

DRTO(2019)

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**Council of Europe Dialogue with Roma and Traveller¹ Civil Society
8th Meeting**

**Strasbourg, 10-11 October 2019
Palais de l'Europe, Room 10**

***“Protecting the right of Roma and Traveller children to equal access to quality education.
Fighting school segregation through inclusive education”***

AGENDA

Thursday, 10 October 2019

08.30 - 09.00



Registration of participants

09.15 - 10.15

Welcome and Opening Addresses

Legislation, policies and practices in protecting the rights of children in accessing quality and inclusive education and to live in an environment free of discrimination.

Chair: **Gilles Heyvaert**, Permanent Representative of Belgium to the Council of Europe, Chair of the Committee of Ministers' Rapporteur Group on Social and Health Questions (GR-SOC)

- **Linos-Alexandre Sicilianos**, President of the European Court of Human Rights
- **Jeroen Schokkenbroek**, Director of Anti-Discrimination, Council of Europe
- **Peter Pollák**, Member of the European Parliament

Discussion

10.15 - 11.00

Topics to be discussed:

- *Discriminatory practices related to the right to education.*
- *How does International and EU law approach school segregation?*

Setting the scene – Securing the rights of children to and in education

This session will present the norms and standards set by international organisations on education particularly related to Roma and Traveller children.

Moderator: **Maria-Andriani Kostopoulou**, Chair of the Ad hoc Committee for the Rights of the Child (CAHENF)

- **Introduction**
“Overview of the situation of Roma and Traveller children in education with an emphasis on discriminatory practices in education” by **Lilla Farkas**, Ground coordinator on race (Roma) of the European Network of legal experts on gender equality and non-discrimination

¹ The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand, Roma, Sinti/Manush, Kale/Calé, Kaale, Romanichals, Boyash/Rudari; and, on the other hand, groups such as Balkan Egyptians and Ashkali, Eastern groups (Dom, Lom and Abdal), Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies, Boshia or Garachi. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

- *How is international and national legislation providing effective protection against school segregation and other forms of structural discrimination?*

Questions & Answers

- **“Overcoming discriminatory barriers to educational outcomes as told by the students”**
Short Intervention by Ondrej Olah, former student of Babington Academy Leicester/INSCHOOL Roma Ambassador, United Kingdom and **Sybil Lee**, Romany/Traveller activist, campaigner and trainer, United Kingdom

11.00 - 11.30

Tea/coffee break

11.30 - 13.00

Council of Europe instruments and tools in securing the right to education, ensuring the elimination of discrimination and improving the quality of educational provision

Topics to be discussed:

- *Understanding the legally binding tools in protecting the rights of children in education: access to and quality of education*
- *Jurisprudence in the “Roma Education Cases”: Children’s rights, discrimination, segregation and remedies*
- *Monitoring of and follow-up to infringements and violations of the right to accessible, quality and inclusive education*

This session will discuss the existing legally binding instruments in protecting the rights of children in education. Furthermore, it will examine more closely the case law on Roma education while looking at the monitoring and follow-up to infringements and violations of the right to accessible, quality and inclusive education.

Moderator: **Thorsten Afflerbach**, Head of Division for the Roma and Traveller Team, Council of Europe

- **“Fighting school segregation in Europe through inclusive education”** by **Françoise Kempf**, Office of the Council of Europe Commissioner for Human Rights
- **“Using the European Social Charter to defend social rights for Roma and Travellers”** by **Amaya Ubeda**, Secretariat of the European Committee of Social Rights
- **“The implementation of the judgements of the ECtHR and the Roma education cases”** by **Szymon Janczarek and Mate Mohácsi**, Department for the Execution of Judgements of the European Court of Human Rights
- **“Ending school segregation and eliminating obstacles to equal participation in education”** by **Wolfram Bechtel**, European Commission against Racism and Intolerance (ECRI)
- **“Access to education of Roma and Travellers as protected by the Framework Convention for the Protection of National Minorities”**, by **Michaël Guet**, Secretariat of the Framework Convention for the Protection of National Minorities
- **“Policy Guidelines on the Role of the Romani Language in the Educational Inclusion of Romani Children and Adolescents: Plurilingual Education in Action”** by **Ahmed Murat Kilic**, Education Policy Division

