

The Case of Roma Children in the European Union

Bernard Rorke Director of Roma Initiatives

Last month there was a €1 billion pledge by European Commission president Barroso to assist "the most committed and most in need African, Caribbean, and Pacific countries" to reach the Millennium Development Goals (MDGs). This is to be applauded, but much also remains to be done to meet the MDG 2015 deadline for millions of Roma in Europe's own backyard. This 2015 deadline dovetails with the end of the Decade of Roma Inclusion.

We are just over five years into the Decade, heralded at its launch in 2005 as an unprecedented political commitment by 12 European governments to improve the socio-economic status and social inclusion of Roma, and close the gap between Roma and non-Roma in the priority areas of education, employment, health, and housing. The gap between Roma and non-Roma in life conditions and opportunities remains huge. Five years into the Decade of Roma Inclusion 2005-15, the plight of the Roma has attracted unprecedented attention in the wake of the razing of illegal camps, the so-called voluntary repatriations of Roma from France to Romania, and the acrimonious exchanges between Commission officials and President Sarkozy.

Two EU Roma summits, one platform, and many European Parliamentary resolutions later we now see that the issue of Roma exclusion has moved from the margins to the mainstream of policy concerns. There is no doubt that this heightened concern is driven by the prospect of greater numbers of Europe's poorest people migrating to Europe's richest nations, rather than an unbridled commitment by political elites to universal values and fundamental human rights. But it has brought attention to the level of desperation that prompts much of the migration.

UNDP reports in 2003 and 2006, using measures ranging from literacy to infant mortality to basic nutrition, showed that Roma were among the poorest of the poor, and had to endure "living conditions closer to those of sub-Saharan Africa than to Europe."

More than half of those questioned in the surveys said they went hungry at least a few days every year.

One in six said they were constantly starving, while one in three Roma children failed to complete elementary school.

An estimated 44% of Roma households lived in poverty, and of these 15% lived in extreme poverty. Fifteen percent of children up to age 15 were not receiving vaccinations. Sixty-one percent of Roma households lacked indoor toilets, and a similar number lived without a bathroom or proper sewage.

Last year marked the 20th anniversary of the United Nations' adoption of the Convention on the Rights of the Child. It was also a year when racist killers targeted Roma children as well as men and women. In February five-year-old Robika Csorba and his father were shot dead as they fled their firebombed house in Tatarszentgyorgy in Hungary. In April, in the Czech town of Vitkov, two-year-old Natalka Sivkov sustained 80% burns when her home was attacked with Molotov cocktails. In the Hungarian town of Kisleta in August, 13-year-old Ketrin Balogh suffered multiple gunshot wounds in an attack on her home that killed her mother Maria. The Convention which proclaims that "the child shall enjoy special protection... to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity" rings tragically hollow for these three victims of racially motivated violence.

Beyond the appalling fates of these three children, there lies a wider history of discrimination and neglect. National governments who have ratified this legally binding Convention stand accused of failing and continuing to fail in their obligations toward millions of Roma children right across Europe.

When it comes to the rights and well-being of Roma children, the gap between rhetoric and realization is an affront that *should*, but somehow does not, inspire outrage and indignation among all right-minded citizens.

Within and beyond the European Union, masses of Roma children subsist in conditions of marginalization, poverty and exclusion more akin to the developing world. The children stranded for years on the lead-contaminated camps in Mitrovica in Kosovo bear terrible testament to the failure of national and international agencies. Thousands of others, displaced by conflict in the western Balkans, lack basic registration documents, and as a consequence are denied the very basic right to have rights. Many other Roma children across the continent have experienced the traumas of deportation, forced eviction, and from a tender age, too many Roma children have acquired the intimate knowledge of what it's like to go hungry.

Research conducted by [UNICEF](#) and other agencies in the countries of former Yugoslavia indicated that when it comes to Roma children, 47% were considered as "food insecure with hunger," and many had never consumed milk or milk products, or ever tasted fresh fruit and vegetables.

The experience of hunger is debilitating and humiliating. A hungry child cannot concentrate in school, and a hungry child feels shamed when seated alongside well-nourished peers. For many Roma children acute material disadvantage is compounded by ethnic segregation in schools. Research conducted by the [Roma Education Fund \(REF\)](#) has confirmed that "separate" remains profoundly unequal when it comes to schooling, and succeeds only to amplify disadvantage and reinforce prejudice.

At the mid-point of the Decade and twenty years after the adoption of the UN Convention, it is an opportune moment to reflect on the rights and well-being of Roma children. All talk of integration is futile as long as children across Central and Eastern Europe are denied equal access to quality education on the basis of their ethnicity. Integration will remain an elusive goal as long as Roma children continue to be disproportionately and inappropriately classified as mentally handicapped, and sent to special schools; as long as Roma children continue to be dispatched to so-called gypsy schools situated in Roma ghettos; or placed in "gypsy classes."

