



The tension between institutionalised political justice in Austria and Roma's experienced (mis)recognition

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About ETHOS

ETHOS - Towards a European Theory Of Justice and fairness is a European Commission Horizon 2020 research project that seeks to provide building blocks for the development of an empirically informed European theory of justice and fairness. The project seeks to do so by:

- a) refining and deepening knowledge on the European foundations of justice - both historically based and contemporarily envisaged;
- b) enhancing awareness of mechanisms that impede the realisation of justice ideals as they are lived in contemporary Europe;
- c) advancing the understanding of the process of drawing and re-drawing of the boundaries of justice (fault lines); and
- d) providing guidance to politicians, policy makers, advocacies and other stakeholders on how to design and implement policies to reverse inequalities and prevent injustice.

ETHOS does not merely understand justice as an abstract moral ideal that is universal and worth striving for. Rather, justice is understood as a re-enacted and re-constructed lived experience. The experience is embedded in firm legal, political, moral, social, economic and cultural institutions that are geared to giving members of society what is their due.

In the ETHOS project, justice is studied as an interdependent relationship between the ideal of justice and its real manifestation – as set in the highly complex institutions of modern European societies. The relationship between the normative and practical, the formal and informal, is acknowledged and critically assessed through a multi-disciplinary approach.

To enhance the formulation of an empirically-based theory of justice and fairness, ETHOS will explore the normative (ideal) underpinnings of justice and their practical realisation in four heuristically defined domains of justice - social justice, economic justice, political justice, and civil and symbolic justice. These domains are revealed in several spheres:

- a) philosophical and political tradition,
- b) legal framework,
- c) daily (bureaucratic) practice,
- d) current public debates, and
- e) the accounts of vulnerable populations in six European countries (the Netherlands, the UK, Hungary, Austria, Portugal and Turkey).

The question of drawing boundaries and redrawing the fault-lines of justice permeates the entire investigation.

Alongside Utrecht University in the Netherlands who coordinates the project, five further research institutions cooperate. They are based in Austria (European Training and Research Centre for Human Rights and Democracy), Hungary (Central European University), Portugal (Centre for Social Studies), Turkey (Boğaziçi University), and the UK (University of Bristol). The research project lasts from January 2017 to December 2019.

EXECUTIVE SUMMARY

This research paper is part of a series that analyses how Roma are recognised and represented in Austria, Hungary, the Netherlands, Portugal, Turkey, and the United Kingdom. Two cross-country studies, the *Reference document on the histories of minoritisation in EU member states* and Deliverable 5.2 “*How does it feel to be a problem?*” *What we can learn about justice as political representation from empirical case studies*, analysing the implications of the findings of the national case studies for justice as political representation, complete the picture.

The paper analyses the disjuncture between the institutionalisation of minority claims for political justice in Austria and how minorities, in particular Roma, experience this disjuncture. It thus aims to identify gaps in the (always historically particular) state institutionalisations of political justice for minorities. Existing policy and legal texts, as well as literature was collected, reviewed and analysed in order to identify the history as well as the current state of institutionalisation of minority policies in general, and Roma policies in particular. Fieldwork research among Roma was then conducted to find out how members of the minority themselves feel accommodated by institutional political justice in Austria.

National minorities, by virtue of their citizenship, are granted a voice in public debates and have the power to influence decisions and processes that concern them on equal footing with all other citizens. ‘Autochthonous’ Roma (i.e. those with Austrian citizenship, born in Austria and who claim ancestral ‘rootedness’ in the region of Burgenland) share the same concerns as other ethnic minorities in Austria, namely recognition of their cultural heritage, and maintenance of their language and culture in Austrian society and media. Nevertheless, interviewed Roma identify factors that weaken the position of Roma compared to other recognised minorities. These factors are linked to issues of misrecognition and misrepresentation in the past, which have been ascribed to them and have brought many members of their community to the present margins of society.

Everyday struggles against discriminatory practices have not only brought Roma to a “journey of self-discovery”, but also to a process of politicisation to be able to fight for change. Formal recognition as a national minority in Austria in ‘93 has been vital in acknowledging Roma’s status and in mending ties with national society. With the institution of the Ethnic Advisory Board for Roma an official forum for discussion was offered, in addition to funding to support activities aimed at preserving their culture and rights as a minority. The development of the National Roma Strategy, an initiative that has its origin in EU wide policies, has further strengthened the national framework. The Roma Dialogue Platform was created to concretely discuss and evaluate the national strategy and provide a valuable mechanism for discussing Roma and raise awareness among key stakeholders on concrete issues affecting Roma.

Roma’s fight for recognition however has not ended there: interviewees highlight how anti-gypsyism and stereotypes against Roma are still present in society and continue to affect the lives of many members of the community. The findings of the study show how, in this particular case study, political representation is intimately linked with issues of recognition and redistribution. It also appears that in the case of Roma in Austria their misrepresentation lies at the core of why they are not duly represented in society. It appears thus that in order to foster a better participation of Roma in public life, it is necessary to continue working towards this goal.

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LIST OF ABBREVIATIONS

CoE – Council of Europe

NS – National Socialism

I. INTRODUCTION

A. RESEARCH QUESTION AND DEFINITIONS

This research paper analyses the disjuncture between the institutionalisation of minority claims for political justice in Austria and how minorities, in particular Roma, experience it. This research paper thus aims to identify gaps in the (always historically particular) state institutionalisations of political justice for minorities. It is part of a series of research papers that analyses how Roma are recognised and represented in Austria, Hungary, the Netherlands, Portugal, Turkey, and the United Kingdom. Each of the case studies analyses one particular issue affecting recognition and representation of Roma relevant in its national context. Two cross-country studies, one highlighting the history of minoritisation in the analysed countries, and a further one analysing the findings of the national case studies, complete the picture.

Political justice as conceived in the ETHOS project is broadly understood as political participation and representation: it encompasses the right of participation in politics, including the right to information and the right to vote, but also the right to one's share in the decision-making process and freedom of self-determination. It therefore means having an effective voice in (public) debates regarding oneself (or the group one belongs to), as well as the power to influence decisions and processes that concern one's (immediate) situation.

This research paper analyses how minorities in Austria became such, which key historical steps and discourses have characterised minoritisation in Austria, as well as the main political instruments to address minorities concerns and needs in institutionalised politics based on the example of the Roma. Building on empirical research, we will explore how Roma feel accommodated or excluded from these claims.

B. METHODOLOGY

Existing policy and legal texts, as well as literature was collected, reviewed and analysed in order to identify the history as well as the current state of institutionalisation of minority policies in general, and Roma policies in particular.

Fieldwork research among Roma was then conducted to find out how members of the minority themselves feel accommodated by institutional political justice in Austria. Topics addressed in the interview guidelines are:

- What do interviewees think of the way the government accommodates minorities in general?
- How do interviewees understand the terminology 'Roma'? Do they consider it useful to be grouped together, or do they think it eliminates important distinctions?
- How do interviewees understand principles of justice and fairness within their group (age, gender, age, disability)? Do they think the state should address these issues?
- Do they advocate Roma be treated as a special case of minorities, or do they want equal treatment with other minority or non-minority groups?
- What do they think of the characterisation of Roma in state political and public discourse?
- Do they think that more data needs to be collected and analysed on the Roma? If so, where?
- How have Roma organised (formally and informally) in recent years, and at what level (local, national, EU)?
- How important is representation in political institutions for justice and equality? Who should guarantee these, and is something expected from the EU?

After receiving ethical approval for the study from the Ethics Committee of the Karl-Franzens University of Graz, nine interviews were conducted between October 2017 and January 2018 with members of the following groups:

- Persons who identify themselves as Roma (1 male, 1 female)
- Persons who identify themselves as Roma and are Roma activists (1 male, 1 female)
- Non-Roma people who are institutionally engaged on behalf of Roma (1 male, 1 female);
- Non-Roma people who are engaged with Roma through the provision of social services in the fields of healthcare, education, labour market (2 female, 1 male)

The interviews were conducted either face-to-face in the workplaces of the interviewees or via telephone. The interview guidelines developed and informed by the desktop research were applied in a flexible way, to allow openness for issues that are raised by the interviewees. The interviews were audio-taped, transcribed and evaluated, using a coding scheme that was developed based on the interview guidelines and the research objective.

C. STRUCTURE OF THE PAPER

Section II outlines the history of minoritisation in Austria, with a particular focus on Roma. It analyses the genesis of the main instruments to accommodate minority politics in general and in particular those related to Roma. Section III then analyses more in depth the existing instruments to accommodate Roma interests and concerns into institutionalised politics. In order to assess whether these instruments are suitable and sufficient to create institutional political justice for Roma, the empirical findings are outlined in Section IV. Section V puts all findings together and critically discusses the research question, i.e. the disjuncture between institutionalised political justice and the practical experiences of political justice on the part of the Roma.

II. MINORITIES' STRUGGLE FOR RECOGNITION IN AUSTRIA

A. A BRIEF HISTORY OF MINORITISATION IN AUSTRIA

The history of minoritisation in Austria is closely linked to the Habsburg monarchy and the geopolitics that followed its fall. In the XIX century the Habsburg monarchy was conceived as a '*Vielvölker-Staat*' (multi ethnic state), with 11 officially recognised languages. The multi-ethnicity of the Austrian empire was cast in Art. 19 (1) of the Basic Law on the General Rights of Nationals.¹ With the dissolution of the monarchy after the First World War and the creation of the Austrian Republic in 1918, the majority of the population left in the Austrian territory was German-speaking. It was thus the Treaty of Saint Germaine which, for the first time, introduced particular

¹ Art 19 (1) of the Basic Law on the General Rights of Nationals states that "*All the ethnic entities of the empire enjoy equal rights, and each ethnic entity has an inviolable right to the preservation and fostering of its nationality and language*". Staatsgrundgesetz über die allgemeinen Rechte der Staatsbürger of 21 December 1867 RGBl. Nr. 142/1867, www.ris.bka.gv.at/NormDokument.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000006&FassungVom=2017-10-18&Artikel=19&Paragraf=&Anlage=&Uebergangsrecht=, Art. 19 (1). See also Anna Bader-Säbelkamp, *Demokratie der ethnischen Minderheiten: Repräsentation und Partizipation in Österreich und der Europäische Union* (Nomos 2012).

provisions applicable to ethnic minorities (in particular for the Slovenian in the province of Carinthia and the Roma, Hungarian and Croatian in the province of Burgenland).²

While more details on the history of minoritisation in Austria can be found in the comparative report on minoritisation, it might be worth highlighting a few characteristics that have shaped minority policies in Austria. The first is that minority policies in Austria have been shaped by the geopolitics involving ethnic minorities' "mother state" and their ability to support minority claims.³ The Austrian State Treaty of 1955⁴ for example incorporated particular safeguards only for the Slovenian and Croatian minorities (those minorities for which Russia and Yugoslavia stood up for).⁵ A further element characterizing the way minority policies were shaped in Austria is their actual or perceived integration status. In 1938 for example, with the "Anschluss" of Austria to the Third Reich, not all minorities were persecuted: historians have highlighted how in Burgenland, members of some national minorities were also member of national socialist (NS) organisations.⁶ A further issue influencing minority policies is the fact that Austria is a federal state, in which legislative and executive powers are shared by the federal and provincial governments, thus allowing regional governments to influence the way minorities issues are dealt with within their territory.⁷

While there are a number of legal documents dealing with minorities' issues,⁸ it was only in the '70s that the main institutional instrument for dealing with minorities was developed: while other countries were focusing on "more general" human rights issues, Austria was building on its past and setting a standard for future initiatives.⁹ The Austrian Ethnic Group Act provides a definition of national minorities as those Austrian nationals "living and residing in parts of the federal territory whose mother tongue is not German and who have their own traditions and folklore".¹⁰ While the definition is left open, and in principle foresees the possibility of ethnic groups to

² Treaty of Saint-Germain-en-Laye of 10th September 1919, BGBl. III Nr. 179/2002, <<http://treaties.fco.gov.uk/docs/pdf/1919/TS0011.pdf>>, Art. 49.

³ Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 194.

⁴ Staatsvertrag betreffend die Wiederherstellung eines unabhängigen und demokratischen Österreich, BGBl. Nr. 152/1955, <www.ris.bka.gv.at/Dokumente/BgblPdf/1955_152_0/1955_152_0.pdf>.

⁵ Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 195; Stefan Hammer, 'Das Recht der autochthonen Minderheiten in Österreich', in Christoph Pan and Beate Sibylle Pfeil (eds.): *Zur Entstehung des modernen Minderheitenschutzes in Europa* (Springer 2006), Volume 3, p. 304-305.

⁶ Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 194.

⁷ As was mentioned earlier, while after the end of WWII the Austrian State Treaty incorporated safeguards only for the Slovenian and the Croats, in Burgenland the *Landesschulgesetz* (Provincial School Act) of 1937 was maintained in place, allowing those municipality in which language minorities represented more than 70% of the population, to hold classes in the minority language. Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 195.

⁸ Treaty of Saint-Germain-en-Laye of 10th September 1919, BGBl. III Nr. 179/2002, <http://treaties.fco.gov.uk/docs/pdf/1919/TS0011.pdf>; Austrian State Treaty (*Staatsvertrag betreffend die Wiederherstellung eines unabhängigen und demokratischen Österreich*), BGBl. Nr. 152/1955, <www.ris.bka.gv.at/Dokumente/BgblPdf/1955_152_0/1955_152_0.pdf>; Federal Constitutional Act (*Bundes-Verfassungsgesetz*), BGBl. Nr. 1/1930 last amended by BGBl. I Nr. 22/2018, <www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000138>.

⁹ Beate Sibylle Pfeil, 'Zur Novellierung des Österreichischen Volksgruppengesetzes: Einführung und Kommentar', in: 5 *Europäisches Journal für Minderheitenfragen* (2012) 2, pp. 88-99.

¹⁰ Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last

become a recognised national minority, the legal requirement of the *'Beheimatung'* (being rooted in the Austrian territory) however does not allow for recently formed minorities to acquire this status and has been used in some cases to deny national minority status to certain minorities.¹¹ The Act was not positively received by minority groups. Wakounig describes this period as follows: "With this law the rulers aimed at establishing a total control over minority politics".¹² The Hungarian minority in Burgenland was the first group to be recognised in 1979.¹³ Almost 15 years passed until the other minority groups (Burgenland Croats, Slovenes, Czechs, Slovaks and Roma) were officially recognised.¹⁴

While some Eastern European countries (such as Hungary, the Czech Republic and Slovakia) had already recognised Roma as a national minorities, when Austria entered the European Union in 1995 it was the only EU country in which Roma were officially recognised as a national minority. The EU Accession brought a liberalisation in the teaching of minority languages at school, while minority organisations managed also to broadcast in minority languages in regional media outlets: Antenne 4 Burgenland started broadcasting in Hungarian, Croatian and Romani. In 2003 also the ORF, the Austrian national TV, started programming in Romani.¹⁵

In 1997 the Austrian minorities submitted the Memorandum "For Variety in our Country" demanding a constitutional commitment by the Republic of Austria to its cultural, linguistic and ethnic variety.¹⁶ In 2000 the Austrian Constitution was amended to include Art. 8 2 stating "The Republic (Federation, provinces and municipalities) subscribe to its linguistic and cultural multiplicity having grown, expressed in the autochthonous ethnic groups. Language and culture, existence and preservation of these ethnic groups are to be respected, safeguarded and to be supported."¹⁷ Marko describes the amendment of the constitutional law as a paradigm shift from assimilation towards integration.¹⁸

An attempt to amend the Ethnic Group Act was undertaken in 2012. The aim of the amendment was to update the definitions of the rights of national minorities and to bring them in line with a modern and pluralistic society.¹⁹

amended by BGBl. I Nr. 84/2013, Art 1 (2).

¹¹ The Polish minority for example has tried for years to be recognised as a national minority without success. Ania Haar, Polen wollen als Volksgruppe anerkannt werden', in Die Presse of 5th April 2011, <<https://diepresse.com/home/panorama/integration/647924/Polen-wollen-als-Volksgruppe-anerkannt-werden>> .

¹² Vladimir Wakounig, 'Das Volksgruppengesetz – Eine heimliche politische Entmündigung' in: STIMME von und für Minderheiten (59/2006), <<http://minderheiten.at/stat/stimme/stimme59b.htm>>.

¹³ Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 201.

¹⁴ The Advisory Board of the Slovenian minority was created in 1989. In 1992 the Advisory Board for the Slovak minority and the Hungarian Advisory Board, originally comprising only Burgenland Hungarians, was extended to include also the Hungarian minority in Vienna (consisting of refugees from migration flows of 1945, 1948, 1956). The Roma were officially recognised in 1993.

¹⁵ Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 206.

¹⁶ Entschliessungsantrag betreffend die rechtliche Umsetzung des Memorandums der österreichischen Volksgruppen 1997 (955/AE XX.GP).

¹⁷ Bundesverfassungsgesetz BGBl 68/2000, <www.ris.bka.gv.at/Dokumente/ErV/ERV_1930_1/ERV_1930_1.pdf>.

¹⁸ Josef Marko, 'System des österreichische Volksgruppenrecht und Minderheitenschutzes', in: Gregor Heissl (ed.), *Handbuch Menschenrechte* (Facultas 2009), pp. 421-440.

¹⁹ Austrian Federal Government, Explanation to the Draft Amendment to the Austrian Ethnic Group Act, <www.ris.bka.gv.at/Dokumente/Begut/BEGUT_COO_2026_100_2_734252/COO_2026_100_2_734323.html>.

Representatives of ethnic minorities groups, who perceived the amendment as a step backward, criticised it for “diminishing” the role of the Ethnic Group Advisory Boards to councillors of the Federal Chancellor, rather than of the Parliament or the Federal Government. Pfeil highlights how the discussions around the amendment of the Ethnic Group Act revolved around two different conceptualisations of a pluralistic society: one whose target is the abolition of the distinction between autochthone and allochthone minorities and therefore highlights the importance of the individual rights not to be discriminated against; and a different conceptualisation of minority issues that focuses additionally on the collective rights of these national minorities and therefore highlights also the importance of positive discrimination in guaranteeing their existence.²⁰

B. ROMA IN AUSTRIA

The presence of autochthonous Roma in Burgenland dates back to the XVI century.²¹ Roma in Austria constitute a heterogeneous group, embracing an indigenous minority of Burgenland-Roma, Lovara that migrated from Hungary in the middle of the XIX century, Kalderaš, Arlije, and Austrian Sinti.²² The indigenous community was enriched by guest workers (*Gastarbeiter*) from the Balkans in the ‘60s, then from the former communist countries after the fall of the iron curtain and the collapse of the Former Republic of Yugoslavia. The EU enlargement also brought an increased flow of Roma especially from Romania and Bulgaria.²³ As was stated in the Austrian Roma Strategy: “A characteristic feature of the group is the varying level of education, professional and social “roots”, and consequently integration.”²⁴

Given that Austria does not collect statistical data on ethnicity, there is no trustworthy information on the number of Roma living in Austria. In 2001 the last national census collected data on the use of colloquial language (*Umgangssprache*): 4.348 Austrian citizens declared to speak Romani. This figure however falls short of the estimated 50.000 Roma living in Austria and has been explained by the fact that many people probably confused the wording Romani with Romanian, due to the fact that many indigenous Roma do not speak Romani or simply did not wish to be identified.²⁵

²⁰ Beate Sibylle Pfeil, ‘Zur Novellierung des Österreichischen Volksgruppengesetzes: Einführung und Kommentar’, in: 5 *Europäisches Journal für Minderheitenfragen* (2012) 2, pp. 88-99.

²¹ Gerhard Baumgartner, ‘Roma and Sinti in Österreich’, in: Pogrom (1987), pp. 47-50; Austrian Federal Chancellery, ‘Roma in Österreich: Strategie zur Fortführung der Inklusion der Roma in Österreich’, EU Rahmen für nationale Strategien zur Integration der Roma bis 2020: Strategie zur Fortführung der Inklusion der Roma in Österreich’ (2017), <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=67230>>; Bericht der Verfassungsausschusses, Nr. 703 der Beilagen zu den Stenographischen Protokollen des Nationalrates XVIIIG, 6 November 1994.

²² Gerhard Baumgartner, ‘Sprachgruppen und Mehrsprachigkeit im Burgenland’, <www.erinnern.at/bundeslaender/oesterreich/e_bibliothek/seminarbibliotheken-zentrale-seminare/abbild-und-reflexion/383_Baumgartner_Sprachgruppen%20und%20Mehrsprachigkeit%20im%20Burgenland.pdf>; Gerhard Baumgartner, 6 x Österreich (Drava 1995).

²³ Austrian Federal Chancellery, ‘Roma in Österreich: Strategie zur Fortführung der Inklusion der Roma in Österreich’, EU Rahmen für nationale Strategien zur Integration der Roma bis 2020: Strategie zur Fortführung der Inklusion der Roma in Österreich’ (2017), <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=67230>>.

²⁴ Austrian Federal Chancellery, ‘An EU Framework for National Roma Integration Strategies up to 2020: Political and legal measures’ (2011), <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=52715>>, p. 5.

