

ever, they did assist another two young men from the community to make the journey, and the four of them are still in America to this day.

Of the three strategies presented here, then, two – the German and the American ones – have proved durable and profitable. For those who went to Canada, with one exception, the costs outweighed the gains. The chance of steady employment in Germany was due entirely to skills qualifications, with none of the risks of casual jobs and, given the much smaller distance involved, even making it possible to maintain regular contacts with the family. Though the families found it hard to be parted from their loved ones, and roles within the family have been upset, this particular strategy has so far paid off handsomely. The gamble on obtaining work in the USA, by contrast, called for a fairly substantial up-front investment, which drew on the couple's accumulated wealth and on the rallied support of the entire family. This strategy is also proving to be remunerative, but there is a sharp discontinuity between making the money and being able to enjoy its fruits. The money earned over there only represents a truly tidy income if it is paying for Hungarian costs of living; however, one needs to work for at least a year or two in the USA before it becomes worthwhile to return home. This strategy therefore places an even bigger burden on the family if only some members depart and the rest stay at home. Emigration to Canada did not call for quite as big an initial outlay, but the repercussions turned out to be far more serious. This was the strategy that was attempted most often by members of the community, yet it proved the least successful. It was the most divisive of all for the families and the financial gains were the smallest, indeed in several cases they proved to be net losses.

It must be underlined that the above cases cover the emigration strategies of just one community and are not claimed to be generalisable in any way. The aim is merely to illustrate some contemporary patterns of migratory movement from the viewpoint of a community that is the point of departure. Still, it seems safe to make a few assertions on the basis of what has been outlined. It certainly appears that opting to look for work abroad is something members of the community entertain only under the force of circumstances; it generally incurs considerable expense, with far from secure returns; and it places great strains on family and community. The restricted scope of the strategy, and its relatively high outlays, magnify inequalities within the community, giving rise to serious tensions between families and disrupting the previous sense of communal order.

III) GOVERNMENT INITIATIVES IN 2002: A YEAR OF ELECTIONS, CHANGES AND EXPECTATIONS

The final months of the outgoing Orbán government

The completion of construction work on the Gandhi High School complex at Pécs, the prize institution of the Roma nation in Hungary, is linked to the parliamentary term that ended in the spring of 2002. Under a framework agreement concluded with the Gandhi Public Foundation in December 2000, funding from the central budget was secured and,

with the work proceeding to plan, the buildings were ready to be handed over in April 2002. Two areas relating to the country's Roma problem on which the previous government laid particular stress were the funding of scholarships for Roma students and financial help in fighting instances of discrimination. In both cases there was much trumpeting of the substantial sums that were to be made available. A brief overview of official data supplied by NEKH [Office for Ethnic and National Minorities] reveals the following:

- In school year 2001/02 a total of 12,777 young Roma students – 7,027 in the senior years at general school, 4,505 at secondary school, 1,217 at college or university, and 28 studying abroad – received study scholarships.
- In the first half-year of school year 2002/03 a subvention of HUF 499,190,000 funded scholarships for 18,900 students – 9,996 at general school, 7,103 at secondary school, 1,748 at college or university, and 64 studying abroad.

The data supplied by the 2001 national census, however, indicate that there were then 81,099 Gypsy pupils at general school, 13,035 at secondary school, and 188 in higher education. It is estimated that approximately 0.3% of the Roma population is either currently studying at an institution of higher learning or has already gained a graduate qualification.

The evident contradictions are noteworthy, as it seems that the scholarship system is not achieving the desired effect at the higher education level. Either students of non-Roma origin are receiving grants or else continuing studies at this level is associated with a loss of professed identity, or some other explanation must be sought for the disparities.

A further development that took effect in the past year was the creation by the Ministry of Justice – with the involvement of the National Gypsy Self-Government and the Office for National and Ethnic Minorities – of an Roma Anti-discrimination Client Service Network from 15 October 2001. The Ministry of Justice guaranteed funding from its own budget allocation for the Network's operating expenses and for additional training of lawyers who will be working for it. Currently the Network is operating with 22 lawyers, working from 24 legal-aid offices. The aim is build up a legal-aid service specifically concentrating on cases where the client has suffered a wrong on account of his or her Gypsy descent. Lawyers belonging to the Network are empowered to offer legal advice, to initiate court actions in anti-discrimination cases, and represent clients in court, all at no charge to the client.

