP (2014) survey indicates that Romani people think that their manual and commerce skills are their advantage for finding a job that is in fact not suitable for city-like jobs. Furthermore, in many countries being far from the mainstream employment market removes Romani people from getting state benefit and proper healthcare.

On the other hand, the poor education opportunities do not let Romani people to be attached to market employment (Kertesi and Kezdi 2011). Romani people cannot cope with the knowledge based European economy with their lack of opportunities to get education. Additionally the stigmatisation and prejudice towards Roma is another reason for the removal of Romani people from employment market. Vermeersh and Sobotka (2011: 802) exemplify the prejudice towards Roma people with the words of “outsiders, burden of welfare state, security problem, problem of criminality.” Thus, a vicious circle occurs which includes lack of employment, poor healthcare and social benefits, bad housing conditions, and poor education opportunities.

#### **4. The Romani people in the EU agenda before CEECs membership**

Before the membership of CEECs, the EU’s approach towards Romani people was based on the general human rights and minority rights principles rather than a group-specified Roma emphasis (Sobotka and Vermeersh 2012). The 1993 Copenhagen criteria, 1992 Maastricht Treaty, 1997 the Treaty of Amsterdam, Charter of Fundamental Rights, and 2000 Racial Equality Directive are important in order to indicate the general non-discrimination principle of the EU. Additionally, conferences, summits and meetings concerning Roma people in order to discuss both the problems and best practices are important measures taken by the EU. In 1990ies and 2000ies, the EU has had numerous conferences regarding non-discrimination with specifically targeting the Romani people. “The transgovernmental EURoma Network (which has European Commission representatives and 12 member state governments as members) has been holding international conferences on the Roma” since it

was established in 2007 (Ram 2012: 1200). Among them the Roma Summit in 2007 is important.

Regardless of the improvements mentioned above, the situation of Romani people in new member states did not get better. However, even though the EU emphasised the necessity of protecting minority rights under Copenhagen criteria, CEECs got their membership reward before providing proper minority rights. For example, even though the situation of Roma minorities in Bulgaria, the Czech Republic, Hungary, Romania, and Slovakia remained one of the most emphasised topics in progress reports (Sasse 2003: 17), those countries were granted membership status without solving their issues.

Additionally, international NGOs such as Amnesty International has emphasised the discrimination towards Romani people, even though some laws have been accepted in order to align their domestic practises with the EU in the candidacy of CEECs. Amnesty International (2005) exemplify in the case of Bulgaria even though the anti-discrimination law passed in 2004, racist attacks on Roma by non-state actors have been increased. Similarly, with the largest Romani community Romania had the same problems. Romani people in Romania faced racial attacks, discrimination and prejudice, even though legislative changes. (Amnesty International 2005)

### **5. Romani People in the EU Agenda after CEECs Membership**

According to Ram (2012) the interest of the European institutions has continued after CEECs became members. Additionally, not only she but also Sobotka and Vermeersh (2012) assert that the exclusion of Roma people has been specifically in the EU agenda since 2007. Sedelmeier (2008) interprets the reason of compliance after membership because of the enduring impact of conditionality. The legislative capacity and socialization which has started when these countries applied for membership endure after they become members. Therefore, there would be no backsliding and in general new members outperform compared to old members (Sedelmeier 2008). However, it must be remembered that after the membership of Bulgaria (roughly with 750.000 Romani population) and Romania (roughly with 1.9 million Romani population) in 2007 the population of Roma people in the EU increased significantly. Those two countries and the previous CEECs members have the highest Romani population (80%) in European countries. Thus, the issues related with Romani people in CEECs become visible in old members, as well. Therefore, the concentrated focus on Romani people at the EU level and the discursive attitude of the EU towards CEECs are consistent.

Each European institution has taken some steps specifically concerning Roma people. The Parliament passed resolutions indicating the need of state efforts to fight against anti-gypsism, which caught the EU Agency for Fundamental Rights's attention for Romaphobia and anti-gypsism.

The Council has taken "both the Presidency Conclusions of the European Council meetings in December 2007 (Doc. 16616/1/07 REV 1) and June 2008 (Doc. 11018/1/08 REV 1). These two documents are important because they are specifically focus on Roma" (Ram 2012). In those documents the Commission called member states to combat discrimination in labour market. Then, it emphasised the situation of Romani people. Additionally, the Council made suggestions regarding better use of the Structural Funds and the Pre-Accession Instrument and the European Neighbourhood and Partnership Instrument to promote the inclusion of the Roma (Ram 2012). Additionally, in 2009, the "Council Conclusions on Inclusion of the Roma" was adapted by the Employment, Social Policy, Health and Consumer Affairs.

