

# Europe's Forgotten Children

Roma Children and their Families in Europe 2000-2020  
A Child Rights Perspective

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# Foreword

Thirty years have now passed since the United Nations Convention on the Rights of the Child (hereafter the **Convention**) entered into force on 2 September 1990<sup>1</sup>. Yet millions of **Roma children** and **adolescents** living in Europe continue to be denied full access to their rights, in breach of Article 2.1 of the Convention, which stipulates that governments must **“ensure the rights set forth in this Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status”**.

In 2020, Roma children remain the most vulnerable and rights-deprived child population in Europe, just as they were in 1990. **There are an estimated 4.5 million Roma children in Europe<sup>2</sup> at present and their “social indicators are worse than those of Sierra Leone or Burundi, two of the poorest countries in the world”**. [O’Flaherty, 2018] Although many Roma families have benefited from Roma inclusion initiatives over the past two decades, successful models have not been mainstreamed into national frameworks and learning has not transferred across borders. As a result, project gains have been eroded by economic downturns, rising levels of hostility against Roma and a failure to institutionalize lessons learned.

Most respondents in a 2016 public consultation [EC, 2018] on the European Union (EU) Framework for National Roma Integration Strategies [EC, 2012] (hereafter the **EU Roma Framework**) indicated that there had been no major improvement for Roma families in employment, health care, **housing** or discrimination between 2011 and 2016. This would seem to be confirmed by a European Union Agency for Fundamental Rights (FRA) statement in 2018 that **“80% of Roma children were still at risk of poverty compared with an EU average of 17%; 30% lived in households with no tap water and their access to safe water was often on a par with people in Ghana or Nepal”**. [O’Flaherty, 2018] It is difficult to understand why any child anywhere should have to go without adequate food, water, sanitation, health care or education; in one of the world’s most advanced regions, it is totally unacceptable.

The Organization for Security and Co-operation in Europe (OSCE) produced its first analysis of the situation of Roma and Sinti in 2000 [OSCE, 2000]. This was one year after the Roma Mahala in Mitrovica, **Kosovo**, had been burned to the ground by a mob and 8,000 Roma men, women and children expelled. OSCE set out its Action Plan on Improving the Situation of Roma and Sinti in 2003. In 2005, the Decade of Roma Inclusion was initiated to lift Roma families out of poverty. The EU Roma Framework was adopted in April 2011, reviewed in 2016 and renewed in 2020. UNICEF, the European Commission (EC) and various European and international bodies have been working with Roma families, communities and organizations for two decades to improve the situation of Roma children. Such efforts, initiatives and investment have not been in vain, and it is not the intention of this paper to denigrate them, but rather to learn from them. Undoubtedly, thousands of Roma families across Europe have benefited and life has improved for many Roma children.

But we all need to ask ourselves why 20 years of projects and programmes have not succeeded in eliminating the significant well-being gaps between Roma and non-Roma families. Successful models have been developed to support and facilitate Roma children’s access to health and

education services, but these have not been widely adopted, and governments have been slow to address the structural and systemic barriers that prevent Roma children from accessing their entitlements. As a result, progress for Roma children over the last 20 years has been slow, sporadic, uncertain and insufficient, and too many children have been left behind.

Twenty years is a long time for a child and a childhood lost can never be recovered. It is unfair to ask another generation of Roma children to forgo their childhood or postpone the realization of their hopes, dreams and aspirations for yet another programme cycle. If Roma children are to achieve equity with their non-Roma peers within the next decade, then Roma inclusion and child rights actors will need to considerably expand their current level of dialogue, cooperation, action and advocacy. Only then will it be possible to develop **child rights-based** models of programme and advocacy work that directly and successfully challenge the prejudice, discrimination and bias that currently deny Roma children access to their entitlements as young European citizens. The recent adoption of three new European frameworks – the EU Strategy on the Rights of the Child; the European Child Guarantee; and the EU Roma Strategic Framework for Equality, Inclusion and Participation 2020–2030 – offers a unique opportunity for child rights actors and Roma inclusion actors to work together to finally close the gap between Roma and non-Roma children in Europe and to guarantee full and equal rights for all children.

A primary aim of this study is to facilitate dialogue and cooperation between the Roma inclusion and child rights sectors in order to mutually develop a more powerful and effective model of action and advocacy for Roma children. For too long our respective work for children has run in parallel, with joint action limited to occasional isolated programmes and projects. This study seeks to highlight the dire living conditions that Roma children and their families have had to endure over the past two decades and still have to endure in every European **country**. In so doing, it hopes to refocus public attention, stakeholders' priorities and resources on long-running injustices that may seem intractable to many but are only insoluble if we allow them to be.

Child rights actors have achieved remarkable successes over the last three decades, and the whole sector has adapted to address emerging threats and evolving manifestations of child rights violations from climate change, technology and artificial intelligence. But the core of our work remains fighting family poverty, combating discrimination and protecting the rights of vulnerable, marginalized children, no matter how long it takes. It is vital that we do not forget that Roma children are still living in dire straits on our very doorstep, more than 30 years after the Convention came into force. We must not allow this to continue. To passively tolerate such a situation diminishes our efforts on behalf of all children. If we once accept – however unwillingly or unwittingly – second-class citizenship for Roma children, then we have weakened our case for fair and equal treatment for **migrant** children, those in detention, those with disability and many others. To fail Roma children is to fail all children. It is also to fail ourselves.

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The States Parties to the present Convention shall respect and ensure the rights set forth in this Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status

**United Nations Convention on the Rights of the Child, Article 2.1**

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration

**United Nations Convention on the Rights of the Child, Article 3.1**

In those States in which ethnic, religious or linguistic minorities, or persons of indigenous origin exist, a child belonging to such a minority shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language

**United Nations Convention on the Rights of the Child, Article 30**

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

**United Nations Convention on the Rights of the Child, Article 12**

# 1. Context, purpose, aims and scope

Roma are the largest and most excluded ethnic minority population in Europe. The majority of Roma families live with levels of poverty and unemployment that impact negatively on their life expectancy and quality of life, and key welfare indicators for Roma children lag significantly behind those of the non-Roma population. Although Roma families and communities have benefited from individual measures, efforts to close the gap between Roma and non-Roma children over the past 20 years have had limited success. Progress has been too slow and too sporadic, and it has left too many Roma children behind.

Roma children have experienced violations of almost every aspect of their civil, social, political and cultural rights. The primary focus of this study, however, is on the significant gaps in key health, education, **protection** and welfare indicators that still exist between Roma and non-Roma children across Europe, despite the investment of considerable resources over two decades. The study comprises a review of the current literature in this area, emphasizing the latest data and findings, and a meta-evaluation of Roma child-related projects conducted in the last 20 years. **Its purpose is twofold. First, it aims to bring renewed attention – particularly that of child rights actors – to the unacceptable living conditions that Roma families across Europe are currently enduring. Second, it seeks to contribute to developing a strong, child-focussed model of programming by exploring the lessons learned – both positive and negative – from 20 years of working with and for Roma families and children. It is our hope that such a model can bring real, positive, sustainable change for all Roma children.**

## Roma families in Europe 2000

Front and centre among those persons being left outside Europe's new security and prosperity are the Roma. In many countries, Roma have been decreed illegal residents on their own property, banished beyond municipal boundaries, and left outside the community of common concern. ... **Romani** communities are the subject of hostile perceptions across an extraordinary range of countries. In some, politicians and citizens feel few scruples about expressing derogatory stereotypes of Roma. In this climate, Roma have been prime targets of ... what must properly be called pogroms. ... Although racist violence has claimed its largest toll in the countries of **Central and Eastern Europe**, where the majority of European Roma live, Romani communities experience widespread discrimination, including violence, in **Western Europe** as well.

– Max van der Stoep, High Commissioner on National Minorities, OSCE [2000]

The study particularly aims to inform European and national frameworks related directly to the improvement of Roma children's lives and the **social inclusion** of Roma children and their families within European societies. It is hoped that the study will contribute positively to the implementation of the recently adopted European Child Guarantee framework (hereafter the Child Guarantee)<sup>3</sup>, the EU Roma Strategic Framework for Equality, Inclusion and Participation 2020–2030 (hereafter the **EU Roma Strategic Framework 2020–2030**) [EC, 2020.01]<sup>4</sup> and the EU Strategy for the Rights of the Child [EC, 2021.02]<sup>5</sup>. A further aspiration is that it will facilitate full inclusion of Roma families and children in all European and national social development strategies and policies related to the achievement of the

Sustainable Development Goals (SDGs). It is intended to promote a common understanding among all stakeholders of the need for a stronger focus on, and greater investment in, realizing the rights and meeting the needs of Roma children within the next decade.

The study has adopted, as far as possible, a child rights perspective<sup>6</sup> that accepts the rights stipulated in the articles of the United Nations Convention on the Rights of the Child<sup>7</sup> (hereafter the Convention) and its Optional Protocols as the normative standards to be achieved by all European national governments for all children on their territory, including Roma and Traveller children. **It is underpinned by the recognition that Roma and Traveller children have the same moral and legal entitlement to the rights outlined in the Convention as their non-Roma peers; that all European governments have a legal duty and obligation to realize those rights for all children on their territory, regardless of their legal status or ethnicity; and that the Convention provides the most complete, comprehensive and effective framework for action to improve the lives of Roma children and their families.** This is not to question the legitimacy, effectiveness or usefulness of other international, European or national frameworks; however, these are assessed within this report in terms of their contribution to supporting national stakeholders to meet their obligations under the Convention.

This perspective demands a holistic, child-centred approach that puts the child at the centre of the analysis while recognizing that **the welfare of the child's family and community is integral to the welfare and protection of the child. A holistic approach demands that the child's family and community are supported; that the child's language, culture and religion are respected; and that the age and gender of the child are taken into account.** A holistic approach also recognizes that children's rights are indivisible and that to prioritize one over another reduces impact and sustainability. Realizing the child's right to quality education, for instance, requires not just access to school but also family support, proper housing, adequate nutrition, full health care, protection from **abuse** and exploitation, and respect for the child's culture, language and religion. This report calls for the urgent revision of the current accepted frameworks of response to Roma child issues in both the Roma inclusion and child rights sectors to ensure that the national strategies and policies springing from these frameworks respond swiftly to the full spectrum of Roma children's rights, rather than enabling national authorities to whittle away children's entitlements with impunity. To further strengthen equity and effectiveness, actors in both sectors need to greatly expand their current modes of partnership and cooperation and adopt a common, rights-based, anti-discriminatory approach to realizing Roma children's rights.

This report also adopts a pan-European perspective and framework of analysis. It is common in both child rights and Roma inclusion discourses to present Roma poverty as a Central and Eastern European phenomenon imported into Western Europe through migration. The evidence does not support this perception. [FRA, 2020] There are large numbers of Roma and Traveller citizens in every European country except Malta, and in each of these countries, they seem to be disproportionately represented among those facing poverty, deprivation and discrimination. There are significant gaps in health, education and welfare outcomes between Roma and non-Roma children in all Council of Europe member States and in every European country, from Ireland to Türkiye and from Greece to Finland. While it may be useful for international bodies to prioritize countries with large Roma populations or higher rates of Roma child poverty in their response frameworks, it is not yet proven that this is the most cost-effective way to redress European Roma family poverty and deprivation. This should not, at any rate, remain the only available model.

### Roma families in Europe 2002

Despite popular associations of Roma with nomadism, Roma have been stable residents of many of the countries under review for hundreds of years. ... Even so, Roma are widely perceived and treated as outsiders in many countries where they have centuries-old roots ... Contemporary challenges confronting the Roma cannot be understood without a basic appreciation of their historical experience of persecution and rejection. Although Roma history includes episodes of comparatively benign treatment, ... the dominant European response to the Roma has been one of social and legal rejection. ... This legacy is only slowly being addressed. While some attempts have been undertaken, particularly by the OSCE and the Council of Europe, to improve the situation of the Roma, the overall picture remains one of a Europe-wide under-class and its extreme alienation from the rest of society. The treatment of Roma throughout the CEE [Central and Eastern Europe] region, ... is a chilling example of just how severe an impact the wilful denial of citizenship rights can have, especially on the most vulnerable members of the population – women, children and the elderly.

– Chudoba [2002]

Most Roma child-related studies acknowledge the reality of discrimination in Roma lives but fail to go beyond acknowledgement to adopt an explicit anti-discrimination framework. [Byrne and Szira, 2019] Child rights literature tends to describe discrimination against Roma families using passive language – Roma are discriminated against; Roma are the most socially excluded group in Europe, etc. – and to rank discrimination and its consequences equally – Roma children are subject to poor housing, limited education, discrimination, etc. In so doing, the literature runs the risk of unintentionally confirming popular prejudices and stereotypes and reinforcing the notion that discrimination is somehow an inherent element or consequence of Roma culture or lifestyle. The literature reviewed for this paper would seem to indicate that, on the contrary, **discrimination against Roma is an inherent feature of governance institutions, administrative structures, service delivery mechanisms and professional practice in all European countries and that this needs to be countered actively, consistently and regularly if Roma children are ever to realize their rights.**

Prejudice and discrimination against Roma children are as rooted in child rights and child welfare institutions as they are in other societal institutions, and they operate actively, although often unconsciously, against the **best interests** of Roma children and their families. It is important that the role, nature, consequences and mechanisms of discrimination against Roma children within child rights discourse and institutions is fully and openly explored and that child rights actors and agencies first acknowledge and then challenge their own implicit biases. Discrimination negatively affects many vulnerable child populations and contributes significantly to family poverty and deprivation across Europe. However, the scale, extent and impact of the discrimination experienced by Roma children is unprecedented in Europe. Indeed, they are probably the only European child population for whom public prejudice and structured discrimination are the main, primary and direct cause of their poverty, deprivation and exclusion.

Unfortunately, this report is unable to fully adopt a **child rights-based approach**<sup>8</sup> because of its inability to sufficiently represent the narratives of Roma families and children. The absence of Roma voices in child rights discourse, particularly Roma children's voices, has been a key factor impeding the development of a strong child rights model of Roma inclusion. Research has, often unwittingly, reinforced negative perceptions of Roma by not challenging strongly enough the common perception



that Roma's dire living conditions are self-inflicted or even self-chosen. This, in turn, has skewed Roma-related policy, planning and programming over many years. [Byrne and Szira, 2019] The author has tried to redress this inherent flaw in all Roma child-related research by drawing as much as possible on Roma-led research and evaluations. Nevertheless, there is still insufficient Roma-led research on children to be able to present the many severe violations of Roma children's rights across Europe in a way that is satisfactorily counterbalanced with a realistic and sympathetic description of the warmth, strength and resilience of Roma children and their families. It is hoped that this report will spark a more balanced debate and open up the space for Roma children and families to be heard by child rights advocates, actors and agencies.

## 2. Sources and searches

This study drew on open-access research **studies**, evaluations, assessments and policy analyses relating to Roma children<sup>9</sup> and families across 41 European countries<sup>10</sup> undertaken between 2000 and 2020. The typology of the studies examined encompasses those with a transnational, national, regional or local focus, and those that use quantitative, qualitative or mixed methodologies. The search strategy initially identified child-related research across all European countries in the last two decades. It then refined this down to child-focussed research which fell into any of three categories: (1) child-focussed/Roma-inclusive, (2) Roma-focussed/child-inclusive or (3) Roma child-specific. In the first two categories, a 'child-focussed' document was defined as one that offered 'substantial comment' on Roma child issues, meaning that it either included a discrete section or chapter on Roma children or featured Roma children in a significant number of sections. This, of course, was still open to interpretation.