Besides its direct government role, the Office for National and Ethnic Minorities, working together with the Non-Profit Foundation for the Gypsies of Hungary, gave its support to the activities of civil legal-aid offices, as well as to bodies and institutions dealing with conflict avoidance and management. In both 2001 and 2002, it secured HUF 20 million to finance civil institutions operating in these areas. On the basis of applications that were submitted, grants were given to 21 offices in 2001 and 29 offices in 2002, including HUF 1 million to an interactive legal-aid service run by Radio 'C', which, with the assistance of the radio station's invited lawyer, dispensed advice to listeners in a weekly live programme.

In connection with tasks relating to its medium-term package of measures, the Non-Profit Foundation for the Gypsies of Hungary originally announced an annual budget frame of HUF 25 million was going to be set aside to run the Gypsy Legal-Aid Offices. In view of the large number of applications, however, this was topped up from contingency reserves in both years. In 2002, out of 74 applicants, 30 bodies received grants to the tune of HUF 37.4 million in total. Funding was increased still further by the second subproject of the PHARE Roma Integration Project, instigated by the Office for National and Ethnic Minorities, which has two main components. The aim of the first component was the development of offices involved in legal-aid work with the Roma population, whilst the second component covered funding for the planned running of anti-discrimination training courses in seven regions of the country. In July 2001, it was announced that tenders were being invited for grants to develop legal-aid offices; on the basis of the applications received, 11 already operating and four new offices would be receiving funding. The implementation of expansion plans totalling HUF 53 million has been initiated under the programme. In the course of 2002, grants for office equipment totalling HUF 3 million were awarded to existing offices and for HUF 5 million to new offices.

In advance of the 2002 National Assembly elections, Prime Minister Viktor Orbán and Flórián Farkas, chairman of Lungo Drom and of the National Gypsy Self-Government, reached a collaborative agreement. Under the plan a Roma Integration Office would have been set up, the activities of which would have been reviewed by the full cabinet every six months. This did not come to fruition in view of the change in government.

Early measures by the incoming government

Significant changes occurred in Roma politics, as well as in the more elevated spheres of national politics, during 2002. Not only were policies towards the Roma population amongst the issues aired in the general election campaigning for National Assembly seats during the spring, but politicians of avowedly Roma descent were to be found as candidates for parties on both the left and the right of the political spectrum and, what is more, highly enough placed on the national lists as to more or less guarantee that four such candidates would pick up seats when voting was completed. As a result, Hungary again has parliamentary representatives of Roma origin in the colours of the major national parties. As a further sign of the ascending fortunes of Roma political life, in the local elections of autumn 2002 a total of 998 settlements elected a Gypsy minority self-government, four returned a Roma mayor, and a total of 545 Gypsies gained seats in mainstream self-government authorities. This compares with the roughly three thousand Roma representatives elected for places in 740 Gypsy minority self-governments in 1998.

Given that background, it seemed reasonable to expect that Roma policy would be reformulated at government level – all the more as the new prime minister invited an adviser of Roma origin to assist him with his work. When the new government took office

in the summer of 2002, it announced that the promotion of equal opportunities for the Roma population in Hungarian society as one of its key tasks. A separate subsection of the government programme (albeit, somewhat surprisingly, under the heading of ‘Social Policy’) is concerned, following a brief assessment of the current position of this segment of the population, with the measures that are envisaged to address its needs:⁹

**“C. Tasks relating to the social and political integration of
Hungary’s Gypsy community**

1) We consider the decline in social standing of our Roma fellow countrymen to be the consequence of a widespread, dramatic social process rather than an ethnic problem. Elevating that standing and achieving the fullest possible social integration lies in all of our interests. For that reason, we shall be instigating a broad anti-poverty programme to prevent any further slipping down the social scale and to remedy equality of opportunity.

2) The government will restore the status of Gypsy policy coordination to cabinet level. To meet the tasks of the programme that has been evolved in consultation with those concerned, it will dispose of budgetary instruments and of collaborative arrangements that offer the widest possible social solidarity.

3) We shall introduce and approve a bill for an anti-discrimination law. Discrimination that gives rise to or promotes social exclusion of Gypsies will be punishable by particular sanctions. We shall examine what effective instruments may be available with which to counter public speaking that incites to racial hatred.

4) We shall restore and in practice establish communication on an equal footing between the majority society and the Roma community. We shall place weight on training well-qualified mediators, and we shall support, through scholarships and other means, an expansion in the numbers of Roma graduates.

6) We shall draw up a long-term programme for eliminating Gypsy colonies, creating decent living conditions, and encouraging housing mobility.

7) We shall fund human rights organisations that take action against discrimination and assist the establishment and running of Roma civil legal-aid bodies. We shall seek to enhance the role of civil organisations in preventing and handling local conflicts and in setting up and implementing programmes to promote integration.

