

Annex I. Key Human Rights Issues in the NMS

Human rights are generally stronger in Western Europe than in the NMS, as demonstrated e.g., by Freedom House surveys¹ and state socialism has left some scars in Eastern Europe's social fabric. Nonetheless, there are no social problems that are unique to post-communist nations. The following section will dissect several social problems in which HRAW NGOs can play a key role in finding solutions. While most research indicates these problems are more serious in Eastern Europe, but they are widespread in the EU15 as well.

1. The Roma vs. non-Roma Conflict

Along with the question of national minorities, anti-Roma discrimination is one of the most serious problems for Eastern Europe – especially Bulgaria, Romania, Hungary, Slovakia and the Czech Republic. Politicians have had little success in finding an antidote. Ethnic tensions have strengthened during the financial crisis, accompanied by a surge in support for extreme-right parties in certain countries (not just in Eastern Europe). The radical right's Social-Darwinist worldview can easily appear attractive to people struggling with dwindling resources; welfare chauvinism has become more prevalent, as has the rhetoric that labels people who live off welfare as "parasites." Moreover, the global recession has deepened the pre-existing cultural rifts between certain groups, bringing immigration issues to the forefront (also see Annex II). If anti-immigration and anti-minority campaigns prove successful, they may spread across Europe – and not just between EU countries: Switzerland's anti-Muslim 2009 referendum, in which people voted to ban the construction of new mosques, strongly impacted the policies of several right-wing parties in Western Europe. Norway, although not a member of the EU (yet the country with the highest standard of living), witnessed one of the most shocking violent events in its history in 2011. Among the confessed intentions of the perpetrator, anti-Muslim sentiments clearly played a significant role behind the brutal massacre on Utøya island.. While the Roma conflict in some Western European states (e.g. Italy, Great Britain, France) is an immigration-related problem, it is more of an integration-related problem in Central and Eastern Europe. The percentage of Roma inhabitants is highest in the post-communist NMS (see Table Annex I.1), where discrimination has deep historical roots, Anti-Roma prejudice is trending upwards (see Figure Annex I.1) and violent conflicts are becoming more frequent. Political forces that campaign on anti-Roma sentiments can be extremely successful (e.g. Jobbik in Hungary or ATAKA in Bulgaria).

¹ Freedom House Website.- <http://www.freedomhouse.org/template.cfm?page=1>

The percentage of Roma population in East- Central-European countries

	2003 estimate based on 2001 census (%)	Estimates on actual percentages (%)	Estimates on the actual number of total Roma population (in thousands)
Bulgaria	4.6	≈10	700-800
Czech Republic	0.3	≈3	250-300
Hungary	4.0	≈6	550-600
Romania	2.5	≈10	1800-2800
Slovakia	1.6	≈9	480-520

Source: Mizsei, 2006¹

¹ Mizsei, K. (2006). Development opportunities for the Roma in Central and Eastern Europe – Impediments and Challenges. Comparative Economic Studies, 2006/48, 1-5.

Table Annex I. 1: Roma population in the CEE countries

The Roma's living standards generally declined after state socialism collapsed in Central and Eastern Europe. The situation was hardly optimal before the regime change, but at least state socialism provided jobs for most Roma, especially in sectors that did not require advanced skills (e.g. heavy industry) When state socialism collapsed, the Roma had a hard time adjusting to a competitive environment, mostly due to segregation and the Roma population's traditional deficit in education and culture. The result was been extremely high unemployment that keeps large numbers of Roma in grinding poverty. Moreover, strong social stigmatisation has relegated the Roma to a kind of "pariah-status," which, in turn, significantly reduces their chances for advancement, increases deviancy and reinforces their alienation from the majority society.