²⁵ Austrian Federal Chancellery, ‘An EU Framework for National Roma Integration Strategies up to 2020: Political and legal measures’ (2011) <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=52715>>, p. 6.

1. THE '80s: A TIME OF POLITICAL ACTIVISM AND THE CREATION OF THE FIRST ROMA ORGANISATIONS

Recognition of Roma as a national minority was contested right from the beginning on the grounds that they were missing one of the necessary elements for being considered a national minority, namely the 'Beheimatung' requirement (being a sedentary minority in the Austrian territory). There are two quotes from leading Austrian constitutional lawyers and minority experts of that period, which are indicative of the prejudices against Roma. The first quote is from Theodor Veiter, an international lawyer and minority expert for the Federal Government, who stated that: "To legally define Gypsies as national minority is not possible, otherwise they would have been explicitly mentioned in the provision as a national minority. How far they can be considered a minority in an ethnological sense is controversial, since they are missing a link to an ancestral homeland and therefore they are missing a necessary component for being considered a national minority. They are nomads, even if Austria is putting in major efforts to make them sedentary".²⁶ Similarly Ludwig Adamovich Jr., a constitutional lawyer, stated in '81 that "Gypsies are a minority which are not rooted to the soil, therefore they have no right to claim minority status".²⁷

In the '80s Roma started to stand up against discrimination and social exclusion and to fight for recognition. The primary scene for this was Oberwart, a city in Burgenland which is home of a large community of Burgenland-Roma. It is indicative that the starting point of various initiatives undertaken in those years was related to an act of Holocaust remembrance: a group of artists in 1980 created a mock-up memorial around a war memorial to commemorate the over 300 Roma from Oberwart who died in concentration camps. The mock-up, which was meant to stay on display for one week in the framework of a cultural event, was destroyed overnight.²⁸ The NS time is indeed particularly important for Roma identity building: due to the fact that most Austrian Roma were detained in labour camps around the country (the most famous one being in Lackenbach) and the fact that under the Victims Welfare Act of 1947 only victims of NS regime who had been detained in concentration camps could receive a pension, most of the Austrian Roma did not receive, or received very little, compensation for the atrocities perpetrated against them by the NS regime. While in 1961 an amendment of the Victims Welfare Act offered a little restitution dependent on the number of months spent in labour camps, it was only in 1988 that labour camps were at all compared to concentration camps, thus enabling victims and their families to receive a state pension as compensation.²⁹ Another issue of conflict between Roma and the community of Oberwart arose

²⁶ The following statement was freely translated by the authors: „Zigeuner als Volksgruppe zu bezeichnen, ist im rechtlichen Sinne nicht möglich, sonst wären sie in der Verordnung als Volksgruppe aufgezählt. Inwieweit sie ethnologisch eine Volksgruppe sind, muß als umstritten bezeichnet werden, zumal ihnen die Bindung an eine angestammte Heimat als Territorium abgeht und somit ein wesentliches Element der Volksgruppe fehlt. Sie sind ja Nomaden, auch wenn Österreich große Anstrengungen macht, sie sesshaft zu machen“. Theodor Veiter, *Das Österreichische Volksgruppenrecht seit dem Volksgruppengesetz von 1976* (Braumüller Verlag 1979), p. 36.

²⁷ The following statement was freely translated by the authors: „Die Zigeuner sind keine bodenständige Minderheit, daher haben sie auch keinen Anspruch auf die Anerkennung der Minderheit.“ Quoted in: Reinhold Henke, *Leben lassen ist nicht genug: Minderheiten in Österreich* (Kremayr & Scheriau, 1988), p. 163.

²⁸ Helmut Samer, *Die Roma von Oberwart: Zur Geschichte und Situation der Roma in Oberwart* (Lex Liszt 2001), pp. 49-51.

²⁹ Opferfürsorgegesetz - Bundesgesetz über die Fürsorge für die Opfer des Kampfes um ein freies, demokratisches Österreich und die Opfer politischer Verfolgung, BGBl. 183/1947, last amended by BGBl. I Nr. 152/2017, www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008113; Gerhard Baumgartner, *The Road Towards Genocide. The Process of Exclusion and Persecution of Roma and Sinti in the 1930s and 1940s*, in: S:I.M.O.N. – Shoah: Intervention. Methods. Documentation. 1 (2014) 1, 5-18. Gerhard Baumgartner und Florian Freund, *Der Holocaust an den Österreichischen Roma und Sinti*, <www.romasintigenocide.eu/media/neutral/holocaustBGFF.pdf>.

from a town sign placed directly in front of the Roma settlement marking the city limits, therefore implicitly stating that the Roma settlement did not belong to the city.³⁰

In the framework of the Roma-non-Roma initiative, task forces were set to tackle problems affecting the Roma population in the city of Oberwart. The task forces organised joint visits to restaurants to see how Roma were treated. Similarly Roma were accompanied when dealing with authorities to see if they were discriminated against.³¹ In July 1989 the first Roma association in Austria, the *Verein-Roma* was founded, followed within a few years by other organisations in Vienna and Carinthia.³²

Another milestone in the work towards the recognition of Roma as national minorities was the creation of the *Kulturverein der österreichischen Roma* by Rudolf Sarközi, whose aim was to work toward the recognition of Roma as an ethnic minority.³³ Sarközi, one of the main figures in the fight for recognition, quotes a dialog with his mother to explain his motivations: “You have not seen who kicked you [referring here to the time in which his parents were living in concentration camp in Lackenbach], but I want to turn my head and see who is hitting me!”.³⁴ Sarközi also recognises the importance of being recognised as a national minority to further the representation of Roma in the public sphere.³⁵ The *Kulturverein der Roma* joined the *Volksgruppenszentrum* that supported Roma in their fight for recognition as national minorities.

2. THE RECOGNITION OF ROMA AS A NATIONAL MINORITY

The work of the Roma organisation led to a number of parliamentary inquiries to the Federal Chancellery: the response this time was that Roma were lacking a certain degree of organisation.³⁶ Support to the Roma cause in those years came from other minority groups, which were represented in the parliament and were sympathetic to their claim. In 1992 a resolution proposal to the Federal Government demanding the recognition of Roma as ethnic minority was finally agreed upon unanimously in Parliament.³⁷ In 1993 the Roma were therefore “unexpectedly” recognised as a national minority.³⁸

³⁰ Helmut Samer, „Die Roma von Oberwart: Zur Geschichte und Situation der Roma in Oberwart“ (Lex Liszt 2001), pp. 52-55.

³¹ Helmut Samer, *Die Roma von Oberwart: Zur Geschichte und Situation der Roma in Oberwart* (Lex Liszt 2001), pp. 57-59.

³² Helmut Samer, *Die Roma von Oberwart: Zur Geschichte und Situation der Roma in Oberwart* (Lex Liszt 2001), pp. 55-59; Verein Roma, ‚Der Verein‘, <www.verein-roma.at/html/verein.htm>; Romano Centro, ‚Über uns‘, <www.romano-centro.org/index.php?option=com_content&view=article&id=12&Itemid=2&lang=de>; Gerhard Baumgartner, *6 x Österreich* (Drava 1995).

³³ Rudolf Sarközi, *Roma Österreichische Volksgruppe: von der Verfolgung bis zur Anerkennung* (Drava 2008).

³⁴ The following statement was freely translated by the authors: „Ihr habt nicht gesehen, wer euch mit Füßen getreten hat, aber ich dreh’ mich um und will sehen, wer auf mich hinhaut“. Rudolf Sarközi, ‚Rom sein in Österreich‘, in Andreas Kohl, Günther Ofner, Stefan Karner and Dietmar Halper (eds.) *Österreichisches Jahrbuch für Politik 2010* (2011), <www.jahrbuch-politik.at/wp-content/uploads/Rudolf-Sarközi-Rom-sein-in-Österreich.pdf>, p. 333.

³⁵ Rudolf Sarközi, ‚Rom sein in Österreich‘, in Andreas Kohl, Günther Ofner, Stefan Karner and Dietmar Halper (eds.) *Österreichisches Jahrbuch für Politik 2010* (2011), <www.jahrbuch-politik.at/wp-content/uploads/Rudolf-Sarközi-Rom-sein-in-Österreich.pdf>, also at p. 333.

³⁶ Federal Chancellor response to a Parliamentary Inquiry of 7th July 1987 (Nr o 769/J) of 4. September 1987; Federal Chancellor response to a Parliamentary Inquiry of 30th January 1991 (Nr. 396/J) of 20 March 1991.

³⁷ Stenographich Protocols of the 83rd Meeting of the National Assembly of 14th and 15th October 1992.

³⁸ Verordnung der Bundesregierung, mit der die Verordnung über die Volksgruppenbeiräte geändert wird 895/1993, <https://www.ris.bka.gv.at/Dokumente/BgblPdf/1993_895_0/1993_895_0.pdf>

During the negotiations with the government, Sarközi reports that an issue under discussion was also the future name of the national minority, which in Austria, as mentioned earlier, would comprise various ethnic minority groups. The decision fell on “Roma”, which in Romanes, means “person” and therefore was chosen to cover the variety of ethnic groups within the country.³⁹

In 1994 and 1995 a wave of terrorist attacks occurred against members of the minority groups. Especially worth mentioning is the Attack in Oberwart, which killed four Roma: the fuse of a bomb was attached to a panel with the wording “Roma go back to India”, which was positioned around the Roma settlement, so that the attempt of four Romani men to push the panel away ignited the bomb. This vile and appalling act however constituted an important moment in building of closer relations with Roma: a wide majority of the Austrian population stood behind the Roma in condemning the attack, and the victims received a state funeral.⁴⁰

III. THE INSTITUTIONAL FRAMEWORK FOR POLITICAL PARTICIPATION OF MINORITIES IN AUSTRIA

A. EFFECTIVE PARTICIPATION OF NATIONAL MINORITIES IN PUBLIC AFFAIRS

Conflicts in Europe and beyond (Kosovo, Caucasus, Bosnia and Herzegovina) challenged the concept of majority rules and in the '90s led to a re-focusing on minority rights to effective participation in public affairs.⁴¹ Bieber describes political participation of minorities as the place where “minority rights and social attitudes towards minorities meet.”⁴² Giving a voice to minorities within state institutions not only facilitates the implementation of other minority rights, but also improves social cohesion and allows for a peaceful settlement of disputes.

The right to political participation of national minorities has been cast in a series of documents and treaties at regional and international level.⁴³ Particularly relevant in the European context is the Council of Europe Framework Convention on National Minorities, which in Art. 15 highlights the right of national minorities to effectively take part in public affairs.⁴⁴ This provision requires signatory states to “create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them. It aims above all to encourage real equality between persons

³⁹ Rudolf Sarközi, *Roma, Österreichische Volksgruppe: von der Verfolgung bis zur Anerkennung* (Drava 2008), p. 83.

⁴⁰ Gerhard Baumgartner und Florian Freund, *Die Burgenland Roma 1945-2000: Eine Darstellung der Volksgruppe auf der Basis archivalischer und statistischer Quellen* (Kulturvereins der Österreichischer Roma 2004), p. 214-15; Rudolf Sarközi, *Roma Österreichische Volksgruppe: von der Verfolgung bis zur Anerkennung* (Drava 2008), pp. 89-91.

⁴¹ Marc Weller, ‘Introduction’, in: Marc Weller and Katherine Nobbs, *Political Participation of Minorities: A Commentary on International Standards and Practice* (Oxford University Press 2010).

⁴² Florian Bieber, ‘Introduction’, in: *Political Parties and Minority Participation* (Friedrich Ebert Stiftung - Office Macedonia 2008), <www.fes.org.mk/pdf/Political%20Parties%20and%20Minority%20Participation.pdf>, p. 5.

⁴³ UN General Assembly, ‘Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities’, Resolution 47/135 of 18 December 1992, <www.ohchr.org/EN/ProfessionalInterest/Pages/Minorities.aspx>, Art. 2; OSCE, Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE of 29 June 1990, <www.osce.org/odihr/elections/14304?download=true>, para 35; OSCE High Commissioner on National Minorities, *The Lund Recommendations on the Effective Participation of National Minorities in Public Life* of 1 September 1999, <www.osce.org/hcnm/32240>.

⁴⁴ Framework Convention for the Protection of National Minorities [1995] ETS No.157.

belonging to national minorities and those forming part of the majority”.⁴⁵ The Convention however does not offer any definition of participation or in which circumstances participation can be considered effective.

Based on its visits to the member states, the Advisory Committee (the monitoring body established under the Convention) has developed a series of recommendations on how Art. 15 should be interpreted.⁴⁶ Similarly the CoE Committee of Experts on Issues relating to the Protection of National Minorities has developed a Handbook on Minority Consultative Mechanisms and a report on the Effective Participation of National Minorities.⁴⁷ While the Framework Convention relates to national minorities, Hofmann has highlighted the importance of interpreting the Convention in an inclusive way: states can therefore offer the same protection guaranteed to national minorities to ‘new’ minorities, those newly formed minority groups that are created by migration flows, but do not qualify as national minorities under national law.⁴⁸

Marko, one of the leading scholars in the area on minority rights, characterise the different components making up successful integration, participation and representation is a meaningful framework with which to understand the situation of Roma in Austria. Marko distinguishes between the concepts of autonomy and integration as “cornerstones for members of minorities who want to preserve their different culture and identity and, at the same time, want to integrate in state and society as ‘fully equal’ persons”.⁴⁹ He further identifies two typologies of autonomy that are relevant to the discussion on how to characterise participation: cultural and territorial autonomy.⁵⁰ While the first relates to the self-government of a national minority in some particular fields, such as schools or media, ‘territorial autonomy’ refers to the power offered to national minorities to “exercise state power in particular in that territory where they form the majority”.⁵¹

In the context of integration, Marko states that effective participation “cannot be understood without a group-oriented dimension. Insofar, national minorities and not only their members must have institutional mechanisms which provide for their “representation” within state bodies and their “participation” in the narrower sense, i.e. instruments which ensure their “effective” influence on decision-making in the institutional settings of a

⁴⁵ Council of Europe, ‘Explanatory Report to the Framework Convention for the Protection of National Minorities’ of 1st February 1995, <<https://rm.coe.int/16800cb5eb>>, p. 11.

⁴⁶ Advisory Committee on the Framework Convention for the Protection of National Minorities, ‘Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs’, ACFC/31DOC(2008)001 of 5 May 2008, <<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800bc7e8>>.

⁴⁷ CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Handbook on Minority Consultative Mechanisms’, DH-MIN(2006)012 of 20 October 2006, <<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680097f51>>; CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Effective Participation of National Minorities – A Comment on Conceptual, Legal and Empirical Problems’, DH-MIN(2006)014 of 20 October 2006, <<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680097f50>>.

⁴⁸ Rainer Hofmann, ‘Political Participation of Minorities’ (2006) European Yearbook of Minority Issues, pp. 5-17.

⁴⁹ CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Effective Participation of National Minorities: A Comment on Conceptual, Legal and Empirical Problems’, DH-MIN(2006)014 of 20 October 2006, <<https://rm.coe.int/1680097f50>>.

⁵⁰ CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Effective Participation of National Minorities: A Comment on Conceptual, Legal and Empirical Problems’, DH-MIN(2006)014 of 20 October 2006, <<https://rm.coe.int/1680097f50>>.

⁵¹ Similarly to Marko, Weller distinguish between Functional and Territorial Layering of Public Authority.

respective country, region or municipality.”⁵² Marko further identifies instruments to ensure minority representation, such as the possibility to form political parties to represent the interests of minorities, electoral mechanisms that facilitate minority representation, reserved seats for members of national minorities, or ethnic quotas in state bodies. When it comes to participation, Marko distinguishes between instruments that ensure that the voice of minority is indeed heard, and various instruments that provide for a more effective participation of national minorities in the decision-making bodies.⁵³ Weller notes how effective participation “is no longer considered to be achievable through the provision of one central consultative body. Instead, the practice of states emphasises a multi-layered and multi-dimensional provision for consultation.”⁵⁴

B. THE AUSTRIAN FRAMEWORK FOR POLITICAL PARTICIPATION

1. THE RIGHT TO VOTE AND TO BE REPRESENTED IN POLITICAL ELECTIONS

The active and passive right to vote in local, regional or national elections is guaranteed on the same basis for all Austrian citizens. The only exception is EU citizens who are allowed to vote in local elections; other than that, non-Austrian citizens do not hold active or passive voting rights. Roma, belonging to a national minority, therefore enjoy rights to political participation because they are citizens. No seats are reserved in any local, regional or national elected body for national minorities, as it is the case in other countries and no information is collected about the ethnic background of the candidates. Minority representatives usually stand for election in the lists of the mainstream political parties: lists with a clear link to ethnic minorities, such as the newly founded platform “*Moja Juzna Koroska*” in South Carinthia are the exception, rather than the rule.⁵⁵

A study conducted by Tiefenbacher on the national elections of 2017 shows that issues related to national minorities do not feature on the agenda of the parties and that the only minority addressed (after having been constructed as an “other”) is the Muslim minority. It is also interesting to note that while members of national minorities in Austria are generally represented in elected bodies at all levels,⁵⁶ this is not always the case for the Roma. Sarközi stated that he “was the only Roma to hold a political mandate as a district chancellor in the 19th Viennese district from 2001 and 2010”.⁵⁷

⁵² CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Effective Participation of National Minorities: A Comment on Conceptual, Legal and Empirical Problems’, DH-MIN(2006)014 of 20 October 2006, <<https://rm.coe.int/1680097f50>>, p. 4.

⁵³ CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Effective Participation of National Minorities: A Comment on Conceptual, Legal and Empirical Problems’, DH-MIN(2006)014 of 20 October 2006, <<https://rm.coe.int/1680097f50>>.

⁵⁴ CoE Committee of Experts on Issues relating to the Protection of National Minorities, ‘Handbook on Minority Consultative Mechanisms’ DH-MIN(2006)012 of 20 October 2006, <<https://rm.coe.int/1680097f51>>, p. 4.

⁵⁵ Mein Bezirk, ‘Neue Wahlplattform “Mein Südkärnten/Moja Juzna Koroska” gegründet’, 22nd November 2017, <www.meinbezirk.at/voelkermarkt/politik/neue-wahlplattform-mein-suedkaerntenmoja-juzna-koroska-gegruendet-d2325959.html>.

⁵⁶ Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, ‘Fourth Opinion on Austria’, ACFC/OP/IV(2016)007 adopted on 14 October 2016, p. 28.

⁵⁷ Rudolf Sarközi, ‘Rom sein in Österreich’, in Andreas Kohl, Günther Ofner, Stefan Karner and Dietmar Halper (eds.) ‘Österreichisches Jahrbuch für Politik 2010’ (2011), <www.jahrbuch-politik.at/wp-content/uploads/Rudolf-Sarközi-Rom-sein-in-Österreich.pdf>, p.

The CoE Advisory Committee noticed lacking mechanisms to ensure that “specific issues and concerns of persons belonging to national minorities are effectively represented and taken into account in relevant decision-making processes” and suggested the creation thereof.⁵⁸

2. ROMA-SPECIFIC INSTITUTIONAL FRAMEWORK

There are two main instruments to accommodate justice claims related to Roma in Austria: a legal framework to accommodate national minorities and a policy tool, the Roma Integration Strategy, which is not limited to the Roma national minority, but directed more generally towards all Roma living in Austria. The Austrian Roma Strategy has its origin in EU policies and aims to integrate issues affecting Roma into general policies, which might affect the target group. The Ethnic Group Act is nationally bound, and aims at ensuring the ‘preservation’ of the culture and traditions of ethnic minorities in Austria. Both frameworks have institutionalised fora for discussing issues related to Roma, namely the Ethnic Group Advisory Board and the Roma Dialogue Platform. Both instruments also enable Roma to counsel and advise the Federal Government on issues related to Roma and thus allow Roma to have a voice in the decision-making process.

a) THE ETHNIC GROUP ADVISORY BOARD

The Ethnic Group Advisory Board is the main institutional body dealing with minority issues: although it is referred to here in its singular form, there are in fact six distinct bodies, working separately from each other. Only whenever one of the Advisory Boards makes a formal request for a joint session, the Federal Chancellor is obliged to call for a joint meeting.⁵⁹ The institutionalisation of a minority forum in which the joint meetings are an exception rather than a rule, rests on an underlying understanding of national minorities as separated entities, with their own particularities and needs.

The Ethnic Group Advisory Boards have a consultative role in the implementation of those legislative acts that touch upon issues of interests for minorities, but also for decisions concerning the ethnic minorities funding system. Art. 3 of the Act also grants the Advisory Boards the possibility to submit proposals for improving the situation of national minorities.⁶⁰

The Roma Ethnic Advisory Board consists of eight persons.⁶¹ Only persons that are likely to represent the interests of a minority group can become members of the Advisory Board.⁶² Belonging to a minority group is not necessary by law, because this would contradict the principle stipulated in Art. 1 (3) that people belonging to a national minority should be free to choose if they wish to belong to a national minority or not (a basic principle that is also contained in Art. 3(1) of the CoE Framework Convention). The members of the Austrian Ethnic Group

⁵⁸ Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, ‘Fourth Opinion on Austria’, ACFC/OP/IV(2016)007 adopted on 14 October 2016, p. 28-29.

⁵⁹ Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Art 7.