The search initially drew on the following sources: a database of 486 Roma child-related studies spanning 39 European countries that had been identified as part of a 2018 mapping exercise [Byrne and Szira, 2019]; the UNICEF Multiple Indicator Cluster Surveys (MICS) carried out in Serbia, Kosovo, [UNICEF, 2014.01 and 2014.02] Bosnia and Herzegovina, Montenegro and North Macedonia between 2010 and 2020 [Bernat, 2015; Byrne 2019]; and the multi-country surveys of Roma and Traveller families conducted by FRA in 2011, 2016 and 2020 [FRA, 2012, 2016 and 2020].

MICS is the largest source of statistically sound and internationally comparable data on women and children worldwide, and it is by far the most Roma child-focussed research/database available in Europe. MICS measures national child populations against internationally accepted child health, development, education and welfare indicators, and in the five countries noted above, MICS surveyed a sample of the general child population and the Roma child population. This enables direct comparison between Roma and non-Roma families and clear identification of the gaps between them, measured according to internationally agreed criteria.

The Minorities and Discrimination Surveys (MIDIS I and II) run by FRA in 2011 and 2016 also collected comparable data on Roma households in EU member States. The report 'Roma and Travellers in Six Countries' [FRA, 2020] presents findings from interviews with almost 4,700 Roma and Travellers in Belgium, France, Ireland, the Netherlands, Sweden and the United Kingdom of Great Britain and

Northern Ireland. Together, these three surveys highlight the gaps between Roma and non-Roma families in 18 European States over a 10-year period.

The author then trawled an updated library of development, academic, Roma inclusion and child rights websites and databases initially identified during the 2018 mapping exercise, [Byrne and Szira, 2019] using 'Roma Child 2000–2020' as a filter. This gave access to a number of Roma child-focused thematic studies, evaluations and situation analyses from United Nations agencies, EU institutions, universities, international and local non-governmental organizations (NGOs), as well as human rights, child rights, social inclusion and Roma rights networks. These and other purely academic papers were dismissed, as were funding proposals and all research, evaluations and journal articles that were not publicly available. The final analysis prioritized peer-reviewed, transnational, multi-country research that enabled comparison between (1) Roma and non-Roma populations and (2) country contexts and responses. These sources were supplemented by thematic studies and country situation analyses from the United Nations, EU, international agencies and Roma organizations that illustrate particular thematic or country issues, solutions and/or good practice.

The sections on health and nutrition draw on the findings of the MATRIX survey of Roma and Traveller health [MATRIX, 2014], an evidence-based review of the literature on Roma health conducted between 2008 and 2013 in the 28 EU member States plus Norway, Iceland and Liechtenstein. The survey includes case studies from Bulgaria, Croatia, Czechia, France, Greece, Hungary, Ireland, Italy, Poland, Portugal, Romania, Slovakia, Spain and the United Kingdom.

This report also drew on the database of country monitoring reports of the European Commission against Racism and Intolerance (ECRI), which undertakes a cycle of assessment of racism and **antigypsyism**, as well as state responses to it, in all 47 Council of Europe States [ECRI, n.d.].

To identify good practice and learn from programmatic interventions, the study drew on the retrospective assessment of the 'Implementation of the Action Plan for Improving the Situation of Roma and Sinti Within the OSCE Area 2003–2013' [OSCE, 2013]; the 2015 evaluation of the Instrument for Pre-Accession Assistance (IPA) I programme [Allen et al, 2016]; the Decade of Roma Inclusion Progress Reports [Friedmann, 2015] and *Decade Watch* series published between 2005 and 2015 [Roma Decade, n.d.]; and the evaluations of implementation of National Roma Integration Strategies (NRIS)<sup>11</sup> provided by the EC.

The NRIS country progress reports submitted to the EC are a particularly valuable resource. The EC has established rigorous NRIS monitoring and evaluation processes, and the Roma Civil Monitoring reports (RCMs) for EU countries (except Malta) provide a Roma perspective on the situation of Roma families in EU countries [Center for Policy Studies, n.d.]. These reports have been analysed and synthesised [Hojsík et al, 2020; Hojsík and Fremlová, 2018; Ryder, 2020], and they provide many of the models of good practice presented in this report. The EC also commissioned a meta-evaluation of NRIS interventions through the Joint Research Centre [Fresno et al, 2019.02].

Finally, this report also drew on the Feasibility Study for a Child Guarantee (FSCG) commissioned by the Directorate-General for Employment, Social Affairs and Inclusion of the EC [Frazer et al, 2020] and particularly the 'Target Group Discussion Paper on Children living in Precarious Family Situations' [Fresno et al, 2019.01]. These reports were produced by a consortium of child rights actors and they bring together input from the following sources: 28 Country Reports; reports on each of the five priority

areas identified by the European Parliament (free health care; free education; free childcare; decent housing; adequate nutrition); a report on each of the four target groups singled out by the EC (children in institutions; children with disabilities; children with a migrant background; and children living in a precarious family situation); an online consultation with key stakeholders; eight case studies highlighting lessons from international funding programmes; four consultations with children (although it is not clear how far Roma children were included in these) [Morabito et al, 2019]; and four fact-finding workshops. Roma children were considered under the category 'children in a precarious situation'.

Roma children and families are widely studied, but there is a far more limited portfolio of Roma child-specific studies and an even narrower band of child rights-oriented research on Roma children in Europe. Therefore, this report quotes mainly, but not exclusively, either child-focussed/Roma-inclusive studies or Roma-focussed/child-inclusive studies.

### 3. Population and demographic trends

Roma are a diverse and heterogenous population and even the term 'Roma and Travellers' as used within EU and Council of Europe documents can be disputed. [Marsh, 2007] Although Roma constitute Europe's largest ethnic minority, in many European countries neither the Roma population nor its constituent groupings are recognized as an ethnic identity under national law. **The use of the generic term 'Roma' in this report is not intended to deny the diversity that exists across and within these communities and groups. Their diversity, as well as their many commonalities, needs to be acknowledged and respected, not just for practical programming purposes but also because respect for the child's own unique identity, culture and traditions is a core right guaranteed to every child under the Convention.**

The Council of Europe estimates [COE, 2012.02] that there are approximately 11 million Roma living in the Europe and Central Asia region, of whom about 4.5 million are children. This is more than twice the child-population of Belgium. **The majority of Roma – about 6 million people, including about 2.5 million children – live in the EU.** In terms of absolute numbers, Türkiye has the largest Roma population in Europe (2.75 million), followed by Romania (1.85 million); Russian Federation (825,000); Bulgaria, Hungary and Spain (750,000 each); Serbia (600,000); Slovakia (490,000); and France (400,000). Albania, Czechia, Germany, Greece, Italy, Moldova, North Macedonia, the United Kingdom, and Ukraine each have a Roma population of between 100,000 and 250,000. The Roma population in most Western countries includes varying proportions of migrant and national families. Considered as a percentage of the overall population, Bulgaria ranks first in Europe, with Roma constituting almost one tenth of the country's total population (9.94 per cent). It is followed by North Macedonia (9.56 per cent); Slovakia (9.02 per cent); Romania (8.63 per cent); Serbia (8.23 per cent); and Hungary (7.49 per cent).

The Roma population is consistently younger than the European population across all European countries. Using the average for the 28 EU member States, MATRIX 2014 estimated<sup>12</sup> that the European Roma population in 2014 had an average age of 25.1 years, compared to 40.2 years for the non-Roma population. Various studies across Europe [Gedeshi and Jorgoni, 2011; Byrne, 2013.03; UNICEF, 2014.01] have reinforced the original EU Roma Framework calculation in 2011 that 35.7 per

cent of the Roma population in Europe at that time were under 15 years of age, compared to only 15.7 per cent of the EU population overall. [EC, 2011.01] Current census data seems to justify taking 40 per cent as an approximate proportion of children in the European Roma child population, or about 4.5 million children in total. For instance, the 2016 census in Ireland [Central Statistics Office, 2016] found that under-15s made up 39.7 per cent of the Irish Traveller population and that 49.6 per cent of Travellers were between 0 and 19 years of age. This would seem to confirm a continuing need to adopt a strong child-focussed approach to Roma inclusion across the European region.

#### **Roma children in South-East Europe 2007**

Poverty and exclusion affect children even before they are born because of the conditions of their family and mother. Low birth weight of new-born children (less than 2,500 grams) is often related to low nutritional status among poor pregnant women. The majority of Roma in South East Europe (53%) reported going hungry in the previous month, compared with only 9% of average non-Roma population. Linked to this, almost twice as many Roma children have low weight at birth compared with the national average population.

This disadvantage increases over the years. ... Six times as many Roma children are underweight, compared to the average national figures in Serbia. In FYR Macedonia three times as many Roma as national average are underweight.

When Roma children reach school age, ... the disadvantages they experienced since birth become more visible. ... The MICS survey in FYR Macedonia shows that only 45% of the 63% of Roma children who entered primary school manage to complete it. In Serbia only 13% of Roma children complete primary school ... with the result that their chances of going on to secondary and higher education are much reduced in comparison to non-Roma children.

– Adapted from UNICEF [2007]

## 4. Prejudice, discrimination and antigypsyism

European commitment to Roma inclusion has been blighted over the last half century by blatantly anti-family policies and campaigns which have repeatedly been aimed at Roma communities by national, regional and local governments. Such instances have included the removal of children from families in Sweden [Swedish Ministry of Culture, 2015]; involuntary sterilization of Roma women in Slovakia [Zampas et al, 2003]; forced assignment of Roma families to substandard 'nomad camps' in Italy [Bormioli et al, 2014]; and mass deportations from France. [Cahn and Guild, 2010] These experiences have inevitably left a deep impression in Roma culture, and they act to remind Roma families of the risks their children face from prejudice and antagonism in almost every European country. FRA [2016] stated that 40 per cent of Roma had been victims of hate-motivated harassment or discrimination in

the previous five years. FRA [2020] notes that almost half (45 per cent) of Europeans are uncomfortable with Roma as neighbours and that 44 per cent of Roma and Travellers surveyed in Western Europe in 2019 had experienced hate-motivated harassment in the previous year, while 7 per cent had experienced violence.

ECRI country monitoring reports [ECRI, n.d.] show that across Europe, the period from 2015 to 2020 saw a consistent increase in hate speech promulgating negative stereotypes of Roma and promoting segregation, exclusion, direct discrimination and even violence. The European Roma Rights Centre (ERRC) [ERRC, 2011.01] has documented hundreds of assaults on Roma men, women and children; mob attacks on Roma homes and settlements; burning of houses, cars and property; forced evictions; and even killings. Children of all ages have been injured and killed in these attacks. Roma boys and young men seem to be at particular risk of attack in European cities.<sup>13</sup>

Rising levels of hate speech and public demonstrations of violence represent only the tip of the iceberg for Roma families. **Discrimination affects Roma families every day, through the many institutional, structural and systemic barriers that prohibit, prevent or restrict their access to health, housing, education, employment, child protection, family welfare and social care services. This discrimination is often exacerbated by an insidious but frequently unrecognized bias prevalent in service-delivery personnel and professionals which reduces their willingness to adjust procedures and processes in order to facilitate Roma families' access to their entitlements. Agencies are increasingly recognizing the need to examine Roma inequality through an antigypsyism lens, but there is still no common understanding of the scope, depth or implications of antigypsyism for children and their rights.**

#### Definition of antigypsyism

[A] historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms that incorporates a homogenizing and essentializing perception and description of these groups; the attribution of specific characteristics to them; discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect, and which reproduce structural disadvantages.

– *Alliance against Antigypsyism [2017]*

Unfortunately, not enough is known about the current reality of Roma children's everyday lives. To date, there has been no large-scale or in-depth examination – by either the child rights or the Roma rights sectors – of the strengths and stresses of Roma family life in today's Europe from a child rights perspective, and particularly no Roma child-led research. However, MICS data and other studies clearly illustrate the impact of discrimination and exclusion on the life chances of Roma children.

Systemic exclusion from the labour market leaves many Roma families living in a cycle of poverty that erodes their capacity to provide a safe and nurturing environment for their children. Non-participation in school and limited access to statutory services increases the child's vulnerability even further. All available research indicates that **as a result of family poverty, poor living conditions, active discrimination and social exclusion, Roma children consistently score higher than national averages on internationally accepted indicators<sup>14</sup> of children at risk – unregistered births; exposure to physical and psychological violence; acceptance of domestic abuse; child marriage; child labour; trafficking; and child disability. Roma children are also disproportionately represented in institutional care.**

While ECRI has documented the increased risk of death or injury from racist violence and the emotional and mental stress of living with such risk, Roma children also face the hazards of family poverty, which negatively affects the child's health, well-being and future life prospects. [Tomer, 2014] **Discrimination, including antigypsyism, inevitably weakens a child's protective environment in various ways: it disrupts family life and community protection mechanisms; it denies the child access to wider social care and protection mechanisms; it depletes the family's resources; and it undermines parents' independence and self-sufficiency, limiting their capacity to provide for a child as they would wish.** Living within a hostile social environment undoubtedly erodes the confidence of Roma children and challenges their resilience. Interactions outside their immediate circle are likely to be threatening, stressful and even conflictual, and the messages they receive from wider society tend to be negative, debilitating and hostile. Discrimination increases Roma children's exposure to external risks and reduces their opportunities to enjoy childhood.

## 5. Unemployment, family poverty and deprivation

**MIDIS II found that 80 per cent of Roma in the nine European countries surveyed were living below the at-risk-of-poverty threshold<sup>15</sup> in 2016, and that this figure was as high as 98 per cent in Spain, 96 per cent in Greece and 93 per cent in Croatia. FRA [2020] found in 2018 that every fourth Roma and Traveller child surveyed (23 per cent) was living in a household characterized by severe material deprivation, compared with an EU average of only 6.6 per cent for children in the general population.<sup>16</sup>** These figures, while valid, assume an income-based definition of poverty, which may provide an incomplete understanding of child poverty. For children, income poverty is linked to deprivation and social exclusion, and all three must be examined in order to fully ascertain the impact of poverty on children and families.

Employment is acknowledged to be a key condition contributing to social cohesion, social inclusion and child well-being. **MIDIS II found that only one in four (25 per cent) Roma aged 16 years or older reported 'employed' or 'self-employed' as their main activity at the time of the survey, compared with 64 per cent of the general population in the respective EU member States.** There had been no improvement in employment rates since 2011. Self-declared employment rates of Roma were highest in Greece (43 per cent), followed by Hungary (36 per cent) and Portugal (34 per cent). Overall, across the MIDIS II countries, one third of Roma respondents (34 per cent) declared themselves to be 'unemployed', and the figure was above 50 per cent in Croatia (62 per cent), Spain (57 per cent) and Bulgaria (55 per cent). The situation seems to be much the same still in Western Europe. FRA [2020] shows that the proportion of Roma and Travellers in work is still well below the employment rate of the general population, ranging from 15 per cent in Ireland to 50 per cent in Belgium.

The employment gap between Roma women and men is high, except in Ireland, ranging from 10 percentage points in Sweden to 52 percentage points in the United Kingdom. Overall, Roma women report much lower employment rates than Roma men – 16 per cent compared with 34 per cent. The situation of young people is substantially worse.

On average, **63 per cent of Roma aged 16–24 were not in employment, education or training (NEET) at the time of the MIDIS II survey, compared with an EU average NEET rate of 12 per cent for the same age group.** There appear to be three main reasons behind the labour market disadvantage of Roma in all countries: (1) the low average educational level of the Roma populations; (2) weak institutional capacity to redress employment inequities and facilitate Roma entry into the labour market; and (3) employer discrimination.