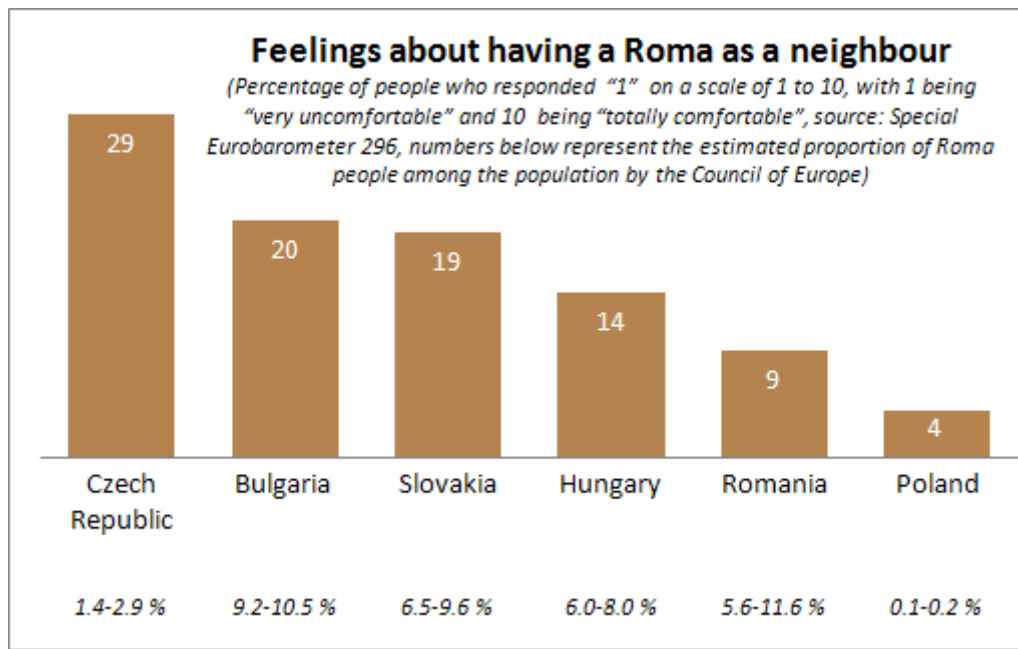


Figure Annex I.1: Attitudes toward Roma people

Resurgent extremist organisations have brought anti-Roma racism back to the fore in the CEE region. These ultra-right wingers did not invent anti-Roma stereotypes, but they take advantage of the long, existing, deeply rooted and widespread prejudices) and the strong demand for discriminative policies in these societies. The extremists have contributed to the rise of ethnic violence through their symbolically aggressive actions against the Roma (e.g., marching through Roma-populated areas dressed in paramilitary uniforms). In response, Roma have established their own self-defence organisations in a number of countries. Clashes between the two sides further deteriorate race relations.

Governments have proven spectacularly impotent in diluting these conflicts and rolling back segregation. For example, CEE governments' Roma-integration programmes have mostly failed. HRAW members will therefore have a crucial role in handling social tensions on local level, forcing politicians to adopt policies to improve Roma integration in education, labour and housing.

2. Immigration

Immigration in the NMS is insignificant compared with Western and Northern Europe: In 2009, the EU-15 countries received more than 11 times as many immigrants as the 12 newest EU members, according to Eurostat data (see Table Annex I.2). CEE countries are transit states for refugees and economic migrants, not target destinations. **Yet paradoxically, anti-immigrant attitudes are sometimes stronger in the NMS than in the West.** Figure Annex I.2 shows the percentages of people who would allow absolutely no foreigners (people of different nationalities from the majority) to settle in their country. Anti-immigration sentiment has slightly declined during the last two years, yet Hungary jumped to the top of the list and the situation in the Czech Republic worsened as well.

Immigration in Europe (2009, source: Eurostat)	
EU-15 total	2 704 000
1. United Kingdom	566 490
2. Spain	498 977
3. Italy	442 940
4. Germany	346 216
NMS-12 total	230 533
1. Czech Republic	75 620
2. Poland	47 880
3. Slovenia	30 296
4. Hungary	27 894