⁶⁰ Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Art 3.

⁶¹ Verordnung der Bundesregierung über die Volksgruppenbeiräte, BGBl. Nr. 38/1977, last amended by BGBl. Nr. 895/1993, <www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10000614>, Art. 7.

⁶² Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Art 4 (2).

Advisory Board are selected by the Federal Chancellor for a period of four years. The process of selection of the minority members has been highly criticised, also recently by the CoE Advisory Committee, who stated that it “contradicts the essence of a democratic process, even if no ill-intention is present”.⁶³

Half of the members of the Advisory Board should belong to a general representative body or are suggested by a religious community, while the other half are selected among a list of persons submitted by organisations representing the interests of the ethnic minority in question.⁶⁴ This is the case for those organisations that actively support national minorities’ traditions and folklore, by promoting for example minority languages or culture, and that can be considered representative of the group: the Advisory Board should thus mirror, as far as possible, the views of the members of the ethnic group. There are no guidelines for supporting the Federal Chancellery in selecting the members of the Advisory Board: when members of the national minority feel that this balancing principle has not been taken into account, they can ask the Administrative Court to evaluate if this is indeed the case. It might be worth mentioning that national minorities strongly criticised the attempt made by the Federal Government in 2012 which aimed at increasing the participation of organisations representing minority interests from 50% to 75%, because “they felt that such an increase would only strengthen the influence of government over the affairs of the National Minority Advisory Councils”.⁶⁵

Every Party represented in the Parliament has the right to attend the meetings of the Ethnic Groups Advisory Board, but has no voting right. Being a member of the Ethnic Group Advisory Board is an honorary position: they receive only a reimbursement of the travel expenses and an attendance fee.⁶⁶

The Advisory Board, as the name says, only has an advisory function to the Federal Government, meaning that they only participate in decision-making by advising the Federal Government on minority issues, but have no power to affect the outcome of the decision-making process (i.e. no veto power). The Federal Government is free to ask for advice on any issue, but have an obligation to act on suggestions for provisions concerning minorities and before making decisions on how to allocate the ethnic minority assistance’s funds.⁶⁷ The Advisory Committee noted that there are no mechanisms in place to ensure that the Advisory Councils are consulted on issues concerning minorities, such as legislative amendments.⁶⁸

While the ethnic minority assistance funds (which mainly goes to Roma NGOs in the form of operating grants)⁶⁹ should be determined taking into account the federal budget, the Chairman of the Roma Ethnic Group Advisory

⁶³ Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, ‘Fourth Opinion on Austria’, ACFC/OP/IV(2016)007 adopted on 14 October 2016, p. 29.

⁶⁴ Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Art 1 (3).

⁶⁵ Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, ‘Fourth Opinion on Austria’, ACFC/OP/IV(2016)007 adopted on 14 October 2016, p. 30.

⁶⁶ Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Art 4 (4).

⁶⁷ Volksgruppengesetz - Bundesgesetz über die Rechtsstellung der Volksgruppen in Österreich, BGBl. Nr. 396/1976, last amended by BGBl. I Nr. 84/2013, Arts. 8-11.

⁶⁸ Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities, ‘Fourth Opinion on Austria’, ACFC/OP/IV(2016)007 adopted on 14 October 2016, p. 30.

⁶⁹ Austrian Federal Chancellery, ‘Bericht über die Volksgruppenförderung des Bundeskanzleramtes 2015’, <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=64078>>.

Board reports in an interview that funds of the ethnic minorities assistance have not been increased for years.⁷⁰ In fact, already in 2004 the Austrian Court of Auditors highlighted how the ethnic minority assistance was increased only once from € 0,36 million to 3,8 million in 1995 (because of the increase in the number of recognised ethnic minorities), but has not changed since then.⁷¹

b) ROMA INTEGRATION STRATEGY

The focus set by the European institution to achieve better integration of Roma in Europe⁷² has led to the creation of a National Focal Point for Roma within the Federal Chancellery and the creation of a Roma Dialogue Platform to monitor the achievements of the Austria Roma Strategy.⁷³ In line with the European Strategy for Roma Integration, which is linked to the Europe 2020 Strategy, Austria has focused on the issues of education, employment, housing and health.⁷⁴ The European Strategy for Roma integration aims at ensuring that “social and territorial cohesion such that the benefits of growth and jobs are widely shared and people experiencing poverty and social exclusion are enabled to live in dignity and take an active part in society”,⁷⁵ thus focusing on redistributive aspects of justice. Focus on poverty however has been criticised by Roma organisations because “identifying Roma with misery and social exclusion reproduces precisely those stereotypes that contribute to the exclusion of Roma”.⁷⁶

In 2013 the Council of the European Union issued a recommendation on effective Roma integration measures in the Member States, in which it also mentions the importance of supporting “the active citizenship of Roma by promoting their social, economic, political and cultural participation in society, including at the local level, since the active involvement and participation of Roma themselves, including through their representatives and organisations, is crucial for the improvement of their living conditions, as well as for the advancement of their social inclusion.”⁷⁷

⁷⁰ Gärtner-Horvath, E. (2017), *Das war gute Arbeit*, d/Rom/a, Vol. 2017, No. 2, pp. 5-10.

⁷¹ Austrian Court of Auditors, *Wahrnehmungsbericht des Rechnungshofes*, 2004, <www.rechnungshof.gv.at/fileadmin/downloads/2004/berichte/berichte_bund/Bund_2004_04.pdf>, p. 7.

⁷² European Commission, ‘An EU Framework for National Roma Integration Strategies up to 2020’ COM(2011)173 final of 5th April 2011 <<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0173&from=EN>>. See also European Commission, ‘The social and economic integration of the Roma in Europe’ COM(2010)133 final of 7 April 2010 <<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC0133&from=EN>>.

⁷³ Austrian Federal Chancellery, ‘An EU Framework for National Roma Integration Strategies up to 2020 Political and legal measures’ 2011, <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=52715>>.

⁷⁴ Austrian Federal Chancellery, ‘An EU Framework for National Roma Integration Strategies up to 2020 Political and legal measures’ 2011, <<http://archiv.bundeskanzleramt.at/DocView.axd?CobId=52715>>; European Commission, ‘An EU Framework for National Roma Integration Strategies up to 2020’ COM(2011) 173 final of 5th April 2011, <https://ec.europa.eu/health/sites/health/files/social_determinants/docs/com2011_173_en.pdf>.

⁷⁵ European Commission, ‘EUROPE 2020 A strategy for smart, sustainable and inclusive growth’ COM(2010) 2020 of 3rd March 2010, <<http://ec.europa.eu/eu2020/pdf/COMPLET%20EN%20BARROSO%20%20%20007%20-%20Europe%202020%20-%20EN%20version.pdf>>.

⁷⁶ Marton Rövid, ‘Options of Roma Political Participation and Representation’, European Roma Rights Centre 2013.

⁷⁷ Council of the European Union, ‘Recommendation on effective Roma integration measures in the Member States’ of 9 December 2013, OJ C 378/1, <<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2013:378:FULL&from=DE>>, Art. 2 (8).

In June 2017 the Austrian Roma Strategy was updated, after a wide and transparent participatory process (an online survey was conducted in autumn 2016 and comments to the Strategy were given by Roma NGOs).⁷⁸ A series of studies were also commissioned by the Federal Chancellery to better understand the underlying problems of Roma integration in the areas of work, housing, leisure, health and education. In particular worth mentioning is the study on education conducted by a Roma organisation.⁷⁹ The Roma strategy was extended to explicitly cover the issue of anti-gypsyism, and the empowerment of women and juveniles.⁸⁰ Furthermore the strengthening of Roma civil society is considered key in ensuring the successful representation of their interests.⁸¹

The Roma Integration Strategy is monitored by the Roma Dialog-Platform. This is a forum, coordinated by the Federal Chancellery, which meets 2-4 times a year and brings together Roma activists, experts and public officials to discuss issues related to Roma.⁸² The meetings always have a substantive focus related to the strategy, and offer the opportunity for networking and exchange between Roma activists and public officials. They are also a good instrument for sensitising public officials to issues concerning Roma. The Roma Dialog Platform was mentioned in the Mid Term review of the EC as a positive example of cooperation and coordination with local authorities and civil society.⁸³

3. NGOs AND POLITICAL PARTICIPATION

There are a number of Roma organisations active in Austria, mainly located in the areas with a higher percentage of Roma population, such as in Burgenland, Vienna and Upper Austria. Roma associations are mostly small in size, with only few employees. It is important to stress that although Roma organisations were originally created for national minorities, nowadays they offer services for all Roma, irrespective of their nationality, and thus also seek to support Roma from Eastern neighbouring countries, who either temporarily or permanently reside or work in Austria.

Roma organisations in Austria liaise between the state and the Roma population: they receive funding through the Roma ethnic minority assistance and through other EU and national funds for projects intended to foster a culture of remembrance, maintaining their culture and heritage as well as for fighting social exclusion. As well as other small NGOs however, they are often at the mercy of the whims of donors, even though currently the EU and the member states are supporting Roma projects to achieve the targets set for better Roma integration. Still

⁷⁸ It might be worth mentioning that, not only the results of the survey are available online, but also the comments of the Roma NGOs as well as the answers of the Roma Contact Point or the responsible Ministries. Austrian Federal Chancellery (Bundeskanzleramt), Roma in Österreich: Dialogplattform (Roma in Austria: Dialogue Platform), <www.romadialogplattform.gv.at/ecm-politik/romadialog/de/home>.

⁷⁹ Mikael Luciak, Zur Bildungssituation von Roma und Sinti in Österreich (Initiative Minderheiten 2014), <http://minderheiten.at/images/rombas_druck.pdf>.

⁸⁰ Austrian Federal Chancellery, (Österreichische Bundeskanzleramt) (2017), ‚Roma in Österreich: Strategie zur Fortführung der Inklusion der Roma in Österreich‘, p. 11.

⁸¹ Austrian Federal Chancellery, (Österreichische Bundeskanzleramt) (2017), ‚Roma in Österreich: Strategie zur Fortführung der Inklusion der Roma in Österreich‘, p. 18.

⁸² Austrian Federal Chancellery, ‚Roma Dialogplattform‘, <www.bundeskanzleramt.gv.at/dialogplattform-roma-strategie>.

⁸³ European Commission, ‚Report on the implementation of the EU Framework for National Roma Integration Strategies 2015‘ COM(2015) 299 final of 17th June 2015, <<http://ec.europa.eu/transparency/regdoc/rep/1/2015/EN/1-2015-299-EN-F1-1.PDF>>, p. 8.

NGOs often struggle for funding and need to be creative in the way they finance their activities. Access to funding, which nowadays requires a certain level of specialisation in being able to present or manage a project, constitutes a further obstacle for NGOs.

IV. EXPERIENCE OF POLITICAL JUSTICE

This section deals with members of minorities' experiences of political justice. It confronts the institutional framework, as outlined in Section III with an assessment of its target group. It explores the perspective on the ground and is based on empirical research. Taking into account the definition of political justice, as developed in ETHOS, this section will address two of its central components: representation and participation. However, since an important precondition for representation and participation is recognition, i.e. awareness-raising in Roma for their own political and societal situation and the development of their sense of (in-)justice, this section will also discuss issues of recognition.

This section will describe first the beginnings of the Roma movement, the establishment of Roma self-associations and explain how they fought for their recognition as a minority. Based on this, the Roma as a (heterogeneous) group of political concerns, especially in relation to their autochthone or allochthone nature, will be briefly outlined. As it was mentioned earlier, only autochthonous Roma are an officially recognised minority. This will form the basis for the further analysis of the institutional accommodation and representation of Roma in Austria.

A. SELF-RECOGNITION OF ROMA

Roma were confronted with stereotypes on a daily basis and were victims of various forms of discrimination and exclusion, ranging from the prohibition of entering restaurants and discotheques to more structural forms of discrimination in the schooling system, which led to an over-representation of Roma in schools for children with special needs. Marginalisation and stereotypes thus led many Roma to hide their identity to protect themselves, but in some cases it also led to a process of politicisation. According to interviewees, in the '80s the autochthonous Roma in Eastern Austria became aware of their situation and started fighting discrimination. An interviewee shares his experiences from that time:

Due to that very fact, that in this time [...] young persons were banned from bars. At that time, I was an adolescent Rom myself. And adolescent Roma stood up and said, we have to do something about that. And that was somehow the beginning, not only of my work as Roma-activist, but in general, so when Roma adolescents said we will not be treated that way, we want to change something. During the course of time it has come to light that changes do not only concern social matters, but also the area of labour market policy, then in the field of education, and also in the search for identity, and terms of culture. (AT-B1)⁸⁴

⁸⁴ Original Quote: "Eben dadurch, weil es in dieser Zeit (...) Lokalverbote gab für Jugendliche. In dieser Zeit war ich selber noch auch ein Jugendlicher. Und junge Roma sich auf die Füße gestellt haben und gesagt haben, da müssen wir dagegen etwas tun. Und das war irgendwie der Beginn. Nicht nur von meiner Tätigkeit, sondern allgemein, also wo Roma Jugendliche gesagt haben wir lassen uns das nicht gefallen, wir wollen da was verändern. Man ist dann im Laufe der Zeit auch darauf gekommen, dass Veränderungen, also nicht nur das Gesellschaftliche was anbelangt, sondern auch sowie im Bereich Arbeitsmarktpolitik, dann im Bereich Bildung und auch auf Identitätssuche auch war, was Kultur anbelangt." (AT-B1).

Roma thus started recognising themselves as a social group affected by discrimination and marginalisation and started to fight for their recognition among the majority population. The first Roma organisations were established during this time, which were vital in fighting for the recognition of Roma as a national minority, as well as for raising awareness on the everyday struggles of the Roma population.

An initial challenge for autochthonous Roma organisations was the lack of knowledge about the legal and administrative conditions for building up associations: they never took part in such initiatives before and thus had to learn how to do it. Initial support came from like-minded members of the majority population. In practice it consisted of helping to sort out legal and bureaucratic issues involved in setting up an organisation. An interviewed Rom states in this regard:

There you have, there is, you have to, there were a lot of Roma against it [against the recognition], there were also many Gadžo [non-Roma] who were for it. We also had the help of the Gadžo there. Teaching the Roma that we cannot put up with that anymore, that was the biggest challenge, to say: now, step out into the spotlight and make yourself important. (AT-A1)⁸⁵

This quote clearly shows not only the importance of the practical support received, but moreover the solidarity demonstrated: indeed not all Roma supported the Roma movement, while some non-Roma did. Empowering Roma was key in the beginning of the Roma movement.

While racism and anti-gypsyism victims were key in starting the process that led to the formal recognition of Roma as a national minority, interviewees show different points of view about how to conceptualise racism and anti-gypsyism. An interviewed activist for example states that the term 'anti-gypsyism' conceals the fact that it is racism affecting the Roma:

The biggest challenge will be, there is Anti-gypsyism, I hate that word, I have to say it, that [word] was also created, the same as Ziga and Ziganism et cetera, is not a nice word, you should stick with racism, it is racism, you do not have to invent your own word (...) Surely that will be the biggest challenge (...) ⁸⁶ (AT-B1).

An interviewed member of a public authority, while confirming the importance of policies to fight anti-gypsyism, defines it as a specific form of racism and closely related to discrimination of Roma:

I can refer to the results of the survey I mentioned earlier. Well, the assessment of civil society, where the civil society itself identifies the greatest need for action, refers to topics such as education, employment, and right then there comes along anti-discrimination, anti-gypsyism. Well, those are the biggest challenges in Austria. Well, I am assuming that in the last five years, it has remained the same. What has changed is an increased awareness for anti-gypsyism as a special form of racism. This is something new, which is also welcomed by civil society, that this is also taken up by the official side and has also found a place in the strategy.⁸⁷ (AT-C1)

⁸⁵ Original Quote: „Da hat man ja, dann ist ja, da muss man, da waren sehr viele Roma auch dagegen [gegen die Anerkennung], es waren auch sehr viele Gadžo die dafür waren. Da haben wir ja auch die Hilfe gehabt von den Gadžo. Einmal für die Roma beizubringen, dass wir uns das nicht mehr gefallen lassen dürfen, das war die größte Herausforderung, zu sagen: jetzt geht in das Rampenlicht hinaus und macht euch wichtig. (AT-A1)“

⁸⁶ Original Quote: *Es ist die größte Herausforderung wird sein, es gibt zwar das Antigypsyismus, dieses Wort hasse ich, muss ich auch dazusagen, das ist auch kreiert worden, genauso wie Ziga und Ziganismus et cetera, ist kein schönes Wort, man sollte beim Rassismus bleiben, es ist Rassismus, man muss nicht ein eigenen Wort erfinden (...) Das wird sicher die größte Herausforderung sein (...) (AT-B1).*

⁸⁷ Original Quote: *“ Da kann ich verweisen auf die Ergebnisse der Umfrage, die ich bereits vorhin erwähnt hab. Also, diese Einschätzung der Zivilgesellschaft, wo die Zivilgesellschaft selbst den größten Handlungsbedarf sieht, sind die Themenfelder*

Unanimity however exists among the interviewees when it comes to adequate means of fighting racism or anti-gypsyism: it is about raising awareness about the history and culture of Roma populations, especially in relation to the acknowledgement of the crimes committed against Roma and the number of Roma victims of the Nazi-regime:

If you know the story and if you also stand by that story, and that is of course not easy when there are perpetrators and victims in the same country. Do you understand? It is only when I deal with this issue, the offender can shake hands with the victim, and say, you: we are both Austrians. We are in the same boat. That is the biggest challenge and that is also our goal. From the organisations like this one in the [federal state], you can see that, we now have unveiled a commemorative plaque ... where also Roma lived. Where you have to lead many conversations to you reach this commemorative plaque. Others will follow.⁸⁸(AT-B1)

Confronting the majority population with historical facts is key to showing how stereotypes were created in the past, particularly in the time of the Nazi-regime and how they persisted up to the '90s. An interviewed Roma pinpoints a stereotype according to which Roma are lazy and anti-social, and refers to the fact that the majority of Roma victims of the Nazis were picked up for deportation directly from their work and school:

The truth. The truth must be shown, it must be. And this is the truth. Not saying that they were the asocial ones [deported by the Nazis] who did not work, while in the end it turns out, through the recordings we made, that all the Roma interviewed were deported from school or from work. Do you understand? It is such things needs to be brought to light. I think that is also a way to deal with the topic and to see, how can I handle the prejudices, racism, how can I change that.⁸⁹ (AT-B1)

Similarly, another interviewee confirms the need to raise awareness for Roma history, particularly about what happened during the Nazi-Regime, as an important instrument to reduce prejudice and fight racism:

That is the problem, not because it is just simply not passed on. A story is created, and yes, Roma were there too, but then that's it, end of story. There were enough Roma among them [among the deported], but then to go deeper into the story, that needs to be done. Properly elaborated. And I

Bildung, Beschäftigung, und dann kommt aber auch gleich schon Anti-Diskriminierung, Anti-Ziganismus. Also, das sind jedenfalls die größten Herausforderungen in Österreich. Also ich gehe jetzt einmal davon aus, dass, seit es die nationale Romakontaktstelle gibt, also in den letzten fünf Jahren, ist das so gleichgeblieben. Was sich verändert hat ist ein gesteigertes Bewusstsein in Hinblick auf Anti-Ziganismus als besondere Form von Rassismus. Das ist etwas was neu ist, was auch von der Zivilgesellschaft begrüßt wird, dass das auch von offizieller Seite so aufgegriffen wird und auch in der Strategie Platz gefunden hat. „(AT-C1)

⁸⁸ Original Quote: "Wenn man die Geschichte kennt und wenn man auch zu dieser Geschichte steht und das ist ja nicht leicht, wenn es in einem Land Täter und Opfer gibt. Verstehen Sie? Und genau wenn ich mich mit diesem Thema auseinandersetze, kann ich ja sagen, kann der Täter dem Opfer die Hand geben, sagen, du: wir sind alle zwei Österreicher. Wir sind in einem Boot. Das ist die größte Herausforderung und das ist auch Ziel von uns. Von den Organisationen wie hier im [Bundesland], das sieht man, wir haben jetzt eine Gedenktafelenthüllung ... wo auch Roma gelebt haben. Wo man viele Gespräche führen muss, dass man eben zu dieser Gedenktafel kommt. Weitere werden folgen. (AT-B1)."

⁸⁹ Original Quote: *Die Wahrheit. Die Wahrheit muss am Tisch, das ist so. Und das ist die Wahrheit. Nicht sagen, das waren die Asozialen [die von den Nazis deportiert wurden], die haben nicht gearbeitet und im Endeffekt stellt sich heraus, durch die Aufnahmen die wir gemacht haben, dass alle Roma, die wir interviewt haben, von der Schule, vom Arbeitsplatz, deportiert wurden. Verstehen Sie und genau da, genau solche Sachen gehören ans Licht gebracht. Ich glaube, das ist auch ein Weg, damit man sich mit dem Thema auseinandersetzt und genau das ist dann auch, wie kann ich dann die Vorurteile, den Rassismus, wie kann ich das bewegen. (AT-B1)*

think that is what the Roma-Service does: they get involved, we also talked about it once, and I was immediately in favour.⁹⁰ (AT-A1)

Improving awareness and knowledge about Roma culture and history in the majority population is thus perceived as an effective tool to fight racism in the long term and to reduce prejudice affecting Roma. To this end, language courses are offered and cultural activities organised throughout Austria. Activities are organised to raise awareness about the life, history and culture of Roma in schools, and more generally among the majority population. Roma organisations are part of a pool which other organisations, such as schools, can refer to whenever they wish to include issues relating to the history or the culture of Roma.