Tackling discrimination in housing and improving Roma employment rates are essential long-term strategies to address family poverty. Unfortunately, however, their success cannot be guaranteed within a reasonable timescale. Furthermore, while having a job may be the best safeguard against social exclusion, it is not a sufficient guarantee against poverty, particularly for families with children. In 2018, 10.8 per cent of households in the EU-27 with dependent children faced the risk of in-work poverty, a share that was 2.9 percentage points higher than that recorded among households without dependent children. Romania (17.4 per cent) recorded the highest rate of in-work poverty for households with dependent children, followed by Spain (15.8 per cent) and Italy (15.5 per cent). [Eurostat, 2018] In-work poverty is mostly a result of low labour force attachment and inadequate earnings, income support or tax-benefit systems, all of which are associated with the Roma population. For example, in Spain, 19.3 per cent of Roma people at risk of poverty actually have a job [FSG, 2020]. It should not therefore be assumed that increasing Roma employment will automatically reduce Roma family poverty without major structural changes in employment and wage patterns.

Child poverty extends beyond income poverty, but family income is crucially important for children's health, education and development outcomes. Evidence [SPC, 2014] shows that children living in low-income households have worse cognitive, social behavioural and health outcomes, in part because they are poorer. **Roma child poverty is therefore an immediate issue that needs to be urgently and directly addressed. Action to improve children's health, welfare and development cannot be delayed for years pending achievement of long-term employment and housing integration goals.** Social transfers can help mitigate the immediate effects of family poverty and reduce the risk of child poverty by up to 40 per cent in EU countries (although the impact varies across member States). [Cooper and Stewart, 2013] **It would seem to follow that ensuring Roma families' immediate access to social welfare has to be a key strand of any Roma child rights strategy. Lack of access to social welfare/assistance is a significant contributor to Roma family poverty and, as such, is a major risk factor for Roma children already vulnerable to trafficking, child labour, child begging and child marriage.**

Although fair and equal access to social welfare systems, structures and programmes is a fairly immediate issue for many Roma children, there is a dearth of research on the barriers that Roma families face in accessing their welfare entitlements. [Byrne and Szira, 2019] This absence of research on 'access to social welfare/assistance' represents an imbalance that needs to be addressed urgently. The RCMs identify lack of identity documents, illiteracy and lack of information as barriers that block Roma families from accessing benefits, and anecdotal and programmatic evidence indicates that these are barriers to general social welfare services too. [Hosjik, Fremlová, and Zentai, 2020] The complexity of the administrative conditions and procedures involved in applying for some social welfare benefits creates real barriers for many vulnerable families trying to access social welfare support and effectively debar many Roma families from accessing their entitlements. [Byrne, 2013.03] **If Roma family poverty is to be redressed within any reasonable timescale, a comprehensive audit of anti-Roma bias needs to be undertaken as soon as possible for every national social welfare system in Europe in order to identify and challenge structural and systemic barriers to Roma access.**

All States recognize the value of family and child benefits, particularly to vulnerable children, and a **rights-based approach** to child well-being would imply that these benefits should be available to all children residing on the national territory, regardless of their legal or migration status or ethnicity. Strengthening and expanding national child benefit systems, to ensure that they reach all families, needs to be an integral strand of any strategy aimed at redressing Roma poverty. **The exclusion of Roma families from state social benefits and assistance schemes has an immediate, negative impact on the Roma child's physical, mental and emotional development, and this cannot be mitigated or compensated for by increased engagement with other child support institutions like schools or clinics. It is an area of discrimination and deprivation that needs to be addressed urgently. Without resolution, the other strands of support for Roma inclusion are unlikely to succeed.**

## 6. Shelter, accommodation and basic services

Article 27.3 of the Convention<sup>17</sup> recognizes that proper **accommodation** is key to ensuring family stability and a protective environment for children, and the provision of quality housing<sup>18</sup> and living environments is increasingly acknowledged as a crucial mechanism for tackling child poverty, reducing risk and promoting social inclusion. [ESN, 2012; Frazier and Marlier, 2014; Brozaitis et al, 2018] The available evidence shows a clear link between housing quality [Culora and Janta, 2020] and the physical, mental and emotional well-being of children, as well as their overall development. [Eurofound, 2016]

In 2014, OSCE assessed [OSCE, 2014] the quality of Roma housing conditions in the **Western Balkans** against international standards. It found that the quality of Roma settlements and housing facilities was substandard compared with that of the average population, highlighting Roma's social and economic exclusion. The survey observed increasing movement of Roma families from rural areas to the fringes of towns and urban centres. Following internationally accepted measures, conventions and definitions, it found issues relating to security of tenure; legalization; threats of eviction; access to basic services and infrastructure; affordability; habitability; location; and access to social housing. The RCMs indicate [Hojsík and Fremlová, 2018] that these are still issues impeding Roma inclusion across Europe. Due to family poverty, multiple deprivation and social exclusion, Roma are overrepresented in the social housing sector and therefore share with other poor families the disadvantage of insufficient available social housing.

Roma families, however, have to endure the added disadvantages of direct and indirect discrimination. This is often in flagrant violation of the EU Racial Equality Directive, which highlights housing among the publicly available goods and services to which nondiscriminatory access and supply should be granted. [Council of the European Union, 2020] Direct discrimination excludes Roma families from much of the private rental market. Landlords refuse to accept them, or they offer only insecure or undocumented tenure, which makes eviction easier and prevents access to the education, health and welfare services to which they may be entitled. Local authorities can also impose discriminatory conditions related to residence, employment, status, language or literacy that disproportionately affect Roma families' eligibility for social housing. Cuts made in recent years to housing benefits and social assistance have also had a general impact on housing affordability.



**Accessing suitable accommodation is even more difficult for Traveller families with mobile lifestyles.**

In the United Kingdom, Ireland and Belgium, there is a lack of sites for both temporary and residential stay and access to basic amenities in existing halting sites appears to be insufficient in many regards. More than 90 per cent of Travellers in Ireland, Belgium and the Netherlands feel that there are not enough appropriate halting sites for them to live on. Around one fifth of the caravan dwellers in Belgium and of Gypsies and Travellers in the United Kingdom report that they have no access to tap water or electricity at halting sites. [FRA, 2020] The French Gens du Voyage experience similar challenges [Fantacci and Schulmann, 2014; Taoussi, 2017], and although mobile Roma make up only about two per cent of all Roma in Italy, no authorized halting sites are provided. In most EU member States, a large share of housing inhabited by Roma is of low quality compared to that of the general population, and Roma housing still tends to be concentrated in neighbourhoods with more environmental problems.

**Table 1. Roma living in areas affected by pollution compared with the general population in nine EU member States (%)**

Country	Pollution, grime or other environmental problem	
	Roma Communities, 2016	Non-Roma communities, 2014
<b>Bulgaria</b>	27	15.7
<b>Croatia</b>	31	05.7
<b>Czechia</b>	41	13.7
<b>Greece</b>	28	23.2
<b>Hungary</b>	24	15.0
<b>Portugal</b>	36	13.7
<b>Romania</b>	11	16.8
<b>Slovakia</b>	33	12.2
<b>Spain</b>	27	10.2
<b>Total</b>	<b>25</b>	

Source: Adapted from FRA [2016]

MIDIS II found that on average, non-Roma families had almost twice as many rooms per person (1.3) than Roma families (0.7). Roma homes were also more likely to have a leaking roof; damp walls, floors or foundations; rot in the window frames or floor; and insufficient light – all factors that may be harmful for children’s health. **MIDIS II results showed that 10 per cent of Roma families lived in accommodation without electricity; 30 per cent of Roma children across nine EU States<sup>19</sup> still did not have tap water inside their dwelling; and 46 per cent had no indoor toilet, shower or bathroom.** This inequitable pattern was confirmed by an ERRC survey [ERRC, 2017.01; Szilvasi and de Verneuil, 2019] on access to drinking water and sanitation in 93 Roma settlements in seven countries. Water sources in marginalized settlements are often polluted by animals, industrial pollution or agricultural fertilizers. MIDIS II reports that pollution and environmental problems can be up to six times more prevalent in Roma communities than in those of non-Roma populations. RCMs indicate that this is also the case beyond the MIDIS II sample countries.

A recent survey by the European Environmental Bureau of 32 sites in five European countries found that Roma communities are regularly excluded from basic environmental services, such as drinking water, sanitation and waste management, while neighbouring areas receive these services. [Heidegger and Wiese, 2020] Roma settlements are also disproportionately affected by environmental burdens like pollution and environmental degradation stemming from nearby waste dumps and landfills, contaminated sites or dirty industries.

**Spatial segregation means that Roma families often have no choice but to live in environmentally degraded or polluted sites that leave children at risk of infection, illness or injury.** Even when Roma families are living in settlements where others would not settle, they are subjected to eviction, either by the local authorities or by violent mobs, without notice or direction to alternative accommodation. ECRI country monitoring reports have documented illegal evictions by local authorities in Albania, Czechia, France, Hungary, Serbia and Slovakia; mob attacks on Roma settlements in Austria, Czechia, Romania and Türkiye; and protests against Roma housing in the United Kingdom, Belgium, Ireland and Switzerland. The Collectif National Droits de l'Homme Romeurope [CNDHR 2018] reported at least one eviction every three days in France in 2017, often after the water supply had been cut off. Evictions have major negative consequences for Roma health, disrupting families' access to health services. [Médecins du Monde, 2011]

Although there is no comprehensive quantitative data due to underreporting, it has been noted across all EU member States that Roma generally have limited access to housing in non-Roma neighbourhoods due to discrimination and prejudice. The RCMs indicate that **shortage of affordable and secure housing and concentration of Roma families into segregated monoethnic neighbourhoods are prevalent in all EU member States. Public housing allocation policies in many countries seem to be – explicitly or implicitly – based on segregation, in defiance of European law.** Social housing allocation techniques used during the decline of the public rental housing stock were often linked with urban renewal strategies to keep Roma and poor households in compact buildings or neighbourhoods for easier management. One of the worst examples of systemic residential segregation noted in the RCMs is the approach practised by many Italian municipalities of accommodating Roma families in 'nomad camps' rather than facilitating access to regular housing. Roma in Italy continue to be deprived of access to standard housing and public authorities (with few exceptions) systematically segregate them into monoethnic camps. The Italian RCM report describes poor conditions on several sites due to ruined or slum housing; lack of access to drinking water and sanitation; limited garbage collection; insecure access to electricity; restricted heating; and overcrowding. The German RCM reports similar problems regarding improvised and informal settlements in parks and on brownfield sites around many German cities.

Disconnect between central and local governments seems to be a factor in both education and housing segregation. Local authorities operate best within strong national frameworks that give them clear, unambiguous guidance and practical support, particularly in areas where there may not be strong local support for action. Despite having more robust welfare and public administration systems, national governments in many Western European States exercise little supervision over local government policy on Roma inclusion, so that the actualization of NRIS targets through practical initiatives has to depend on the political will of local leadership. In France and Italy, despite NRIS desegregation and inclusion objectives, local authorities continue to segregate Roma families and seldom engage in more progressive solutions. The 2019 National Traveller and Roma Inclusion Strategy 2017–2021 report for Ireland indicates a systemic failure by local authorities to meet their statutory responsibilities to provide adequate and culturally appropriate accommodation for

Travellers. This is despite high levels of discrimination against Travellers/Roma in the private and public social rental sector and the availability of funding for Traveller accommodation. The shadow report to the Committee on the Rights of the Child in 2015 [Harmon, 2015] pointed out that in 2010, during a time of extreme pressure on Traveller accommodation in Ireland, 54 per cent of the money available to local authorities for Traveller accommodation went unspent; in 2011, this figure was 62 per cent and in 2012, 34 per cent. [Harvey, 2013]

## 7. Access to health care

The MICS data show very clearly that the health of Roma women and children is substantially worse than that of their non-Roma peers. Indeed, the indicators used enable actual measurement of the gaps between them in key health areas. These gaps are not Balkan-specific. **The MATRIX 2014 study, conducted across 31 European countries in 2014, found that Roma populations are generally exposed to a wider range of health risks; live less healthy lifestyles; have poorer access to, and lower uptake of, primary care and preventative health services; suffer poorer health outcomes in terms of morbidity from both infectious and chronic diseases; and have a shorter estimated life expectancy.** On average, in Belgium, France, the Netherlands, Ireland, Sweden and the United Kingdom, almost every third Roma respondent (29 per cent) experienced limitations to their usual activities due to their health, compared with one in four (25 per cent) among the general population. Health also affects employment rates, especially for men: 36 per cent said that they did not seek work because of health problems. [FRA, 2020]

Patterns of Roma access to and use of health services are not homogeneous. However, Roma families across Europe face economic and cultural barriers to accessing health care that are rooted in the organization of health systems, discrimination, culture and language, health literacy, service user attributes and economic factors. MATRIX 2014 indicates that Roma families are overly dependent on emergency services and hospital outpatient departments, and that even there, Roma families have been refused treatment. [van Hout and Stankiewicz, 2009] MIDIS II results show that **one Roma in four is not covered by national health insurance and that Roma families remain disproportionately represented, in every country, among those who are not covered by health insurance.**

Other practical barriers also affect children's ability to access health care services. These include lack of medical records; language; distance from medical centres and health services; lack of information; and confusion on the part of service providers about families' legal status and entitlements. The extent of children's access to national health care systems and services is frequently determined by their perceived legal status and/or their parent's insurance status in the country. The arbitrary (and often inaccurate) interpretation of Roma families' legal or migration status by local health personnel can significantly influence the services that health facilities and personnel are prepared to offer, and families' options can be diluted further by local assessments of whether the treatment sought is considered 'urgent' or 'essential'. MATRIX indicates a wide literature outlining discrimination or fear of discrimination, as well as cultural barriers, and **the NRIS country progress reports published between 2011 and 2019** [Hojsik and Fremlová, 2018; 25–29] **recorded numerous incidents of discriminatory behaviour. FRA 2020 reported that in 2019, around one in 10 Roma and Travellers said that they had experienced direct discrimination when accessing health care in the previous 12 months.**

All children are entitled to emergency health care in EU and European Economic Area member States and in the **pre-accession countries**, and this may be one reason why Roma families use emergency services more than non-Roma. However, the services available under emergency care differ from country to country, and national laws regarding families' entitlements to primary and secondary health care services vary considerably. Entitlement in law does not necessarily guarantee access to health care, since there can be legal or administrative conditionality.