Table Annex I.2: Immigration

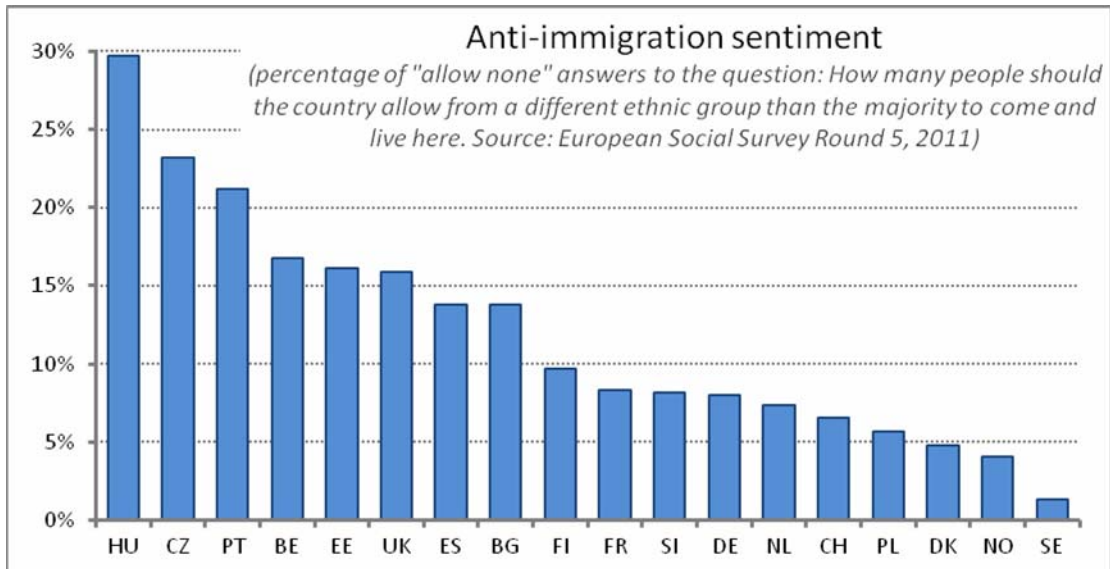


Figure Annex I.2: Anti-immigration Attitudes

2.1. Discrimination and segregation

Some CEE countries are struggling with declining populations; increasing immigrant numbers would be a logical solution to the problem. (Figure Annex I.3 illustrates the relationship between natural population-growth rates and immigration.) High immigration rates can be just as risky as declining populations: On the one hand, immigration is the only way to reduce worker shortages and lessen the burden of financing pensions in countries with a preponderance of elderly citizens. On the other hand, immigration can fire up ethnic and cultural conflicts in societies that are not prepared to accept newcomers, as happened in Western and Southern European nations that went from being sources of immigrants to destination countries in the second half of the 20th century.

In the CEE, legal authorities and government bureaucrats alike are incredibly hostile to immigrants. This usually originates from fear of the unknown and prejudicial sloganeering, not any actual experience with the ethnic groups in question. However, CEE countries may soon become destination countries for immigrants rather if their economies continue to grow, and today's prejudicial attitudes can easily form the base of successful anti-immigrant policies once the immigrants are actually "at hand." CEE countries may follow the Italian example, where a tough stance against illegal immigration brought unprecedented popularity to Prime Minister Silvio Berlusconi in 2008, whereas in France, Nicolas Sarkozy was also able to temporarily cure his wounded popularity in 2009-2010 through his campaign and tough steps against roma immigrants.



Figure Annex I.3: Risk Map for the Immigration Problems

Political Capital's DEREK Index measures societal demand for right-wing extremism. The index shows that Bulgarians, Hungarians and Czechs are the most susceptible to discriminatory, anti-establishment and authoritarian ideologies.

Political Capital designed the DEREK Index using its own theoretical model and data from the European Social Survey (ESS), a biannual study that tracks changes in societal attitudes and values in 33 countries in Europe and the Middle East. The index is calculated using data from people's responses to 29 questions in the ESS. A country's DEREK score indicates the percentage of people who are predisposed to extreme right-wing politics.

DEREK is built from four main categories (sub-indices): Prejudice and Welfare Chauvinism, Anti-Establishment Attitudes, Right-Wing Value Orientation, and Fear, Distrust and Pessimism. The first category, prejudice and welfare chauvinism also covers homophobic and anti-immigrant sentiments.

	Country	Prejudices and Welfare Chauvinism Score	DEREX Score
1.	Hungary	48%	11%
2.	Estonia	41%	4%
3.	Czech Republic	36%	8%
4.	Portugal	30%	11%
5.	Bulgaria	29%	18%
6.	United Kingdom	27%	4%
7.	Slovenia	26%	8%
8.	Belgium	24%	3%
9.	France	21%	6%
10.	Finland	21%	1%

Table Annex I.3: Prejudices and Welfare Chauvinism: Top 10 European Countries (2011)
(Numbers represent the percentage of adults (age 15+) who fulfil the criteria for being a right-wing radical, based upon their answers to the 29 questions.)

Western Europeans' rates of prejudice and xenophobia are higher than their anti-establishment attitudes, but their Eastern European brethren run rings around them in both categories (see Table Annex I.3). Opposition to immigration is strongest in countries that have the fewest immigrants; "virtual" foreigners are apparently capable of generating just as much fear and aversion as the tangible ones.

Adequately financed HRAW NGOs have numerous ways to dilute the conflicts between majority and minority. These include attitude-shaping campaigns and various education programmes. A more intensive social-political discourse on immigration could make society more aware of the advantages of immigration, thus alleviating aversion to immigrants.