For example, if the University College of Teacher Education says we are now planning a Roma seminar for future teachers, we will be involved in it, we will do workshops or film presentations or discussions, something like that. Or, for example, if we need to say, we would like to issue a textbook for which we get support from the Croats or from the Hungarians who also sit there, to take over exchange or layout, something like that. Well, it is just fine, it helped us a lot, because I know, I can turn to that person and say, ok, they've already published six books in this form in Hungarian, they'll do that in Romanese now, so in that manner.⁹¹ (AT-B1)

Furthermore, Roma organisations offer support to all Roma experiencing discrimination: they are often the first point of contact for Roma who are discriminated against. Roma organisations also support Roma who are struggling in school or to find work.

Roma organisations are now on an equal position with other ethnic groups' associations when it comes to autonomous associations of persons who potentially affected by discrimination and have know-how about running an association. Findings from the interviews indicate that the degree of professionalisation of Roma organisations can still be improved, particularly when it comes to applying for grants. According to interviewed Roma activists, work in the field of autonomous organisations (contrasting organisations representing Roma) within the NGO sector has become more difficult and insecure in terms of funding. When asked about the main recent challenges of autonomous Roma organisations, an interviewed Romni refers to the resources for work: only if Roma activists can make a living from their work and consequently are in a position to make enough time for this work, the outputs can be effective. However, if they have to co-fund their living with other work, Roma-activism is reduced into organising events. Voluntary and unpaid work for their community is valued by interviewees indeed, but it is not perceived as having sustainable outcomes for the Roma movement.

If you want to engage in ethnic group work properly, then you cannot do this just on the side, with voluntary work, to run an association in a voluntary position, you can maybe organise a festival once a year, if you have another full-time job somewhere totally different. So it needs

⁹⁰ Original Quote: *„Das ist ja das Problem, nicht, weil ja das nicht einfach weitergegeben wird. Da wird einfach eine Geschichte gemacht und ja, Roma sind auch darunter gewesen, und dann ist es schon vorbei. Es sind genug Roma darunter [unter den Deportierten] gewesen, aber dann näher in die Geschichte hineinzugehen, das gehört einmal gemacht. Richtig ausgearbeitet. Und ich glaube das macht der Roma-Service: der setzt sich ein, da haben wir auch einmal ein Gespräch darüber gehabt, und ich wäre ja halt sofort dafür, dass das gemacht wird (AT-A1)“*

⁹¹ Original Quote: *„Es ist zum Beispiel wenn die PÄDAK sagt, ok, wir planen jetzt ein Seminar Roma vor für zukünftige Lehrer, da werden wir mit eingebunden, wir machen dann Workshops oder was weiß ich, Filmpräsentationen oder Diskussionen, so in der Form. Oder wenn wir zum Beispiel benötigen, dass wir sagen, ok wir möchten gern ein Lehrbuch herausgeben, dass wir eben von den Kroaten oder von den Ungarn, die auch dort sitzen, Unterstützung bekommen, und Austausch oder das Layout übernehmen, so in dieser Form. Also es ist ganz gut, es ist uns schon sehr geholfen, weil da weiß ich, ich kann mich an diese Person wenden, sagen ok, die haben schon sechs Bücher in dieser Form auf Ungarisch herausgegeben, die werden das jetzt in Romanese machen, also so in der Form.“(AT-B1).*

this basic condition, that people working for their ethnic group are paid and hired for their work. It just takes that. So that something can move forward a bit.⁹² (AT-B2)

The main precondition for political justice in Roma is awareness on their own social situation and recognising themselves as a (political) group. This consciousness developed in Austria firstly among autochthonous Roma in the province of Burgenland, where the intra-group awareness raising on recognition has its origin: it meant that they firstly needed to develop awareness about their situation, that it is socially constructed and shaped by constant marginalisation over generations. Consequently, they needed to stop hiding their Roma identities, become aware of their identity and rich culture. Only then they were they in a position to fight discrimination and exclusion, and to stand up for recognition in the majority population. Autonomous Roma organisations were key in this process. They raised awareness internally (within Roma populations) and fought for recognition externally (in the majority populations). After official recognition as a national minority, they also engaged in awareness-raising on Roma concerns in the majority population. A second important task of the Roma movement is compensating the long-term exclusion of Roma from the educational system by offering and organising school assistance, learning aid and other trainings to improve the skills and access to education for Roma.

B. ROMA AS A GROUP WITH POLITICAL CONCERNS

Interviewees discussed the question whether the term Roma is suitable to name them as a group with political concerns, or whether this conceals differences amongst Roma populations. An argument for the usage of “Roma” as political term is the reference to an agreement of the *International Roma Union* on using the term whenever Roma issues are dealt with. Furthermore, interviewees argue that it would not be practicable to define all the Roma-sub-groups; thus Roma is to be used as “umbrella term”. An interviewed Rom points out:

That has already proven itself the last few years, it is the most reasonable term, if you have to find a word, so in German-speaking countries, a word that you can agree on, this would be “Roma”. So I would definitely see it that way.⁹³ (AT-B1)

An argument named against the usage of the term “Roma” is the risk of concealing intra-group differences. Advocates of using the term Roma however counter-argue that not all these differences in the life situation of Roma relate to the ethnic origin only. They rather relate to other aspects of identity and life, e.g. growing up in urban vs. rural, richer vs. poorer regions of Austria, gender, etc. All these differences affect Roma and Non-Roma populations equally and are thus no argument against the use of the term Roma.

Another “quasi-argument” for the use of the term “Roma”, brought forward by interviewed autochthonous Roma, is that the only available alternative term in Austria, namely “Zigeuner”, is worse. “Roma” is thus understood as positive alternative to the term “Zigeuner” and it is expected to replace “Zigeuner” sooner or later. An interviewed Romni has a different point of view and discusses the use of the term Roma critically: in her opinion, the term Roma is somehow an academic and political term, which has been developed by the well-

⁹² Original Quote: „Wenn man Volksgruppenarbeit gscheit machen will, kann man das nicht nur so nebenbei machen, so in ehrenamtliche, in einer ehrenamtlichen Funktion einen Verein führen, da kann man vielleicht mal ein Festl im Jahr machen, wenn man nebenbei Vollzeit beschäftigt ist, also ganz woanders. Also es braucht halt quasi diese Grundgegebenheiten, dass Personen in der Volksgruppenarbeit für ihre Arbeit auch bezahlt werden, entlohnt werden, angestellt werden. Das braucht es halt ganz einfach. Damit da ein bisschen etwas weitergehen kann. (AT-B2)“

⁹³ Original quote: „Das hat sich schon erwiesen die letzten Jahre, es ist der vernünftigste Begriff, wenn man ein Wort, jetzt im deutschen Sprachraum ein Wort finden muss, auf das man sich einigen kann, dann ist das Roma. Also das würde ich auf alle Fälle so sehen.“ (AT-B1).

educated. The people on the ground however – particularly those, who live in rural areas of Austria – are not able to work with it. As an example, she recollects when she came out as a Romni. Her conversation partners in rural areas did not understand the term and thought she was a migrant from Romania.

You know, nobody knows what they are talking about [if you use the term Roma]. So if you go out, so in everyday life, and you talk to someone who has nothing to do with Roma or minorities or anything else in Austria and you say that you are a Roma, they do not know it. I worked in Tyrol for a while and there I said that I am a Roma woman and they asked “what is that?”. Then I told them, “well, a gypsy”, and asked if they knew what gypsy means. “Right, right, of course” was their answer. Of course, then you face the first stereotypes. But it was ok for me because we started to discuss them, right. And (...) yes.⁹⁴ (AT-A2)

Interviewed Roma highlight that using the politically correct words does not necessarily imply that the speaker is sensitised to Roma issues; vice versa, using the term “Zigeuner” does not necessarily indicate anti-gypsism. These interviewees argue that language per se is detached from reality, only the meaning of language is shaped by reality. An interviewee for example argues that “Zigeuner” per se is not a negative term, but the way it is used and what is connected to it, is problematic:

I do not think the term “gypsy” is bad, I would say. But only if you add a bad word or a word that would destroy the meaning, it affects me too, I think: “You dirty gypsy, you savage, you steal” or something like that, always in connection, I have to say that there needs to be awareness-raising, as I mentioned earlier, and the people should take a look first before judging.⁹⁵ (AT-A1)

Using the politically correct words however must also not be used as the only means to combat discrimination, as it then would become a fig leaf to conceal political inactivity. Political correctness in speech does not necessarily (or only) foster equal access to participation and representation for Roma populations:

I just wanted to add that it is important to keep emphasising that this is a symbolic policy that one operates there, that is, the term is of course important, but the term is not crucial. So, there is, you can imagine, a political world that uses the term Roma, but that carries on the discrimination of the Roma like under the term Gypsies. So it is an important piece of the mosaic, but other things are crucial. For example, Franz Fuchs [the person responsible for the attack in Oberwart who killed four Roma] has also used the term Roma correctly, “Roma back to India”. So that’s not it, I just wanted to add. It should not stay only at this symbolic level, that must stop. If I only demand that the term Roma is used, I have achieved nothing then. So it has to go further.⁹⁶ (AT-B1)

⁹⁴ Original quote: „Wissen die, es (...) es weiß keiner wovon man spricht [wenn man den Begriff Roma verwendet]. Also wenn man jetzt raus geht da, also so im alltäglichen Leben, und jemand der nichts mit Roma oder Minderheiten oder sonst etwas zu tun hat in Österreich und du sagst dann du bist eine Romni, die wissen das nicht. Ich habe in Tirol gearbeitet eine Zeit lang und dort habe ich auch gesagt, ja ich bin halt eine Romni und die haben gemeint, „ja was ist denn das?“. Dann habe ich ihnen gesagt, „naja Zigeuner“, ob sie mit dem Begriff Zigeuner etwas anfangen können. „Ja, ja, sicher.“ Da sind natürlich auch schon die ersten Stereotype kommen, jetzt da. Aber, ja, es war halt in dem Sinn für mich ok, weil wir haben halt dann darüber diskutiert, ja. Und (...) ja“. (AT-A2)

⁹⁵ Original quote: „Ich finde das Wort „Zigeuner“ ja auch nicht schlecht, sage ich jetzt einmal. Aber nur wenn man ein schlechtes Wort oder irgendein Wort ranmachen tut, was die Bedeutung zerstören würde, dann betrifft es mich auch, glaube ich: „du dreckiger Zigeuner, du biestiger, du tust stehlen“ oder irgendwas, immer in Verbindung, da muss ich halt immer sagen, da gehört Aufklärung auch gemacht, was ich auch vorher gesagt habe, und das sollen sich einmal die Leute ansehen, bevor sie ein Urteil abgeben“. (AT-A1)

⁹⁶ Original quote: „Ich wollte nur hinzufügen, es gilt halt da immer wieder zu betonen, dass das ist eine symbolische Politik, die man da betreibt, also das, der Begriff ist natürlich wichtig, aber der Begriff ist nicht entscheidend. Also man kann, es gibt auch, es eine politische Welt vorstellbar, die den Begriff Roma verwendet, aber die die Diskriminierung der Roma gleich

Interviewees insisted on the differences amongst Roma, which are rather fundamental differences of life realities. Differences between allochthone and autochthonous Roma populations are quite clear. However, the interviewees also identified differences within the autochthonous Roma population and amongst the allochthone Roma. Some members of the Roma allochthone community for example have been living in Austria for many generations, for others it is the first generation living in Austria, while others are only here temporarily in the first place. These differences in life situations cannot be addressed by a debate on the use of the term Roma.

In light of these debates, interviewees also discussed whether majority policies should integrate the concerns of Roma populations or whether they should implement specific Roma policies. The finding is clear: an effective political justice approach consists of both: integrating Roma issues into general issues and acknowledging the different life situations of Roma populations and consequently offering special support services, targeting the diversity of Roma's needs.

Still, this depends on the concrete issue at hand: when it comes to access to social rights, interviewees emphasise that Roma should be treated and dealt with on the same basis as the majority population. However, due to the long-term Roma exclusion and marginalisation and the prevailing effects in access to work and education, Roma might need more support to effectively be in an equal position. However, interviewees emphasise that this need for special support is only a result of the history of marginalisation and exclusion. An interviewed allochthone Romni explains this approach, when asked whether politics should include Roma issues or deal with them separately:

This is very ambivalent. We are not all equal and we do not live under the same conditions and consequently, some people need a bit more [support] to reach an equal level as others. And I do believe that generally, it is good to go in this direction: we should be all equal some day and we should all have same access, same chances and opportunities. [...]. But it is important to differentiate here and to say: unfortunately it is the case that some are still marginalised and we have to work with them. And not explicitly then deny everything and say: no, we are all equal and we are open to everybody with our services and all people have the same chances and the same access to our services: this is not true.⁹⁷ (AT-D3)

Programmes like those provided within the European Social Funds and other grants are perceived as important to achieve Roma inclusion and – in the end - equality. An interviewed Roma-activist, who self-identifies as Rom, brings it to the point:

weitertreibt wie unter dem Begriff Zigeuner. Also das ist nicht, also es ist ein wichtiges Mosaiksteinchen, aber entscheidend sind andere Dinge, also die, zum Beispiel Franz Fuchs hat auch politisch korrekt den Begriff Roma verwendet, Roma zurück nach Indien. Also das ist nicht, wollte ich nur hinzufügen. Das muss, da auf dieser symbolischen Ebene darf das nicht stehen bleiben. Den Begriff Roma, den einzufordern, damit habe ich nichts erreicht. Also es muss dann weitergehen". (AT-B1).

⁹⁷ Original quote: „Das ist sehr zwiespältig. Wir sind nicht alle gleich, und wir haben nicht alle gleiche Voraussetzungen und dementsprechend brauchen manche ein bisschen mehr damit sie auf die Ebene kommen um gleich mit allen anderen zu sein. Und ich glaub, allgemein ist das gut, wenn man in diese Richtung geht: wir sollten einmal alle gleich sein, alle einen gleichen Zugang haben, gleiche Chancen und Möglichkeiten haben. [...] Aber wichtig ist, hier zu differenzieren und zu sagen: leider ist es so, dass manche noch marginalisiert sind und da müssen wir was tun. Und nicht explizit dann, alles bestreiten und sagen: nein, wir sind doch alle gleich und wir sind doch für alle offen in unseren Angeboten und alle haben gleiche Chancen und gleiche Zugang: das stimmt nicht.“ (AT-D3)

Both need to be addressed. It is also our goal, I always say integration while maintaining [our] own culture, the latter should be supported and granted too.⁹⁸ (AT-B1)

An interviewed Romni, who has a migrant background and who lives in Vienna, identifies a strategy in institutionalised policies to accommodate Roma concerns and needs in majority politics. According to her, this is not effective as – due to generations' experience of marginalisation and exclusion – Roma populations have different needs and different concerns, which cannot be accommodated by majority politics. Especially adolescent Roma need their own services and facilities, protected rooms, where they can talk about their own and unique issues:

There are many young Roma, who do not declare themselves as Roma, because they fear discrimination. These adolescents do not have the possibility to deal with this part of their identity in a protected space. This is however very important, because this identity is there, and this is in the first place nothing to be ashamed of. This is an important issue, to empower the identity and to empower the adolescents: these internalised experiences of discrimination, prejudices, over many generations, that is this classic psychological effect: if somebody tells you that you are stupid your whole life, then sooner or later you will yourself believe that you are stupid.⁹⁹ (AT-B2)

Special Roma policies and services are also needed when it comes to empowerment of Roma and maintaining their heritage, culture and history, and educating the majority population. In this area, Roma policies should address Roma separately. In terms of all other aspects, particularly in accessing social rights, Roma issues should be covered by majority politics. This will be elaborated in more detail in the following sections.

1. EMPHASISING ROMA UNITY AS A POLITICAL STRATEGY

Albeit interviewed autochthonous Roma acknowledge differences within their group, they argue for Roma unity as strategy on a discursive level, fearing that by splitting the Roma populations into different sub-groups, the Roma movement as a whole is weakened. They also argue that Roma unity is already a given against the background of collective Roma history, targeted Roma victimisation in the NS-Regime, and their collective experience of racism and exclusion from education. In all these matters, it does not play a role if the affected persons are Sinti, Kala or belong to another autochthonous Roma group:

I think it makes sense to continue to use the term Roma because, in spite of all heterogeneity and diversity and social diversity, there is one connecting feature and that is the history and the experience of discrimination. So that is that, that is what really affects the vast majority of Roma. And that is why it makes sense to name the group with one term. I would see it that way.¹⁰⁰ (AT-B1)

⁹⁸ Original quote: „Es muss beides auch angesprochen werden. Unser Ziel ist es ja auch, ich sage immer auch Integration mit Beibehaltung der eigenen Kultur. Das die genauso mit gefördert wird“.

⁹⁹ Original quote: „Es gibt viele junge Roma, die sich nicht als Roma bekennen, weil sie eben auch Angst haben vor dieser Diskriminierung. Diesen Jugendlichen wird eben nicht die Möglichkeit gegeben, sich mit diesem Teil ihrer Identität zu befassen. In einem geschützten Raum. Und das ist natürlich sehr wichtig, weil diese Identität ist da, das ist erstens nicht etwas wofür man sich zu schämen braucht, sondern eben, das ist ein Teil der Identität [...] Die Stärkung der Identität und dann noch, die Stärkung der Jugendlichen selbst, diese internalisierte, also diese internalisierten Vorurteile, diese Diskriminierung, die es seit Jahrhunderten gibt, ja, das ist so dieser klassische psychologische Effekt, wenn du, wenn jemand dir jeden Tag sagt, du bist dumm, also dein ganzes Leben lang, dann irgendwann denkst du auch, dass du dumm bist.“ (AT-B2)

¹⁰⁰ Original quote: „Ja, ich meine, das ist deswegen sinnvoll, wenn man den Begriff Roma nach wie vor verwendet, weil es gibt halt dann doch trotz aller Heterogenität und trotz aller Diversität und sozialer Unterschiedlichkeit ein verbindendes Merkmal,

This interviewee particularly expresses his scepticism towards non-Roma people, who aim at drawing and thereby defining the lines between Roma populations:

There are various groups in Austria, there are the autochthonous, then there are the allochthones, then there are those who are begging. These differences are not made by me, they are brought in from the outside. So from my point of view, a Roma is a Roma and if there are problems, then help will be provided. For me it is Roma culture, it is not about the Kalderash culture, or the culture of the Sinti, there is just a Roma culture that is presented. And I also view this under this title and do not say: this is the Styrian accordion or, I don't know, a Burgenland accordion? Do you understand what I mean?¹⁰¹ (AT-B1)

Even more, against the background of heterogeneity amongst Roma, a unified standing-up of the Roma movement is important in the sense of opposing segmentation. *Only within* these unifying experiences, differences have a space – also in the sense of combatting stereotypes. Emphasising on Roma-unity is important for the political strategies of the Roma movement. Even if there are cultural differences within the Roma, only by emphasising Roma unity the solidarity beyond Roma groups can be maintained. Interviewees also argue that the perpetrators of racism and those of the NS-regime did not draw attention to differences amongst Roma and consequently strategies to combat racism should also unify Roma populations.

2. ACKNOWLEDGING DIFFERENT LIFE REALITIES

The life realities of allochthone Roma are different from those of autochthonous Roma, as the former are migrants, mainly from Eastern EU countries and Serbia. They have on the one hand a different life situation in Austria, as they are migrants. Their problems in accessing education, the labour market and housing in Austria are different from those of the autochthonous Roma community. They are confronted with legal limitations (if they are third country nationals) and with language barriers. Allochthone Roma are not included into national minority politics, but they are included into EU Roma politics.

The interviews clearly show that there are differences according to their respective countries of origin. An interviewed non-Roma, who provides low-threshold accessible health services to Roma, refers to differences in allochthone Roma depending on their country of origin. According to her, Roma from Serbia are better organised in Austria than Roma migrants from Eastern Europe.

