

Respecting, Protecting and Promoting Rights of Roma¹ Children²: Improving Policy and Practice through Roma Children's Participation

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Thirty years after the creation of the 1989 UN Convention on the Rights of the Child (UNCRC) Roma children continue to experience **'human rights violations on a daily basis'** and some of the most pervasive discrimination in Europe. For example, 2018 Roma Civil Society Monitoring indicates that there is 'inadequate awareness of antigypsyism³ and/or its characteristics' and insufficient attention to the impact of child poverty on Roma children and their over-representation in alternative care. The EU have acknowledged that the situation of Roma children is 'particularly worrying' as Roma children are vulnerable to 'poor health, poor housing, poor nutrition, exclusion, discrimination, racism and violence'. Research demonstrates Roma children's exposure to poorer health outcomes due to low birth weight, and lack of targeted health promotion initiatives. Whilst some Roma children succeed and thrive, **many Roma children experience rights violations linked to antigypsyism; economic inequalities; lack of documentation; poor experiences of healthcare, schooling and early education and care;** exclusion from and segregation in these services; discrimination in the labour market; exposure to exploitation; denial of 'active citizenship'; and in some countries, Roma communities being described as a threat and deported. The 2018 EU Communication on Roma Integration notes the situation for Roma people is worsening in terms of housing, discrimination and possibly health and employment.

Roma children are often excluded from existing formal participation mechanisms, when they could be informing a wide range of law, policy and practice. In 2015, evaluation of child participation in the European Union showed that 'the participation rights of Roma children... have been overlooked or undervalued, across a wide range of sectors and settings'. Council of Europe and European Union recommendations, strategies and policy make it clear that improvements in living conditions and the respect, protection and promotion of human rights can only be achieved through active participation of Roma people. The 2018 Roma Civil Society Monitoring report makes it clear that 'it is essential for Roma to be involved **not only in narrowly defined 'Roma issues', but also in a wider range of topics and policies'**. For example, children across the world are currently demonstrating their concern about climate change, an issue equally relevant for Roma children and of particular importance to Roma children living in the most polluted and hazardous conditions where they are affected by environmental waste and vulnerable to climate related risks such as flooding.

Involvement of Roma children in directing change is vital because policy makers can lack understanding of the problems and **'fail to design adequate policies'**; involvement of young Roma ensures that 'policies are relevant to them'⁴. The Council of Europe 2008 Recommendation on policies for Roma in Europe is echoed by the EU 2019 Communication on Roma Integration which states that successful inclusion is supported by 'Active participation of Roma... in all stages (planning, implementation, monitoring, evaluation and policy review)'. To ensure diversity and inclusion, civic participation needs to include young generations. Recognition of the strength and wisdom of Roma children and communities must therefore be accompanied by **recognition of state parties' obligation to provide resources to support the realisation of their rights, including the right to participation**⁵. The lack of provision for Roma children's participation effectively disenfranchises large proportions of the population, such as in Bulgaria, for

¹ We use the term "Roma", following the Council of Europe definition which refers to Roma, Sinti, Kale and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as Gypsies.

² We use the term Children in line with the UN CRC to mean people aged up to 18 years. Our focus is on under 18s, but this age range is affected by child and youth policy arenas so we use the term youth where relevant.

³ **Defined as:** 'A historically constructed, persistent complex of customary racism against social groups identified under the stigma "Gypsy" or other related terms, and incorporates: 1) A homogenizing and essentializing perception and description of these groups; 2) The attribution of specific characteristics to them; 3) Discriminating social structures and violent practices that emerge against that background, which have a degrading and ostracizing effect and which reproduce structural disadvantages'

⁴ See CAHROM (2016)9 page 5

⁵ Bereményi, B.Á.; Larkins, C; Percy-Smith, B; Roth, M. (2017) Key Learnings from the PEER PROJECT. A Combined Research Paper. Focus on International Migration n° 4. ISBN 978-84-490-6981-9. Available online: https://ddd.uab.cat/pub/lilibres/2017/174652/Focus_Beremenyi_a2017n3.pdf

example where Roma represent around 5% of the total country population, Roma children represent around 12% of all children in Bulgaria. In some localities, the OSF Public Health Program's collaborating NGOs in Bulgaria report that Roma children represent 50% of the population."