The NRIS reports across 27 EU member States identify specific health areas in which Roma are performing much worse than the majority population, particularly Roma women, children and the elderly. [Hojsík and Fremlová, 2018: pp. 25–29] These include low rates of child vaccination; viral infections like HIV/AIDS and hepatitis; perinatal and women's health issues; cardiovascular diseases; respiratory diseases; mental health issues; and diabetes, obesity and nutritional deficiencies. MATRIX 2014 notes that there are few substantial studies and data on the health of Roma women, but MIDIS II found that on average, 23 per cent of Roma women experienced health limitations compared with 17 per cent of non-Roma women. This seems to be confirmed by the ROOSA survey [Weiste-Paakkanen et al, 2018] in Finland and the Roma Needs Assessment in Ireland. [Pavee Point, 2018.01]

**The available data indicate that Roma women have less access to family planning supplies, higher birth rates, higher numbers of teenage pregnancies, higher rates of illegal or unsafe abortions and lower uptake of cervical screening. They have higher rates of poor infant outcomes, including low birthweight and preterm birth, and they face multiple barriers to accessing health care services.**

[Colombini et al, 2011; Mihailov, 2012; Pavee Point, 2014] Regarding medical insurance, 18 per cent of Roma women declared having no medical insurance, compared with only 8 per cent of non-Roma women. Roma women also face unjustified costs and informal charges that deter them from seeking timely medical help, as well as discrimination, abuse and low-quality treatment when admitted to the maternity hospital. [Watson and Downe, 2017]

There has been very little research on the long-term impact of discrimination on Roma children's mental and emotional development. Similarly, the European health sector has undertaken only limited study [Goward et al, 2006; Walker, 2008] of the impact of the constant stress, hostility and poverty endured by tens of thousands of Roma children living in shacks, squats and camps, where they may be vulnerable to the elements and exposed to hostility, open expressions of prejudice and deliberate discrimination. Studies [ERRC, 2014] conducted in 2011 in the formal camps in Italy revealed that a high percentage of children raised in such deprived environments are prone to anxiety disorders, phobias, sleep disorders, attention and hyperactivity disorders, and delays in learning, which "are also predictive of more serious disorders in adolescence and adulthood". [Associazione 21 Luglio, 2010]

The All-Ireland Traveller Health Study [Kelleher et al, 2010] observed that the burden of mental illness is higher in the Traveller community than in the general population and that this reflects broader social determinants of health. Between 2000 and 2006, the suicide rate among Irish Travellers was over three times that of the total population; in 2005, it was over five times the national rate. Over 65 per cent of Traveller suicides occurred among those aged under 30, compared with only 34 per cent for the same age cohort in the general population. The need to tackle mental health issues among the Traveller community is particularly urgent, given that 42 per cent of Irish Travellers are under the age of 15. [Pavee Point, 2015]

**Squeezed into settlements and cut off from health care and sanitation, Roma communities were also especially vulnerable in the COVID-19 pandemic, and had additional difficulties observing lockdowns, social distancing and even hygiene recommendations.** Roma families are often confined to overcrowded neighbourhoods with limited access to clean water and sewage, overcrowded dwellings and few open spaces. [Müller et al, 2020] Roma families very likely paid dearly during the pandemic for years of official neglect, and they faced further risks due to the potential of COVID-related restrictions to facilitate, justify or conceal hate crimes – as in the case of five Roma children in Slovakia who were beaten and threatened with a gun for straying outside their campsite in search of water. [Rorke, 2020]

## 8. Mother and child health and nutrition

**MATRIX 2014 records especially high rates of infant mortality among Roma in Bulgaria, Czechia, Hungary, Italy and Slovakia, and this was confirmed by the NRIS progress reports for 2011 to 2019.**

Studies indicate a direct relationship between higher infant mortality among Roma and the families' socio-economic conditions, with a high incidence of risk factors among pregnant women, especially poor housing and environmental conditions, which increase the relative risk of lower birth weight and other non-favourable outcomes. [Bobak et al, 2005] In Hungary, data also suggest a link between relatively high infant mortality rates and social determinants of health. [Mihailov, 2012] The European Public Health Alliance [EPHA, 2018] observes that the infant mortality rate among Roma children in Romania is four times higher than the national average, and that according to the 1992–2012 findings of the Prognostic Institute of the Slovak Academy of Science, the infant mortality rate in the first year of life was approximately 2.5 times higher in Roma communities than for the whole population of Slovakia. Of every 1,000 live births in Roma localities during that time period, 20 infants under the age of 1 died; in the Slovak majority population, the figure was only 8 in every 1,000. Traveller infant mortality is estimated at 14.1 per 1,000 live births in Ireland, compared to an infant mortality rate of 3.9 per 1,000 in the general population, giving an infant mortality ratio for Traveller children which is 3.6 times higher than that of the general population. [Kelleher et al, 2010; Pavee Point, 2014]

Vaccination campaigns were one of the most notable health achievements highlighted by National Roma Contact Points in the 2019 NRIS review [EC, 2019], particularly in Croatia, Hungary, France and Greece. However, MICS 2014 found that only 44 per cent of Roma children under 3 years of age in Serbia had received the full schedule of vaccinations, compared with 80 per cent of non-Roma children. Meanwhile, a survey by the Roma NGO Romalen Kakanj [Kali Sara, 2020] in the **Federation of Bosnia and Herzegovina** found that 95 per cent of children belonging to the Roma national minority are either not immunized (89 per cent) or have an incomplete immunization status (6 per cent). In most cases, children had received a vaccine only at birth and the current coverage rate among the Roma population generally was only around 5 per cent. The Romalen Kakanj research shows that tackling under-vaccination of Roma children has to be integrated within wider strengthening and reform of the primary health care system.

Hunger is a significant consequence of family poverty and a major contributor to poor health. MIDIS II shows that in 7 per cent of Roma families surveyed across eight EU States,<sup>20</sup> at least one person had gone to bed hungry four or more times in the preceding month. This increased to 17 per cent of Roma

families in Croatia, 13 per cent in Greece and 11 per cent in Hungary. On average, every third Roma child had faced hunger at least once in the preceding month in Bulgaria, Croatia, Czechia, Greece, Hungary, Romania, Slovakia and Spain.

According to the Country Reports of the FSCG [Fresno et al, 2019.01], data from some countries show high percentages of Roma children vulnerable to undernutrition because of lack of food, especially those living in marginalized communities. The Irish Country Report, for instance, states that 50 per cent of Roma households do not always have enough food and that cases of malnutrition are reported by service providers among young Roma children. Data from Belgium show that higher percentages of Roma children go to school without breakfast. This clearly indicates family poverty but not necessarily malnutrition, as children may be receiving breakfast at school due to their disadvantaged status. On the other hand, FSCG 2019 demonstrates that in Hungary, while the percentage of Roma children in settlements going to bed hungry daily or frequently is low, it is still higher for Roma children than for the general child population – 2.5 times higher for Roma children aged 11 and 1.5 times higher for those aged 13.

**The results of the FRA 2020 survey in six Western European countries show unacceptably high rates of adults and children 'going to bed hungry' at least once in the previous month. In Sweden, every fifth Roma and Traveller, including their children (22 per cent), say that they went to bed hungry at least once in the last month. Rates are also high in Belgium (15 per cent of Roma and 13 per cent of caravan dwellers surveyed), France and Ireland (10 per cent of the Travellers surveyed in both countries).**

## 9. Early childhood education

Lack of access to pre-primary education widens achievement gaps and restricts opportunities, while quality early childhood education (ECE) generates a positive learning sequence. Children who miss out on ECE tend to fall behind in their schooling at a young age and often never catch up, perpetuating cycles of underachievement and high **dropout** rates. ECE is therefore an essential means of providing Roma children with a start in life equal to that of their non-Roma peers and breaking the cycle of intergenerational transmission of poverty. From its inception in 2005, the Decade of Roma Inclusion set a target of at least two years of high-quality preschool education for each Roma child, and UNICEF has been a consistent advocate of including ECE within the EU Roma Framework. The EC's communication [EC, 2011.02] of 17 February 2011, on early childhood education and care (ECEC) stated that **"although their needs are greater, participation rates of Roma children in ECEC are significantly lower than for the native [sic] population, and expanding these opportunities is a key policy challenge across the EU"**. It also explicitly highlighted the key role that ECE can play in overcoming the educational disadvantage faced by Roma children.

Recognizing the value of ECE, most European countries had, by 2014, committed themselves to providing an ECE place for all children, either by establishing a legal entitlement to ECE or by making attendance compulsory for at least the last pre-primary year. [EACEA, 2014] However, very few countries ensured that such universal programmes increased Roma children's access and opportunity

to benefit, although several member States did implement Roma-targeted actions in ECE as part of their NRIS. **The EU benchmark [EC, 2020.02] of 95 per cent of children above 4 years old attending early childhood education and care (ECEC) has been achieved, but for Roma children, the figure only reached an average of 53 per cent across Europe.** Although the MIDIS II results show an increase in absolute numbers in all countries except Portugal and Romania since 2011, the ECE participation rates for Roma children still fall short of the EU benchmark, except in Spain (95 per cent) and Hungary (91 per cent). They are also far below the general population rates in most countries – 28 per cent in Greece, 32 per cent in Croatia, 34 per cent in Czechia and Slovakia, 38 per cent in Romania and 42 per cent in Portugal. FRA 2020 findings indicate that in Western Europe, only two out of three Roma and Traveller children between the age of 4 and the start of compulsory schooling participate in ECE.

Even in countries where kindergarten or preschool is compulsory and free, **Roma children have difficulties in accessing it because of the physical distance to the nearest school or the school's refusal to enrol them due to discriminatory attitudes. In Germany and France, Roma children have been refused entry into kindergartens, despite being entitled to ECE.** The RCM reports from these two countries link such incidents to anti-Roma prejudice. The low capacity of ECE facilities negatively affects the employment opportunities of parents, especially mothers, and thus reinforces family poverty. The RCM country reports also show that the school readiness of Roma children who have not received any preschool or ECEC is low when they enter primary school.

Financial barriers are the greatest and most recurrent challenge to accessing ECE identified in the RCM reports. Even in those countries where no tuition fees are requested for ECE from the age of 3, there is inconsistent financial support for meals, transportation and other costs. Programmes that eliminate all fees or reduce fees depending on the level of the family's disadvantage are present in all countries, and programmes exist to support the enrolment of disadvantaged children. But most of them do not sufficiently challenge financial, social and information barriers in accessing education, and so disadvantaged Roma and other groups do not have equal opportunity to access quality ECEC.

While ECE has proved itself to be an important mechanism to begin to address social exclusion and marginalization for Roma communities, it cannot by itself provide the required improvement in Roma children's health, welfare and development. Full social inclusion of Roma children in European societies requires access to ECE to be complemented with simultaneous provision of a range of measures that combat poverty, improve health, promote tolerance of Roma communities and address the pervasive prejudice and institutional discrimination that Roma children both witness and experience every day.<sup>21</sup>

## 10. Education: Access, quality and inclusion

In 2011, the EC defined access to education as a core NRIS theme. Since then, reviews and evaluations have consistently recognized it as a popular area of intervention for member States and the most successful area in terms of achieving positive change. MIDIS II data indicate that by 2016, Roma enrolment in basic education had reached 93 per cent, with 86 per cent of those children in age-appropriate classes. The equivalent enrolment figure was only 30 per cent at higher secondary level;

and 2 per cent in university or third-level education. By 2020, Roma enrolment rates in compulsory education in most member States have reached similar, but not the same, levels as the rest of the population. **Roma enrolment rates still remain below that of the general population, and Roma constitute a significant proportion of every European country's non-enrolled children. [Korver, 2020]**

However, while the overall increase in formal enrolment in compulsory education is welcome, significant gaps remain between Roma and non-Roma children in attendance, participation and completion rates. **MIDIS II data indicate that half of Roma young people between 6 and 24 years of age do not attend school at all and that of those who do, 18 per cent are in a class lower than the one corresponding to their age. This may be because they repeated classes, started school later or both. Existing universal measures to tackle school dropout are not reaching Roma students.** FRA 2020 indicates that school attendance for compulsory schooling reaches 91 per cent among Roma on average, but RCMs show that early school leaving affects around one third of Roma children in Western European EU member States so that only two thirds of Roma and Travellers aged 18–24 years have completed lower secondary education.

Although the number of Roma pupils across Europe leaving education at the secondary school level decreased from 87 per cent in 2011 to 68 per cent in 2016, that is still a very high percentage compared with the general population. [Korver, 2020] In 2022 the average share of people aged 20-24 years with at least an upper secondary education was 83.6 per cent within the EU, which means that almost 85 per cent of young Europeans had transited to higher-secondary education [Eurostat, 2022], while less than one third (30 per cent) of Roma children had done so. Obviously, **the point of transition from basic to upper-secondary education is a flashpoint for losing Roma young people from the education system.** RCMs indicate that there is a lack of incentive for Roma students to continue their education, and so the timing around leaving school tends to be heavily influenced by countries' regulations on compulsory school age or grade level.

Family poverty is a major factor in Roma young people's decisions around irregular attendance, grade repetition, dropout and early leaving, as well as their awareness of their low employment prospects and practical calculations of the relative value of education in terms of increased employment opportunities. Their awareness of discrimination in the labour market and of the limited value of some vocational education courses inevitably influences their decision to leave early. For girls, teachers' expectations, negative school experiences and social position lead to gendered outcomes that further reduce their educational and career aspirations. Male students typically enter the labour force via low-paid work in male-dominated work areas, while female students continue with household labour or enter female-dominated industries, which are even more poorly paid.

With respect to early leavers from secondary or vocational training education, the gap between Roma and non-Roma declined between 2011 and 2016, but with an average 68 per cent dropout rate among Roma, much progress is still needed. [Korver, 2020] MIDIS II shows that the NEET rate for young Roma is 63 per cent on average, compared with 12 per cent of the general population of the same age group in the 28 EU member States.<sup>22</sup> The results show a substantial gender gap, with 72 per cent of Roma women aged 16 to 24 years in neither work nor education, compared with 55 per cent of young Roma men. There are programmes in most EU member States to support the participation of socially disadvantaged groups and individuals in vocational education, but the RCMs indicate that measures targeted at Roma are limited. **RCM figures on participation of Roma in higher education generally align with MIDIS II findings that less than 1 per cent of Roma have graduated from university, and FRA 2020 concluded that the number of Roma and Travellers in Western Europe who completed**



**tertiary education is extremely small and statistically invisible.** [Bhabha et al, 2018] Yet the dire state of university enrolment and completion by Roma young people has not been reflected in member States' NRIS or other policy or programme initiatives.

The significant gaps between Roma enrolment and completion rates indicate that **insufficient attention has been paid to providing Roma children of all ages with relevant, enjoyable and quality schooling and that, as a result, Roma children's experience of education remains overwhelmingly negative.** This has implications not just for the individual child's prospects in life but for the whole social effort towards Roma inclusion and towards destroying the intergenerational cycle of poverty in which so many Roma families are trapped. Roma children's experience of school is blighted by two discrete but linked sets of handicaps – deprivation and discrimination – that combine to impede the child's educational achievements and sour their school experience. **Many deprived children are caught in a loop whereby they struggle at school and their parents struggle to support them. In many schools, Roma children also have to endure active prejudice, discrimination, harassment and even violence. Bullying of Roma children by non-Roma peers is widespread.** Almost one third (30 per cent) of the Roma and Traveller parents interviewed during FRA 2020 say that their children have been verbally harassed at school because they are Roma or Travellers. The Irish authorities note that many Roma and Traveller children hide their identity. [Pavee Point, 2018.02]

**One of the most insidious and damaging forms of discrimination that Roma school children face is teachers' low expectations of Roma students and their belief in Roma's lack of interest in education.**

In a 2019 survey of 117 Roma university students and graduates supported by the Roma Education Fund, the majority identified teachers' low expectations of students' success as one of the main challenges they had to overcome in following their aspirations for higher education, and highlighted teachers' lack of faith in the motivations, learning capabilities and trustworthiness of both Roma students and parents. [Torotcoi and Pecak, 2019]

Segregated education has long been recognized as poor educational practice and is banned under European law. Nevertheless, prejudice and bias from teachers, non-Roma parents and the general public plays a huge part in perpetuating this detrimental manifestation of discrimination against children. FRA reported that in 2016, the average proportion of Roma attending classes in which 'all classmates are Roma' increased from 10 per cent in 2011 to 15 per cent in 2016. [FRA, 2018.01] **The EC estimate for 2016 was that 13 per cent of Roma children between 6 and 15 years of age were attending all-Roma schools, and a further 13 per cent were attending all-Roma classes. Meanwhile, 33 per cent were attending schools, and 31 per cent were attending classes, where most students were Roma.** [EC, 2019]

FSCG [2020] observes that Roma children are at higher risk of enrolment in special education programmes and even special education schools for children with disabilities in Belgium, Bulgaria, Czechia, Hungary, Lithuania, Poland, Slovenia and Slovakia. Likewise, the RCM syntheses report that the segregation of Roma into separate schools, as well as separate classes, is still widespread across EU member States, while other factors contributing to the emergence of monoethnic education include the streaming of Roma students into special schools; denial of enrolment; the placing of migrant Roma outside of general classes; and particularly 'white flight' – large-scale decline in non-Roma enrolment in schools attended by Roma students. [Hojsík and Fremlová, 2018: pp. 30–39] Segregation happens in many different ways, but it is frequently the result of non-Roma parents' reactions to the enrolment of Roma children – reactions which, in turn, stem from fears and prejudices about the Roma students' health status or their impact on the quality of the teaching.