The European Commission gave attention to the Romani people especially by annual reports, funding programmes and projects. Additionally, the Commission took Communication on an EU Framework for National Roma Integration Strategies by 2020 which will try to push national strategies for Roma integration (The Commission 2014). After that, national strategies have been accepted. The general strategies concerning non-discrimination have been accepted by the Commission. A website exclusively interested in Roma has been launched. The working paper on "Community Instruments and Policies for Roma Inclusion" is important in order to indicate "tools available to EU member states for addressing the situation of Roma, actions that have already been taken at national and international levels and recommendations and lessons learned" (Ram 2012: 1198). However, the Commission accepts that the Roma inclusion is mainly under the responsibility of Member states, therefore the Commission undertakes the role of "coordinating policies, upholding principles, and enforcing anti-discrimination commitments." (Ram 2012: 1198)

The European Parliament is emphasising not only non-discrimination, but also specifically the overall situation of Roma people. While five resolutions have been taken before the membership of CEECs, after 2007 seven resolutions concerning Roma people have been adopted (Ram 2012). Additionally, Roma have been mentioned in the resolutions concerning "combating the rise of extremism in Europe and promoting social inclusion and combating poverty in the EU" (Ram 2012: 1199).

In addition, NGOs try to draw attention of EU bodies both before and after membership. According to Ram (2012) there is mutual support between the EU and Romani NGOs. The establishment of the European Roma Grassroot Organizations (ERGO) Network and the European Roma Information Office (ERIO) was founded in Brussels in 2003 in order to encourage the Romani network.

The Decade of Roma Inclusion, 2005- 2015 was accepted in 2003 by Bulgaria, Hungary, Croatia, the Czech Republic, FYR Macedonia, Romania, Serbia and Montenegro, and Slovakia (The World Bank 2013). According to that declaration, the eight countries agreed to enhance Romani issues concerning health, unemployment, housing, and discrimination. The Directive on the rights of EU citizens to move and reside freely within the EU was accepted in 2004. Specifically, the Czech government created a new Department for Social Inclusion of Excluded Romani Communities; Slovakia put “Marginalized Roma Communities” as a priority for 2007-2013 National Strategic Reference Framework; Romania in support with European Social Fund allocated roughly €32 Million to Roma projects; Bulgaria put school desegregation into its 2007- 2013 Human Resources Developmental Operational Programme (Ram 2012: 1201).

In short, even though the EU has taken some measures specifically concerning Romani people, the minority rights have become important in the case of EU’s external relations. The EU has not a specific minority rights approach at the European level (Schwellnus 2007)

## **6. Conclusion**

Roma people have become prominent in the EU agenda after 2007 (Sobotka and Vermeersh 2012). With the enlargement of CEECs in 2004 and 2007 the number of the Roma in the EU have increased by almost five million which makes Roma the EU’s largest ethnic minority (Ham 2012). Therefore, even though Ram (2012) narrates contrary to the comments of some NGOs such as Amnesty International and Director of the European Network against Racism (ENAR) about the decrease in the EU’s interest in Roma people, the EU’s concern for Roma people did not reduce. However, after the membership of CEECs, it is normal to see the special focus on Romani when they started to move to Western European countries and have thus become visible. However, this does not mean an improvement in their situation. Ram (2012: 1214) indicates that “the flow of Romani asylum seekers into the EU was one reason Roma ended up on the EU’s agenda in the first place in the mid-1990s.” However, that migration does not commit a better situation; on the contrary they face prejudice, negative

stereotypes and racist attacks in those countries as well. Therefore, (Ram 2012) alleged that the situation in new member states seem better compared to old members. However, Amnesty International (2014) reports the situation of Roma people is bad both in the old and new member countries. For instance, in Italy the increasing discrimination against Roma people due to segregation camps, the intolerance towards Roma people in Greece and France, and the racist attacks in Czech Republic (Amnesty International 2014) are examples from different European countries.

Moreover, in consideration with Lerch and Schweltnus' (2006) analysis regarding the security based minority rights of the EU, the steps taken by the EU regarding Roma people indicate that rather than a sincere minority protection, there is a dualist approach in order to provide internal and external security. Additionally, the EU asks CEECs and candidate countries to provide group specific minority rights, while old members have rights based only on non-discrimination (Lerch and Schweltnus 2006: 314). This is important to highlight why there is no proper adaptation of rules concerning Roma people. The rules are elaborated differently in new members and old members. Therefore, even though on the policy level steps have been taken, on the ground level the situation does not change so much. Therefore, the minority rights policy of the EU is as entitled by Johns (2013) as "do as I say, not as I do." The inconsistency between old members and new members reduces the impact of both conditionality and normative resonance.

Additionally, the experience of new members dealing with Romani people because of the relationship with the EU, and the problems in old countries raises the interest to continue to adopt the EU-based solutions regarding Romani people (Ram 2012). However, even though the EU put Roma people in its agenda, the responsibility of national and local governments are still prominent for the case of Romani people. In order to provide an effective employment, healthcare, education, and housing policies, national and local authorities should be included in the process (Sobotka and Vermeersh 2011). However, the dualist approach of the EU towards old members and new members hinders a holistic approach.

Moreover, in the economic system of the EU as a less educated, segregated and discriminated group, Roma people confront more problems compared to before. Because of the manual skills and working seasonal and unsecure jobs exacerbate their situation in the market. Even though the EU accepts the Directive on the right of EU citizens to move and reside freely within the EU, Romani people are faced with prejudice, discrimination and exclusion in old

member states as well. Therefore, regardless of all the positive steps taken by the EU as Ram (2012) concludes in her research, the situation of Romani people in new members after the membership neither dramatically improved nor dramatically deteriorated.