Perhaps the most pernicious form of segregation is the disproportionate and inappropriate enrollment of Romani children in special education. The case of *D.H. and Others vs. the Czech Republic* dramatically highlighted the persistence of such discriminatory practices. The court ruled that segregating Roma students into special schools is a form of unlawful discrimination. Evidence and research conducted by the Roma Education Fund confirms that routing Romani children into special schools persists in Hungary, Slovakia, Serbia, Bulgaria and Montenegro. The most recent study conducted by REF provides the first comprehensive picture of the overrepresentation of Roma in special education in Slovakia. The report confirms that approximately 60 per cent of children in special schools are Roma and the report asserts that it is clear that the vast majority of these children do not belong in special education. Research across countries points to a clear trend: children are quite simply misdiagnosed. Very many children are unprepared for testing compared to their non-Roma peers, very many children are not fluent in the language of instruction. If psychological

testing defines these disadvantages as symptoms of mental disability, then clearly the deficiency lies not with the child but with the system.

One particular issue of concern - perhaps concern is too weak a word - one thing that should worry all of us, despite the fact that we are five years into the Decade, and despite the many governmental and non-governmental initiatives undertaken, is that placement in special schools continues to rise.

A clear sign of regress is that more Romani children today are in special schools than compared with their parents' generation. And once a child is wrongly placed in special education every day is a day lost, every day becomes a day of lost opportunity. The more time spent in such institutions the more difficult it becomes to reintegrate children into mainstream education. And every school year another tranche of mis-diagnosed children is enrolled into a system that destroys rather than creates opportunities. A system bolstered by perverse funding incentives, a system that amplifies rather than compensates for social disadvantage, a system that continues to segregate rather than integrate will foster another lost generation.

Our societies simply cannot afford another lost generation. The price of exclusion is simply too high. The recent study on the costs of non-inclusion sponsored by Open Society Foundation Bratislava confirms that by 2030 Roma will constitute as much as 16% of Slovakia's population in school or of productive age. The regional aspect is of particular importance as in some villages or districts Roma children outnumber non-Roma, and the development of the local labour markets and economies will depend solely on the activity of Roma. The study estimates that a politics of inclusion, and policies to promote inclusion of Roma would yield huge savings in social allowances, significantly increase the size of the employed labour force, and could produce a 7-11% increase in GDP. The importance of the educational system gearing up to meet these challenges cannot be overstated.

In addition to the economic imperative, our schools have a key role in fostering social cohesion and a common sense of belonging among citizens. Enlightened and integrated education prepares children for life in a multicultural society. It sensitizes children to the reality of difference, cultivates tolerance, openness, curiosity and mutual respect. By contrast, segregated education - in addition to denying Roma children equal opportunities and reproducing disadvantage - fosters ignorance and reproduces prejudices among majority children.

De facto segregation is more than an abuse of human rights. It amounts to a willful and malicious squandering of Roma communities' most precious assets—the intellectual capacities of future generations. Substandard segregated education leaves young people unable to progress beyond elementary levels of schooling, and unable to compete in the labor market. Further it isolates Roma children from wider society from an early age. Segregation perpetuates and exacerbates existing divisions and inequalities in society.

How do we move forward? Our experience in Open Society Foundations, and that of our partners in the Roma Education Fund shows that change is possible, that change is feasible, that integration and equal opportunities benefit all in society. OSF set out 10 goals for improving access to education for Roma:

