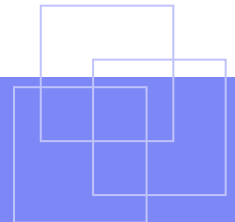


Roma inclusion: a normative approach

By Cristina Mihes

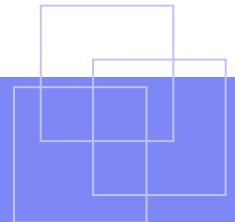
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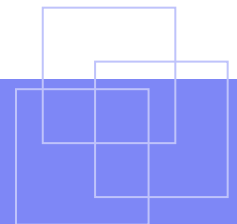
The mission

- ILO mandate: realization of social justice
- Recognition and protection of fundamental rights at work for all, including socially and economically disadvantaged groups
- Nexus between discrimination, social exclusion and poverty to be tackled by national and international policy



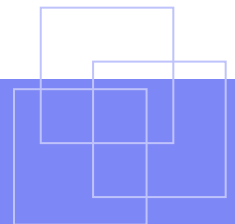
Discrimination (Employment and Occupation) Convention (No. 111), 1958

- defines discrimination as any distinction, exclusion or preference made on the basis of **race, colour, sex, religion, political opinion, national extraction or social origin** (or such other ground as may be specified by the State concerned)
- obligation to pursue a national policy for promoting equality of opportunity and treatment
- elimination of any discrimination in relation to:
 - Access to vocational training
 - Access to employment and particular occupations
 - Terms and conditions of employment



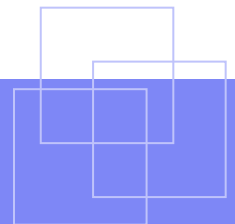
Discrimination (Employment and Occupation) Convention (No. 111), 1958 (ctd)

- A ratifying state has to:
 - Enact legislation and promote educational programmes
 - Ensure policy observation in employment, vocational training and guidance and placement services
 - Seek the cooperation of employers' and workers' organizations in promoting national policy



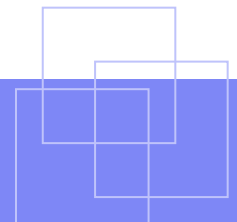
Discrimination (Employment and Occupation) Convention (No. 111), 1958 (ctd)

- Measures not deemed to be discrimination:
 - Designed to meet the particular requirements for a specific work;
 - Might be justified to protect the security of the State
 - Measures of protection or assistance



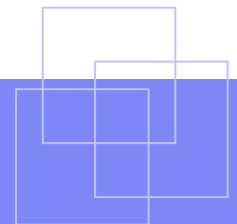
Employment Policy Convention, 1964 (No. 122)

- aims to stimulate economic growth based on full, productive and freely chosen employment
- obligation of the State to declare and pursue a policy designed to ensure, *inter alia* :
 - there is freedom of choice of employment and opportunity for each worker to qualify for and to use his/her skills in a suitable job, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin
 - representatives of the persons affected, in particular workers and employers have to be consulted in the policy formulation



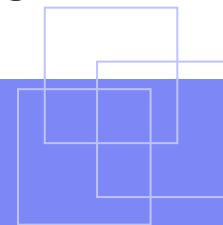
Implementation gaps as identified by the ILO's CEACR

- underrepresentation of Roma in private and public sector employment
- lack of positive measures to promote the employment and access to education and vocational training of Roma
- absence of means to assess the actual impact of various policies/strategies
- lack of effective measures to promote a climate of tolerance and respect
- lack of reliable data on Roma situation



Specific comments of the CEACR

- **Forced Labour Conventions nos. 29 and 105**
 - Government of the FYR to take practical measures to guarantee equal access of Roma to the labour market as to protect them from any form of labour exploitation, including forced begging
- **Discrimination Convention no. 111**
 - Government of Romania to dismantle all policies of assimilation and discrimination and to adopt programmes for the recognition of occupational skills not formalized by a diploma
- **Worst Forms of Child Labour Convention no. 182**
 - Govs of Albania, Austria, Belgium, BiH, Bulgaria, Croatia, Czech Rep., Greece, Hungary, Italy, FRY of Macedonia, Romania, Slovakia, Slovenia, Serbia, Spain and the UK



Recommendations of the ILO

- to take proactive measures to address persisting inequalities faced by Roma
- to establish reliable systems of data collection regarding Roma situation in employment and occupation
- to promote educational and awareness raising programmes addressing stereotyped assumptions on Roma employment
- to ensure appropriate dispute settlement mechanisms to remedy individual cases of discrimination