The target group we are talking about now, the Roma, who come to us are mainly from Bulgaria and Romania and Serbia. And they are different in the way that the Bulgarians and the Romanians have access to the labour market, and the Serbs do not. Of course, we also have a lot of contact, or some contact with Roma organisations. And if I may sketch that so blatantly now, I have the impression that the Roma from Serbia are much better organised. Well, all the associations, at X, for example, the employees are Serbs and they have a wider educational status and are also much

und das ist die Geschichte und die Diskriminierungserfahrung. Also das ist, das betrifft halt dann den, wirklich die überwiegende Mehrheit der Roma. Und deswegen ist es auch sinnvoll, wenn man die Gruppe mit einem Begriff benennen kann. Würde ich schon so sehen.“ (AT-B1)

¹⁰¹ Original quote: *Es gibt ja verschiedene Gruppen in Österreich, es gibt die autochthonen, dann gibt es die allochthonen, dann gibt es die, die eben betteln. Diese Unterschiede werden ja nicht von mir gemacht, die werden ja von außen hineingetragen. Also von meiner Sicht ist Rom Rom, Romni Romni und wenn es Probleme gibt, dann wird geholfen. Für mich ist auch die Kultur die Roma Kultur, für mich ist das nicht die Kalderash Kultur, oder die Kultur der Sinti, das ist eine Roma Kultur, die präsentiert wird. Und ich sehe es auch unter diesem Titel und mache nicht genau fest: das ist jetzt die steirische Ziehharmonika oder was weiß ich, eine burgenländische Ziehharmonika? Verstehen Sie was ich meine?“. (AT-B1)*

more integrated into society. Because we have the impression that the Romanian Roma and Bulgarian Roma do not have as much of a say in Roma associations as the Serbian Roma do. They have higher education, they are better organised - I notice that in our country as well, they have much more self-confidence when it comes to trying to claim their rights.¹⁰² (AT-D2)

According to her, the Serbian Roma have a comparably high level of education and good language skills, which makes it easier for them to settle in Austria and to build up autonomous Roma organisations. This can compensate for the structural barriers in accessing the labour market, which they face as third country nationals. The interviewee further argues that it is very important to consider the degree of autonomous organisation in Roma populations when it comes to assessing political representation and participation. The Serbian Roma are also comparably advantaged in this regard: they are more able to express their concerns and needs and consequently, these concerns are more likely to be considered by service-providing NGOs. The Bulgarian and Romanian Roma are less organised: for them it is more difficult to raise their voice, be represented by NGOs and participate in decision-making. On the other hand, they have stronger family networks.

Taking the Serbian Roma into account, this interviewee argues that strong, autonomous organisation can compensate structural barriers of integration into the Austrian society, i.e. restricted access to the labour market; however this only works under certain conditions, such as possessing a certain level of education or the necessary language skills. On the other hand, Bulgarian and Romanian Roma living in Austria do not face legal restrictions in accessing the labour market, but they tend to be lowly educated and have poor language skills. Thus, even if they have access to the Austrian labour market as EU citizens, they are face more challenges in finding employment. Consequently, they work under precarious conditions, e.g. in bars, frequented by migrant communities. The consequence of this is lacking social security and barriers in accessing health services. As a consequence of lacking integration and social security, they strongly depend on their migrant communities in terms of housing and employment. Children are even more vulnerable. The family clans are strong, the gender roles are traditional and the interviewee has also encountered cases of domestic abuse or forced marriages, affecting women in particular. For the interviewee it is very difficult to gain access to these women, to work with and empower them.

Against this background, the interviewee argues for a mainstreaming of these differences within allochthone Roma populations when it comes to the provision of targeted services.

3. DISCRIMINATION WITHIN ROMA COMMUNITIES

This section addresses the question of interviewees understanding issues of justice and fairness in relation to political representation within their group (age, gender, age, disability), and whether they think that the state should intervene in such issues. Interviewees state that discrimination also occurs within the Roma communities. The answer to the question about whether the state should intervene or not and if so, how, differs between

¹⁰² Original quote: *Die Zielgruppe, über die wir jetzt sprechen, die Roma, die kommen zu uns hauptsächlich aus Bulgarien und Rumänien und Serbien. Und die unterscheiden sich dadurch, dass die Bulgaren und die Rumänen einen Zugang zum Arbeitsmarkt hätten und die Serben nicht. Wir haben dadurch natürlich sehr viel Kontakt auch, oder einigen Kontakt mit Roma Organisationen. Und wenn ich das jetzt einmal so plakativ skizzieren darf, habe ich den Eindruck, dass die Roma aus Serbien wesentlich besser organisiert sind. Naja, die ganzen Vereine, bei X zum Beispiel sind die MitarbeiterInnen SerbInnen und die sind vom Bildungsstatus her wesentlich weiter und sind auch wesentlich integrierter in die Gesellschaft. Weil wir haben ein bisschen den Eindruck, dass die Roma aus Rumänien und aus Bulgarien auch bei den Roma Vereinen nicht ganz so viel Mitspracherecht haben wie die serbischen Roma. Die sind von der Bildung her höher, die sind besser organisiert – ich merke das auch bei uns, die haben wesentlich mehr Selbstbewusstsein, wenn es darum geht zu versuchen, an Ansprüche zu kommen. (AT-D2).*

autochthonous and allochthone Roma populations, and non-Roma. When asked whether discrimination also occurs in Roma populations, an interviewed autochthonous Rom responds: “Of course it occurs amongst us too, we are humans.”¹⁰³ (AT-A1) This interviewee mainly refers to discriminative attitudes and the connected behaviour. An interviewee, who provides low-threshold healthcare services to those without health insurance, experiences strong and traditional family cultures as problematic. These family cultures lead to marginalisation amongst allochthone Roma communities, and mainly affect young women. These families arrange marriages of young migrant women with Roms who have obtained Austrian citizenship. The residence permits of these women, their health insurance – all their entitlements are connected to their Austrian husband. They live in Austria, are not integrated here and have no chance of participation (not talking about participation in society, but also talking about decision-making within family communities). The interviewee knows from practice, that their mothers-in-law then make all decisions for them and subordinate them. The interviewee elaborates on this:

This is not real organised human trafficking on an institutional level. This is rather something that families negotiate amongst them. For the girls it is of course a big chance, but only theoretically, because the standards are higher in Austria. But she does not have access to education, and she has to subordinate herself completely to her mother-in-law and the family of her husband. And, as I have said, they get pregnant at a very young age and of course, they do not have an idea about anything.¹⁰⁴ (AT-D2)

An interviewed Romni of Serbian origin confirms this identification of discrimination in conservative Roma communities and also identifies discrimination in Roma populations based on religion. She states:

Yes. And what I really would like to say is that indeed there is internal discrimination between different groups of Roma. Particularly because of religion for example, Orthodox Roma discriminate against Muslim Roma or the other way around, regional discrimination, by Roma from Croatia against Roma from Bulgaria for example. In very conservative groups, the more conservative a group is, the more likely is gender discrimination. But to be honest, because of disability, according to my experience I do not recognise it.¹⁰⁵ (AT-D3)

When it comes to the question, whether and how the state should intervene, the assessments differ. Those who argue in favour of a state intervention, refer to the need for victim’s protection. Those who are against a state intervention, argue that the state will not have access to these relationships anyways and the Roma migrant communities should rather solve their problems internally. The state should only support them in doing so.

When it comes to the question of *how* politics should intervene, the assessments differ. Persons who self-identify as autochthonous Roma, perceive the Equal Treatment Act as a weak instrument, stating that its implementation is ineffective. Interviewed Roma argue that Anti-Discrimination Law can only influence – in the best case – the

¹⁰³ Original quote: „Natürlich gibt es da auch, sind ja Menschen.“ (AT-A1).

¹⁰⁴ Original quote: „Das ist jetzt kein, unter Anführungszeichen, organisierter Menschenhandel oder auf institutionalisierter Ebene. Das ist schon etwas, was sich die Familien ausmachen. Für das Mädchen ist das natürlich ein Quantensprung an Aufstiegsmöglichkeiten, aber nur theoretisch, weil halt in Österreich der Standard höher ist. Aber die hat keinen Zugang zu Bildung, und sie muss sich vollkommen ihrer Schwiegermutter und der Familie ihres Mannes unterwerfen. Und wie gesagt, sie werden sehr jung schwanger, haben natürlich von nichts eine Ahnung.“ (AT-D2)

¹⁰⁵ Original quote: „Ja. Und was ich besonders gerne sagen will, dass es sehr wohl eine interne Diskriminierung unter verschiedenen Gruppen gibt, besonders aufgrund der Religion zum Beispiel, orthodoxe Roma und muslimische Roma und umgekehrt, auch regionale Diskriminierung, zum Beispiel von Roma aus Kroatien zu Roma aus Bulgarien, zum Beispiel ja. In ganz konservativen Gruppen, bzw. je konservativer eine Gruppe ist, desto größer oder höher ist der Diskriminierungsgrad zwischen den Geschlechtern, also bei ganz konservativen Gruppen werden die Frauen diskriminiert, benachteiligt. Aufgrund der Behinderung muss ich Ihnen sagen, nicht, meine Erfahrung sagt nicht.“ (AT-D3)

behaviour of people, and not their attitudes. Only influencing attitudes would be sustainable in combatting discrimination and racism. An interviewed Rom says:

There is discrimination, because there is modern discrimination, or positive discrimination, and positive is doing nicely [when facing you] and at throwing a knife at you [in the back], right. That's what I call positive, modern discrimination, actually. And I think that's a pity: where everybody expresses his opinion, but then in reality, acting quite differently when he is among non-Roma, then he insults [the Roma] and talks badly about the Roma. That is a pity.¹⁰⁶ (AT-A1)

Despite their doubts concerning the effectivity of these instruments, they still acknowledge the Equal Treatment Act and the mechanisms of implementation. Autochthonous Roma are aware of these instruments and make use of these services in case they feel discriminated against. However, interviewed Roma argue that the Anti-Discrimination Law is not the only and not the most effective solution to combat discrimination. An interviewed non-Rom, who provides social services for Roma, illustrates this using the example of harassment against beggars in public. Here, the Equal Treatment Act is toothless. An interviewed member of a public authority perceives the Anti-Discrimination Law in Austria as sufficient instrument to address discrimination, in general and among the Roma population in particular.

The interviewee also points out that she does not have the impression that women are disadvantaged when it comes to their representation in Roma organisations. She further stresses that in particular the young age of activists in civil society organisations helps to reduce discriminative behaviour in Roma organisations and communities too. However, she points out that her view is only valid for the Austrian context and not for the migrant Roma's countries of origin. Thus, she argues for the implementation of measures to empower female Roma. Based on this, the state intervention into discrimination should mainly focus on empowerment.

An interviewed autochthonous Romni perceives it differently: she acknowledges that – in terms of members – women and men are equally represented in the Dialogue Platform and in the Ethnic Groups Advisory Board. However, when it comes to leading functions the situation is different – leading functions are male dominated.

Well it always depends on who leads an association or, if you look at us now in [federal state], so here in [city], I am the only woman working in a Roma organisation. Right. I do not know why [that is], that is not so easy. It is not so easy to be active in the Ethnic Group Advisory Board, that is how I assess it at least for me, for example, I am employed for 20 hours as well, right. Thus, I don't earn well. I have to say quite honestly that for my male colleagues is much easier to found an association. Yes, I think that it just has something to do with being a man or a woman, men simply (...) yes. I do not know. (...) I do not know. That is hard to explain. No idea, I am the only woman here.¹⁰⁷ (AT-A2)

¹⁰⁶ Original quote: „Ja, es ist, man sagt ja Diskriminierung, weil es gibt ja die moderne Diskriminierung, oder die positive Diskriminierung, und positiv ist vor dir schönreden und hinten das Messer ins Kreuz hineinschmeißen, gell. Das nenne ich halt eine positive, moderne Diskriminierung, eigentlich. Und das finde ich halt schade: wo jeder seine Meinung kundtut, aber dann in Wirklichkeit ganz anders, wenn er mit Nicht-Roma zusammen ist, dann stänkert er und redet schlecht über die Roma. Das finde ich halt schade.“ (AT-A1)

¹⁰⁷ Original quote: „Naja es kommt halt immer darauf an, wer einen Verein leitet oder, wenn man uns das jetzt in [Bundesland] ansieht, also bei uns jetzt in [Stadt], bin ich die einzige Frau, die in einer Roma Organisation arbeitet. Gell. Das weiß ich nicht [woran das liegt], das ist nicht so einfach. Es ist nicht so einfach in der Volksgruppenarbeit tätig zu sein, also so sehe ich das zumindest für mich, zum Beispiel bin ich jetzt auch noch 20 Stunden noch beschäftigt, ja. Ich verdiene dementsprechend schlecht, muss ich halt auch ganz ehrlich sagen, da haben es meine männlichen Kollegen, also einen Verein zu eröffnen und so, wesentlich leichter. Ja, ich glaube, das hat einfach mit dem Geschlecht Mann und Frau etwas zu tun, das Männer einfach (...) ja. Weiß ich nicht. (...) Weiß ich nicht. Das ist schwer zu erklären. Keine Ahnung, ja, bin halt die einzige Frau.“ (AT-A2).

Beside problematic life realities in some migrant communities, there is still evidence for Roma discrimination and an unjust representation of Roma.

C. ROMA REPRESENTATION

As it was illustrated earlier, recognition is a major precondition for representation. Roma representation is closely linked with self-identification with the Roma identity and not hiding it. Interviews indicate that Roma in the past and present tend to conceal and hide their Roma identity. This is because they fear being discriminated against or disadvantaged. The Nazi Regime and the Roma marginalisation after WW II in Austrian politics and society had lasting effects on the visibility of Roma, as the interviews indicate. Interviewed Roma point out that especially established and successful Roma, who would be in a position to act as role models, hide their identity to avoid jeopardising their position. Not all Roma want to come out as Roma and precisely this makes it difficult to assess the representation of Roma in institutional politics.

Not everyone wants to come out, so it is hard to say what the representation of Roma looks like.

As far as I know, those who work in these panels are first and foremost doing so as individuals, not as Roma. So I have to mention that.¹⁰⁸ (AT-A1)

On the other hand – as has been addressed in the interviews – Roma beggars are highly visible on the streets and the issue of tackling poverty among Roma is predominant in the EU Roma Strategy. Thus, interviewees identify a kind of selective visibility of Roma. While poor Roma migrants and beggars are overrepresented in societal perceptions, successful and ambitious Roma are underrepresented. This biased visibility of Roma, which is a product of discrimination, is relevant to the issue of representation in an indirect manner.

In a direct manner, discrimination is also relevant to representation, namely when it comes to barriers for Roma in accessing decision-making positions in politics. An interviewed Rom explains it as follows:

But of course there are barriers for Roma if they want to participate in political functions and institutionalised politics. So first you have to be elected, that is a big hurdle. For example, I do not take it for granted that the Roma for example (...) that the prejudices are still so great that it is of course difficult, that you have to do twice or three times as much in order to overcome this hurdle. I do have this feeling. I think it is the same on the job market, that you have to work two times, three times as much so you can do it. (...) That was also a statement from the former mayor, who is a Hungarian national minority member, who has always said he has always had to work two or three times as much as someone of the majority population.¹⁰⁹ (AT-B1)

Against this background, it is easily understandable that Roma conceal their Roma identity in order to enter political and other functions. Another factor is related to qualifications: interviewed autochthonous Roma state

¹⁰⁸ Original quote: „Es möchten sich nicht alle outen, man kann es deswegen schwer sagen, wie die Repräsentation der Roma genau aussieht. Meines Wissens nach, also die in diesen Gremien tätig sind, die sind in erster Linie als Personen darin, nicht als Roma. Also das muss ich schon erwähnen.“ (AT-A1)

¹⁰⁹ Original quote: „Aber natürlich gibt es Barrieren für Roma wenn sie an politischen Funktionen und institutionalisierter Politik teilhaben wollen. Also man muss ja mal gewählt werden, das ist eine große Hürde. Ich glaube es ist nicht selbstverständlich, dass Roma zum Beispiel (...) dass die Vorurteile doch noch so groß sind, dass es natürlich schwierig ist, dass man doppelt oder dreifach so viel leisten muss, dass man diese Hürde nehmen kann. Das Gefühl habe ich schon. Ich glaube das ist auch am Arbeitsmarkt so, dass man sich zweifach, dreifach so viel anstrengen muss, dass man das packt. (...) Das war auch eine Aussage vom ehemaligen Bürgermeister, der ist ungarischer Volksgruppenangehöriger und hat immer gesagt, er hat sich immer doppelt oder dreifach so viel anstrengen müssen wie einer von der Mehrheitsbevölkerung.“ (AT-B1)

that Roma were excluded from education up to the end of the 20th century, thus they had low chance to qualify themselves for political and other key positions in society. They have a disadvantaged starting point when it comes to taking over political functions, as an interviewed Romni states:

So up to the 80s there was not a developed Roma elite, so to speak, in an educated middle-class sense, and of course, this is crucial to pursue a career as a politician, not even speaking about discrimination and racism, which are present in the field, which are present in the political field. But that is, by that I mean that this process became only visible in principle after the institutionalisation of the Roma [as a minority] at the end of the 80s with the creation of the first associations, in '89 the first association was founded, in '93 the ethnic group recognition [took place]. So since then, this process has opened up, and there are now more and more Roma.¹¹⁰ (AT-B1)

Thus, interviewees point out that the simple identification of a person as Rom/Romni does not necessarily mean that they are qualified to do this work or that they do advocate for the interests of Roma. Interviewees thus argue against affirmative action measures or quotas, fearing that “forced” Roma representation could also have a negative effect on the image of Roma. An interviewed Rom, who is not an activist, perceives it differently in terms of general justice. He argues for the integration of Roma into institutionalised politics and says:

Now it is time to approach politics. The first one who was actually [active] in Vienna was, I think [name], who was in the local council or something, I do not know now. And now there are some of us in the local council, but there should still be some in the offices. [...] Work, work does not only mean that I pick up a broom, but that I also get access to [holding] office: that is also important. There are also Roma who have studied, you have to mention that. With a master's degree, they have a doctorate degree, but there are still too few of them and more should be in [offices], and that they perhaps can gain a foothold in politics at some point. And that is what I find [...] important.¹¹¹ (AT-A1)

The main reasons for lacking representation can be traced back to the long history of Roma marginalisation and exclusion from society. The consequences of this history are still relevant: Roma are still not equal in terms of qualification and if they are, they do not out themselves as Roma in order to not endanger their position. This is a vicious circle.

On the other hand, data gathering on ethnic origin is not allowed in Austria and if it were be allowed, not all Roma would make themselves known as Roma – thus it would be biased. For this reason, there is no reliable

¹¹⁰ Original quote: „Also es hat sich bis in die 80er Jahre eigentlich nicht einmal ansatzweise so etwas wie eine Roma-Elite sozusagen, jetzt im bildungsbürgerlichen Sinn herausgebildet, und die ist natürlich auch ganz entscheidend, um eine Laufbahn als Politiker einzuschlagen, jetzt ganz abgesehen von Diskriminierungen und Rassismen, die in dem Feld, im politischen Feld dann da sind. Aber das ist, also damit will ich sagen, dass dieser Prozess erst im Prinzip nach der Institutionalisierung der Roma [als Minderheit], eben Ende der 80er Jahre mit den ersten Vereinsgründungen, '89 hat sich der erste Verein erst gegründet, '93 die Volksgruppenanerkennung. Also seit damals hat sich dieser Prozess dann geöffnet, und es gibt jetzt immer mehr Roma [sichtbar]“ (AT-B1)

¹¹¹ Original quote: „Jetzt gehört noch die Politik angegangen. Der erste der eigentlich drinnen war in Wien war glaube ich der [Name], der ja im Gemeinderat oder irgendwas war, ich weiß jetzt nicht. Und jetzt gibt es auch schon bei uns im Gemeinderat welche, aber jetzt gehört noch in den Ämtern gehören welche hinein. [...] Arbeit, arbeiten heißt ja nicht nur, dass ich einen Besen in die Hand nehme, sondern auch in die Ämter hineinkomme, das ist auch wichtig. Es gibt auch Roma die ja schon studiert haben, das muss man auch sagen. Mit Magistertitel, die haben einen Dokortitel, es sind aber noch wenig und es gehören halt noch mehr hinein und dass die dann vielleicht auch in der Politik einmal irgendwann Fuß fassen können. Und das finde ich ... wichtig“. (AT-A1)

information available about the quantitative aspect of Roma representation in Austrian advocacy groups or political institutions. The following subsections describe the interviewees' qualitative assessments in this regard.

1. REPRESENTATION IN POLITICAL FUNCTIONS

When asked about the quantitative aspect of Roma representation in institutionalised political functions, only few interviewees mention some exceptional cases. An interviewee notices that anti-gypsism is not an issue for the majority of the political parties:

So, except for the Green Party, they are so far the only ones, who take a stance on anti-gypsism, but other than that, I have never noticed anything from other political parties. It's rather the opposite; they deal with the issues in an insensitive manner and sometimes take anti-gypsyist stances.¹¹² (AT-B1)

One interviewee (an autochthonous Romni and elected member of a local government in a rural area), when asked about her ability and readiness to represent Roma interests in the local government, says:

I am a councillor for all citizens of the city and [municipality], because [municipality] also belongs to that. But that I am explicitly responsible only for Roma: it's not that. Oh well, yes, so if there was anything [a concrete issue affecting Roma in the community], that would [be fine]. But, of course, every local council and local council member is there for all citizens and for all concerns.¹¹³ (AT-A2)

This interviewee perceives her political function as important for the visibility of Roma in local governments and for fighting against prejudices. The issue is not so much about representing Roma issues, but rather to be visible as member of the Roma community. She highlights however that she does not wish to be perceived as "the Romni in the government" but rather as local councillor who happens to be Romni.