2.2. Human Trafficking

Human Trafficking is one of the most pressing human rights violations in Europe – a fact that the EU has acknowledged.

The United Nations Office on Drugs and Crime estimates the number of human trafficking victims in the EU at 270,000, which is roughly 30 times the number that appears in official statistics, according to a report the UNODC released on October 18, 2009, the third EU Anti-Trafficking Day (see Table II.5). The report, which drew on an earlier UNODC Global Report on Trafficking in Persons released in February 2009, stressed that fewer than one in 100,000 human traffickers are ever convicted in most European countries; countries such as Denmark have higher conviction rates for rarer crimes such as child abduction. Most human-trafficking victims are women who are forced into prostitution.

The European Council developed a plan for combating and preventing human trafficking in 2005.² The European Commission has also launched programmes to combat trafficking of human beings³. This fight has an important external dimension as well, since the victims' home countries are typically outside the EU (although Romania and Bulgaria are transit and source countries at the same time). The EU therefore tries to support actions aimed at helping victims and preventing trafficking around the world.⁴ The European Commission has funded several activities in the fight against trafficking through a comprehensive approach that addresses prevention, protection of victims and prosecution. The regions covered are North, Sub-Saharan and South Africa, the Middle East and the Gulf, Eastern Europe, Central and Southeast Asia and Latin America. There are thematic programmes to fight human trafficking as well such as the Thematic EU Programme on Migration and Asylum, the European Instrument for Democracy and Human Rights (EIDHR) and Investing in People.⁵

	2005	2006	2007
Austria	37	38	33
Belgium	145	160	
Bulgaria	211	360	288
Croatia	6	13	15
Czech Republic	43	72	
Germany	642	775	689
Hungary	28	5	
Italy	208	178	70
Latvia	21	13	
Lithuania	13	27	
Netherlands	424	580	
Poland	99	126	102
Romania	2,251	2,285	2,072
Serbia	54	62	
Slovakia	18	31	10

² EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings [2005/C 311/01])

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2005:311:0001:0012:EN:PDF>

³The list is available at: http://ec.europa.eu/justice_home/doc_centre/crime/trafficking/wai/doc_crime_human_trafficking_en.htm

⁴ http://ec.europa.eu/external_relations/human_rights/traffic/index_en.htm

⁵ http://ec.europa.eu/external_relations/human_rights/traffic/2010_eu_external_policy_on_thb.pdf

Slovenia	8	44	
Ukraine	485	445	

Table Annex I.4: Human-trafficking victims identified by state authorities

Source: United Nations Office on Drugs and Crime (UNODC): Global Report on Trafficking in Persons, February 2009

The UNODC report draws a distinction between Europe's "source countries" of illegal migrants (i.e. Romania, Ukraine and Bulgaria) and "target countries" (Germany, the Netherlands). The countries in between – mostly CEE nations – are "transit countries" for the trafficked persons. Statistics indicate that EU authorities have so far been unable to get a handle on the situation; trafficking in humans has not declined significantly despite numerous efforts at the EU and national levels.

There is an urgent need to strengthen HRAW groups in the most-affected transit and target nations.⁶ They can play a significant role in preventing trafficking, caring for the victims, offering legal assistance, and raising awareness in the source countries. It is also necessary to increase public vigilance in transit nations – if not for moral reasons, then because transit countries may soon become target countries. Experience shows that illegal immigrants who set their sights on Western Europe can easily "get tied up" in an Eastern European nation.

3. Corruption

According to most surveys (i.e. Transparency International), **corruption represents a bigger threat to the post-communist NMS than the EU15**. Certain patterns of nepotism, corruption and cronyism are the clearly the legacy of state socialism.

High corruption institutionalizes political influence in the private sector. Legislative shortcomings, such as the extremely opaque party- and campaign-finance laws, exacerbate the problem because politicians raise much of their funding illegally. The perception of political corruption is one of the main reasons for public mistrust toward politics and the democratic system itself.

Romania and Bulgaria have the worst rankings in 2011 in the EU on Transparency International's Corruption Perception Index (CPI).⁷ The World Bank's World Governance Indicators underscore the high level of corruption in these countries.