Legal and policy obligations to take action to respect, protect and promote the rights, participation and wellbeing of Roma children are contained in **UN Conventions, SDGs and supported by European recommendations, resolutions and action plans**. These are drawn together in the EU Framework for National Roma Integration Strategies up to 2020 and The Council of Europe 10 Basic Principles on Roma Inclusion and Thematic Action Plan on the Inclusion of Roma and Travellers (2016-2019). They are supported by numerous recommendations and resolutions, for example:

- Recommendation CM/Rec(2017)10 of the Committee of Ministers to member States on improving access to justice for Roma and Travellers in Europe
- Resolution 2153 (2017) Promoting the inclusion of Roma and Travellers
- Resolution 403(2016) The situation of Roma and Travellers in the context of rising extremism, xenophobia and the refugee crisis in Europe

The policies on Roma inclusion that come to an end in 2019/20 are currently under review, but it is clear from stakeholder input into this review that fighting antigypsyism and participation are key themes. An EU workshop held in October 2019 notes '*According to various post-2020 Roma policy framework discussions and proposals, the potential future framework shall envision and foster 'quality participation' at all levels and all stages of policy-making*'. It proposes attention to children's right to protection and freedom from poverty, but there is no discussion of child participation. The Roma Youth Network position paper on the post-2020 EU Framework calls for Roma youth inclusion in National Roma platforms and support for Roma youth civil society. **These demands are equally valid for children and their inclusion in the development of post-2020 frameworks is vital.**

Children's rights to participate are enshrined in articles 12-17 of the UNCRC and reinforced in Europe by:

- The 2012 CoE Recommendation on Child Participation outlines clear obligations of states to promote children's rights to participation across all areas of their lives including public decision-making.
- Article 24 of the EU Charter of Fundamental Rights of the European Union, which states that "Children (...) may express their views freely" and that these 'shall be taken into consideration on matters which concern them.
- The CoE Strategy for the Rights of the Child (2016-2021) commits to promoting Roma children's rights and emphasises 'the participation of children in vulnerable situations, such as ... Roma children' in the development, implementation, monitoring and evaluation of standards, policies and activities and fighting stereotypes.
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Children's participation involves, according to Guidance from the UN Committee on the Rights of the Child:

'ongoing processes, which include information-sharing and dialogue between children and adults based on mutual respect, and in which children can learn how their views and those of adults are taken into account and shape the outcome of such processes'.

This includes ensuring that children have the space to voice their views to the relevant audiences, and to influence decisions.⁶ Children can lead social change when they can set agenda for change and direct the use of resources needed to pursue these goals, take action and monitor implementation of their views in law, policy and practice⁷.

How to promote Roma children's participation in public decision-making?

Roma children make huge contributions to protecting and promoting their own rights and the rights of others. Often this is through caring roles and social action in their families or communities but, this can also happen through formal participatory projects (e.g. designing information, advising on policy, representing views to politicians)⁸. These activities increase their confidence and sense that they can make a difference. Empowering Roma children requires providing them with opportunities to set goals and to access resources that will enable them to achieve these. **Participatory evaluation with Roma children and youth in nine countries showed that, when they are given the right opportunities and support, the civic participation in which Roma children can engage was as varied as**

⁶ Lundy, L. (2007). 'Voice' is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child. *British Educational Research Journal*, 33(6), 927-942.

⁷ Larkins C. (2019) Excursions as Corporate Agents: A critical realist account of children's agency. *Childhood* 26(4) 414-429

⁸ Larkins, C. (2011) Can the EU live up to the expectations of its child citizens? *International Journal of Children's Rights Special Issue: Children and the European Union*, Vol. 19(3), 451-476.

that of other marginalised children. That is, it can encompass a myriad of forms⁹ contributing to law and policy, inquiries and debates; monitoring and asking challenging questions; joining government meetings and demanding action; conducting research; activism through campaigning, lobbying and awareness raising (including internationally); and creating activities and opportunities that were missing in their communities.

Roma children's participation can be supported by long-term opportunities to:

- Identify issues to work on that relate to their lives
- Take part in and lead concrete action for change, which go beyond being seen and heard
- Build confidence and skills by participating in attaining achievable goals
- Engage with complex issues through cycles of reflection and action
- Connect with other people to build networks of support and inspiration (including their peers (inter)nationally, child and youth councils, Roma NGOs, policy makers and politicians)

Success in Roma children's participation in public decision-making is promoted by:

- Creating informal spaces, but linking these to local, national and international formal structures
- Using inclusive methods, with attention to the most disadvantage segments of the communities
- Avoiding hierarchies between young people
- Making links between the everyday challenges they are concerned with and local, national and international policy and opportunities (reflecting on structural inequalities)
- Working across generations - employing Roma youth as facilitators of child participation and gaining support from adult community members and engaging adults through younger generations.
- Working in a both single gender and mixed groups
- Not relying on school-based participation structures
- Using community-based resources
- Learning from past experiences of Roma children's success
- Creating pathways from participatory activities into employment
- Building decision-makers' capacity and commitment to incorporating Roma children's perspectives in their development of law, policy and practice.