1. Collect reliable, comprehensive and comparable data on enrolment, completion and performance rates

2. Regular monitoring, review and revision of educational policy to ensure that principles of equity and non-discrimination are fully applied at local level.
3. Develop robust mechanisms to confront and combat racism and discriminatory practices in the schools to ensure that Roma children are not humiliated by ethnic majority staff or pupils.
4. Design and scale up effective national desegregation policies, setting clear implementation targets for all municipalities within a defined timeframe to bring an end to all forms of segregation that deny Roma children full access to quality mainstream education in an integrated environment.
5. Coordinate a Europe-wide drive to ensure that all Roma children acquire a minimum of two-year's preschool. Ensure wide access to early childhood interventions which are vital for cognitive development and especially needed to compensate for the multiple disadvantages faced by Roma children.
6. Reduce the impact of poverty and bureaucracy on enrolment, attendance and completion of school. Simplify standard requirement procedures and provide the necessary package of benefits to cover free meals and expenses associated with schooling for all disadvantaged children. Provide after-school support programs for those children from deprived home environments.
7. Introduce child-centred teaching methods and provide teachers with diversity training. In the countries monitored, despite official policies requiring more interactive child-centred teaching methods, it was clear that teachers have been slow on the uptake, are often and obviously unprepared for working with diverse groups of children. Countries need to adopt standardized requirements for teachers to regularly update their skills, including training to meet the challenges of working in a diverse and multicultural environment in general, and with Roma children in particular.
8. Involve Roma parents and the community in education. There is a need to establish formalised channels of communication with parents and communities to overcome the legacy of long-standing segregation and isolation of Roma communities, to build trust between the community and institutions, and to empower the parents as active participants in their children's progress and well-being.
9. Establish teacher training and programs in bilingual education. Governments should ensure that Roma children whose first language is not the language of instruction receive assistance by supporting in-service and pre-service teacher training courses in language acquisition, bilingual education methodology, and the teaching of *Romanes*.
Governments should develop preschool programs that place particular emphasis on language acquisition and bilingual techniques. Governments should ensure systematic solutions for the professional engagement of Roma teaching assistants, and find incentives and affirmative action measures to include more Roma in the training and education necessary for this job.
10. Integrate diversity and Roma culture into the curriculum for all children, to counter the biased and distorted stereotypes of Roma, to compensate for the dearth of

available information about the history and identity of Roma, and to sensitize all children to cultural diversity and mutual tolerance.

UNICEF found that the National Action Plans (NAPs) for Roma inclusion devised by participating countries in the Decade failed to reflect a holistic, multi-dimensional understanding of children's lives and well-being. Examples cited included the issue of upgrading settlements: none of the NAPs account for the needs of children, such as outdoor safety, spaces to play, access to transport, recreational and sports facilities. No role is foreseen for children and young people's participation in helping to improve their own environment. In the sphere of education, beyond the focus on enrolment and attendance rates, more attention must be paid to the conditions for learning within schools: the quality of teaching, respect for diversity, coping with bullying and violence among students, stimulating parental and community involvement.

A multi-dimensional and complex approach to the well-being of disadvantaged children also requires an approach to education that prioritizes early childhood interventions. Participation in well-designed early childhood programs significantly enhances children's physical well-being, cognitive skills and social and emotional development. It lays the basis for better learning achievement, school completion and lifelong learning; and crucially it enhances the process of transition into mainstream primary education. In a region characterized by aging populations and falling birth rates, the Roma population is the youngest and fastest growing demographic segment of the citizenry. Our societies cannot afford another lost generation of excluded and marginalized young Roma. And our states must not fail in their declared commitment in Article 10, that every child "be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow men."

Progress towards reaching Decade of Roma Inclusion and Millennium Development Goals in the case of Europe's largest ethnic minority is bedeviled by the lack of reliable ethnically disaggregated data, collected on a routine basis. The lack of reliable data about Roma communities remains a major obstacle to reducing inequality and eliminating discrimination. Put bluntly, if there are no data there can be no progress. If governments lack basic data they cannot devise effective targeted policies. Without reliable ethnically disaggregated data we cannot measure progress.

If we don't have good enough data—the sort of data which highlights the disparate impacts policies have on minority groups, which can identify inequalities and pinpoint what reproduces and amplifies those inequalities—if we don't even have reliable data about the size of the Roma population in each of the countries, how can credible, adequately budgeted policies for Roma inclusion be devised?

Some states object that the collection of ethnically disaggregated data is not permitted, that it cannot be done. The short answer is, *Yes it can*. It is high time to dispel this self-serving myth. As the report highlights, there are adequate procedural safeguards in place to ensure that personal data is not put to improper use. Good practice in the United Kingdom clearly demonstrates that that an appropriate legal framework coupled with clear directives can allow the collection of ethnic data in a manner that allows for more informed and nuanced policy-making and appropriate targeting of resources to address the needs of a diverse population.

Our recent report *No Data – No Progress* confirms that the lack of disaggregated data is a major barrier to progress and weakens the impact of policies to promote equality and nondiscrimination. Such failures can result in actually worsening the situation for the impoverished, the marginalized and the disenfranchised. The European Commission could play a vital role in guiding and coordinating the efforts of governments to collect the sort of data we need to move forward in combating Roma exclusion.