### Roma children in 2015

A look at the findings on health, housing, employment and education would suggest that for young Roma, the **Decade**, along with the EU Roma Framework, and the EU 2020 Agenda for inclusive growth must seem like a joke in the worst possible taste. National governments, who have ratified the legally binding Convention on the Rights of the Child, stand accused of failing, and on the evidence contained in the Decade monitoring reports, continue to fail in their obligations toward millions of Roma children right across Europe. ... [When it comes to the rights and wellbeing of Roma children, the stark gap between rhetoric and realization is an affront that should (but does not) inspire outrage and indignation among all right-minded citizens.] ... As UNICEF put it, Roma children in all countries across Europe remain at risk of systematic violation of their rights, reflected in severe poverty, social marginalization, discrimination, and the denial of equal access to services and of equal opportunities in society. As it was at the beginning in 2005, sadly so it seems to be at the end of the Decade of Roma Inclusion. ... Clearly the Decade did not (indeed it could not) deliver the kind of social transformations required to lift millions out of poverty, undo centuries of exclusion, and eliminate popular prejudice and structural discrimination. But it did set a necessary, audacious and public agenda: identifying key inclusion policy priorities, insisting on the need to set clear targets with earmarked resources within fixed time limits; tracking progress with regular and robust monitoring mechanisms and ... structured Roma participation. ... [But] by the Decade end, there is at least wide recognition that Roma exclusion is one of Europe's biggest democratic deficits, ethically repugnant and economically unsustainable; a recognition that has translated into the EU Framework, with no illusions of the enormity of the task that lies ahead ... [but] a far deeper understanding of what is at stake and what it will take to undo the damage done in order to fulfil the promises of democracy for all of Europe's Roma citizens.

– Adapted from Rorke [2015]

**Educational segregation has a significant long-term negative impact on all children. Not only does it confirm and reinforce existing prejudice, but it deprives both Roma and non-Roma children of their right to enjoy the positive experience of quality education as guaranteed by Article 29 of the Convention. It perpetuates a discriminatory, unequal, unfair and low-quality education system, and it robs children of precious life opportunities. Even worse, it erodes Roma children's sense of self-worth and self-confidence by making explicit their exclusion from wider society in a very concrete and child-specific way.**

## 11. Child protection

Roma children tend to feature prominently and disproportionately in European child rights literature around international child protection indicators.<sup>23</sup> These indicators include statelessness due to exclusion from birth registration; [ERRC, 2017.02; ISI, 2017] child marriage; [Byrne, 2013.01; NGO Atina, 2015; UNICEF, 2017] child labour; [Healy et al, 2012; Save the Children, 2012] child trafficking; [Dimitrova et al, 2015; EC, 2021.01] and children in migration.[Cahn, 2010] There are no European statistics on Roma children

in detention, but evidence from Ireland shows that Traveller children there are overrepresented in child detention. During the first quarter of 2019, 19 per cent of children in Oberstown Detention Campus were members of the Traveller community. [Children's Rights Alliance, 2020].

Studies on Roma children in high-risk situations highlight Roma children's disproportionate appearance in these categories and clearly lay the blame on family poverty, social exclusion and discrimination, rather than on family dysfunction, community norms or traditional lifestyles.

A 2011 ERRC study evidenced the significant overrepresentation of Romani children in public care – mainly institutional care – in Bulgaria, Czechia, Hungary, Italy, Romania and Slovakia. [ERRC, 2011.02] An independent study from 2014 confirms this pattern, not just across these seven EU member States but also in Poland, Spain and the United Kingdom.<sup>24</sup> [Brown et al, 2014] Brown argues that there may well be a good case for the development of Roma specific care leaver support strategies in the future, given the overrepresentation of Roma children in public care systems in all 10 countries and the widespread discrimination that Roma continue to face. **There is, of course, an even stronger case to be made for a strategy that keeps Roma and Traveller children out of care in the first place.**

A 2021 ruling by the Metropolitan Court in Budapest found not only that Roma children were disproportionately represented in public care institutions but also that they had been discriminated against in the assessment process on the grounds of their socio-economic status, poverty and Romani ethnicity. The majority of Roma children in public care in Hungary had been taken from their families due to their financial situation, rather than because of any real concern about abuse or neglect. Sadly, this reflects a Europe-wide situation. Some child protection authorities may have developed equitable and effective measures to support Roma children,<sup>25</sup> but the research evidence indicates that institutional bias, combined with a limited understanding of Roma family life, more often leads to a confused, ineffective response by national child protection agencies. In some cases, these agencies may even be actively complicit with actions and initiatives that are clearly not in the best interests of the children concerned. **There is an urgent need to undertake independent case reviews and best interest assessments<sup>26</sup> of all Roma children in institutional care in all Council of Europe States and to establish concrete measures to return inappropriately placed children to their families and communities.**

**The most common triggers for placement of Roma children in institutions are family poverty, inadequate housing and/or non-attendance at school. All European national governments have developed a range of options to support families facing these practical difficulties. The question that then arises is why these options are not made more available to Roma families in order to avoid placing a child in institutional care, which is universally acknowledged to be the least desirable outcome. Too often, Roma children in difficulty are offered a default choice between continued poverty at home or family separation, and this runs completely counter to both the spirit and the letter of the Convention.**

Despite the acknowledged vulnerability of Roma children, there is a noticeable scarcity of quality research into their protection needs, and with so few responses documented, it is difficult to assess the relevance, effectiveness or efficiency of national child protection responses to Roma children. Unfortunately, the research available indicates that children from Roma communities across Europe have faced ongoing and entrenched marginalization when in contact with the public care system. Indeed, it suggests that **social services and child protection agencies across Europe have failed to support Roma families in times of crisis and, far from challenging the social exclusion of vulnerable Roma children, have often contributed to it.** The evidence is not confined to Central and Eastern

European institutions; it raises questions, too, about the relevance, effectiveness, independence and bias of child protection policies, practice and professionals during evictions, deportation and returns from France, Germany and Italy, and during the inappropriate removal of Roma children from their carers in Greece, Ireland, Sweden, the United Kingdom and other EU member States.

A 2015 study from Sweden [Swedish Ministry of Culture, 2015] starkly illustrates a long history of child protection authorities misusing alleged 'concerns' for Roma and Traveller children as a form of social control over many decades. Moreover, the RCM reports indicate that this is still happening across Europe. [Ryder, 2020] A number of the RCM reports, most notably those from Croatia, Germany, Hungary and Sweden, reference Roma families being threatened with loss of parental rights – and, in some cases, actually having their children taken into care – as a result of institutions' lack of understanding of, or sympathy for, Roma families. The Swedish RCM report, in particular, provides detailed insights into the misunderstanding, lack of cultural awareness and distrust demonstrated by child protection personnel. This leaves Roma families at a disadvantage when trying to convey their views during the assessment process, where decisions are taken about whether to take children into care. It recognizes *that "Roma women in particular live with the stress of a latent fear of having their children taken away based on external judgements and regulations that they feel they have no control over or insight into"*.

In Italy, courts have pre-emptively suspended parental authority and removed a child soon after birth on the basis that once taken home to the camp, the child would be used for begging. [ERRC, 2011.02] Unfortunately, these incidents demonstrate that **anti-Roma prejudice, discrimination and bias is just as entrenched in European social services and child protection systems, structures and personnel as it is in other service delivery agencies**. The justified mistrust of social workers felt by many Roma parents is a major barrier to Roma children's realization of their rights, and it will have to be acknowledged and addressed before there can be any progress in the welfare of Roma women and children. For instance, 40 per cent of Traveller respondents in the All-Ireland Traveller Health Study reported that the lack of respect they received from social services made them reluctant to disclose domestic violence for fear of triggering an inappropriate response. [Kelleher et al, 2010]

### Roma experience of social services in Sweden

All Travellers I know are afraid of the public authorities. We've all had bad experiences with the child welfare board. We felt constantly threatened and controlled. What we were most afraid of was that the child welfare board would take us and put us in a children's home or foster home. My siblings and I have been taken into care at various times. The public authorities made decisions over the heads of parents and children; we couldn't influence their decision-making at all. The relationship with the public authorities was not on our terms. We had no idea that we could demand better housing or help from the poor relief board. We did what we could to keep the public authorities away from us, and my childhood fear of the public authorities has stuck with me to this day. That fear of the public authorities, the social services in particular, is strong even today.

– Stig-Ove Lundahl, respondent in Swedish Ministry of Culture [2015: p. 100]

The mistrust and suspicion between Roma families and social work authorities, and the history of institutionalized prejudice and mistreatment from which they have arisen, make it challenging to develop mutually beneficial relationships of trust and positive communication. Yet, to date, no international or

European body has undertaken a Europe-wide multi-country audit of national child protection systems in order to identify barriers and bottlenecks to Roma children's access to quality child protection services as guaranteed by the Convention. **Research is clearly needed in relation to Roma perspectives on, and experiences of, formal child protection systems. There may have been individual country reviews, but a comprehensive evaluation is still required in all jurisdictions across Europe and at a pan-European level. Ideally, this would be linked to the development of Roma-sensitive social work practice and the introduction of Roma perspectives into child protection professional training.**

Research conducted in the United Kingdom has identified two conflicting risks in the difficult relationship between social workers and Roma communities – (1) the overinvolvement of social workers, resulting in children being taken into care unnecessarily; and (2) ignorance of Roma and Traveller issues, leading to the needs of vulnerable children being left unmet. [Power, 2004; Cemlyn, 2013; MacLennan et al, 2017; Dauti et al, 2018]

Social services departments in various countries are trying to make more use of Roma foster parents, but the focus needs to be on preventing children from coming into public care at all. [Krčar and Laklija, 2018] **Generally, work to strengthen child protection systems builds on communities' own informal protection mechanisms. Yet very little research has been undertaken to establish what these are for Roma children or how Roma families care for each other.** There is also a scarcity of research on Roma children in other at-risk situations – for example those who are in detention, in conflict with the law or affected by disability.

The fact remains, however, that Roma children in every European State are undoubtedly vulnerable to abuse and exploitation due to the poverty, discrimination and deprivation that they endure. They therefore need, and deserve, the support and protection that should be available to them from national child protection agencies. Child protection agencies remain under moral and legal obligations to offer genuine support and protection to Roma children, and most need to urgently review and revise their policies and practices to meet their responsibilities. The available evidence would seem to indicate that **a new Roma-sensitive model of child protection is required that respects the rights of both families and children and draws on the strengths and abilities of their communities to support Roma families to meet the best interests of their children.**

Despite its more child-centred approach, the EU Roma Strategic Framework 2020–2030 [EC, 2020.01] has still not accepted social welfare or child protection as thematic areas. There is therefore a risk that children's issues will remain underrepresented in country NRIS and that national governments will continue to consider Roma children's issues solely in relation to education. [Hojsík et al, 2020] The EU Strategy on the Rights of the Child, [EC, 2021.02] adopted in March 2021, together with the European Child Guarantee, [Fresno et al, 2019.01; Frazer et al, 2020] will probably act as the primary European framework for policy and practice initiatives to protect Roma children and help them fulfil their rights. **The European Child Guarantee could provide a good framework for action on Roma children's rights, provided that the strategies developed within it recognize that structural discrimination is the core factor in Roma child poverty and that access to child protection is just as essential for Roma children as access to health, education and welfare.**

**Whatever framework is chosen, addressing the massive ongoing violations of Roma children's rights in Europe requires a critical realignment of the current child protection model. There needs to be a shift towards a stronger anti-discrimination model of work that challenges social institutions'**

**current working practices and approaches and seeks adaptation and realignment of their policies and practices to enable them to meet their responsibilities to Roma families. It will need to prioritize working in tandem with Roma communities to challenge the institutional racism and antigypsyist practice that continue to bar Roma children's access to their rights.**

More than any other vulnerable child population, Roma children are affected by the wide knowledge gap that exists between social service personnel and their community. This is due in large part to a lack of awareness of any alternative, positive Roma-led narrative of Roma family life. This needs to be addressed quickly, together with a shift by child rights researchers towards conducting more Roma-led assessments<sup>27</sup> that give voice to Roma families' experiences of school, care and health, and protection systems; their analyses of the structural barriers to their children's full development; and their practical suggestions on how to address these barriers. There is also an urgent need to undertake a Europe-wide review of national family welfare and child protection systems as they relate to Roma children, preferably supplemented by a comprehensive examination of grass-roots child protection mechanisms in Roma communities.

The Metropolitan Court ruling in Budapest provides a simple and stark illustration of only one of the vast number of injustices that tens of thousands of Roma children have to endure daily. **No child anywhere on the European continent should have to endure unnecessary separation from their family. Civilized nations should be responding to the Budapest judgement now by taking measures to ensure that current inappropriate placements are redressed and future placements avoided.**

## 12. Migration

Although there are autochthonous Roma communities in every European State except Malta, many non-Roma still consider mobility to be an inherent feature of Roma lifestyle. This false narrative of nomadic Roma has fed into anti-Roma prejudices in western societies, distorted perceptions of the actual dimensions of Roma migration and created irrational fears of a 'tidal wave of Gypsies'. There is no actual evidence that Roma migration from Eastern Europe is higher than average migration rates from Eastern Europe [Cahn and Guild, 2010] or that there has been a rush of Roma from poorer countries in Southern Europe to their wealthier northern neighbours. The actual figures for Roma migration remain unknown, distorted by a superficial public impression of an increased Romani presence in Western Europe. This, in turn, has been fostered by antigypsyist hate speech misrepresenting the nature of Roma migration, which often includes **extended families**. This migration model is undoubtedly better from the child's perspective, but the arrival of Roma migrant families may come across as a large and sudden influx, compared to non-Roma migrants who arrive individually or in small numbers. Non-Roma reaction to Roma migrants usually combines traditional prejudice against Roma with rising public antipathy to migrants generally, building on communal perceptions of both as problems and threats to the existing order, rather than as potential resources and contributors to the common good.

The false narrative of inherent Roma nomadism has enabled conditionality around migration status to gradually insert itself as a dominant feature of policy development and programme planning around

Roma children, whether appropriate or not. For instance, although the 'Feasibility Study for a Child Guarantee: Intermediate Report' [Frazer et al, 2020] promotes a holistic child rights-based approach, the 'Target Group Discussion Paper on Children Living in Precarious Family Situations' [Fresno et al, 2019.01] seems to emphasize the legal status of Roma children rather than their entitlements under the Convention, dividing Roma families between domestic Roma with long-term residence or citizenship in a member State; Roma EU nationals moving between EU countries; and migrant Roma from third countries outside the EU. Undoubtedly, legal status is an important factor influencing the delivery mode of child and family welfare and protection services; however, prioritizing this only for Roma children plays to a false narrative of Roma 'otherness' and weakens their claim of equal entitlement to all rights as outlined in Article 2 of the Convention. Under the Convention, governments' responsibilities to children do not fluctuate – their responsibility is to all children residing on their territory, regardless of legal or migration status.

The Committee on the Rights of the Child, at its day of general discussion on the rights of the child in the context of international migration in 2012, emphasized the need to adopt the position that **"a child is first and foremost a child, whatever the condition he or she may find himself or herself in"**. [CRC, 2012] This stipulation was renewed and reinforced in a joint statement issued in 2017 by the Committee on the Rights of the Child and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. [Committee on the Rights of the Child, 2017]

The tendency to frame policy discussion in terms of children's legal status, rather than individual or community needs, potential or rights, acts to conceal their humanity. It leaves Roma refugee and migrant children constantly portrayed as 'legal problems' rather than as sons, daughters, neighbours and friends – perhaps with particular difficulties just now but also with enormous potential and willingness to contribute positively to their community and society. While clear, explicit definition of rights and entitlements can undoubtedly benefit Roma migrant and asylum-seeking children, a framework that equates entitlement with legal status is likely only to delay families' integration and undermine their independence. It is also unlikely to facilitate the kind of holistic, child-centred approach promoted by the Convention.