The unsystematic approach of the EU concerning Roma people which seem in contradiction with political and economic criteria and also with group based and individual based minority rights approach causes “unsystematic, funding-driven, projects addressing vulnerable groups access to basic health and education services” Pop (2013: 170). Therefore, rather than a security based minority rights approach, a holistic approach which includes equally both old and new member countries is required Therefore, rather than a single EU based external approach, the local, national and EU level cooperation should be constituted.

## References

- Amnesty International (2014). Roma: Demanding Equality and Human Rights, <http://www.amnesty.org/en/roma> (last access 10/04/2014)
- Borzel, T and Risse, T. (2012). From Europeanisation to Diffusion: Introduction, *West European Politics*, 35 (1), p1-19
- European Commission (1993) European Commission-Enlargement-Accession Criteria, Available at: [http://ec.europa.eu/enlargement/policy/glossary/terms/accession-criteria\\_en.htm](http://ec.europa.eu/enlargement/policy/glossary/terms/accession-criteria_en.htm) (last access 11/04/2014)
- European Commission (2014) EU and Roma, Available at: [http://ec.europa.eu/justice/discrimination/roma/index\\_en.htm](http://ec.europa.eu/justice/discrimination/roma/index_en.htm) (last access 11/04/2014)
- Flockhart, T. (2010). Europeanization or EU-ization? The Transfer of European Norms across Time and Space, *Journal of Common Market Studies*, 48 (4), p787-810
- Gabel, S. G. (2009) The growing divide: the marginalisation of young Roma children in Bulgaria, *International Journal of Social Welfare*, 18 (1), p65-75
- Kertesi, G and Kezdi, G (2011) Roma Employment in Hungary after the post-communist transition, *Economics of Transition*, 19 (3), p563-610
- Langbein, J. and Wolczuk, K. (2011). Convergence without Membership? The Impact of the European Union in the neighbourhood: evidence from Ukraine, *Journal of European Public Policy*, 19 (6), p863-881
- Noutcheva, G and Aydin-Duzgit, S. (2012). Lost in Europeanisation: The Western Balkans and Turkey. *West European Politics*. 35 (1), p59-78
- Noutcheva, G. (2007). Fake, Partial and Imposed Compliance The Limits of the EU's Normative Power in the Western Balkans. *CEPS Working Documents No. 274* Available: <http://aei.pitt.edu/7575/1/Wd274.pdf> (last access 02/01/2014)

- Sasse, H. (2003). Monitoring the Monitors: EU Enlargement Conditionality and Minority Protection in the CEECs, *Journal of Ethnopolitics and Minority Issues in Europe* Available:  
[http://www.ecmi.de/fileadmin/downloads/publications/JEMIE/2003/nr1/Focus1-2003\\_Hughes\\_Sasse.pdf](http://www.ecmi.de/fileadmin/downloads/publications/JEMIE/2003/nr1/Focus1-2003_Hughes_Sasse.pdf) (last access 10/04/2014)
- Schimmelfennig, F. (2012). Europeanization beyond Europe, *Living Reviews in European Governance*, 7 (1), Available:  
<http://europeangovernance.livingreviews.org/Articles/lreg-2007-1/> (last access 10/04/14)
- Schimmelfennig, F. and Sedelmeier, U. (2004). Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe, *Journal of European Public Policy*, 11 (4), p669-687
- Schweltnus, G. (2007) Reasons for constitutionalization: non-discrimination, minority rights and social rights in the Convention on the EU Charter of Fundamental Rights, *Journal of European Public Policy*, 13 (8), p1265-1283)
- Sedelmeier, U. (2008). After Conditionality: Post-Accession Compliance with EU Law in East Central Europe, *Journal of European Public Policy*, 15 (6), p806-825
- The Commission (2014) EU and Roma, Available:  
[http://ec.europa.eu/justice/discrimination/roma/index\\_en.htm](http://ec.europa.eu/justice/discrimination/roma/index_en.htm) (last access 11/04/2014)
- The UNDP (2012). Social Economy and Roma Communities Challenges and Opportunities Available:  
[http://www.undp.ro/libraries/projects/Social\\_Economy\\_and\\_Roma\\_Communities\\_Challenges\\_and\\_Opportunities.pdf](http://www.undp.ro/libraries/projects/Social_Economy_and_Roma_Communities_Challenges_and_Opportunities.pdf) (last access 11/04/2014)
- European Commission (2013) Shadow Economy and Undeclared Work, Available at:  
[http://ec.europa.eu/europe2020/pdf/themes/07\\_shadow\\_economy.pdf](http://ec.europa.eu/europe2020/pdf/themes/07_shadow_economy.pdf) (last access 11/04/2014)
- The Worldbank (2013) The Decade of Roma Inclusion Available:  
<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/EXTROMA/0,,contentMDK:20754751~pagePK:64168445~piPK:64168309~theSitePK:615987,00.html> (last access 11/04/2014)