Beyond the borders of the EU, as I mentioned earlier the plight of displaced persons and refugees remains one of the legacies of the bloody conflicts of the 1990s – a legacy that leaves children especially vulnerable. We have worked with our Roma NGO partners in Serbia and Macedonia to assist the plight of those stranded between states, without papers, deprived of the very basic right to have rights. Here is one case that is all too typical:

Tarmis Urmin fled from Klina in Kosovo in 1999 and now lives in the Roma settlement of Borca in Belgrade. Three times he has made the 150 km trek to the registration office in Kragujevac in vain attempts to obtain documentation. He explained "My wife has no documents and therefore our four children cannot get documents either. When I brought my youngest child to be vaccinated the medical staff demanded 2000 dinars (about 25 euro). I had no money and could not afford it. They shouted at me and my family that if we know how to make children we should know how to get documents." His family's desperate plight as forgotten casualties of the Balkan wars is all too common and official indifference towards undocumented and displaced Roma remains all too persistent and pervasive across the Western Balkans.

From Kumanovo, activist Asmet Elezovski, Director of the National Roma Centrum (NRC) estimates that some 4000 Roma in Macedonia do not possess personal documentation, as many as 2000 refugees from Kosovo and Serbia, a high percentage of them children. He stated that "Civil registration is a fundamental prerequisite for access to civil, political, economic, social and cultural rights". He finds it "very sad that children born this year and last remain unregistered" and that the problem is aggravated by complex and expensive administration procedures. Since 2007, as part of a long-running campaign 'Empower the Woman: Empower the Community' supported by Open Society's Roma Initiatives, NRC has successfully registered about 490 people with 96 cases currently pending. Among the factors Elezovski identified inhibiting Roma from registering their children is a lack of awareness that registration of all new-borns is obligatory; additional costs and complex procedures for registering children after the statutory 30 day period from the date of birth; refusal by hospitals to issue documents for Roma mothers not covered by health insurance. For children born abroad, once 'returned' it is difficult, complicated and expensive to access the necessary documents; those born in time of war and flight, amidst the chaos and collapse of bureaucratic administration face similarly costly, lengthy and legally complex obstacles.

Sarita Jasarova of NGO LIL has also been actively campaigning on behalf of the undocumented for nearly five years in 4 settlements near to Skopje. She stated that the lack of birth certificates, identity cards or other legal documents prevents many Roma from acquiring citizenship or residence permits, and denies them access to the most basic services "without which a normal life cannot be imagined." As part of wider efforts to combat school drop outs, Jasarova persuaded one local school to accept 20 children informally while the necessary papers for enrolment were being processed and proudly announced that in the past year, in the four settlements, every newborn Roma child was delivered in a hospital and registered at birth. She explained that in cooperation with the municipal labour office "After assisting thirty people to get personal documents, they were employed temporarily in the public works program for six months. After the program, they became entitled to social protection." The team at NGO LIL works tirelessly, canvassing Roma settlements, coping with a stream of urgent and desperate clients, alternatively badgering and mediating with local authorities, frequently commuting between Skopje, Pristine and Belgrade to sort out and resolve complicated cases. In their work to date with Roma from Kosovo they have obtained the necessary documentation for 61 families to enable them to acquire Macedonian citizenship.

According to Belgrade-based Roma researcher Nadja Rakocevic, in addition to the 23,000 Roma officially registered as IDPs from Kosovo, Serbia is facing a new influx of returnees, the most vulnerable of them Roma. In addition to being impoverished, some 60-70% have incomplete documentation. Many IDPs and domiciled Roma living in Belgrade slums are unable to register for their residence permits, and face the prospect of homelessness when irregular settlements are demolished by the city authorities. In Belgrade, in May 2008 UNHCR launched the first comprehensive free legal aid program for Roma communities as part of a wider EU-funded regional program for Social Inclusion and Access to Human Rights of Roma, Ashkali and Egyptians in the Western Balkans. The main goal is to enable Roma communities gain free registration in birth registers leading to issuance of personal documents and improved access to social, health, education, housing and employment services. What's missing from the government's side, according to Rakocevic, is "joined up and efficient cooperation between different ministries responsible for this issue: to this day procedures remain lengthy, expensive and complicated."

Twenty years on, it is clear that the Velvet Revolutions failed the Roma. The advent of democracy and free market economies did not herald a new dawn of liberties and opportunities. Rather "the price of Velvet" was increased segregation, racial violence and poverty for Roma. Twenty years after the adoption of the Convention of the Rights of the Child we need to take stock of how drastically Europe has failed Roma children, so many of whom comprise the continent's youngest and most vulnerable citizens. To paraphrase UNICEF: when it comes to Roma Inclusion we need

'a revolution that places children at the heart of human development – not only because this offers a strong return on our investment (although it does) nor because the vulnerability of childhood calls upon our compassion (although it should), but rather for a more fundamental reason: because it is their right.' If European values are to mean anything, new and old democracies alike should revisit their international and binding commitments under the Convention. They must rise to the challenge to ensure that the Convention's four core principles of non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child apply equally to all children, Roma and non-Roma alike.