- **Romania's political system is fraught with corruption.** The European Commission notes that vote-buying – for example, illegal food-for-votes "programs" during elections – is widespread in Romania.⁸ The Interior Ministry's role in organizing the elections raises additional concerns of fraud. The public therefore questions the validity of elections and often has little faith in the legitimacy of their elected officials. The World Bank's Control of Corruption indicator for Romania is

⁶ In part due to growing anti-Roma sentiments, CEE countries are becoming „source countries“: Roma families are migrating overseas, especially to Canada. According to a recent study, Hungary and the Czech Republic are particularly affected: <http://www.ceps.eu/book/incomprehensible-flow-roma-asylum-seekers-czech-republic-and-hungary-canada>

⁷ <http://cpi.transparency.org/cpi2011/results/#CountryResults>

⁸ Report from the Commission to the European Parliament and the Council on Progress in Romania under the Co-operation and Verification Mechanism {SEC(2009) 1073} /* COM/2009/0401 final * (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0401:FIN:EN:HTML>)

significantly lower than other regional countries' (except Bulgaria). Romania also lags behind its neighbours in the World Bank's other corruption-related indices such as Rule of Law and Government Effectiveness. Curbing corruption is impossible if the legal system is weak and enforcement is sporadic: It robs the law of its powers of deterrence. Corruption has a negative impact on the utilization of EU funds as well, since it impedes the goal of structural and operational modernization for which the funds were intended. One of the European Commission's recurring criticisms toward Romania is its failure to take action against this problem. If Romanian lawmakers do not start to address it, future investments may suffer or the EU may freeze funds (as has happened already). The IMF-oriented governance, austerity measures and demonstrations may overshadow the most scandalous cases (of socialist ex-Prime Minister Adrian Nastase, former Environment Minister Nicolae Nemirschi and former Youth and Sports Minister Monica Ridzi) and overall trends, austerity policies could yet intensify the outcry as voters feel politicians demand more from them while they are abusing power.

- **In Bulgaria**, corruption continues to be one of the biggest problems. After 20 years of democracy and almost three years of EU membership, crooked practices continue to hurt Bulgaria, impeding its political and economic development (see Figure Annex I.4). Transparency International's 2009 Global Corruption Report indicates that business people and country analysts view Bulgaria as the most corrupt country in the EU. The perception of corruption in Bulgaria had been declining in the late 1990s, but then rebounded under the Bulgarian Socialist Party-led government from 2005 to 2009. However, after a short positive upturn (presumably thanks to the fact of the change in power), the ranking has been worsening again (see Figure Annex I.4).

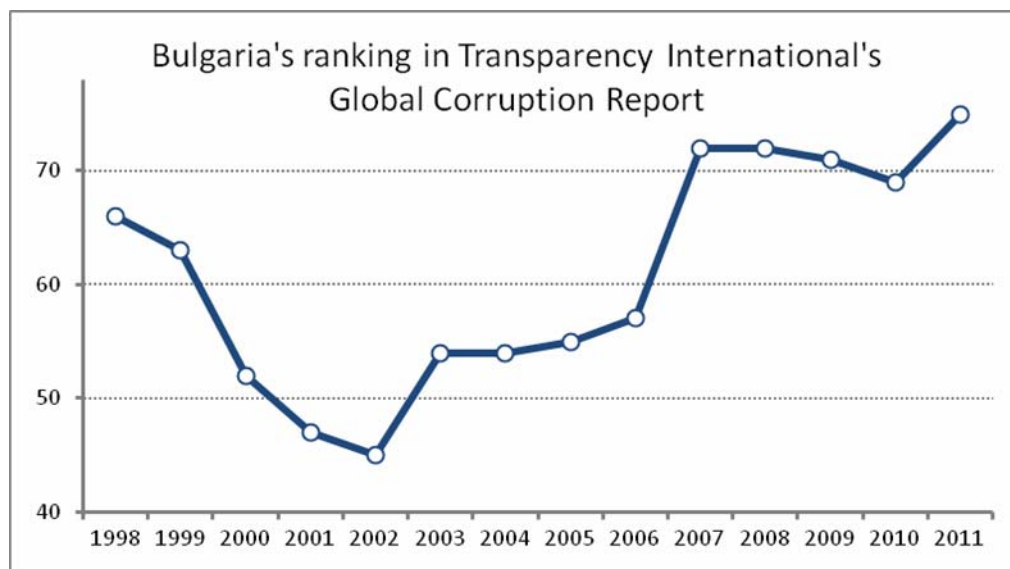


Figure Annex I.4: Bulgaria's Ranking in TI's Global Corruption Report

Doubts about Bulgaria have prompted the European Union to withhold development funds. The economic effects of the delayed funding will probably become apparent only in the long term. Even so, Bulgaria missed an opportunity to bring in additional resources during the crisis and to improve its infrastructure. Corruption makes it more expensive to do business, harms free competition and strengthens the position of "unproductive entrepreneurs" over the ones who actually produce something.