Learning from recent participatory practice promoting Roma children's rights

• Roma children's participation in local, national and European developments

Exciting opportunities for child participation across communities, countries and Europe are upcoming, but Roma children are not yet adequately represented. Agenda and strategies that affect Roma children are being reviewed and if Roma children inform these developments they will become more relevant. There are increasing numbers of European dialogue events between decision-makers and children, including the conference to review the CoE Strategy on the Rights of the Child and the children public declarations in support of strengthening mechanisms for child participation in public decision making across Europe, created with support of the Romanian EU presidency. Such initiatives should ensure inclusion of Roma children. We know that inclusion is possible, as Roma children from the UK have lobbied local, national and European politicians, using research findings to demand action on discrimination, accommodation and leisure¹⁰. **A next step in promoting Roma child inclusion in future activities would be to provide resources for local and national dialogue and action, allowing long enough timescales to build trusting relationships and for all relevant consents and paperwork.** Language facilitation for international networking is also needed

• Support child-led campaigning on antigypsyism

It is not possible to remedy the poor living conditions that many Roma children endure or to fully respect, protect and promote their rights without addressing antigypsyism. Antigypsyism causes discriminatory treatment and the effects of this – poverty, poor quality housing, poor health, substandard education – lead to disadvantage for many Roma children. The CoE Dosta! Campaign against antigypsyism has worked with children to produce videos to challenge stereotypes. PEER in Lithuania and the UK, Roma children created presentations, exhibitions and books to

⁹ Crowley, A. and Larkins, C. (2018) *Children's participation in public decision-making: A review of practice in Europe* Brussels: Eurochild

¹⁰ Larkins, C. (2011) Can the EU live up to the expectations of its child citizens? *International Journal of Children's Rights Special Issue: Children and the European Union*, Vol. 19(3), 451-476.

challenge antigypsyism and organized events to challenge the attitudes of other children, professionals and politicians. **A next step would be support for child-led campaigning and awareness raising with the antigypsyism materials that are available, and opportunities to personalize these to local contexts.**

- **Child participation in redressing the social causes of ill-health**

Although the health of Roma families varies according to economic status, overall the health status of Roma people is significantly worse compared to majority populations; barriers to accessing health care lead to unmet needs¹¹. Child health is related to family financial security, quality housing, availability of social and community support and discrimination; the link to work on antigypsyism is fundamental. Teenagers who are parents face barriers in seeking healthcare when pregnant, are not involved in designing services and may lack the freedom or confidence to make their voices heard. Poor health, inadequate services and caring responsibilities can all be a barrier to child participation. Further, design, implementation and evaluation of health promotion programs targeting under 18s are usually pursued through schools, excluding children who are not regularly attending school. Past participatory approaches have succeeded in improving health promotion and health provision in other circumstances for Roma adults and for children and youth, for example, in Bulgaria, community health monitoring has successfully involved Roma children and in Italy, Roma children have been involved in designing health information. **A next step would be to support Roma children's involvement in complete cycles of health promotion and service development: identifying issues, investigating options, planning and acting for change, monitoring and managing implementation, evaluating and sharing learning.**

- **Roma children's participation in digital citizenship**

Digital platforms that enable innovative forms of child participation in public decision making can broaden inclusion, enabling engagement with large numbers of children in diverse situations and location. At the same time, some children and communities lack access to digital technology and internet coverage and there are concerns about coercive digital participation in which children's lives are monitored and tracked without their consent¹². However, Roma children have given clear messages that they want online opportunities to share examples of on successful participatory activities and to share their concerns. For example in France and Romania, Roma children used a combination of digital tools (online chats and video conferencing; mobile based reporting aps; video campaigning) to network with other people and to try to influence policy and practice. [Roma civil society monitoring](#) in Spain suggests non-hierarchical digital spaces of participation are useful. At The Centre, we are currently developing a digital library (initially in the English and Bulgarian) of examples of Roma children's participation and their concerns with the aim of enabling these to inspire change and feed perspectives into local, national and European decision-making. **A next step would be to share examples of participatory activities and concerns raised by Roma children and for policy makers to engage with these Roma children's perspectives and to feedback on how these influence policy-making.**

Necessary action to enable Roma child participation

To take these next steps forward, action is needed at local, national and European levels:

1. Targeted funding for Roma, Pro-Roma and child-focused NGOs to create long-term participation opportunities in which children can identify concerns, plan action and solutions, monitor improvements and build networks of support.
2. Funding and support to enable Roma children to train public sector professionals and decision-makers, to increase duty-bearers' awareness of antigypsyism and effective approaches to children's participation.
3. Creation of informal spaces for Roma children to have direct dialogue with politicians and policy makers on all issues that concern them.
4. Inclusion of Roma children's participation, mainstreamed in all materials and guidance developed by the Council of Europe, European Union and member states.
5. Ensuring participation of Roma children in local, national, EU and CoE formal structures and spaces of child and youth participation.
6. Monitoring and review of the extent of Roma children's participation in formal opportunities to influence national and European public decision-making (conferences, meetings, research, advisory groups, councils/forums, guidance etc.)

¹¹ Vincze, F., Földvári, A., Pálinkás, A., Sipos, V., Janka, E. A., Ádány, R., & Sándor, J. (2019). Prevalence of Chronic Diseases and Activity-Limiting Disability among Roma and Non-Roma People: A Cross-Sectional, Census-Based Investigation. *International Journal of Environmental Research and Public Health*, 16(19), 3620.

¹² Barassi, V. (2019). Datafied Citizens in the Age of Coerced Digital Participation. *Sociological Research Online*, 24(3), 414–429.