But not only [I am Roma], but also, it is just (...) important to show that a Roma can do just as much as a non-Roma. That kind of thing, right. And of course it is hard to be elected at all. Well, you need some votes and I do not think that only Roma have voted for me. Well, I think that non-Roma voted for me as well.¹¹⁴ [...] You can't only see the Roma issues, but you have to see the town as a whole and the place as a whole. And you can't always just focus on this Roma issue, because otherwise you will quickly be labelled only as that.¹¹⁵ (AT-A2)

¹¹² Original quote: „Also bis auf die Grünen, das sind bisher die einzigen, die sich irgendwie zum Thema Antigypsyismus geäußert haben und Stellung bezogen haben, habe ich das eigentlich von keiner Partei mitbekommen. Sondern eher im Gegenteil, eher, dass sie unsensibel mit dem Thema umgehen und sich auch teilweise antiziganistisch äußern“. (AT-B1)

¹¹³ Original quote: „Ich bin Gemeinderätin für alle Bürgerinnen und Bürger der Stadt und [Gemeinde], weil [Gemeinde] gehört ja auch dazu. Aber dass ich da jetzt explizit nur für Roma zuständig bin: das nicht. Ach so, ja, also wenn da jetzt irgendetwas wäre [ein konkretes Roma-Anliegen in der Gemeinde], das schon. Aber natürlich ist jeder Gemeinderat und jede Gemeinderätin für alle Bürgerinnen und für alle Anliegen eigentlich da. (AT-A2)

¹¹⁴ Original quote: Aber nicht nur [bin ich Romni], sondern eben auch, es ist einfach (...) wichtig zu zeigen, dass ein Rom genauso alles kann wie ein Nicht-Rom. So halt, ja. Und natürlich ist es einmal schwer, überhaupt gewählt zu werden. Naja, da braucht man schon auch einige Stimmen und ich glaube nicht, dass mich nur Roma gewählt haben. Also ich glaube schon, dass mich auch Nicht-Roma gewählt haben.“ (AT-A2)

¹¹⁵ Original quote: „Man darf dann da auch nicht nur diese Roma Belange sehen, sondern, man muss die Stadt als Ganzes sehen und den Ort als Ganzes. Und man darf nicht immer nur auf dieses Romathema herumreiten, weil sonst wird man auch schnell als das abgestempelt.“(AT-A2).

Interestingly, this person was not asked whether she only represents the concerns of Roma in the municipal government. Rather, she was asked whether she thinks that Roma concerns are better represented in the local government *because of* her membership. She somehow buffed up this aspect of her Roma identity and her political function, and then opposed it by saying that she does not want to be perceived only as “the Romni in the government”.

Another interviewed Romni, who is a migrant from Serbia, living in Vienna and working in an NGO offering social services to Roma, perceives it differently. She states that Roma should not hide their identity when entering political functions, but rather actively lobby for Roma issues in institutionalised politics. She observes that awareness for the importance of Roma lobbying is missing on both sides – by the majority population and by the Roma themselves:

And the biggest problem is that there is absolutely no political lobbying, Professor X, who has unfortunately died, he was the only Rom, who stood up for Roma at the political level. And who has always emphasised the importance of political engagement, of lobbying. But unfortunately, after he died, no one followed him. Roma do not have a political lobby anymore. And it needs awareness-raising on both sides: not only for the majority society, but also for us, the Roma communities, about the importance of political engagement and more generally about the importance of politics, so the interests are not at all represented. You have to create the awareness [about the fact] that only through political engagement real changes are possible. Everything else are only small steps, right, that you sit down and make a change here and there, but real change is only possible through politics, politics is an important instrument of change.¹¹⁶ (AT-D3)

When it comes to representation of Roma in institutionalised politics, one has to differentiate between the share of Roma in political functions, and how Roma issues are addressed in and through political functions. Interviewees are of the opinion that having more Roma present in institutionalised politics does not necessarily translate to an improvement of how politics tackle issues relevant for Roma. However, at the same time, interviewees emphasise that Roma who are successful in institutionalised politics can act as role models and are important to enhance Roma visibility and fighting stereotypes.

2. REPRESENTATION IN ADVOCACY ORGANISATIONS

This section addresses how Roma are represented in interest and advocacy groups of the majority, which represent the interests of social groups, i.e. workers, the unemployed etc. These organisations have been institutionalised in Austria long time ago and this section asks to what extent they are able to represent Roma concerns. Representatives of autochthonous Roma organisations emphasise that although Roma are hardly represented in these organisations as members, the services provided by these organisations are available to them. Interviewed members of autonomous Roma organisations state that they face no problems in

¹¹⁶ Original quote: „Und überhaupt, das größte Problem ist, dass gar kein politisches Lobbying gibt, der Professor X, der ist leider schon verstorben, aber der war der einzige Rom, der sich auch auf politischer Ebene eingesetzt hat für die Roma. Und der immer wieder betont hat, wie wichtig politisches Engagement, Lobbying ist, aber leider seitdem er gestorben ist, leider, ja, haben wir das nicht mehr. Roma haben gar keine Lobby, es fehlt Bewusstsein auf beiden Seiten, das heißt nicht nur bei der Mehrheitsgesellschaft sondern auch bei uns selbst, also in der Roma-Community über die Wichtigkeit des politischen Engagements und überhaupt über die Wichtigkeit der Politik, also die Interessen sind überhaupt nicht vertreten. Man muss das Bewusstsein dann aufwecken, dass nur oder fast nur durch die Politik und politisches Engagement die richtige Veränderungen möglich sind. Alles andere sind nur so kleine Schritte oder, dass man sich hinsetzt und hier und dort ein bisschen was verändert, aber richtige Veränderung ist nur durch Politik möglich, Politik ist ein wichtiges Instrument dazu.“ (AT-D3)

intermediating for their clients with the Chamber of Labour, if Roma feel discriminated in the labour market and receive counselling and legal representation by the Chamber of Labour. Since all employees fall under the Austrian Equal Treatment Act, they have access to the services of those bodies implementing the Equal Treatment Act. Furthermore, interviewed members of Roma organisations state that they have good networks and professional relationships with the members of the Chamber of Labour and the representation of their clients by the Chamber of Labour is made easier because they have already received information about the case/client by the Roma organisations.

It does not matter if this does not only affect this area, even if, for example, a parent has a problem with a teacher, or you consult a school psychologist, we [Roma self-organisations] are just as helpful in supporting it. So that tensions or conflicts, emotions, that they are taken out and that it really runs smoothly.¹¹⁷ (AT-B1)

When it comes to the question of whether Roma are represented in (and not by) the Chamber of Labour, findings show that the Chamber of Labour is neither allowed to nor has the mandate to separate between Roma and non-Roma when it comes to the provision of special services or empowerment measures. The Chamber of Labour is specialised in Roma-specific issues of worker's representation, but they do not offer specific services to Roma, e.g. in the sense of empowerment. They also do not count the Roma to their staff:

Of course, the Chamber of Labour rightly assumes that, like any other worker, he is an employee, and if he is discriminated, it does not matter if he is a Roma or a non-Roma. So that is quite reasonable to do it that way, but I cannot say exactly which projects or cooperations there are, or which sensitisations have somehow already worked out or are necessary in the Chamber of Labour; I cannot assess this.¹¹⁸ (AT-B1)

The interviewed members of autonomous Roma organisations critically discuss the fact that there are not enough Roma represented in these bodies compared to their share in (local) populations. They emphasise that the visibility of Roma in advocacy organisations helps to make Roma visible and to combat prejudices, although physical representation it is not the sole precondition to effectively representing the interests of Roma in advocacy groups. In order to represent the interests of Roma, also close cooperation and networking with Roma self-organisations is necessary.

3. CHANCES AND LIMITATIONS OF REPRESENTATION

Interviewed Roma activists state that, despite the recognition of the Roma as an ethnic minority in '93 and the progress made since then, there is lacking recognition of Roma history and culture, which leads back to lacking self-recognition of the Roma population and consequently to lacking representation of Roma in society. A lacking infrastructure for the self-appropriation of Roma history and culture can lead to Roma not coming out as Roma

¹¹⁷ Original quote: „Es ist egal, ob das jetzt nicht nur in diesem Bereich, auch wenn zum Beispiel ein Elternteil Problem mit einem Pädagogen hat oder man schaltet einen Schulpsychologen ein, da sind wir [Roma-Selbstorganisationen] genauso hilfsbereit unterstützend dabei. Das da Reibungen oder Konflikte, Emotionen, dass die herausgenommen werden und dass das wirklich auch gut läuft.“ (AT-B1)

¹¹⁸ Original quote: „Die Arbeiterkammer geht natürlich auch zu Recht einmal nur davon aus, das ist wie jeder andere ein Arbeitnehmer, und wenn der diskriminiert wird, ist das wurscht, ob das ein Rom ist oder ein Nicht-Rom. Also das ist ja durchaus vernünftig, dass man das so macht, aber genau kann ich nicht sagen, welche Projekte oder Kooperationen es da gibt oder welche Sensibilisierungen da schon irgendwie in der Arbeiterkammer gegriffen haben oder notwendig sind; das kann ich nicht beurteilen.“ (AT-B1).

– particularly considering the heritage of the Nazi-Regime and the time after it. If Roma deny their identity and their belonging to the Roma community, political justice cannot be reached. An interviewed Roma activist says:

If you look at history now, it is discrimination, persecution: how many come out and say I am a Roma man, or a Roma woman, when this only results in disadvantages. From the labour market to education, later people find out, there are some who contact us then, remain anonymous and say, I am indeed a Roma, but I also have an academic degree, but I do not want to come out. And that is the way it is, you have to accept it. You cannot force anyone to do so if it results in disadvantages.¹¹⁹ (AT-B1)

The interviewee believes that minority politics should initiate a rethinking process in the majority population through awareness-raising. Only when the majority population is aware of the culture and history of the Roma, Roma will feel safe to come out as Roma and to express their concerns and issues. This is particularly applicable to younger Roma generations:

[...] then the young people will say, I can stand by it, nothing happens to me. That would be the goal of our work. That as Rom you can say: nothing happens to me in the labour market, in the area of education, I am not insulted, I have no disadvantage when I out myself as Roma.¹²⁰ (AT-B1)

When it comes to the need for having Roma represented in political institutions to allow for an integration of their concerns, interviewees differentiate based on the tasks concerned in the field of minority politics. While some tasks (such as awareness-raising on Roma issues, maintaining and establishing Roma history and memorial culture, or providing counselling and advice on Roma issues) are part of what can be considered minority policies in a narrow sense and can therefore be meaningfully conducted only by members of the (autochthonous) Roma community, other tasks can also be taken over by persons who do not self-identify as Roma.

An interviewed autochthonous Romni would perceive an ideal (in the sense of just) representation of Roma as a non-representation of Roma, meaning that this differentiation based on ethnic origin should not matter in the first place.

Another interviewed allochthone Romni perceives it differently. She states that Roma concerns could only be represented in institutionalised politics if a Roma party would take care of this. When asked about her perceptions about fair political representation of Roma, she states that only a Roma party could transport the concerns and needs of Roma into institutional politics, as is the case in some neighbouring countries which are successful in transporting Roma concerns into politics.

Similarly, another interviewee discusses an ideal representation of Roma in institutionalised politics by referring to other countries with a higher share of Roma, which provide for a better representation of Roma through Roma parties. She calls for Roma members of the Parliament, as only they would be able to change attitudes of politicians. In her opinion, it is also important to have Roma representatives in decisive functions, to combat prejudices and to draw a more heterogeneous (and realistic) picture of Roma in society.

¹¹⁹ Original quote: „Wenn man jetzt die Geschichte ansieht, ist Diskriminierung, Verfolgung: wie viele outen sich und sagen, ich bin Rom, oder eine Romnija? Wenn man nur Nachteile daraus zieht. Vom Arbeitsmarkt bis im Bildungsbereich, man kommt dann später darauf, es gibt ja auch welche, die uns dann kontaktieren, anonym bleiben und sagen, ok, ich bin zwar Roma, aber ich hab auch einen akademischen Grad, möchte mich aber nicht outen. Und das ist so, das muss man auch so hinnehmen wie es ist. Man kann keinen dazu zwingen, wenn er Nachteile daraus zieht.“ (AT-B1)

¹²⁰ Original quote: [...], dann werden die Jugendlichen, sagen, ich kann ja dazu stehen, es passiert mir nichts. Das wäre das Ziel unserer Arbeit. Dass man als Rom sagen kann: mir passiert nichts im Arbeitsmarkt, im Bildungsbereich, ich werde nicht beschimpft, hab keinen Nachteil wenn ich mich als Rom oute. (AT-B1)

I perceive it as important, not only in politics, but also in other areas, to create visibility of Roma, where you can also hold a position and not only positions that you hear about in the media, so ridden by poverty and without perspectives, so of course it impacts society a lot when you see OK, that's a Romni or a Rom, he/she also represents a minority group, or the Roma in Austria, he/she has a qualification. So it does somehow concern being a role model and of course visibility of the, of the large part of Roma who live in Austria, who are not far from education or, yes, for that of course it's important.¹²¹

The findings show how strongly questions on representation are connected with questions of visibility.

D. INSTITUTIONALISED INSTRUMENTS OF ROMA PARTICIPATION

This section will address the main instruments of institutional accommodation of Roma in Austria. As these instruments have already been addressed in Section III, the following section will focus on their assessments by the interviewees, namely if they effectively and practically allow for a participation of Roma in institutional politics. Interviewees mention the role of the Federal Ministry of Labour, Social Affairs, Health and Consumer Protection as a central actor for translating policy into action. The interviews also show that generally state institutions perceive Roma activists and the Ethnic Groups Advisory Board members as experts, on whose experience and knowledge they can rely.

Minority politics is perceived as important for the visibility of Roma as an ethnic group and their concerns. When it comes to the representation and participation of Roma in decision-making, the effectiveness of minority policies and the instruments they entail are perceived as limited. An interviewee argues as follows:

'Minority policy' is always a good term. (...) I always say that policies are still made by others. We can listen to it in an advisory function, we can recommend something or not, but it is nevertheless in some form decided - not by us. It is just that, in this respect we really only have the power to make recommendations or to advise, nothing more. So, all six ethnic groups have it. That is, maybe one can change that through legislation, that we maybe get more of a say.¹²² (AT-B1)

Independent from the basic question of whether minority politics lead to participation and thus to more political justice, the interviewed Roma identify deficits in minority politics more generally. Thereby, they refer to parts of Roma culture and history which are not yet effectively accessible. This particularly concerns the language Romanes, which is not implemented as a minority language in Austria, which would allow Roma e.g. to take an examination in Romanes, because there are simply no teachers who speak Romanes.

¹²¹ Original quote: „Ich finde es, grundsätzlich finde ich es natürlich sehr wichtig, nicht nur in der Politik, auch in anderen Bereichen die Sichtbarkeit zu schaffen, das wo man eben auch solche Positionen innehaben können und nicht nur eben die Positionen die man durch die Medien mitbekommt, also von Armut betroffen und ohne Perspektiven, also natürlich macht das viel für die Gesellschaft wenn man sieht, ok, das ist eine Romni oder ein Rom, der vertritt auch die Volksgruppe, oder die Roma in Österreich, er hat einen Abschluss, also es geht schon so ein bisschen um die Vorbildfunktion und natürlich um die Sichtbarkeit eben auch der, des großen Teils der Roma die in Österreich leben, die nicht jetzt quasi bildungsfern sind oder, ja, dafür ist es schon natürlich auch wichtig.“ (AT-B2)

¹²² Original quote: „Minderheitenpolitik ist immer so ein gutes Wort. (...) Ich sage immer, die Politik machen trotzdem die anderen. Wir können uns das als beratende Funktion anhören, können das empfehlen oder auch nicht, aber es wird trotzdem beschlossen in irgendeiner Form – nicht von uns. Es ist halt, wir haben in dieser Hinsicht wirklich nur diese Macht Empfehlungen auszusprechen oder zu beraten, mehr nicht. Also alle sechs Volksgruppen. Das ist, vielleicht kann man das auch durch eine Gesetzgebung ändern, dass wir vielleicht mehr Mitspracherecht haben.“ (AT-B1).

1. THE ETHNIC GROUP ADVISORY BOARD

The main institutionalised instrument for the participation of autochthonous Roma, as was mentioned earlier, is the Ethnic Group Advisory Board. Concrete advice on issues related to Roma is sought, according to interviewees, especially in relation to memorial culture, and town signs at the local and national level. On a regional level, the board also mediates in cases of conflict between the majority population and Roma travellers, and when it comes to Roma settlements:

For example, there are ideas where, for example, in [City] that was the case, in [federal state], where they set up boards [with rules for campers] and also in Romanes, it was also written in Sinti, and since then this communication problem has not existed, it has been solved, people are sticking to it, they have the information on the boards and it works. It is really mostly really little things that (...) are voiced too loudly, but of course you can do that, that is what the advisory board is there, and you can solve it that way as well.¹²³ (AT-B1)

Concerning the ability of the Board to be consulted on draft laws affecting minorities, an interviewee states that this is taken up differently from member to member, thus highlighting the importance of the members to actively engage in politics. When asked to elaborate if the Ethnic Board Advisory Board makes use of this prerogative however, the interviewee refused to provide more details:

The Ethnic Group Advisory Board is regularly involved when it comes to new, relevant draft laws, which (...) on which the Ethnic Group Advisory Boards could take a stand. By law, there is the possibility to discuss relevant topics, that they can creatively intervene in the political discourse, it is used differently [by different minority groups]. Well, well, it is being used by the indiv- I am speaking of, there are six ethnic groups in Austria and there, there the different ethnic groups are perceived differently [...] differing in intensity.¹²⁴ (AT-C1)

An interviewed Rom stresses the de-motivational aspect of only offering recommendations, while others are in charge of making decisions:

The Ethnic Group Advisory Board: Well, it is advisory, but also being a part of the decision-making process, I think that, the board, does that, the term alone already indicates it, it only has an advisory function, although sometimes [...] in reality I don't see any point because there is just arguing who gets how much money, and that is just an advisory function, and what the government

¹²³ Original Quote: „Da gibt es dann zum Beispiel Ideen, wo man zum Beispiel dann, in [Stadt] war das der Fall, in [Bundesland], wo man Tafeln [mit Regeln für CamperInnen] aufgestellt hat und auch in Romanes, in Sinti das geschrieben hat und seit diesem Zeitpunkt gibt es dieses Kommunikationsproblem nicht, es wurde gelöst, die Leute halten das ein, sie haben die Informationen jetzt auf den Tafeln und es funktioniert. Es sind meistens wirklich Kleinigkeiten, die (...) wobei wohl oft zu groß aufgeschrieben wird, aber das kann man natürlich, ja, für das ist der Beirat da und, kann man auch so lösen. (AT-B1).“

¹²⁴ Original Quote: „Der Volksgruppenbeirat wird auch regelmäßig befasst, wenn es um neue, also um relevante Gesetzesentwürfe geht, die (...) zu denen Volksgruppenbeiräte Stellung nehmen könnten. Von Gesetzes wegen auch die Möglichkeit vorgesehen, dass sie sich, also, dass sie zu relevanten Themenbereichen, also, dass sie mehr gestalterisches Eingreifen könnten in den politischen Diskurs, das wird unterschiedlich genutzt. Naja, das wird von den einzel- ich spreche, es gibt ja sechs Volksgruppen in Österreich und da, das wird den unterschiedlichen Volksgruppen unterschiedlich wahrgenommen. ... Unterschiedlich intensiv.“ (AT-C1)

then does with it, that is up to them, not the advisory board anymore. How much do we give to those, how much do we give to those, right.¹²⁵ (AT-A1)

Interviewed autochthonous Roma assess the power of the Ethnic Group Advisory Board as limited when it comes to influencing political decisions affecting Roma, stressing that as the name of this body already indicates, it is focused on advising institutionalised politics, rather than actively participating in decision-making. When it comes to the main functions of the Ethnic Group Advisory Board, the interviewed autochthonous Roma emphasise deciding on the distribution of funds.

Interviewees mention that the official recognition of Roma as an ethnic minority mainly led to the visibility of Roma as an ethnic group with their own history, culture and language, which has been alive in Austria for many generations. Another central critical point the interviewed Roma mention is that the Ethnic Group Advisory Board is only responsible for autochthonous Roma. Allochthone Roma and travellers are in principle excluded, as they are not recognised and acknowledged as an ethnic minority in Austria.

