



Recommendation 1941 (2010)¹

Final version

Roma asylum seekers in Europe

Parliamentary Assembly

1. Referring to its [Resolution 1768 \(2010\)](#) on Roma asylum seekers in Europe, the Parliamentary Assembly draws attention to the worrying situation in some member states where Roma are the target of racist violence, which is a factor that forces many Roma to flee their home country and to seek protection abroad.
2. The Assembly recognises that responsibility for the human rights and welfare of the Roma rests with those countries of origin, but considers that the restrictive rules concerning persons from one member state of the European Union who apply for asylum in another member state of the Union must be reassessed so that asylum seekers are guaranteed an opportunity to rebut the presumption of safety in their country of origin, even in cases of flight within the European Union.
3. In addition, in the light of the recommendations by the Council of Europe Commissioner for Human Rights concerning the current undesirability of returning Roma to Kosovo², the Assembly further considers that policies with regard to such returns, concerning many thousands of individuals, should be reconsidered and planned returns suspended until they can be shown to be safe and sustainable.
4. It is also important that the general situation of Roma, which includes poverty, exclusion, discrimination and, in some cases, persecution, be examined.
5. The Assembly therefore welcomes the initiative of the Secretary General of the Council of Europe to call a high-level meeting, including not only Council of Europe member states, but also the European Union, and the opportunity this provides to ensure greater allocation of European Union funds for Roma integration both in European Union and non-European Union countries.
6. Therefore, the Assembly recommends that the Committee of Ministers:
 - 6.1. instruct the Committee of Experts on Roma and Travellers to examine the measures necessary to create durable solutions for Roma from Kosovo who have been living for many years in member states;
 - 6.2. invite the Advisory Committee on the Framework Convention for the Protection of National Minorities (ETS No. 157) to examine, in the context of its monitoring activities and in the light of the Framework Convention, the legal and factual consequences of measures related to the return of Roma to Kosovo;
 - 6.3. instruct the Steering Committee on the Mass Media to assess the media situation in member states, as regards the dissemination of hate speech, racist ideas and prejudice against Roma, including Roma migrants and asylum seekers, and to propose relevant action as necessary.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 12 November 2010 (see [Doc. 12393](#), report of the Committee on Migration, Refugees and Population, rapporteur: Mr Pupovac).*

2. All references to Kosovo in this text, whether to the territory, institutions or people, shall be understood in full compliance with the United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