8) Preservation of the Gypsy community’s ethnic and cultural identity is to be achieved alongside the process of social integration. In the interests of preserving Gypsy language and culture, the same legal guarantees will be granted as are enjoyed by other minorities.

9) The foundation of the government’s comprehensive anti-poverty programme is the development of education and improving equality of opportunity for children. We shall seek to obtain a reduction in the handicaps of poverty as early as the stage of nursery

⁹ *Cselekedni, most és mindenkiért! A nemzeti közép, a demokratikus kormányának programja Magyarország 2002–2006* (‘Action now and for everyone! Programme of the national centre, the democratic coalition government, for Hungary 2002–2006’). Parliamentary Bill No. H19, 25 May 2002.

schooling. We shall create opportunities for the employment of nursery-school teachers and auxiliary staff of Roma origin, as well as for close relations between Roma families and nursery schools. We shall make efforts to ensure that disadvantaged children are able to gain the benefit of nursery provision in larger numbers, for longer periods of time and, where necessary, within the framework of special programmes.

10) The government will give special attention to the position and reception of Roma children in the schools, and to ending segregation. We shall review the system of referrals to remedial education and take steps to obstruct declarations of private teaching status being used as a way of excluding Gypsy children from the school system.

11) We consider the right of the Roma people to autonomous instruction that strengthens their own culture to be a constitutional right. We shall encourage and support the operation of classes and schools that are organised to place an emphasis on teaching children their own culture, though this must not become a basis for educational segregation.

12) With the collaboration of teachers and family assistance services, we shall enhance the value set on school qualifications within Gypsy families. We shall take particular pains over vocational training and improving entry into higher education for the children of poor families. Working with civil organisations and enterprises that are prepared to offer sponsorship, we shall instigate preparatory, scholarship, and probationary programmes to support talented Roma youngsters.

13) We shall also instigate differentiated Roma programmes within the domain of adult education and training. Our purpose is to improve the schooling and employment opportunities of the Gypsy population. We shall embark on an expansion that takes regional differences into account, making use, as appropriate, of the existing educational and public cultural infrastructure.

14) We shall devote particular care to steering the unemployed segments of the Gypsy population back to work. We shall lay down a requirement on job centres to employ organisers with responsibility for Roma employment.

15) Amongst the traditional Roma occupational branches, we shall support those which are also efficient from an economic and environmental-protection standpoint. We shall assist local self-government actions to stimulate and organise tenant farming and agricultural production. We shall give particular attention to offering Roma employees opportunities for work not just in low-prestige occupations but also in the service sector, in tourism, and in social services.”

It is also important to highlight as passage from the section dealing with education:

“4.8. Education is one of the keys to advancement of the Roma population and to altering prejudiced behaviour against Roma individuals. For that reason:

- we shall ensure its precondition, which is that every Roma child be able to attend nursery school;
- we wish to give earmarked subsidies and expert assistance and to pay supplements to those schools and teachers who effectively implement integrated education of

Roma pupils, and at the same time we shall also support schools that have been established through civil initiatives and which accept Roma children;

- we shall establish a scholarship fund in order that teachers' training institutions train up as many teachers as possible who will take responsibility for Roma identity and commitment and also in order that, at all levels of teacher training, people are prepared for the special tasks of educating and giving tuition to youngsters of Roma origin."

As a first step towards achieving the goals set out in the government programme, several major organisational changes were introduced. Responsibility for Roma affairs was again brought under the direct purview of the Office of the Prime Minister, with its own under-secretary of state and associated Office for Roma Affairs. For the very first time in Hungarian political life, a person of Roma origin was appointed to the post of under-secretary of state and director of a state office. He has taken over from the Office for National and Ethnic Minorities the responsibility for supervising and directing strategically important Roma policy issues. Similarly, in connection with its announced programme, individual government departments began to implement the idea of appointing officials of Roma origin to handle Roma policy issue within the department. Several such rapporteurs and ministerial commissioners are already in place, but it is expected that this initiative will continue. Amongst these new officials, particular mention should be made of impact already made, despite the short time that has intervened, by the ministerial commissioner in the Ministry of Education. Having designated the ending of school segregation as their highest priority, he and his colleagues have brought in a regulation dealing with what is referred to as the 'integration norm', the long-term goal of which is to eliminate the practice of setting up separate teaching arrangements for children of Gypsy origin.