Roma families tend to migrate for much the same reasons as other European citizens – to improve their quality of life. But the myth of Roma 'transience' is used by local authorities and non-Roma communities to 'justify' denial of entitlements as well as provision of second-rate services and facilities, like the 'temporary nomad settlements' in Italy, and unconstitutional and illegal action against Roma families. European States have, on a number of occasions, resorted to expulsion – individual and collective – including exclusion and expulsion of Roma from another EU State. In 2002, Belgium was found to be in violation of a European Court of Human Rights ban on the collective expulsion of aliens after it lured a group of Slovak Roma into police detention and then expelled them to Slovakia. [Cahn and Guild, 2010]

In late 2007, Switzerland collectively expelled Romanian Roma, with little or no effort to conceal the racial profiling element of these expulsions. The most highly publicized of such acts have been those carried out by the Italian Government in 2007 and 2008, and by the French Government between 2009 and 2011. [Cahn and Guild, 2010] It was reported that as of the end of December 2007, more than 1,000 persons had been expelled from Italy, with at least 1,000 Roma homes having been destroyed in Rome alone and the inhabitants evicted by the Italian authorities. These included both migrant and Italian Roma. [Cahn and Guild, 2010]

In the EU, migrant families, including Roma, tend to fall into one of three legal categories that assign different levels of entitlement to residence, employment and health care – (1) EU nationals moving within the EU; (2) migrants from third countries outside the EU, such as the Western Balkans and Türkiye; and (3) undocumented migrants. The rights granted to migrant EU nationals are the most far-reaching and comprehensive; the entitlements of most third country migrants are more restricted; and **undocumented (or irregular) migrant status offers least protection to children**. Only eight EU member States grant undocumented migrant children legal entitlement to the same level of health care as the children of its own citizens – Estonia, France, Greece, Italy, Portugal, Romania, Spain and Sweden – while six others – Bulgaria, Cyprus, Finland, Lithuania, Luxembourg and the Slovak Republic – totally restrict their entitlements to emergency care only. Twelve EU States facilitate irregular migrants' limited access to primary and secondary health services, mainly to specialist services like maternity care, diagnosis and treatment of HIV and/or infectious diseases. [Spencer and Hughes, 2015; Keith and LeVoy, 2018].

Unfortunately, **even when Roma meet the criteria for resident status, it can be difficult for them to evidence their entitlement for lack of appropriate documentation – rent books, payslips, tax returns, etc. The difficulties Roma families face in obtaining birth certificates or other documents in many countries are widely known. As a result, many more Roma than non-Roma families slip into undocumented migrant status.** [Cahn and Guild, 2010; ERRC, 2017.02; ISI, 2017] Also, service providers at local level do not always distinguish between Roma families, regardless of what papers they hold, and some national authorities have, at times, claimed that they are unable to distinguish among Roma. For instance, in the course of proceedings before the European Committee of Social Rights, the Italian Government argued that it is impossible to distinguish between (1) Italian citizen Roma; (2) Roma who are citizens of other Parties to the European Social Charter; and (3) Roma who would not enjoy European Social Charter rights – i.e. citizens of a State which is not a Party to the European Social Charter – for the purposes of the application of Article 31 of the Charter, the right to housing. [Cahn and Guild, 2010]

Nevertheless, while migration status can affect the mode of delivery of services, it does not override children's entitlements under the Convention. Roma and migrant children, whatever their ethnicity or legal status, are entitled to adequate shelter and access to quality health, education, welfare and child protection services; and national governments in Europe are obliged to provide these, for however long the child is in country. National child protection agencies have responsibility under international and European law to facilitate full access to these services for all children and to monitor, oversee and protect full realization of their rights, including during migration. **A child rights approach cannot be confined or constrained by the migration status of children or their families; instead, it needs to focus on ensuring accessible, affordable, quality services to all children at all stages of their life and protecting children from risk, whatever their legal status.**

The aspirations of all migrants encapsulate economic opportunity but also “greater confidence in the capacity of government authorities to protect human rights, ensure the rule of law, and promote tolerance and understanding within the society-at-large”. [Matras, 2000] This latter element is particularly relevant to Roma, whose history of exclusion, disadvantage and persecution loosens their confidence in their country of origin. Roma families' understandable reluctance to trust representatives and institutions of their home country, and their experience of persecution or threatened persecution, are undoubtedly factors that push many Roma families to migrate, and justifiably so.



# 13. Asylum

Even within the asylum system, the same false distinctions between Roma and non-Roma children abound, and thousands of children's lives are put at risk by the application of double standards for Roma and non-Roma refugees fleeing war, conflict and disaster. During the Yugoslav wars, tens of thousands of Roma families had to seek asylum in European countries after facing threats from extremists on one or both sides of the ethnic divide. [Perić and Demirovski, 2000; Đorđević, 2013] In just one instance, an estimated 8,000 Roma men, women and children had to flee their homes in Kosovo when, in 1999, a Kosovan mob burned the Mitrovica Roma Mahala. [Rorke, 2016] Altogether, it is estimated that 50,000 Roma moved from Kosovo to Germany alone, after finding themselves under pressure from armed militias. [Knauss and Widdmann, 2010] Yet they were consistently denied the same welcome as non-Roma refugees. Matras notes that 1992 and 1993 saw blockades preventing the arrival of Roma asylum seekers in Germany; armed 'brigades' stopping Roma refugees in France and Germany; and an organized mob attacking Roma at a residence for asylum seekers in Rostock. [Matras, 2000; Sardelic, 2017]. Alboth argues that 100,000 Roma refugees from the war in Ukraine are facing the same prejudice and hostility today. [Alboth, 2022]

Despite incidents like this, the United Nations High Commission for Refugees (UNHCR) declared in 2000 that while it is beyond dispute that Roma in Central and Eastern Europe are frequent victims of discrimination and, on occasion, incidents of violence, conditions in these countries do not warrant the recognition of asylum claims on a prima facie basis. Applications must be assessed individually to establish if the treatment experienced either amounts to or creates a reasonable fear of persecution in the context of the 1951 Convention relating to the Status of Refugees. Quoting the *UNHCR Handbook on Procedures and Criteria for Determining Refugee Status*, it offers some guidance on the standard to be applied in discrimination cases: *"Differences in the treatment of various groups do indeed exist to a greater or lesser extent in many societies. Persons who receive less favourable treatment as a result of such differences are not necessarily victims of persecution. It is only in certain circumstances that discrimination will amount to persecution. This would be so if measures of discrimination lead to consequences of a substantially prejudicial nature for the person concerned, e.g. serious restrictions on his right to earn a livelihood, his right to practise his religion, or his access to normally available educational facilities."* [UNHCR, 2000]

**Persecution may also result where the discriminatory measures are not serious but are cumulative.**

These criteria would certainly seem to have applied to most Roma families seeking asylum from the various Yugoslav conflicts, and they still apply to many Roma families throughout Europe today. Yet, for the most part, Roma families were granted a lesser protection status, making their integration into their host society even more difficult. They were also returned more quickly and in greater numbers, often without adequate preparation. The United Nations Special Rapporteur on the Rights of Internally Displaced Persons noted in 2005 that Roma, Ashkali and Egyptian Internally Displaced Persons had been settled on "highly contaminated land" in Kosovo. Although it took until October 2010 to get these camps closed, returns continued apace. [Rorke, 2016]

Local agencies put the number of asylum seekers returned to Serbia as high as 10,000 annually between 2008 and 2013. Of those returnees, about 70 per cent were Roma; [Byrne, 2013.01] of the child returnee population, 89 per cent were Roma. [Save the Children, 2012] According to local

NGOs, around 80 per cent of returnees lived in informal Roma settlements without basic sanitation and 62 per cent of the children did not continue schooling after their return. [Byrne, 2013.01] In Montenegro in 2012, there were 4,312 people still stateless as a result of the Yugoslav wars, of whom more than half (2,226) were children and less than 1 per cent were non-Roma. [Byrne and Razić Ilić, 2015] The majority of displaced families were living in settlements like Konik camp, outside Podgorica, with inadequate health, sanitation and housing conditions and no education or protection services. Studies in 2014 and 2015 found that three quarters of Roma, Ashkali and Egyptian children returned from Germany to Kosovo were not attending school due to language barriers, missing school certificates and/or family poverty. Many were unregistered, lacked civil documents and were de facto stateless. [COE, 2014; STP, 2015] The same situation is likely to arise for thousands of Ukrainian Roma refugee children if appropriate action is not taken soon.

Since the 1990s, European countries have expelled tens of thousands of asylum-seeking Roma children to the countries of the former **Yugoslavia**. While there are no data to compare Roma and non-Roma outcomes of asylum applications and/or returns at that time, it is notable that considerable numbers of Roma children and families have been rendered stateless and impoverished by these processes, and that, 15 years after the final Balkan war, thousands of Roma children scattered across the republics of the former Yugoslavia still lacked basic documentation, leaving their status uncertain, unresolved and vulnerable. Many Roma children who were not even alive at the time of the conflict are non-persons in the eyes of the authorities today, effectively deprived of the basic right to claim rights. [Rorke et al, 2017]

There is still no comparative analysis of asylum applications or decisions relating to Roma and non-Roma. However, the research available indicates that discrimination and violence are still driving Roma families to asylum in Europe and implies that European asylum processes are still judging Roma asylum applications by different standards. A 2013 analysis by the European Asylum Support Office found that social problems related to ethnic minorities – discrimination, racial violence and exclusion from services – were the major factor in 80 per cent of asylum applications in Denmark, Hungary, the Netherlands Slovenia, Luxembourg, Austria, Finland and Sweden. [EASO, 2013] The vast majority of ethnic minority applications at that time were from Roma. Research in Germany found that in 2011, 64.8 per cent of Roma asylum applicants in Germany were rejected and that, despite bans on deportation in individual federal states, an increasing number of Roma from Kosovo were deported. [Lechner, 2012]

The available anecdotal and experiential evidence indicate that Roma are still disproportionately represented among what are termed ‘failed’ asylum applicants or returnees, which seems to imply that the threats of violence that Roma families face daily are not considered sufficient to justify asylum. **Not enough consideration seems to be given to the possibility that Roma children’s lives are at risk due to antigypsyism and violent hate crimes. This perspective needs to be explored by all protection agencies, and serious consideration should be given to the reinterpretation of basic asylum criteria.**

Matras and others have argued that the structure of the asylum procedures puts Roma applicants at a disadvantage. [Matras, 2000] The asylum process is geared towards individual applications, and since Roma often travel in large family groups, they are often perceived to be economic migrants rather than genuinely seeking refuge, even before the hearing starts. The process does not seem to recognize that the very nature of the discrimination they suffer means that Roma will always have

more difficulty producing documents to prove who they are, where they lived and what happened to them in their home country. Then the asylum hearing is always conducted in the state language of the applicant's country of origin, and not in **Romanës**, and the interpreter is almost always a native of that country. In terms of both Romani and eastern European customs, insulting a person's country is likely to do more harm than good, especially when the fate of the applicant depends on this person's mediation. Details of hostilities and human rights violations are therefore often omitted, resulting in the rejection of applications. Moreover, reports by applicants indicate that interpreters have sometimes downplayed reference to anti-Roma events made by the applicants in order to defend the image of their native country.

A further difficulty is that in most Western European States, asylum is based on individual arguments and proof of individual, political persecution. Roma involvement in politics is relatively rare, and anti-Roma hostility tends to be directed at the group, rather than at individuals. Also, asylum panel members may share the common prejudice that anti-Roma hostilities are a 'natural' response to the Roma way of life or may be unduly influenced by negative public responses to Roma asylum seekers in their host country. As a result, asylum applications by Roma are generally unsuccessful. **Asylum procedures urgently need to be reviewed and updated to eliminate bias against Roma applicants and clarify how the existing universal criteria should be interpreted in relation to antigypsyism and hate crimes.**

**It is clear that many of the decisions made over the past two decades by European national governments in relation to displaced Roma children have not prioritized the best interests of the child.** Moreover, they have often been in clear contravention of Article 3.1 of the Convention, which stipulates that "[i]n all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration". Efforts have continued to resolve these issues and improve the situation and legal status of Roma families. Yet there are still Roma families who have not achieved durable solutions following flight from the Yugoslav conflicts more than 20 years ago, and both Roma rights and child rights actors have failed to mobilize to successfully challenge this chronic violation of children's rights.

## 14. European response frameworks

The SDGs present one potential framework for supporting, implementing and measuring change for Roma children at local, national and European levels. The 2030 Agenda for Sustainable Development sets out 17 goals and 169 targets that aim to realize human rights, women's empowerment and social inclusion. [UNGA, 2015] At least 50 targets relate directly to NRIS themes – discrimination, education, employment, health and housing – and UNICEF has identified 44 of 232 global SDG indicators that directly concern children. [UNICEF, 2018]

The EC has recently adopted its EU Strategy on the Rights of the Child, and the European Parliament voted in November 2015 to combat child poverty and social exclusion, and to ensure effective implementation of the 2013 EU Recommendation on Investing in Children through a Child Guarantee.

The EU Strategy on the Rights of the Child and the Child Guarantee are the European frameworks tasked with facilitating a coherent and consistent response to the needs of vulnerable children. The Parliament stipulated that all parts of the Child Guarantee action must follow a child rights-based approach in order to ensure that “every child in Europe at risk of poverty (including refugee children) has access to free healthcare, free education, free childcare, decent housing and adequate nutrition. By covering these five areas of action through European and national action plans one would ensure that the living conditions and opportunities of millions of children in Europe improve considerably and with a long-term perspective”. [Frazer et al, 2020]

The Directorate-General for Employment, Social Affairs and Inclusion commissioned an FSCG to examine the situation of four specific groups of socially vulnerable children that are known to be particularly exposed to poverty and well-being risks – (1) ‘Children residing in institutions’; (2) ‘Children with disabilities’; (3) ‘Children with a migrant background (including refugee children)’; and (4) ‘Children living in a precarious family situation’. More specifically, the FSCG explored the access of these groups to five prioritized areas of action – health care, nutrition, early childhood development, education and housing. [Frazer et al, 2020]

Roma children are considered under the target group ‘Children living in a precarious family situation’, which also includes low-income and low socio-economic status children, children living in single adult households and ‘left behind’ children of EU-mobile citizens. **It seems likely, however, that Roma children are disproportionately represented in all four vulnerability groups when compared with non-Roma European child citizens. There is a strong case to be made for developing a specific Roma child inclusion strategy that cuts across all four target groups.**

Given the EU’s genuine commitment to and significant investment in Roma inclusion, it is not clear why Roma children were not recognized as a discrete “group of socially vulnerable children that are known to be particularly exposed to poverty and well-being risks”, especially in light of FRA’s consistent findings that 80 per cent of Roma children in the EU (about 2 million children)<sup>28</sup> live below their country’s at-risk-of-poverty threshold; that every third Roma family lives in housing without tap water; that one in three Roma families live in a home where someone goes to bed hungry at least once a month; and that 50 per cent of Roma young people aged between 6 and 24 do not attend school. However, the report acknowledges the primary role played by structural discrimination in Roma child deprivation by assigning them only under the label ‘social risk factors’.

The Child Guarantee provides a good framework for action, but it needs to be weighted, and strategies flowing from it will need to be able to respond flexibly to different weightings of factors. One way that Roma families may differ significantly from other families in this target group is that Roma precariousness is assigned solely in terms of social risk factors, regardless of household composition or economic status. While appearing to lower their risk factor, this in fact emphasizes the almost unique primacy of external factors and environment in Roma family breakdown, deprivation and poverty, compared with other groups.

