

**Statement to Working Session 6
OSCE Action Plan on Roma and Sinti:
Participation in political life, overcoming discrimination**

Statement presented by the European Roma Rights Centre (ERRC)

The European Roma Rights Centre (ERRC) is a public law interest group focusing on the defence of human rights of Roma in Europe. The focus of our intervention today is the situation of Romani children in state care institutions.

In response to repeatedly raised concerns about the vulnerable position of Romani children in relation to the various child protection systems in Europe, the ERRC recently conducted an in-depth study on the situation of Romani children in children's homes, in adoption and in institutions for the mentally disabled. This undertaking was supported by the Hungarian government. We will share more detailed information on this research at a side event tomorrow at lunch time.

The Hungarian government does not collect ethnic data, similarly to most OSCE participating States. The ERRC therefore interviewed 120 children living in children's homes, professional care workers and local level social workers in order to ascertain the effects of ethnicity on child protection matters. The results in all three areas are extremely worrying and require urgent attention by responsible state authorities.

Amongst the sample of children in state care institutions interviewed, 40% were of Romani origin and 18% were half-Romani, 68% in total. According to estimates, Romani children account for only 13% of the child population in Hungary.

Although the Child Protection Act bans the removal of children from their families for purely material reasons, Romani children appear to be removed more frequently from their families for material reasons than non-Romani children. Preventative social care and community development programmes in Hungary are extremely underdeveloped. Also of concern is that according to our research, the temporary or short-term care of children turns into long-term care in almost all cases, meaning that a disproportionate number of Romani children in state care are relegated to life in an institutional setting.

With regard to the position of Romani children in relation to adoption processes, ERRC research indicates that Romani children are less likely to be adopted than non-Romani children and therefore disproportionately spend longer periods of time in an institutional setting. According to Hungarian child protection professionals, the majority of adoptive parents are non-Romani who are unwilling to adopt Romani children for reasons ranging from anti-Romani attitudes to lack of preparation to take on a Romani child, to pressure from the surrounding environment, to fear of being incapable of raising a Romani child. In addition, potential adopters reportedly refuse en masse to adopt children with disabilities. As Romani children are more likely than non-Romani children to be labelled with a mental disability or special learning need, they are at a double disadvantage regarding to the identification of suitable adoptive families. 63% of the children interviewed who were categorised as having a mental disability or special learning need were Romani.

Overrepresentation of Romani children in institutionalised care is a considerable problem because children growing up in an institutional setting will be without any substantial support network as adults. Alarming is that workers in the children's homes informed ERRC researchers that there are indications that many children growing up in homes as adults will themselves end up having their children removed due to their socio-economic situation.

We therefore address the following recommendations to Hungarian and other governmental authorities.

Recommendations:

For OSCE participating States:

- Initiate and undertake research within the national child protection system to fully understand the situation of Roma children in such institutions.
- Reconsider the general position on the collection of ethnic data and start gathering information in the context of how ethnicity influences the placement of Roma children in state care institutions while fully complying with existing data protection laws.

For Contact Point on Roma and Sinti issues:

- Support further research on Roma children in state care institutions in other OSCE countries to be in the position to fully understand the scope of the issue.
- Cooperate with the ERRC in advising participating States of the OSCE in what measures should be taken to guarantee the rights of the child in particular of Roma children in state care institutions.

Warsaw , 27 September 2007