Another very important aspect of corruption in Bulgaria is vote-buying and election fraud, especially in local elections. This perverts the will of the voters and allows the system to be manipulated by people who are pursuing business interests. Voters' confidence in the political system is damaged and the country's image among its international partners is impaired. The loss of trust at home and abroad could have harmful consequences for Bulgaria's further development.

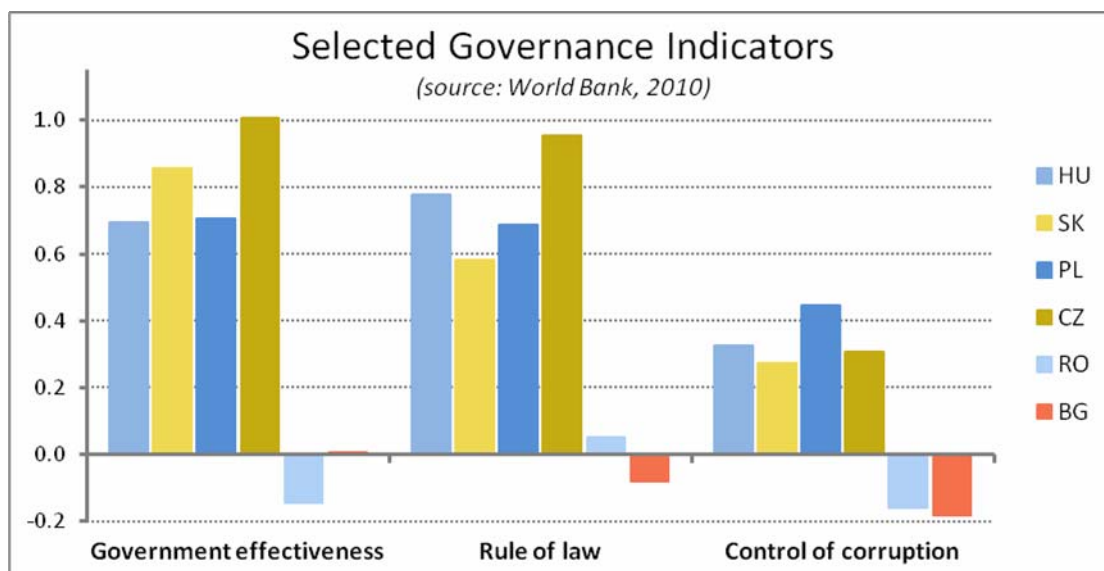


Figure Annex I.5: Governance Indicators

- In Hungary, an estimated HUF 1 trillion (€3.25 billion) disappears down illicit channels every year.** Corruption is not just a problem for the public sector, where HUF 400 billion (€1.4 billion) vanishes every year, but for the private sector, where approximately HUF 600 billion (€2.15 billion) “evaporates” (see Figure II.14). Corruption raises prices by an estimated 25% and some 65%-75% of business and government tenders are tainted.⁹ In Hungary, similarly to Bulgaria, the most recent change in power remains a source of delusion. For a mass of voters the 2010 election was a promise to end the era of corruption after years of scandals and political turmoil surrounding them. However, several cases were taken to the courts since then, yet no clear change of structures, habits and patterns of doing politically backed business is visible, and the will of the government and law enforcement institutions to reveal corruption issues is spectacularly biased and past-oriented.

⁹ Source: GKI Economic Research Co.

<http://www.gki.hu/gazdasagpolitika/kozbeszerzesi-korruptio-magyarorszagon>



Figure Annex I.6: Expecting Bribe

Societal tolerance of bribery helps sustain the high level of corruption. Everyday malfeasance (giving "gratitude money" to public doctors, bribing a police officer or paying off ticket checkers on public transport) preconditions people to tolerate more serious violations. Of course, the problem is not NMS-specific; studies such as the World Value Survey and the European Social Survey have found that Western European societies such as France are much more tolerant of corruption than most of NMS (see Figure Annex I.7).

HRAW NGOs played a very important role in forcing political players to put legislative obstacles in the way of political corruption. They also raised public awareness to the importance of fighting everyday malfeasance.