Social risk factors are defined as individual or group characteristics or situations that may lead children and their families into precariousness and social exclusion. The Child Guarantee framework posits that entrenched social exclusion results from a combination of interlinked problems, such as unemployment, poor skills, low incomes, poor housing, high-crime environments, bad health and family breakdown. [Duncan and Corner, 2012] **But for Roma families, this cycle of deprivation**

**works in reverse – extreme social exclusion due to negative social attitudes and structural discrimination leads to unemployment, poor skills, low income, bad health and family breakdown.**

A different set of targeted interventions may therefore be required for Roma families, or interventions may need to be applied differently or at different stages of the cycle. Specific strategies are also likely to be required because the exclusion faced by Roma families has been deep, extensive and intergenerational.

### Roma families in 2018

**Anti- Gypsyism** remains high with one out of three Roma being victims of harassment. Member States need to recognise and monitor anti-Gypsyism and take effective measures to combat such hate crime and hate speech.

**Living conditions** for EU Roma have not changed much between 2011 and 2016: 80% of Roma are at risk of poverty compared with an EU average of 17%. 30% live in households with no tap water. Their access to safe water is often on a par with people in Ghana or Nepal. Such conditions undermine progress in education, health or employment. This calls for greater efforts on reducing poverty including eliminating segregated housing, better access to public utilities like electricity and water as well as more social housing.

**Education** has improved in some member States but gaps remain. Over 50% of young Roma children attend early childhood education. This is often much less than non-Roma children their age. As for pre-school education rates, Roma in the EU are similar to the people of Puerto Rico. Member States should provide access to high quality education, learning support to compensate for the poor living conditions of many Roma pupils, as well as targeted support at every stage of their education.

**Youth unemployment:** The share of young Roma from 16–24, particularly women who are not in employment, education or training remains high compared to the general public. Member States need to boost employment, particularly for young Roma, through on-the-job training, traineeships and apprenticeships, for example. Roma should also receive targeted support to help them set up their own business.

– Michael O’Flaherty, Director, FRA [O’Flaherty, 2018]

Another European framework that will impact on Roma families in the next decade is the EU Roma Strategic Framework 2020–2030. [EC, 2020.01] Since 2011, the European Roma Framework has defined the strategic parameters through which European funding mechanisms have channelled resources to hundreds of measures by State and non-State actors that have brought real benefits to Roma families and communities across 35 European States. It has provided a conceptual framework for planning, implementation, management and monitoring of Roma inclusion initiatives and demonstrated a high standard of rigorous evaluation, open accountability and self-criticism. A meta-evaluation of interventions across 30 countries showed positive results in the area of education and, to a lesser extent, in health care. [Fresno et al, 2019.02] Although the European Roma Framework has advanced the concept and practice of Roma participation and strengthened Roma civil society, it has been stymied by the same factors that have blocked other Roma inclusion initiatives – lack

of effective mainstreaming and resistance to adapting public policies to Roma needs due to lack of political will, public prejudice and structured discrimination. **A 2018 meta-analysis of the country NRIS also found that issues relating to women and children were consistently underrepresented in country NRIS, and the civil society monitors identified children as a 'blind spot'.** [Hojsík et al, 2020; Ryder, 2020]

The EC has moved towards a more child-friendly approach in the new EU Roma Strategic Framework 2020–2030. Through its second objective, it aims to cut child poverty in half, and many sectoral goals have strengthened their relevance to children. Overall, the new framework sets higher success criteria than its predecessor and allows for expansion and extension of expectations, in line with Roma families' aspirations. However, despite these considerable advances, the new framework is neither child-focussed nor rights-oriented. Therefore, although it can and will play a significant part in improving Roma children's lives, it cannot be expected to lead in terms of addressing the many rights violations they face.

## 15. Lessons learned

Similar observations can be drawn from programme evaluations dating back as far as 2003, including the NRIS evaluations, which cover hundreds of actions and initiatives that span the entire European continent, from Ireland to Türkiye and from Greece to Finland. **They evidence a similar pattern of exclusion in every European country and justify the need for a pan-European framework of response.** There is no indication that Roma children living on the fringes of society in high-income Western European countries are any more protected from prejudice, discrimination, harassment or social exclusion than their peers living on the fringes of Eastern European societies. Wherever they live, Roma children face unfair and unnecessary barriers to realizing their rights, achieving their potential and enjoying a peaceful, happy and secure childhood.

Between 2007 and 2013, the EU allocated at least €216 million to pre-accession countries through the IPA to support social inclusion initiatives. Of this, an estimated €150 million was allocated to support (1) Roma-specific interventions explicitly targeting Roma communities; (2) interventions targeting Roma explicitly but not exclusively; and (3) mainstream social inclusion interventions that might reach Roma as any other citizen. A 2015 evaluation [Allen et al, 2016] of 80 Roma-related IPA-funded interventions in eight pre-accession countries<sup>29</sup> found that the majority (23 per cent) of IPA I funds allocated for Roma inclusion actually went to facilitating the return of displaced Roma. Less than one fifth (19.9 per cent) was allocated for housing, 13.5 per cent for social inclusion/social services, 13.2 per cent for education and 12.1 per cent for employment. Less than 2 per cent was allocated for anti-discrimination efforts, and less than 1 per cent for specific women/girls or gender projects.<sup>30</sup> The EC acknowledged in 2014 that Roma in the enlargement countries still lived in deep poverty and lacked sufficient access to health care, education, housing and employment. [EC, 2014]

**The overall message from evaluations of Roma-related initiatives since 2000 is one of slow progress and uneven results, regardless of the resources invested. They indicate that any improvements for Roma children have been sporadic and have not sufficiently reduced the**

**gaps between them and their non-Roma peers. Final evaluations consistently reveal limited mainstreaming of proven effective models of intervention, slow institutionalization of good practice and failure by key stakeholders to act on lessons learned.** This scattered, project-based approach to Roma child rights issues has inevitably had insufficient impact to sustain the kind of long-term, consistent and coherent advocacy required at national and European level to achieve positive change in this area. Another commonality observed by evaluators is that **almost all Roma inclusion initiatives have been insufficiently child-focussed and gender-sensitive.** This is most obvious in the exclusion of social welfare and child protection from Roma inclusion frameworks, but all Roma inclusion initiatives have tended to treat children's needs, with the exception of education, as supplemental rather than core issues.

Given that women and children constitute the majority in Roma communities, their marginalization within European inclusion frameworks raises questions about the underlying needs analyses. Many inclusion initiatives continue to reflect general patterns of inequality by downplaying women's and children's entitlements, specific needs and potential contribution to change. **This 'child-blind' approach is matched by two noticeable tendencies in the children's sector. One is its propensity to downplay institutional antigypsyism in its programme planning for Roma families; and the second is the failure to sufficiently recognise, acknowledge and address the anti-Roma biases inherent in its own practice and institutions.** The child rights sector has a long history of supporting successful projects that have benefited Roma children and their families; overall, however, it has failed in the last two decades to develop and institutionalize models that respect Roma children's lifestyle, traditions, community, ethnicity, culture and individuality as stipulated by Article 2 of the Convention. As a result, millions of European children still live in fear, poverty and hunger just because their home State and non-Roma neighbours refuse to recognize them as equal citizens and innocent children entitled to our support, protection and respect.

Over the past decades, responsibility for realizing child rights for Roma children has fallen between the two stools of Roma inclusion and child protection. Neither sector has taken an institutional lead in promoting Roma child rights and there is no agreed framework within which to work together. Millions of children have suffered as a result. **"Roma child" is not a divisible entity or concept, and successful inclusion initiatives, whether they come from a child rights or Roma inclusion perspective, need to respect all elements of children's identities – their age, ethnicity, gender and culture. They also need to work in partnership with children, their families and their communities to redress violations against them, strengthen their protective environment, build their resilience and support them to develop, in their own unique way, their full potential as European citizens.**

Most evaluations have commented on the scarcity of appropriate data. The lack of disaggregated data at national level undoubtedly adds difficulty to the development of appropriate policy and programme responses to the needs of Roma children and families. However, **the data situation for Roma children seems to be no better nor worse than for many other vulnerable child populations.** After extensive trawls of European and national databases, FSCG 2020 provides only estimates – of varying quality, integrity and format – for a range of particularly vulnerable child populations, including Roma children. Roma are, in many ways, over-researched, and a recent mapping of Roma child-related research found that between 2014 and 2017, all 28 EU member States except Luxembourg and Malta, as well as all seven pre-accession countries, had participated in Roma-related research. [Byrne and Szira, 2019] The issue is therefore not so much the quantity of research available but rather its quality, relevance and focus.

The impact and sustainability of programmes would undoubtedly be strengthened by an agreed framework to shape and utilize the Roma child research agenda. This would need to be based on an agreed set of indicators so as to enable national governments to report specifically on progress related to Roma children and facilitate civil society to hold them to account in doing so. Such a **framework could facilitate comparison between countries, regions and models. It could also enable ongoing identification of policy, service and research gaps, as well as transfers of good models of practice. But paucity of relevant data is not Roma-specific and, unfortunately, constitutes part of the operating environment for child-focussed policy planners. This is not, however, an excuse for inaction.**

One noticeable feature of almost all evaluations since 2000 is the relative absence of the voices of women, children and families, compared with those of other stakeholders. Roma 'civil society' has increasingly contributed to project and programme evaluations, although, outside Roma inclusion frameworks, usually only as junior partners. There are notable exceptions, [Dzeladin and Doda, 2016; Salioska, 2018] but in most evaluations, the voices of ordinary Roma men, women and children – those who have contributed most to project success and are the main drivers of improved Roma child welfare – have been quite muted overall. This deprives all stakeholders of valuable learning about which factors contribute most or least to project success. It also acts to reinforce public and professional stereotypes of Roma as passive recipients of aid and benefits rather than active shapers of their own destiny. The Roma rights sector is relatively well organized in terms of research and advocacy, but, outside of education, its focus on children's issues is limited. Both Roma and child rights advocates need to place greater focus on listening to Roma families and working with them to make their voices heard.

Roma children's voices have been particularly absent. A mapping of 486 Roma child-related studies conducted between 2014 and 2017 found that only about 15 per cent of the total sample attempted any form of child participation. Even among this small subset, the age range of the children involved was excessively narrow, the traditional methodologies used were restrictive and the choice of subject matter was adult-controlled. [Byrne and Szira, 2019] **At a time when the EC is moving to mainstream children's rights into all EU policies and funding, it is vital that the opinions of Roma children and adolescents are not just heard but acted on. [Lundy, 2007] Both UNICEF and the EC have piloted successful models of Roma child participation, but scaling these initiatives up will require immediate, concrete and pro-active cooperation between Roma rights and child rights actors across Europe.** [Larkin and Bilson, 2016; Young Roma, 2016; Beremenyi et al, 2017]



# 16. The way forward: A child rights approach to social inclusion

**Examining the many framework evaluations and analyses undertaken since 2000 through a child-rights lens raises questions about the strengths and weaknesses of the existing social inclusion approach to Roma children.** The current social inclusion model has achieved some real gains for Roma children and families, but it may be close to the limits of its effectiveness. **The failure of the existing social inclusion model to achieve its full potential for Roma children does not seem to lie primarily in the technical spheres of programme design, implementation or monitoring; rather, it stems from the model's underestimation of the strength of anti-Roma bias aligned against it, actively and/or passively, within social institutions.** To a large extent, the success of the social inclusion model has been constrained – and perhaps even defined – by the boundaries and limits imposed by structural discrimination and public prejudice, and the extent to which inclusion initiatives have either overcome them or, more often, failed to overcome them. During the last two decades, Roma rights and child rights actors have actually developed some successful models to mitigate Roma family poverty and significantly reduce Roma child vulnerability. Yet actors in both sectors have allowed themselves to be constrained in their areas of operation, failed to sufficiently support each other and favoured project development over advocacy. It is perhaps for these reasons that they have proved unable to scale up successful initiatives.

Some of the core questions to be addressed in the next phase relate to how to challenge and overcome institutional barriers to Roma families' full access to services. Others concern ways of ensuring that these proven models of intervention are mainstreamed, that successful initiatives are adopted across Europe and that the lessons learned are applied to previously neglected areas like social welfare reform and child protection. **This will require an explicit shift towards a stronger, more assertive anti-discrimination model of child rights work. Such a model will need not only to challenge social institutions' current working practices and approaches but also to demand that they adapt and realign their policies and practices to ensure that they meet their responsibilities to Roma families and prioritize the best interests of Roma children.**

At a very basic level, adopting a child rights approach to social inclusion means putting the Convention, rather than European law, at the core of all Roma child-related programming. This should mean setting higher targets for national governments to achieve in relation to Roma children. These targets need to be based on the standards set for all children in the country, be aligned with the principles of the Convention and have a stronger gender focus.<sup>31</sup> **The Convention takes a strong family-based approach that advocates support for families and communities as the primary and optimum means of actualizing children's rights.**

For Roma inclusion actors, adopting a child rights approach would involve factoring in more child-centred analysis into thematic programme design and development. **This paper would also strongly argue that child protection and social welfare should both be integrated as core elements within the EU Roma Strategic Framework 2020–2030. These statutory services are as vital to overcoming Roma family poverty and discrimination as health, housing, education or employment, and they**

**are significantly more likely to have immediate impact for children.** But child rights actors also need to be challenged to invest more in Roma children. Although Roma exclusion is addressed within general social inclusion programmes, particularly through early childhood development programming, child-focussed organizations have not mainstreamed Roma issues in the same way that they have migration, disability or access to justice. As a result, Roma issues, particularly protection issues, have been marginalized within the generic social inclusion model and Roma child-focussed resources have dwindled.

There are many generic reforms that would greatly improve the lives of Roma children and their families. However, even if these were accomplished, it is likely that Roma would still be disproportionately excluded from benefiting without specific initiatives in every country to facilitate their access. There is an inherent tension in generically inclusive child programming in terms of closing the gap between Roma children and their non-Roma peers. Although whole communities gain from Roma-inclusive projects, non-Roma tend to gain more, with the result that the gap between families can actually expand rather than contract. The overall tenor of the evaluations show that the balance of investment needs to shift towards more direct Roma child-specific action and that a wider range of models needs to be explored, including Roma-led community initiatives.

Along with moving child-related research institutions towards facilitating a more Roma-led model of analysis, **there is also an urgent need to undertake a Europe-wide review of national family welfare and child protection systems as they relate to Roma children. This would preferably be supplemented by a comprehensive examination of grassroots child protection and support mechanisms in Roma communities.** National child and family support systems have not always evidenced an approach to Roma children that is child rights-based or even family-friendly, and there is some justifiable suspicion of them within Roma communities. **Child rights actors will need to openly acknowledge that structural discrimination and professional bias are as prevalent within child-focussed services, agencies and practice as in any other social institution. They will also need to explicitly challenge poor practice and professional bias. Only then will they ever be able to overcome Roma families' justified mistrust of social services and work in partnership with them to realize Roma children's rights.**

If there is to be an improvement in Roma families' lives and if Roma children are to have a chance at achieving their rights within a reasonable timescale, then there will need to be a substantial increase in public and political support for Roma communities. This will require more visibility for Roma issues. A child rights-based approach offers an opportunity to expand the Roma child advocacy toolkit, extend the constituencies of support for Roma inclusion and child rights, and increase Roma child visibility within European lobbying and influencing networks. It provides greater scope to hold national governments to account and present the case for Roma inclusion to international bodies, local civil society and other stakeholders. It should bring in a new coterie of actors and raise the range and volume of the voices speaking out on behalf of Roma children and families, at local, national and European level. Hopefully, above all, it will provide a framework for Roma parents, children and adolescents to speak out about their situation as they perceive it and input into decisions that affect their lives.