The Ethnic Group Advisory Board, you know, I (...) that is difficult now. I think we are Europe, we are an EU-country and I believe the Ethnic Group Advisory Board should be interested in this. At least I am interested in this [...] That's how it is, and I would like to find solutions Europe-wide to improve the situation for Roma. I cannot only say that I will only focus on Austria [i.e. allochthone Roma], of course [it] is the focal point when it comes to culture, concerning Austria, but beyond that it doesn't mean that you can't also develop projects that also concern the European Roma, that we plan projects in the same way and also implement them.¹²⁶ (AT-B1)

Consequently, interviewed allochthone Roma do not perceive it as instrument for their participation in politics:

The Ethnic Groups Advisory Board is such nonsense. According to the Ethnic Group Act, only those minorities are recognised who have been living for at least three generations in Austria and when it comes to Roma, there is also a regional, a regional definition; it is restricted to the Burgenland area. According to the Ethnic Minority Act, only about – I cannot say it exactly – but a few thousand [autochthonous] Roma are living in Austria. But the greatest share of Roma in Austria is those from Ex-Yugoslavia and in the last years, many Roma migrants from the new EU countries, Romania, Bulgaria, Slovakia. According to estimations, about 50% of so-called migrants with Serbian citizenship are Roma, and if you look into statistics from the Integration Fund, more than 100,000 persons are Roma only from Serbia, who are not recognised as minorities according to the ethnic minority act. I won't say anything anymore.¹²⁷ (AT-D3)

¹²⁵ Original Quote: „Volksgruppenbeirat: Naja, ist ja auch beratend, aber mitentscheiden, ich glaub, das, der, der Beirat, tut ja, das Wort sagt ja allein schon, er hat ja nur eine beratende Funktion, wobei manchmal ... in der Wirklichkeit sehe ich ja so und so keinen Sinn nicht, weil da wird ja eh nur gestritten, oder gesagt, eigentlich wieviel wer an Geld bekommt, und das ist nur beratende Funktion, was dann die Regierung daraus machen tut, das ist ja dann ihnen überlassen, nicht dem Beirat mehr. Wieviel geben wir denen ab, wieviel geben wir denen ab, nicht.“ (AT-A1)“

¹²⁶ Original quote: „Der Volksgruppenbeirat, schauen Sie, ich (...) Das ist jetzt schwierig. Ich denke mir wiederum, wir sind Europa, wir sind ein EU-Land und ich glaube dem Volksgruppenbeirat müsste genau das auch interessieren. Mich interessiert es zumindest [...]. Es ist so, und ich möchte auch, dass europaweit auch Lösungen gefunden werden, dass sich die Situation der Roma verbessert. Das kann ich jetzt nicht nur sagen, ich konzentrier mich jetzt nur auf Österreich [i.e. allochthone Roma], natürlich ist Schwerpunkt was Kultur, das anbelangt Österreich, aber darüber hinaus, heißt es ja nicht, dass man da nicht auch Projekte entwickeln kann, wo es auch die europäischen Roma betrifft, dass wir da genauso aktiv Projekte inszenieren können und auch durchführen.“ (AT-B1)

¹²⁷ Original quote: „Das [der Volksgruppenbeirat] ist so eine Schwachsinn. Laut dem Volksgruppengesetz sind diejenige Minderheiten anerkannt, mindestens jetzt drei Generationen, in Österreich leben und auch wenn es um die Roma geht, gibt es ja auch eine regionale, regionale Definierung, also auf den Burgenland-Raum beschränkt. Laut dem Volksgruppengesetz

This assessment is shared by another interviewed Romni, who is a migrant. Also she notices that migrant Roma have been living in Austria for more than 50 years, but are not recognised as a national minority. Consequently, the Ethnic Group Advisory Board only represents a small group of autochthonous Roma – who in perspective of the migrant Roma constitute the minority of all Roma living in Austria - the majority on the other hand is made up of migrant Roma.

Another interviewee, who does not self-identify as Rom, perceives it similarly and states that he works with Roma in the area of culture and perceives this group in a holistic way. This interviewee perceives the Ethnic Group Act as problematic, as it entails a division of Roma – namely into the recognised autochthonous Roma and the not recognised allochthone Roma, who are migrants from EU countries and who are also settled in Austria. Still, an extension of the legal recognition of minorities would also be problematic in his opinion, as then all migrant communities would ask for their recognition as minority too.

So if I raise this political demand [that Roma who have been living in Austria for 10 years are also recognised as an ethnic group], then of course something else is tied to this, because, then of course, those Turks living in Austria for twenty, thirty years, they would like to be recognised as an ethnic group as well. This again would mean that less money would be available, so that's, so for the other ethnic groups. There would be ten new ethnic groups in Austria right away, so this is complicated. ¹²⁸ (AT-D1)

This institutional division furthermore strengthens the prevailing discourses, according to which a line is drawn between the “good Roma”, which are the autochthonous Roma, and the “bad Roma”, which are the migrants. Also according to the interviewee, this legally-defined responsibility of the Ethnic Group Advisory Board and the Ethnic Minority Act entails a split between the “good” and the “bad” Roma in both the political discourses on Roma and institutionalised policies. Contrastingly, an interviewed member of a public authority perceives the Advisory Board as well-suited to ensure that the interests of – at least recognised national minorities – are taken into consideration, their realisation in practice depending largely on the capabilities of the members to influence decision-makers:

Well, basically, I would say that the legal framework is sufficient. Of course, then it lies in, in reality it's a question of implementation by the acting players, i.e. by the respective ethnic group advisory councils. [...] ¹²⁹ (AT-C1)

Interviewed members of autochthonous Roma and non-Roma stress the importance of the Advisory Board for ensuring visibility of Roma concerns within state institutions. They also state that it is a relevant tool for facilitating the exchange of information and networking. However, per definition, it is only responsible for

leben in Österreich kann ich jetzt nicht sagen, ein paar tausend [autochthone] Roma. So die größte Nummer Roma Gruppe in Österreich stellen also die Roma aus Ex-Jugoslawien dar und in letzter Zeit ganz, ganz viel Zugänge von Roma aus sogenannten neuen EU-Ländern Rumänien, Bulgarien Slowakei. Die Einschätzungen gehen davon aus, dass 50 Prozent von sogenannten Migranten mit serbischer Staatsbürgerschaft, Roma sind und wenn man die Zahlen des Integrationsfonds anschaut, dann sind das in Zahlen mehr als eigentlich 100 000 Personen, Roma nur aus Serbien, die nicht, laut dem Volksgruppengesetz nicht, als Minderheiten anerkannt sind. Ich sage nix mehr.“

¹²⁸ Original quote: „Also wenn ich jetzt diese politische Forderung erhebe [dass Roma, die seit 10 Jahren in Österreich leben, auch als Volksgruppe anerkannt werden], aber damit ist dann natürlich auch etwas anderes verbunden, weil dann könnten natürlich auch die seit zwanzig oder dreißig Jahren in Österreich lebenden Türken sagen, sie sind, sie möchten eine Volksgruppe gründen. Dann bedeutet das aber wieder, dass wieder weniger Geld vorhanden ist, also das ist, also für die anderen Volksgruppen. Können sich sofort zehn neue Volksgruppen in Österreich bilden, also das ist kompliziert.“ (AT-D1)

¹²⁹ Original quote: „Na, grundsätzlich, würde ich das so einschätzen, dass die gesetzlichen Rahmenbedingungen ausreichend sind. Es liegt dann natürlich in der, in der Realität ist das eine Frage der Umsetzung durch die handelnden Akteure, also durch die jeweiligen Volksgruppenbeiräte.“ (AT-C1)

representing the autochthonous Roma populations. This way, it excludes allochthone, “bad” Roma populations, who have partly also been living in Austria for generations.

Interviewees notice that the EU does not follow this division and consequently EU programmes target all Roma. Thus, EU programmes and grants can be used by allochthone Roma populations too or are especially dedicated to them. Thus, they may act as a supplement to national minority policies.

2. THE ROMA STRATEGY AND DIALOGUE PLATFORM

The Roma Strategy and the connected Roma Dialogue Platform target all Roma living in Austria, independently if they are migrants or autochthonous Roma. As already pointed out in Section II.C.3, the main functions and tasks of the Roma Dialogue Platform are defining the focus areas of the Roma strategy and monitoring their implementation. Thus, the Platform’s target is “filling the Roma Strategy with life” (AT-C1). An interviewed public official emphasises that the inclusion of civil society into the implementation of the Roma-Strategy is an important purpose of the Roma-Contact-Point (which is located at the Federal Chancellery). Thus, in the interviewee’s opinion it is not so much a monitoring body for the implementation of the Roma-Strategy (although monitoring tasks are part of it), but rather an instrument to foster civil society participation in decisions relevant to Roma and to the implementation of the Roma Strategy. This person also points out that the Roma strategy put an emphasis on participation:

On the whole, in Austria, according to the national Roma strategy, it is important to involve civil society in all processes as far as possible, as can be seen from the fact that since the new, expanded strategy of June 2017, participation has been given its own focus. In fact, we do take participation very seriously, and it is clear that this expanded strategy, which I have just mentioned, was developed in close cooperation with civil society. There was an on-line consultation in which the draft could be commented on and evaluated as much as possible, and that is actually the much more important point, these comments and wishes and demands that were formulated by civil society in this consultation process, they were included to a large extent in the document in the final strategy. For example, a focus on women's empowerment or youth empowerment actually only was incorporated into the strategy as a result of consultation with civil society.¹³⁰ (AT-C1)

The Roma-Dialogue Platform consists of representatives of Roma organisations, but is not limited to them: the policy of invitation is open to all actors who deal with Roma issues. For the interviewee it is even important to note, that it is a priority of the Roma Contact Point to link autonomous Roma-organisations with other civil society organisations to create synergy. The non-Roma civil society organisations are invited depending to the issue at stake, e.g. if it is on women issues, feminist organisations are invited. Other actors, who regularly participate in meetings, are scientists, but also public authorities at the national and local level.

¹³⁰ Original quote: „Also insgesamt ist es in Österreich entsprechend der nationalen Roma-Strategie ein Anliegen die Zivilgesellschaft in alle Prozesse weitest möglichst einzubinden, das erkennt man insbesondere daran, dass seit der neuen, erweiterten Strategie seit Juni 2017 der Partizipation ein eigener Schwerpunkt gewidmet ist. Wir nehmen die Partizipation tatsächlich sehr ernst, zeigt sich auch schon daran, dass diese erweiterte Strategie, die ich eben erwähnt habe, in engster Zusammenarbeit mit der Zivilgesellschaft entstanden ist. Es gab zur Entstehung eine Onlinekonsultation in der der Entwurf weitest möglich kommentiert und bewertet werden konnte und, das ist eigentlich der viel wichtigere Punkt, diese Kommentare und Wünsche und Forderungen, die im Rahmen dieses Konsultationsprozesses formuliert wurden von der Zivilgesellschaft, zu weiten Teilen noch in das Dokument, in die finale Strategie aufgenommen werden konnten. So wurde etwa, ein Schwerpunkt für Frauen-Empowerment oder Jugend-Empowerment tatsächlich erst als Ergebnis der Konsultation mit der Zivilgesellschaft eingefügt in die Strategie.“ (AT-C1).

However, an aspect which is criticised by interviewed Roma activists is that the Roma Strategy and therefore also the Roma Dialogue Platform will expire in the year 2020. They perceive it as particularly problematic that they do not recognise any initiative of institutionalised politics to extend the Roma Strategy or to establish any follow-up initiatives after the Roma strategy has expired. They also perceive their own influence as limited, as they can only advise institutionalised politics, but they have no power to influence decision-making.

It is also never sure how (...) it will continue with the ethnic group policy. You can hardly judge that now. It always depends on (...) how is the mood. It creates a mood. And of course, that depends on (...) economic factors, do we still have the economic crisis or is the economic crisis staged. That is the next thing. Are there enough jobs? Do the people have enough to eat, do they need to cut down on things, so there are lots of factors involved. Where, of course, the ethnic groups are just as affected whether they now have projects (...) which, I would say, run well for four years and, so to speak, are the beginning, that it improves the situation, and then of course [it makes a difference] if you cut it.¹³¹ (AT-A1)

Particularly the opportunity to network between different actors is pointed out as a central advantage of the Roma Dialogue Platform. This is confirmed by interviewees of different groups. When it comes to assessing the Dialogue Platform's function to achieve political justice and the factual recognition of the Roma minority in Austria, the interviewees name the two aspects elaborated on below.

a) NETWORK AND EXCHANGE

Roma organisations and Roma activists point out that their participation in the Roma Dialogue Platform offers them the possibility to exchange with actors of institutionalised politics and to have access to information about projects and initiatives of others, not only at the national level, but also regional. Thus, an important benefit of the Roma Dialogue Platform regarding the implementation of the Roma Strategy is networking and access to information. Contacts can be established, which can be used by both sides. It also gives Roma organisations the feeling of being involved in political decision-making processes. Interviewed Roma particularly value the coming together of representatives of different institutions to one table, which entails an effective flow of information.

b) INITIATION OF PROJECTS ON ROMA MEMORIAL CULTURE

Another positive effect of regular participation in meetings of the Roma Dialogue Platform is the initiation of projects in the areas of labour market integration, education and trainings, health prevention, Roma history and the establishment of a Roma memorial culture. This works for the interests of both – allochthone and autochthonous Roma populations in Austria. Interviewed experts point out the need for action in the field of adapting teaching materials, as particularly Roma history is missing in history books. Another issue is the implementation of the use of Romanes in universities and schools. In this regard, they also work on setting up

¹³¹ Original quote: „Es ist auch nie sicher wie (...) es in der Volksgruppenpolitik weitergeht. Das kann man jetzt schlecht beurteilen. Es kommt immer auf (...) wie ist die Stimmung. Es ist eine Stimmungsmache. Und natürlich hängt das auch (...) vom wirtschaftlichen ab, haben wir noch Wirtschaftskrise oder wird nur Wirtschaftskrise gespielt. Das ist das Nächste. Gibt es genug Jobs. Haben die Leute genug zu essen, müssen sie eh auf nichts verzichten, also da sind sehr viele Faktoren die da mitspielen. Wo natürlich auch die Volksgruppen genauso betroffen sind ob sie jetzt eben Projekte (...) die, sag ich jetzt einmal, vier Jahre gut laufen und sozusagen der Beginn sind, eben, das es eben verbessert wird die Situation und dann wenn man das natürlich beschneidet.“ (AT-A1).

Roma memorial plaques on places with historical relevance to the Roma population – particularly in relation to human rights violations affecting Roma during the Nazi-Regime and afterwards.

3. DO THESE INSTRUMENTS FACILITATE AN EFFECTIVE PARTICIPATION OF ROMA IN DECISION-MAKING?

The question whether the Advisory Board and the Dialogue Platform enable an effective participation of Roma in decision-making is difficult to answer for interviewees. An interviewed Romni doubts the effective participation of Roma through these instruments. According to her, only small-scale initiatives have been founded and funded in the course of the Roma Strategy, while the “big issues and concerns”, such as the development and implementation of effective measures to deal with poverty migrants and the effective inclusion of all Roma into society, remain the same and have not been successfully tackled.

In reality, if you follow the political daily news, you will not notice a great impact of this small group, who meets every few months in the Federal Chancellery, right?¹³² (AT_B2)

Other interviewed Roma mention that effective participation to a large degree depends on the individual politicians and the way they allow for it, but it is outside the influence of the Roma Platform or the Roma activists. Furthermore, effectiveness depends on the funding of these instruments.

An interviewed member of a public authority says that effective participation depends on the willingness of Roma organisations. When asked about any challenges related to the Roma-Dialogue Platform, she points out that reaching out to Roma-organisations is challenging, without elaborating on this in more detail:

So the challenges are definitely about reaching the civil society, the Roma civil society. This challenge has existed from the beginning. If you look at how this has developed since the creation of the Dialogue Platform in 2012, we have already made very good progress; it is shown in the increasing trend regarding the number of participants. That means that (...) there have been successful tries to create a certain basis of trust. Among other things with-, to ensure that this dialogue platform actually constitutes a dialogue on eye-level, that this is not some kind of alibi action. And there you have it, it was a concern for us, keyword: we take participation very seriously, we have tried to shape the formats of this platform in such a way that indeed an equal dialogue is possible, that civil society has its say often, that it is heard, that there is also the best possible exchange among the participants.¹³³ (AT-C1)

When asked how they tried to include the Roma-civil society organisations, the interviewee mentions that they hired external moderators for the meetings. The Roma-Contact Office initially moderated these meetings and

¹³² Original quote: „In Wirklichkeit, wenn man das politische Tagesgeschehen verfolgt, merkt man jetzt nicht einen großen Einfluss dieser kleinen Gruppe, die sich da alle paar Monate trifft im Bundeskanzleramt, ja?“ (AT-B2)

¹³³ Original quote: „Also die Herausforderungen sind auf jeden Fall die Zivilgesellschaft, die Romazivilgesellschaft zu erreichen. Diese Herausforderung besteht von Anfang an. Wenn man sich da anschaut, wie sich das entwickelt hat seit der Schaffung der Dialogplattform im Jahr 2012, haben wir bereits sehr gute Fortschritte gemacht, es zeigt sich an einem steigenden Trend was Teilnehmerzahlen angeht. Das heißt (...) da haben sozusagen erfolgreich versucht eine gewisse Vertrauensbasis zu schaffen. Unter anderem mit- und, und um sicherzustellen, dass es bei dieser Dialogplattform tatsächlich einen Dialog auf Augenhöhe gibt, dass das nicht irgendeine Alibi-Aktion ist. Und da haben wir, war es uns ein Anliegen, Stichwort: wir nehmen Partizipation sehr ernst, dass wir versucht haben, die, die Formate dieser Plattform so zu gestalten, dass tatsächlich ein gleichberechtigter Dialog möglich ist, dass die Zivilgesellschaft zu Wort kommt, gehört wird, dass auch unter den Teilnehmern ein bestmöglicher Austausch besteht.“ (AT-C1)

this was perceived as problematic, as they are the main contact point of the government for civil society. Through an external and “neutral” moderation, the discussions became better:

We have moved on to moderating this externally for a few years now, which is very well-received and appreciated. It makes a difference whether the National Roma Contact Point itself is in charge of these events, which is, so to speak, is the contact point under the name “contact point”, but then originally also functioned as moderator as well. This could lead to difficulties in the event itself, in individual cases. And the fact that we have outsourced this now to a neutral moderator provides a completely different basis for a balanced discussion.¹³⁴ (AT-C1)

When asked if this external moderation really helps in fostering the participation of the Roma civil society, the interviewee mentions that signalling to Roma organisations the public authority’s readiness to cooperate with them, plays an important role in building trust. This is achieved through meetings with Roma-organisations outside the regular Platform-meetings and through taking the thematic suggestions of Roma organisations into account. Furthermore, the interviewee mentions that the Roma Contact Office conducted a survey among the participants of the Roma Platform on their satisfaction with it:

There was also a survey that investigated a little the mood concerning satisfaction with the Dialogue Platform and, basically, the basic tenor was a very positive one, as far as the platform is concerned, but there was also quite a desire for even more involvement, already concerning the design and the topic selection of the platforms. Now we have also taken this into account, so for each platform we now form a working group in advance with representatives of civil society together, and in this working group we then develop the programme and the course of action together, or the topics for the dialogue platforms in question. That’s, when it comes to the keyword of ownership, this platform is not an event of the national Roma contact point, but is an event of civil society as well.¹³⁵ (AT-C1)

Interviewed Roma point out the relevance of EU grants for projects, which can compensate this to a certain degree. However, interviewed Roma activists highlight structural obstacles in accessing these grants:

So, you can now get funds for Roma projects through ESF. ... However, it is not that easy to formulate such an application. I have looked at it, it is also associated with immense bureaucratic effort. And any Roma associations or any Roma organisation who want to receive money, still need somehow a large NGO additionally [to them in order to make the application], because they cannot manage it on their own.¹³⁶ (AT-A2)

¹³⁴ Original quote: „Wir sind dazu übergegangen, eben schon seit einigen Jahren jetzt, dass wir das extern moderieren, das kommt sehr gut an und wird sehr geschätzt. Es macht einen Unterschied ob die nationale Roma-Kontaktstelle selbst diese Veranstaltungen leitet, die ja sozusagen mit dem Hut der Kontaktstelle Ansprechpartner ist und dann aber auch in der Funktion des Moderators ursprünglich fungiert hat. Das konnte in der Veranstaltung selbst, im Einzelfall zu Schwierigkeiten führen. Und dadurch, dass wir das jetzt extern einem neutralen Moderator vergeben haben, ist das eine ganz andere Grundlage für eine ausgeglichene Diskussion.“ (AT-C1)

¹³⁵ Original Quote: „Also, man kann jetzt über dieses ESF Gelder für Romaprojekte beziehen. ... ja, es ist ja gar nicht mal so leicht so einen Antrag zu formulieren. Ich habe mir das mal angesehen, das ist ja auch mit einem wahnsinnigen bürokratischen Aufwand verbunden. Und jeder Romaverein oder jede Romaorganisation, die dort Geld bekommen möchte, braucht aber zusätzlich noch dazu, irgendwie eine große NGO, weil allein können sie da ja nicht irgendwie schaffen.“ (AT-A2)

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This interviewed Romni does not so much refer to the lacking capacity or professionalism of Roma organisations, but rather to structural obstacles in accessing these grants. An interviewed member of a public authority confirms this assessment, but traces the challenges back to the professionalisation of Roma associations. According to her, a major challenge is related to capacity-building for Roma organisations when it comes to applying for funds at the ESF. She mentions that the Roma community is a small one and there is room for professionalisation both in applying for, and also in implementing ESF projects. She argues that they sometimes fear whether there are enough applications for ESF grants from Austrian Roma organisations:

One recognises now, if one is not sure, if actually enough applications come from associations, which have just this degree of professionalisation [required] to implement an ESF project. Then, in my opinion, this is an indicator that there is still room for improvement. And maybe that is also what the structures are about, there are many dedicated individuals, and if, for a specific reason or point in time, they cease to work, then there is no application. Because there is no organisation in the background, or not in every case, that would bridge that. So there is still room for improvement.¹³⁷ (AT-C1)

This assessment is supported by an interviewed Romni of Serbian background. Also she identifies the challenge of building up the management and administrative resources in Roma organisations to make applications for grants in the framework of large-scale EU calls possible in the first place. Another issue in this regard is the thematic focus of these EU calls and grants in question – namely on reducing poverty and supporting disadvantaged Roma. Albeit such work is very much needed, a political focus on poverty and disadvantage denies that there are many Roma in Austria (or in Europe) who are neither poor nor discriminated against. Such a political focus draws a biased picture of Roma, which – according to this interviewee – is being criticised by Roma civil society organisations. Contrastingly – and even more importantly – such a focus in grant programmes is perceived as predestined to fit for large NGOs, like Caritas or Volkshilfe, who offer support services for marginalised groups, including Roma. As a consequence, EU-funded support measures do not flow into Roma organisations, but rather to big NGOs, whose staff are mostly non-Roma. This unconsciously transports the picture of the Roma in need of help and the non-Roma, who help. Roma civil society organisations thus criticise that the EU Framework for Roma Inclusion focuses too much on poverty and call for Member States to develop and implement measures addressing mainly this issue. This way, Roma populations receive the image of a poor minority in need of help.