Tolerance of corruption in different countries⁴

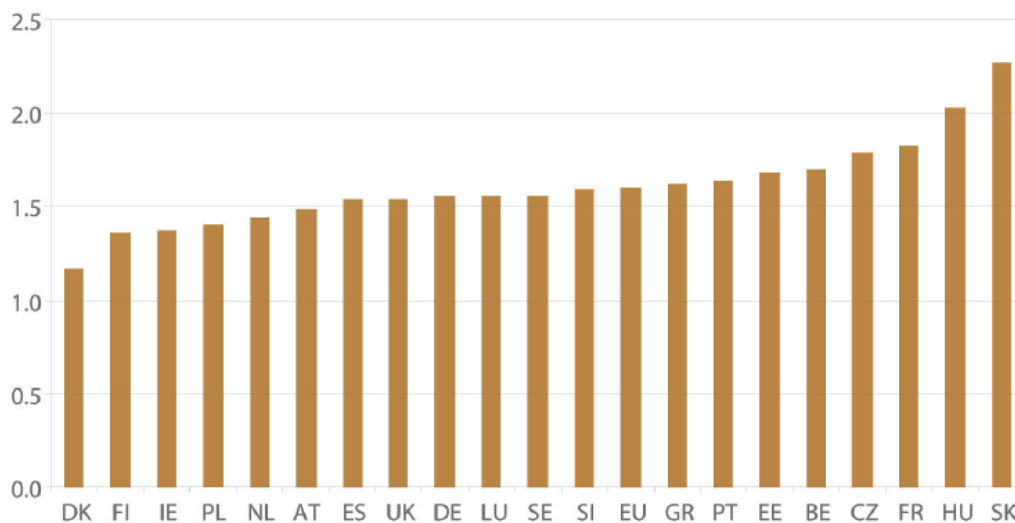


Figure Annex I.7: Tolerance of Corruption

II.5.4 Domestic violence and gender discrimination

Social norms that preserve strict traditional gender roles are generally stronger in Eastern Europe than in the EU15, especially in societies where religion plays a big role (e.g. Poland), according to surveys. But gender inequality is not just an NMS problem: Italy, Portugal and even Spain maintain rigid gender roles that result in higher levels of domestic violence and workplace discrimination (see Figure Annex I.8). Gender problems are rooted in history and tradition: Women are seriously underrepresented in politics and business in Italy and Greece. Domestic violence is the most dangerous problem of all. In most cases, women do not want to make the problem public, either out of shame and fear, or because they do not consider violence at home to be abnormal. It therefore remains hidden.

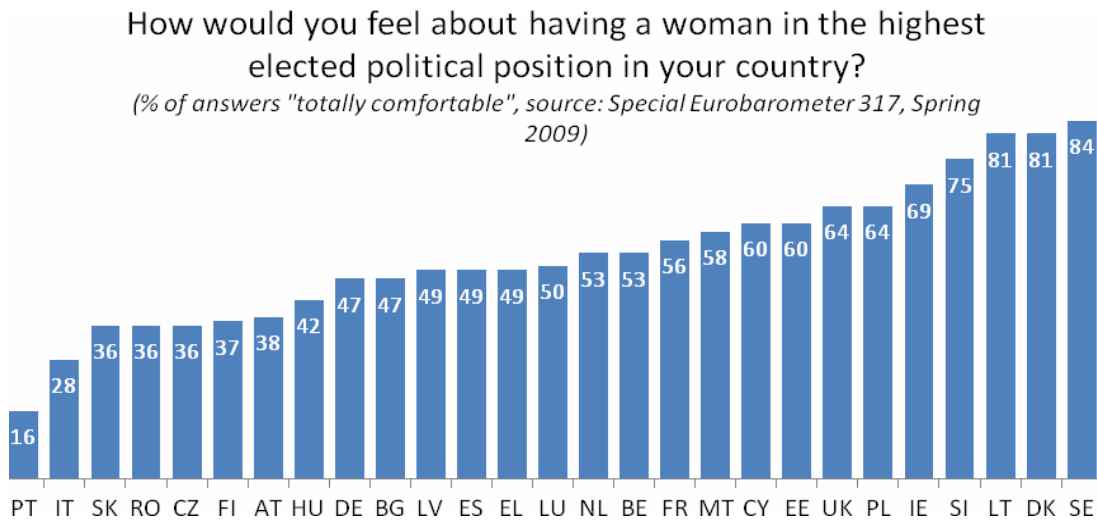


Figure Annex I.8: Gender Discrimination

The conservative view of women's role in society has strengthened as a result of the high unemployment brought on by the economic crisis of autumn 2008 (see Figures Annex I.9, I.10). This reduces a country's competitiveness on both a macroeconomic and a household level.