The key issues, though, will be settled within the Office of the Prime Minister. The Under-Secretary of State for Roma Policy and the Office for Roma Affairs has set to work in the following strategic areas:

- Government resolution 1186/(5 Nov.) 2002 defined the new institutional set-up for securing social integration of the Roma population, as well as the guidelines that will be used to implement the goals laid out in the government programme.
- They played an active role in working out how the Roma were to be presented in the National Development Plan and in operative programmes that are linked to imminent accession to the European Union.
- A consultative body of respected, independent experts of Roma and non-Roma origin has been set up as the Roma Affairs Council, chaired by the prime minister himself. This body is tasked with giving opinions and formulating guidelines on strategic issues.
- The Under-Secretary of State for Roma Policy embarked on a complete revision of the approach and content of Government resolution 1047/(5 May) 1999. In the course of carrying this out, the outlines of a new government programme that may

be needed in order to implement the goals set out in the Government Programme have begun to emerge. This package of measures which are targeted at the Roma population, though without excluding others, is the first element in a government effort to create equal opportunities for all social strata that are being left behind in the economy. On the basis of the details that have become known to date, it would appear that the government programme, which includes a detailed, project-oriented action plan, will be built on the following main priorities:

Equality before the law: This area includes, amongst other things, drafting anti-discrimination legislation, revision of the National and Ethnic Minority Rights Act, overhaul of the electoral system and procedures, further training for public officials in conformity with EU regulations, and setting up a regulatory framework for more effective action in countering racially motivated criminal acts.

Improved quality of life: This area includes, amongst other things, the implementation of complex model programmes that may be aimed, for instance, at continuous reintegration of economically run-down regions by boosting and bringing in new approaches to healthcare and social provision, eliminating colony-type living conditions and assisting enterprises that secure livelihoods.

Education: This area includes, amongst other things, measures which serve to overcome the disadvantages that spring from the educational system as a whole, from nursery school to university graduation, such as wider access to nursery-school facilities, ensuring a suitable environment for learning, multicultural education, reintegration of early drop-outs from the education system, and the ending of the practice of separate remedial schooling.

Employment: This area includes, amongst other things, the creation of job opportunities based on skills that will remain marketable over the long term, and providing temporary employment that will give a livelihood to people who have dropped out of the jobs market.

Identity: This area includes, amongst other things, establishing a Roma arts foundation, funding community centres, and building up international cultural links.

Social communication: This area includes, amongst other things, efforts aimed at raising tolerance levels within the majority society, funding public-service programming on Roma-related subjects for TV and radio, and giving prominence to the importance of information technology skills.

Comprising an integral part of this government programme – according to the plans that have so far become publicly known – will be an independent, cross-sectoral monitoring system for tracking and assessing how funding is used and the technical expertise of implementation, with powers to recommend changes that may be required. Taking the same fundamental principles as their point of departure, the new Under-Secretary of State and his Office will have as part of their task and goal the elaboration of a long-term strategic programme that takes on board new approaches to promoting equality of social oppor-

tunity for the Roma population. Of course, a programme is worth only as much it actually accomplishes, but it is encouraging that – going by all the signals it has given to date – the new government is looking problem areas squarely in the face.

In accordance with the EU Commission directive of 29 June 2000 on the application of the fundamental principle of equality of treatment, regardless of racial and ethnic differences between individuals, Hungary, like the existing member-states, will by 19 July 2003 have repealed all regulations or public administrative provisions and annulled or modified all individual or collective contracts, internal company directives or organisational rules that conflict with the principle of equal treatment. As one of the designate member-states, the country had already embarked on preparations to comply with the directive. The Ministry of Justice set up an Interministerial Anti-discrimination Committee in 2001 to conduct a complete review of the Hungarian corpus of law. On entering office, the new government stepped up the legislative activities within this area, and by the end of 2002 had achieved a technical outline for a bill on equality of treatment and equality of opportunity that, once public consultations that are under way have been completed, will be forwarded to the cabinet for ratification in February 2003. If all goes according to plan, that will subsequently be tabled as bill to go before parliament by April. As plans stand, the regulation will incorporate the following conceptual elements:

- Race, colour, nationality, language, disability, religion, opinion, gender, sexual orientation, age, origin, financial situation and harassment may all be a basis for discrimination, whether direct or indirect.
- The alleged offender will have to prove that he or she acted appropriately, thereby reversing the usual burden of proof.
- The law will not cover legal relations under civil law, but it will apply not only to state and self-government bodies but also to “public domain civil law relations”, when state registration creates a legal qualification.
- Prejudicial discrimination will be penalised by appropriate awards of damages, including cases where an individual has incurred a disadvantage through seeking legal remedy.
- In order to enforce the ban, a ‘Commission for Equal Treatment’ will be established, the five members of which will be appointed by the head of state and which will have powers to initiate investigations and bring cases to court.

In summary, a review of the activities of the new government to date shows that ambitious plans are being drawn up, but we are awaiting concrete actions. It therefore seems fair to call 2002 a year of change and expectations.