There are different voices that we keep hearing in the dialogue, and in civil society too, there are some criticisms that the EU framework, which in part sets our framework, to a certain extent, is focused on Roma as a poor minority, very general and calling on member states to do the same. In civil society too, it is not always viewed so positively, this focus on measures solely targeting Roma. Which is why, in recent years, the Commission has actually been developing more and more in the direction of general measures, taking due account of Roma concerns. [...] And a challenge of the strategy is, as it were, not only to address the Austrian Roma as a whole, and by that I mean not only [addressing] Roma as a disadvantaged group, which of course is the focus of the strategy, but

¹³⁷ Original Quote: „Man erkennt jetzt dann, wenn man nicht sicher ist, ob tatsächlich genug Anträge kommen von Vereinen, die eben diese Professionalisierungsgrad haben um ein ESF Projekt dann umsetzen zu können. Dann ist es meines Erachtens ein Indikator dafür, dass es, dass da noch Luft nach oben gibt. Und das vielleicht, das ist auch was die Strukturen angeht, es gibt sehr viele engagierte Einzelpersonen, und wenn die, aus einem konkreten Anlass, Zeitpunkt mal kurz wegbricht, dann gibt es keinen Antrag. Weil da noch keine Organisation im Hintergrund ist oder nicht überall, die das abfängt. Und da gibt es noch Luft nach oben.“ (AT-C1)

always to bear in mind that there are also Roma who are not (...) in (...), so that not all Roma are disadvantaged in the same sense.¹³⁸ (AT-C1)

An interviewed member of such an NGO, who is non-Roma but who carries out ESF-funded projects for Roma, perceives it differently. According to him, the most important advantage of EU grants is the possibility to support Roma populations independently of whether they are allochthone or autochthonous. The project in which he works supports impoverished migrants in accessing the labour market, supports measures to qualify them and to stabilise their life situation. Furthermore, the interviewee points out the relevance of Roma organisations in achieving this, particularly the role of the Ethnic Groups Advisory Board in securing ESF-funds for Roma:

Well, I mean, there is, for example, this call from the European Social Fund, which must be approved by the Council of Ministers. So that was the beginning for it to be possible in Austria at all. And that, of course, only emerged because the Ethnic Group Advisory Board was strong, because it had an influence, and that is how it works. So if it had not been for this, then it would not have come to this call, for example. [...] and the Ministry of Social Affairs is co-sponsor. So, one can see that politics has an interest in improving the situation of the Roma.¹³⁹ (AT-D1)

The findings of the interviews indicate that it is not Roma organisations who benefit from EU grant programmes for the implementation of the Roma Strategy, but rather already established, big NGOs. These NGOs work for Roma and indeed support Roma, but nonetheless Roma self-organisations are excluded from accessing these benefits. This is explained by the size of beneficiaries (large NGOs vs. small Roma self-organisations) and also by the degree of professionalism (established NGOs with professional project development skills vs. bureaucratic obstacles in applying for grants affecting Roma self-organisations). It seems that large NGOs take over the support of Roma populations from Roma self-organisations and take the funding, while at the same time the work of Roma self-organisations is “reduced” to maintaining Roma culture. Consequently, the picture of non-Roma who support and help the poor, disadvantaged Roma prevails.

Thus, according to interviewees the limit of the power of the EU Roma strategy is reached when it comes to effectively participating in decision-making affecting Roma, and building up and maintaining sustainable and financially independent structures of Roma politics.

¹³⁸ Original quote: „Da gibt es unterschiedliche Stimmen, die wir im Dialog immer wieder mitkriegen, auch in der Zivilgesellschaft wird zum Teil stark kritisiert, dass der EU-Rahmen, der unsere Politik zu Teil einen gewissen Rahmen vorgibt, sehr fokussiert auf Roma als armer Minderheit, sehr pauschal und die Mitgliedsstaaten auffordert, das gleiche zu tun. Auch in der Zivilgesellschaft ist es nicht immer so positiv gesehen, dieser Fokus auf ausdrücklich auf Roma gerichteten Maßnahmen. Weshalb sich ja auch die Kommission in den letzten Jahren auch immer mehr eigentlich in Richtung allgemeiner Maßnahmen unter hinreichender Berücksichtigung der Anliegen der Roma, entwickelt. [...] Und eine Herausforderung der Strategie ist es auch, nicht sozusagen, die österreichischen Roma als Ganzes zu adressieren und damit meine ich, also nicht nur Roma als benachteiligte Gruppe, was natürlich der Fokus der Strategie ist, aber immer schon auch im Blick zu haben, dass es auch Roma gibt, die nicht (...) in (...), also dass nicht alle Roma im gleichen Sinne benachteiligt sind.“ (AT-C1)

¹³⁹ Original Quote: „Naja, ich meine, das ist zum Beispiel dieser Call vom Europäischen Sozialfonds, der muss ja beziehungsweise der hat durch den Ministerrat abgesegnet werden müssen. Also das ist der Beginn, dass das in Österreich dann überhaupt möglich war. Und das ist natürlich nur entstanden, weil der Volksgruppenbeirat stark war, weil der einen Einfluss ausgeübt hat, und so funktioniert das. Also wenn es das nicht gegeben hätte, dann wäre es zum Beispiel zu diesem Call nicht gekommen. [...], und das Sozialministerium ist Co-Fördergeber. Also da sieht man, dass die Politik ein Interesse daran hat, dass sich die Situation der Roma verbessert.“ (AT-D1)“

E. ROMA IN COMPARISON WITH OTHER RECOGNISED MINORITIES

In principle, interviewees emphasise that the needs and concerns of Roma as a recognised ethnic minority are similar to those of other ethnic minorities. These concerns deal with maintaining one's own language, culture and heritage. However, interviewed Roma notice that as an ethnic minority the Roma are still disadvantaged when it comes to being aware of their own history and being recognised and appreciated by the majority of society:

It has been crucial for the Roma to see the history becomes visible, to account for the past, to see that the Roma feel that it is recognised that they have suffered greatly, not only as victims of the Holocaust, but also in the post-war period. And that is crucial, so the recognition of the suffering, recognition of the culture and the experiences, and this due to the history that people have made.¹⁴⁰ (AT-D1)

Another disadvantage of the Roma minority compared to other recognised ethnic minorities in Austria is related to the size of population. Compared to e.g. Slovenians or Croatians, Roma are a far smaller ethnic group and therefore have a far more limited budget available. It also appears that Roma, compared with other recognised minorities, are particularly affected by discrimination of racist origin:

The other ethnic groups do not face the problem with discrimination, as the ethnic group of the Roma. The exclusion, whether in the labour market, in the education sector, so in the social sphere, that is, something similar was the case with the Croats, the Carinthian Slovenes as well, but not [comparable to issues] concerning the Roma. So there are definitely differences.¹⁴¹ (AT-B1)

Furthermore Roma are – compared to other national minorities - stronger affected by poverty, racist discrimination and social exclusion.

When comparing Roma with other ethnic groups in Europe, or comparing them with other minorities [in general], the percentage of Roma affected by poverty or absolute poverty and relative poverty is very, very large. So Roma are on the one hand, so the group in Europe, I would see it that way, they are still those affected by the highest percentage of poverty and exclusion.¹⁴² (AT-D1)

This assessment is confirmed by an interviewed Rom. He mentions that Roma have a long history in being marginalised in access to education and to the labour market and that this fact cannot be compensated in one or two generations.

¹⁴⁰ Original quote: „Es ist für die Roma ganz entscheidend auch gewesen, dass auch die Geschichte sichtbar wird, aufgearbeitet wird, dass die Roma das Gefühl haben, das wird anerkannt, dass sie extrem darunter gelitten haben, nicht nur als Opfer des Holocaust, sondern eben auch in der Nachkriegszeit. Und das ist entscheidend, also Anerkennung des Leids, Anerkennung der Kultur und der Erfahrungen, und das aufgrund der Geschichte, die die Leute gemacht haben.“ (AT-D1)

¹⁴¹ Original quote: „Die anderen Volksgruppen haben die Problematik nicht, also mit Diskriminierung so wie eben die Volksgruppe der Roma. Die Ausgrenzung, ob das jetzt am Arbeitsmarkt, im Bildungsbereich, also im Gesellschaftlichen, also, hat es zum Teil auch bei den Kroaten gegeben, auch bei den Kärntner Slowenen, aber nicht sowas wie bei den Roma. Also da gibt es schon die Unterschiede.“ (AT-B1)

¹⁴² Original quote: „Wenn man Roma mit anderen ethnischen Gruppen in Europa vergleicht oder mit anderen Minderheiten vergleicht, ist der Prozentsatz, der Roma, die von Armut oder absoluter Armut und relativer Armut betroffen sind, sehr, sehr groß. Also Roma sind zu einem, also das ist die Gruppe in Europa, das würde ich schon so sehen, die nach wie vor mit dem höchsten Prozentsatz von Armut und Ausgrenzung betroffen sind.“ (AT-D1)

So in [federal state], in the district X, it was the case up until the 80s that many Roma students had a hard time, to after elementary school even attend secondary school. So, many children were just pushed into special needs schools, right. And the 80s are not that long ago. So, how are you supposed to have equality later on, it has been 20, 30 years have passed, right. If you have not even caught up with the educational standard. Do you know what I mean? [...] And as long as we have educational disadvantage, one cannot have equality in the working world or in professional life. That is why, among other things, it takes specific measures, right. Therefore, it takes different measures, so that different projects, so that equality can be established. But I think that is not going to happen.¹⁴³ (AT-A2)

This factor influences the self-esteem of Roma as a recognised minority, compared to other ethnic minorities. An interviewed Rom says:

But now if, for example, Croatians are very, very self-confident, and say ok, I have to go down a good educational path because I want to co-govern [take part in decision-making], to not fall behind somehow. The Hungarians - the Hungarian ethnic group - do not succeed so well, in part they do, but not as well as the Croats. As for the Roma, I mean, I do not know anyone who would have come out or has [done so] in federal politics, regional politics, or now in community politics, except [name]. [He] was a character that has always said that he is [a party] member and has always declared himself a Roma. He was also a district leader. But otherwise, there are certainly those who are active in this area but do not come out. For whatever reason.¹⁴⁴ (AT-B1)

Thus, Roma are seen to be in a lower position of the hierarchy in ethnic groups. The interviewee explains this position referring to the disadvantage of Roma in education and in the labour market, but in the end it boils down to the lower self-esteem of Roma:

I think that Roma have a lot to catch up on, right. Because, if you look at the Croatian ethnic group in our [federal state], for example, I think that there is a hierarchy, right. (...) Concerning the ethnic groups. I do believe that there is such a thing as a hierarchy, the Croats are simply much, much better represented, than the Roma and the Hungarians are, they are already represented a little regarding different things. (...) Of course, this can be attributed to the fact that Roma have long had a disadvantage at different levels, in education, or in the field of employment, that this disadvantage was simply there (...) Right. But it would just take a lot more for the Roma to also (...)

¹⁴³ Original quote: „Also im [Bundesland] war ja, im Bezirk X war es ja so, dass es bis in den 80er Jahren sehr viele Romaschülerinnen und -schüler schwer hatten, überhaupt nach der Volksschule in die Hauptschule zu gehen. Also viele Kinder sind halt nach wie vor in die Sonderschule abgeschoben worden, ja. Und die 80er Jahre sind jetzt noch nicht so lange her. Also wie soll man da jetzt 20 Jahre, 30 Jahre ist das jetzt schon her, später eine Gleichheit haben, ja. Wenn man nicht einmal diesen Bildungsstandard aufgeholt hat. Wissen Sie was ich meine? [...] Und solange wir Bildungsbenachteiligung haben, kann man in der Arbeitswelt oder im Berufsleben oder so halt, keine Gleichheit haben. Deshalb braucht es unter anderem spezifische Sachen, ja. Deshalb braucht es unterschiedliche Sachen, damit, unterschiedliche Projekte, damit die Gleichheit hergestellt werden kann. Aber ich glaube, das wird es nicht spielen.“ (AT-A2)

¹⁴⁴ Original quote: „Aber jetzt wenn ich zum Beispiel, Kroaten sind sehr, sehr selbstbewusst, und sagen, ok, ich muss einen guten Bildungsweg gehen, weil ich ja mitregieren will, nicht irgendwie zurückfallen. Das gelingt den Ungarn – der ungarischen Volksgruppe – nicht so gut, zum Teil schon aber, aber nicht so gut wie den Kroaten. Bei den Roma, also ich, ich kenne keinen der sich geoutet hätte oder hat in der Bundespolitik, Landespolitik, oder jetzt in der Gemeindepolitik, außer jetzt [Name]. [Er] war eine Persönlichkeit die diesen Bereich, hat immer gesagt, er ist [Partei] Angehöriger und hat sich immer dazu geoutet, dass er ein Rom ist. Er war auch Bezirksvorsteher. Aber sonst, es gibt sicher welche, die auch in diesem Bereich tätig sind aber sich nicht outen. Warum auch immer.“ (AT-B1)

dare to do such a thing, right. And then of course, but it all goes hand in hand with a good qualification, to hold office.¹⁴⁵ (AT-A2)

The major concerns are the same for all ethnic minorities in Austria, namely recognition of their cultural heritage, and maintenance of their language and culture in Austrian society and media. Still, interviewed Roma identify additional factors that weaken the position of Roma compared to other recognised minorities in Austria. These are:

- Low level of education and self-esteem to be aware on the own history, cultural heritage and to claim for their rights
- Low level of education also affecting access to the labour market -> this leads to poverty and exclusion
- Roma are the only recognised ethnic minority that is affected by racism
- The size of autochthonous Roma populations in Austria is small compared to those of other ethnic minorities. Budgets are distributed according to population sizes.

V. CONCLUSIONS

In this research paper we have analysed the disjuncture between the institutionalisation of minority claims for political justice in Austria and how Roma experience it. It is left to this final chapter to identify gaps in the (always historically particular) state institutionalisations of political justice for minorities.

National minorities, by virtue of their citizenship, are granted a voice in public debates and have the power to influence decisions and processes that concern them. They are thereby on equal footing with all other citizens. Autochthonous Roma, share the same concerns as other ethnic minorities in Austria, namely recognition of their cultural heritage, and maintenance of their language and culture in Austrian society and media. Still, interviewed Roma identify factors that weaken the position of Roma compared to other recognised minorities. These factors are linked to issues of misrecognition and misrepresentation in the past, which have been ascribed to them and have brought many members of their community to the present margins of society.

Everyday struggles against discriminatory practices have not only brought Roma to a “journey of self-discovery”, but also to a process of politicisation to be able to fight for change. Formal recognition as a national minority in Austria in '93 has been vital in acknowledging Roma's status and in mending ties with society. With the institution of the Ethnic Advisory Board for Roma, also an official forum for discussion was offered, in addition to funding to support activities aimed at preserving their culture and their rights as a minority.

Roma's fight for recognition however has not ended there: interviewees highlight how anti-gypsyism and stereotypes against Roma are still present in society and still affect the lives of many members of the community. The interviewees highlight in particular the importance of historians in giving a more accurate account of history

¹⁴⁵ Original quote: „Ich glaube schon, dass da Roma noch einiges nachzuholen haben, ja. Weil, wenn man sich jetzt zum Beispiel bei uns im [Bundesland] die kroatische Volksgruppe ansieht, ich glaube schon, dass es da so irgendwie eine Hierarchie gibt, ja. (...) Der Volksgruppen nach. Glaub schon, dass es da so ein bisschen eine Hierarchie gibt, die Kroaten sind ganz einfach viel, viel besser vertreten, als jetzt die Roma und die Ungarn sind dann auch schon ein bisschen in den unterschiedlichen Sachen vertreten. (...) Natürlich kann man das jetzt da darauf zurückführen, dass halt Roma lang geteilt eine Benachteiligung auf unterschiedlichsten Ebenen, im Bildungsbereich, oder auch im Arbeitsbereich, dass diese Benachteiligung ganz einfach da war (...) Ja. Aber da bräuchte es halt einfach viel mehr, dass sich halt Roma auch (...) mehr zu trauen so etwas zu machen, ja. Und dann natürlich auch, es geht aber alles damit einher, dass man auch eine gescheite Qualifikation braucht um einen Posten inne zu haben. „(AT-A2).

and culture, especially about facts surrounding the victimisation of Roma during the NS regime, to show how these stereotypes have been created.

Roma acknowledge differences within their group, but they also highlight their belonging to a wider community with a common history and similar experiences, fearing that drawing lines might result in weakening their demands. The low number of Roma involved in institutionalised politics as well as the low number of mainstream political parties concerned with issues related to Roma, are clear indicators of how Roma are still unevenly represented. While arguing for integrating Roma concerns into more general policies, Roma claims also encompass the acknowledgement of their different life situation (due their history of exclusion and marginalisation), and therefore for more targeted support for their community.

In relation to the discussion if they favour minority quotas, one of the ways to ensure a more balanced representation of minorities within state institutions that was highlighted by interviewees is that Roma identity or Roma origin alone cannot be a category of effectively representing the interests of Roma in institutionalised politics. Even during the interviews the fear came up that the “quota-Roma” might be counterproductive for implementing Roma concerns in mainstream policies was raised, as representation then would be based on “belonging” rather than performance. Again here interviewees raise the importance of (quality) education as a tool to enable a better representation of Roma in politics, and more generally to reach key position in society. They also highlight the importance of role models to inspire younger generations and to change attitudes in the majority.

When it comes to the more specific instruments created to deal with minority issues, the Ethnic Group Advisory Board, the findings of desk research and the interviews concur in stating that both the instrument and its application have its flaws. These flaws refer to the rules surrounding the nomination of the Advisory Board, which are a responsibility of the Federal Government, but also in relation to the tasks of the Board, which are foreseen in the system as a consultative body of the Federal and Provincial Government. It is therefore left to the government to decide if and when to ask for the Board’s opinion, as well as which weight to give to this opinion, thus leaving it to the ability of minority representatives to convince the government about what is best for them. To put it in the words of an interviewee, “they [the Board] have the power to recommend, but decisions will be made by others”. The findings also indicate another critical point related to this body: the Ethnic Group Advisory Board and the Ethnic Minority Act are per definition only responsible for the recognised national minority of Roma. Thus it entails an institutional division in Roma populations and excludes allochthone Roma, which have also partly been living in Austria for generations. The interviewees do however highlight the importance of the Board in making Roma concerns relating to both groups visible and in mediating in cases of conflict with Roma travellers.

Concerning the Roma Dialogue Platform, the findings highlight its importance in fostering dialogue, raising awareness about concrete problems faced by Roma among key stakeholders, and often discussing practical solutions for problems faced by the Roma community. A current example that is being discussed and affects many Roma NGOs is the issue of funding. Nowadays successfully applying for funding requires an increasing degree of specialisation, professionalisation, and bureaucracy. This issue affects many Roma NGOs, which are small in size and often do not possess the staff, resources or know-how to successfully apply, thus hindering the establishment of lively and engaged civil society organisations to support their community. The Dialogue Platform is aware of this problem, and facilitates meetings between civil society organisations and donors to discuss more stable measures to counter-act this trend.

The findings of the study show how in this particular case, political representation is intimately linked with issues of recognition and redistribution. It also appears that in the case of Roma in Austria their misrecognition lies at the core of why they are not duly represented in society. It therefore appears that in order foster a better participation of Roma in public life, it is necessary to continue working towards this path.

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ANNEX I: LIST OF INTERVIEWEES

Interviewee Code	Roma non-activists	Roma activists	Non-Roma active on behalf of Roma	Non-Roma institutionally engaged with Roma
AT-A1	X			
AT-A2	X			
AT-B1		X		
AT-B2		X		
AT-C1				X
AT-C2				X
AT-D1			X	
AT-D2			X	
AT-D3			X	