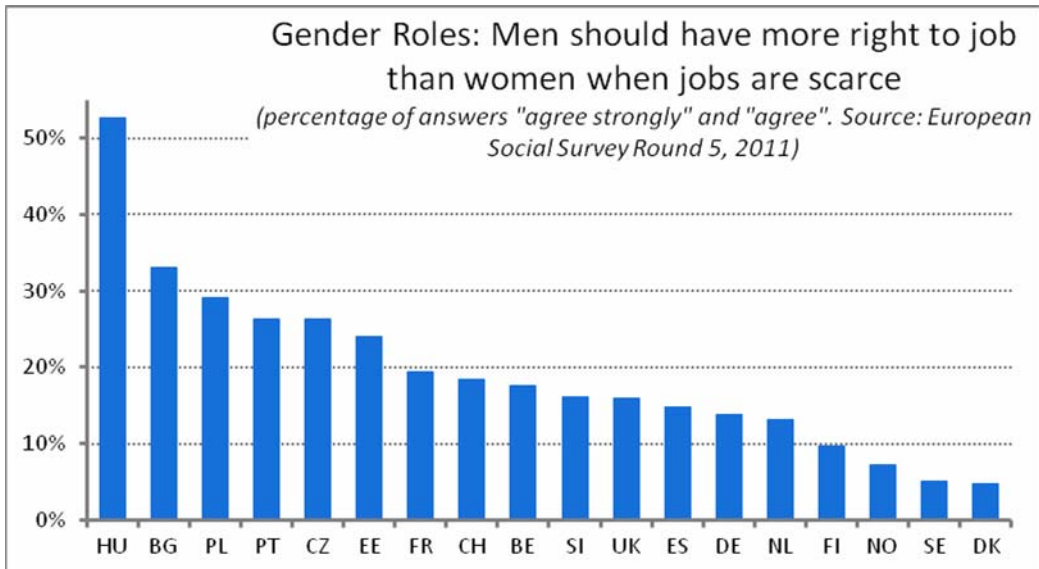


Figure Annex I.9: Gender Roles I.

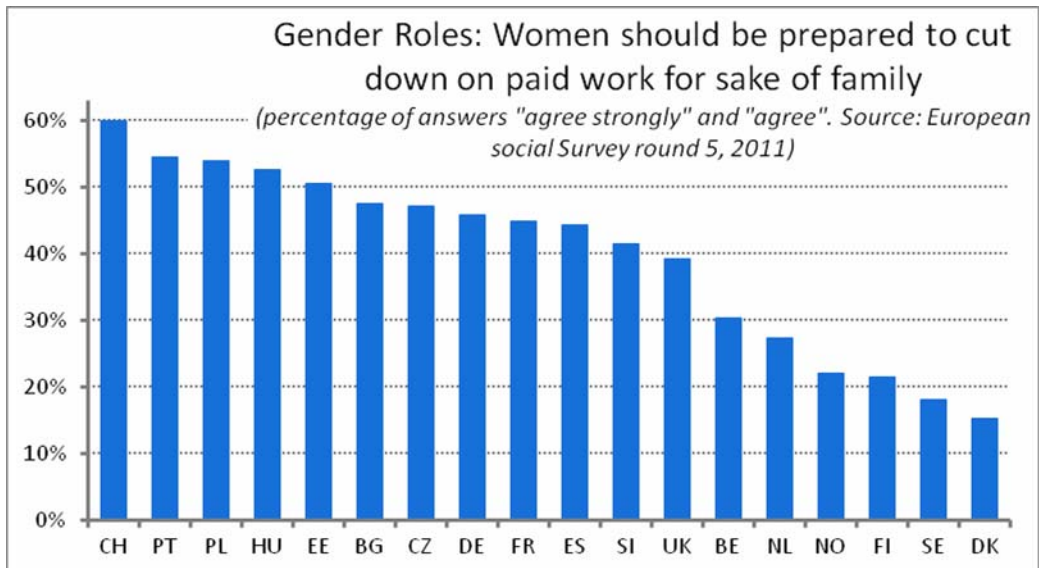


Figure Annex I.10: Gender Roles II.

HRAW NGOs play an important role in transforming gender roles. They can also initiate legislation and political action to curb gender discrimination and domestic violence. Laws aimed at reducing domestic violence may prove futile without NGO action on the societal level: Lack of public awareness, information and political willpower (e.g. Hungary) may render them useless.