Although everybody expresses concern about Roma children's rights, there is no one body or network dedicated to achieving them. **In Roma inclusion frameworks, children's rights and needs tend to be subsumed within a wider community-focussed approach; in the child rights sector, Roma children's particular vulnerabilities can get lost within wider inclusion agendas. Numerous evaluations have**

**found that failing to value the needs and capacity of women and children reduces the impact and sustainability of Roma inclusion projects. A corresponding design flaw which inevitably lowers the success rates of many child rights initiatives is insufficient acknowledgement of antigypsyism as the primary factor in violations of Roma children's rights and failure to act strongly against it.**

Expanding advocacy around Roma children requires practitioners in all sectors to get outside their current comfort zones and engage in dialogue, learning and action across sectors. With some notable exceptions, **child rights and Roma inclusion actors currently work in separate silos towards the common goal of a better life for Roma children, and neither sector connects consistently, coherently or sufficiently with the other. This is not effective, cost-efficient or in the best interests of Roma children. Roma rights and child rights are two sides of the same coin, and one cannot be achieved without the other. Some common framework and/or focal point is essential to harness the support, commitment and energy of both sectors. This, in turn, will ensure that Roma children and parents are heard within their own communities and countries and are facilitated to be heard at the highest level of European policymaking. Roma families have been the shadow stakeholders for two decades and their voices need to be at the centre of this next phase of work. It is hoped that such efforts will see a genuine movement of Roma children, parents and communities united with other stakeholders to achieve full and equal rights for every Roma child in every European country by 2030.**

## Glossary

### **Abuse**

**Physical and/or sexual maltreatment of a child.**

### **Accommodation**

In this report, the term encompasses not just dwellings but also caravan halting sites and other temporary accommodation. (See also 'housing'.)

### **Adolescent**

Defined by the United Nations as a person aged 10–19 [UNICEF, 2011]

### **Antigypsyism**

"[A] historically constructed, persistent complex of customary racism against social groups identified under the stigma 'gypsy' or other related terms that incorporates a homogenizing and essentializing perception and description of these groups; the attribution of specific characteristics to them; discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages." [Alliance against Antigypsyism, 2017]

### **Best interests of the child**

In 2013, the Committee on the Rights of the Child, in its General Comment Number 14, articulated seven specific elements for assessing a child's best interests: 1. The child's views; 2. The child's identity; 3. Preservation of the family environment and maintaining relations; 4. The care, protection, and safety of the child; 5. A situation of vulnerability; 6. The child's right to health; and 7. The child's right to education. Children's best interests must be examined and determined in each individual case in light of the specific circumstances of each child or group of children. These circumstances are related to the individual characteristics of the child or group of children concerned, including the social and cultural context in which they find themselves.

### **Central and Eastern Europe**

Usually refers to Hungary, Czechia and Slovakia, but some of the studies quoted in this report include other countries such as Slovenia, Poland and Croatia.

### **Child; children**

In accordance with the definition enshrined in Article 1 of the Convention, 'child' and 'children' are used in this report to refer to human beings who have not completed their eighteenth year of life unless majority is attained earlier under national law.

### **Child labour**

Children working in contravention of International Labour Organization standards set out in Conventions 138 and 182, i.e. all children below 12 years of age working in any economic activities, those aged between 12 and 14 engaged in more than light work and all children who are engaged in the worst forms of child labour (enslaved, forcibly recruited, prostituted, trafficked, forced into illegal activities or exposed to hazards).

### **Child marriage**

Any formal or customary marriage or informal union (registered or unregistered) where one or both spouses or partners are under the age of 18. [UNICEF, 2016]

### **Child protection**

Prevention and response to violence, exploitation and abuse of children. [UNICEF, 2015]

### **Child rights-based approach**

This study adopts a child rights-based approach as laid down by the United Nations Committee on the Rights of the Child, General comment No.13: *The right of the child to freedom from all forms of violence*, 18 April 2011, CRC/C/GC/13, para. 59, available at: [https://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13\\_en.pdf](https://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf)

### **Convention**

The United Nations Convention on the Rights of the Child.

### **Country**

All the territories mentioned in this report are referred to as 'countries', whatever their official or internationally recognized status. The report refers to all countries by their short name in English or EU designated abbreviation as defined in Section 7.1 of Europa's 'Institutional Style Guide', which is available at <http://publications.europa.eu/code/en/en-370100.htm>

### **Decade**

The Decade of Roma Inclusion (2005–2015).

### **Dropout**

Withdrawal from an education or training programme before its completion.

### **Duty bearers**

Actors who have a particular obligation or responsibility to respect, promote and realize children's human rights and abstain from child rights violations. The term is most commonly used to refer to State actors, but non-State actors can also be considered duty bearers.

### **EU Roma Framework**

The EU Framework for National Roma Integration Strategies (2011–2020). Known since October 2020 as the EU Roma Strategic Framework for Equality, Inclusion and Participation (2020–2030).

### **EU Roma Strategic Framework 2020–2030**

The EU Roma Strategic Framework for Equality, Inclusion and Participation (2020–2030).

### **Extended family**

A wider network of family members that may include grandparents, uncles, aunts, etc.

### **Federation of Bosnia and Herzegovina**

One of the entities that compose the State of Bosnia and Herzegovina. It consists of 10 autonomous cantons with their own governments and legislatures.

## **Former Yugoslav Republic of Macedonia / FYR Macedonia**

Former name of the country now called North Macedonia.

## **Housing**

In this report, the term encompasses not just dwellings but also caravan halting sites and other temporary accommodation. (See also 'accommodation'.)

## **Kosovo**

The territory of Kosovo, without prejudice to positions on status, in line with UNSCR 1244/1999.

## **Migrant**

Defined in the global context as "a person who is outside the territory of the State of which they are nationals or citizens and who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate" [EMN, 2018]. In the EU context, the term means a person who either (1) establishes their usual residence in the territory of a member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another member State or a third country, or (2) having previously been usually resident in the territory of a member State, ceases to have their usual residence in that member State for a period that is, or is expected to be, at least 12 months.

## **Pre-accession countries**

Refers to Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Türkiye. These are sometimes referred to as 'enlargement countries' or 'candidate and pre-candidate' countries in official EU, EC and Council of Europe documents.

## **Rights-based approach**

A conceptual framework for development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. A rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development. A rights-based approach to development includes the following elements: explicit linkage to rights, accountability, empowerment, participation, non-discrimination and attention to vulnerable groups. [UNICEF, 2010]

## **Rights holders**

Individuals or social groups that have particular entitlements in relation to specific duty bearers. In general terms, all human beings are rights holders under the Universal Declaration of Human Rights. In particular contexts, there are often specific social groups whose human rights are not fully realized, respected or protected. More often than not, these groups tend to include women/girls, ethnic minorities, indigenous peoples, migrants and youth. A human rights-based approach not only recognizes that the entitlements of rights holders need to be respected, protected and fulfilled but it also considers rights holders as active agents in the realization of human rights and development – both directly and through organizations representing their interests.

## **Roma / Romani**

For readability purposes, the adjective 'Roma' is used in this report as a shorthand for 'Roma and Traveller' when referring to particular groups or individuals, such as Roma children or Roma families. Romani may also be used instead of 'Roma' when drawing directly from a report or document that uses that term.

The term 'Roma' as used in this report accords with the Council of Europe definition of Roma and Traveller [COE, 2012.01] and refers to Roma, Sinti, Kale, Manouche and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and to persons who identify themselves as Gypsies. Specific nominations such as 'Egyptian', 'Ashkali' and 'Gens du voyage' are sometimes used when quoting directly from sources. The use of the generic term 'Roma' is not intended to deny the diversity that exists across and within these communities and groups.

### **Romanës**

The Romani language or languages.

### **Social inclusion**

The process of improving the terms on which individuals and groups take part in society by improving the ability, opportunity and dignity of those disadvantaged by their identity.

### **South-East Europe**

Usually refers to Albania, Greece and North Macedonia, but various studies also include Montenegro, Kosovo and/or Bulgaria.

### **Study**

Used in this report as a generic term to refer to any and all pieces of research, whatever their methodology or typology.

### **Western Balkans**

Usually refers to Bosnia and Herzegovina, Kosovo, Montenegro and Serbia, but in some studies, it also includes North Macedonia, Albania and even Croatia.

### **Western Europe**

Usually refers to some or all of the old EEC countries: Austria, Belgium, France, Germany, Italy, Luxembourg, the Netherlands, as well as Ireland, the United Kingdom, Switzerland and the Nordic Countries.

### **Yugoslavia**

The country formerly known as the Socialist Federal Republic of Yugoslavia. It comprised the territories now known as Slovenia, Croatia, Bosnia and Herzegovina, Montenegro, Kosovo, Serbia and North Macedonia.

## Abbreviations and acronyms

<b>COE</b>	Council of Europe
<b>EC</b>	European Commission
<b>ECE</b>	early childhood education
<b>ECEC</b>	early childhood education and care
<b>ECRI</b>	European Commission against Racism and Intolerance
<b>ERRC</b>	European Roma Rights Centre
<b>EU</b>	European Union
<b>FRA</b>	European Union Agency for Fundamental Rights
<b>FSCG</b>	Feasibility Study for a Child Guarantee
<b>IPA</b>	Instrument for Pre-Accession Assistance
<b>MICS</b>	Multiple Indicator Cluster Surveys
<b>MIDIS</b>	Minorities and Discrimination Survey
<b>NEET</b>	not in employment, education or training
<b>NGO</b>	non-governmental organization
<b>NRIS</b>	National Roma Integration Strategy
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>RCM</b>	Roma Civil Monitoring (report)
<b>SDGs</b>	Sustainable Development Goals
<b>UNFPA</b>	United Nations Population Fund
<b>UNHCR</b>	United Nations High Commission for Refugees
<b>WHO</b>	World Health Organization



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## Endnotes

- 1 The Convention was adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989. It entered into force on 2 September 1990, in accordance with Article 49.
- 2 The numbers are calculated on the basis of 40 per cent of 11.175 million Roma in the Council of Europe area as calculated in COE [2012.02], accessed 14 December 2021. The estimate of a 40 per cent under-18 population rate is extrapolated from official figures quoted in UNICEF [2014.01] (40.2 per cent), Gedeshi and Jorgoni [2011] (43 per cent) and Byrne (2013) (42 per cent).
- 3 For detailed information, see [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en)
- 4 A Union of Equality: EU Roma Strategic Framework for Equality, Inclusion and Participation [EC, 2020.01] (hereafter the EU Roma Strategic Framework 2020–2030) replaced the old EU Framework for National Roma Integration Strategies up to 2020 introduced in 2011. Both frameworks aim to tackle the socio-economic exclusion of Roma in the EU and enlargement countries by promoting equal access to education, employment, health and housing. They call on member States to design National Roma Integration Strategies to appoint national Roma contact points and set national goals. In 2013, the European Council adopted a Recommendation on effective Roma integration measures in the member States, which provided guidance on how to strengthen implementation of national strategies. Several pre-accession countries have voluntarily aligned with the EU framework. The EU Roma Strategic Framework 2020–2030 is available at [https://commission.europa.eu/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package\\_en](https://commission.europa.eu/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package_en)
- 5 The full text is available at [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en)
- 6 For a discussion of the differences between child rights-based and child welfare approaches, see Lundy (2019).
- 7 The full text of the Convention is available at <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx> For a detailed discussion of the articles of the Convention, see Hodgkin and Newell [2002].
- 8 The child rights approach aims to further the realization of the rights of all children as set out in the Convention by developing the capacity of **duty bearers** to meet their obligations to respect, protect and fulfil rights (Article 4) and the capacity of **rights holders** to claim their rights, guided at all times by the rights to non-discrimination (Article 2); consideration of the best interests of the child (Article 3, Paragraph 1); life, survival and development (Article 6); and respect for the views of the child (Article 12). Children also have the right to be directed and guided in the exercise of their rights by caregivers, parents and community members, in line with children’s evolving capacities (Article 5). This child rights approach is holistic and places emphasis on supporting the strengths and resources of the children themselves and all social systems of which they are a part: family, school, community, institutions and religious and cultural systems.
- 9 The search strategy and criteria used in this study were originally devised by Byrne and Szira in 2018 as part of a study commissioned by the EC to map research on Roma children in the EU between 2014 and 2017 (Contract JUST/2016/RCHI/PR/RIGH/0163), which identified and analysed 486 studies and evaluations [Byrne and Szira, 2018].
- 10 These are Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Kosovo, the Republic of Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and Ukraine. All but Kosovo and the Russian Federation are member States of the Council of Europe.
- 11 NRIS of EU member States are available on the EC website at <https://op.europa.eu/en/publication-detail/-/publication/3e0fe26c-3749-11ea-ba6e-01aa75ed71a1/language-en/format-PDF/source-search> NRIS of candidate and potential candidate countries can be accessed at <https://op.europa.eu/en/publication-detail/-/publication/4ff1ac7f-3749-11ea-ba6e-01aa75ed71a1/language-en/format-PDF/source-search>
- 12 The estimate was based on updating FSG [2009]. See also Endnote 2.
- 13 See, for instance, ECRI [n.d.] Country Report for Serbia, Paragraph 60. See also ECRI [n.d.] country reports for Bulgaria, Czechia, France, Hungary, Poland, Portugal, Romania, Serbia, Slovakia, Spain, Switzerland, Türkiye and the United Kingdom.
- 14 Adapted by the author from UNICEF [2009.01].
- 15 The at-risk-of poverty rate includes those living in households with an equivalized household income below the national at-risk-of-poverty threshold, which is 60 per cent of the annual median income after social transfers and annually published by Eurostat. EU-MIDIS II asked respondents about their current monthly household income. By contrast, data collected for the Eurostat indicator provide information about annual household incomes.

- 16 Based on a household's ability to afford at least four out of nine basic expenditures, such as healthy food or heating,
- 17 Article 27.3 stipulates that "States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regards to nutrition, clothing and housing". See Hodgkin and Newell [2002: pp 397–399] and OHCHR [2009: pp. 16–20].
- 18 For the official definition of 'dwelling' adopted in EC documents, see Eurostat [2014]. However, in this document the terms 'housing' and/or 'accommodation' encompass not just dwellings but also caravan halting sites and other temporary accommodation.
- 19 Bulgaria, Croatia, Czechia, Greece, Hungary, Portugal, Romania, Slovakia and Spain.
- 20 Bulgaria, Croatia, Czechia, Greece, Hungary, Romania, Slovakia and Spain.
- 21 For a fuller discussion, see Klaus and Marsh [2014].
- 22 FRA points out that comparability between the EU-MIDIS II and Eurostat NEET rate is restricted due to their different definitions and age bands.
- 23 Adapted from UNICEF [2009.01].
- 24 Bulgaria, Czechia, Greece, Hungary, Italy, Poland, Romania, Slovakia, Spain and the United Kingdom.
- 25 For instance, the World Health Organization/Europe's October 2021 Roma Inclusion Newsletter reports on a seminar organized by the Irish Association of Social Workers entitled Working with Traveller and Roma Communities as part of its Anti-Racism Strategic Plan 2021–2023. See Roma Inclusion Newsletter database at <https://us4.campaign-archive.com/?u=bb832ff4c9f8efad547ffcf69&id=e2639a9ce7>
- 26 For more details of how the best interests of the child should be assessed (or determined), see Save the Children in Albania [2017].
- 27 Duminică and Ivasiuc [2010] is an excellent example of a Roma-led critique of how discrimination works in practice.
- 28 Calculated on the basis of 80 per cent of 40 per cent of 6 million Roma within the EU, as estimated by the Council of Europe. See COE [2012.02], accessed 14 December 2021.
- 29 Albania, Bosnia and Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Kosovo, Montenegro, Serbia and Türkiye. Croatia has since achieved full EU membership.
- 30 These figures are indicative as it was only possible to identify funds allocated to Roma in Roma-specific projects.
- 31 In contrast with child rights, there is a growing body of literature on gender issues, much of it written by Roma women.

The opinions and interpretations expressed in this document are those of the author and do not necessarily represent the views of UNICEF, its staff, management, partners or donors.

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