Discussion

13.00 - 14.30

Lunch break

14.30 - 16.00

Remedies and redress to the violation of children's rights to the access of quality and inclusive education

This session will present positive action measures against school segregation, remedies to rights violations following court judgements and monitoring reports. These measures aim to support legislative, administrative and policy changes at the national level to decrease school segregation of Roma and Traveller children, combat structural discrimination and promote inclusive education.

Moderator: **Sarah Burton**, Committee on Equality and Non-Discrimination, Secretariat of the Parliamentary Assembly of the Council of Europe (PACE)

Topics to be discussed:

- *Understanding the prohibition of school segregation and the right to education through legally binding tools*
- *The long-term impact of school segregation*
- *Substantive equality and the member state's obligations to eliminate school segregation and secure quality education*

▪ **Introduction**

"Advocacy for desegregation policies, measures and strategic litigation" by **Margareta Matache**, Director of the Roma Program, François-Xavier Bagnoud Center for Health and Human Rights, Harvard University

- **Strategic litigation: its limits and its impact on policy, practice and jurisprudence** following *Orsus and Others v. Croatia, Sampanis and Others vs Greece, Sampani and Others v. Greece, Lavida and Others vs Greece* by **Theodoros Alexandritis**, Independent legal expert and legal consultant

Positive Action developments at the national and local level:

- **"Desegregation efforts at the local level in Hungary"** by **Adél Kegye**, Human Rights Attorney, Chair of Rosa Parks Foundation, Hungary
- **"Inclusive Education Policy and Roma children integration in Slovakia"** by **Ján HERO**, Adviser to the State Secretary, Office of the State Secretary, Ministry of Education, Science, Research and Sport, Slovakia and Vice Chair of the Chair of the Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM)

Open Discussion

16.00 - 16.30

Tea/coffee break

16.30 - 18.00

The role of civil society in public interest litigation, as third-party interveners and supporters of national positive action measures to school desegregation

Participants will gain an understanding of the wide spectrum of civil society contributions to combating school segregation and structural discrimination in education particularly in cases brought before the European Court of Human Rights and the European Committee of Social Rights. The Council of Europe stresses the important role played by civil society in the execution process of judgements and recommendations for remedies at national level as human rights cases often raise public interest issues. Input from grassroots interveners allows for wider implication of issues to be taken into consideration.

Moderator: **Claude Vivier, Le Got**, Chair of the Education and Culture Committee of the Conference of INGOs

Topics to be discussed:

- *Insecure living conditions as a barrier to children's schooling*
- *Examining inclusionary processes and examples of 'good practice' in primary and secondary schools for Roma and Traveller children*
- *Community dialogue and participation as a vital approach in desegregation and in achieving 'inclusive*

- **"Civil Society and the Collective Complaints Procedure of the European Social Charter in the decision: [European Roma and Travellers Forum \(ERTF\) v. France, Complaint No. 119/2015](#)"** by

Miranda Vuolasranta, President of the European Roma and Travellers Forum (ERTF)

- **“Grassroots civil society voicing needs and opinions of Roma about access to quality education”** by **Carmen Tanasie**, Policy Officer at the European Roma Grassroots Organisations Network (ERGO), Belgium
- **“The role of civil society in monitoring national desegregation strategies and inclusive education policy development”** by **Miroslav Klempar**, Director of Awen Amenca and Educational Adviser in the INSCHOOL Joint Project in the Czech Republic

Discussion

18.00

End of the first working day

09.30 - 09.40

Introduction to the working groups

09.40 - 11.30

Working group 1: The development of draft Guidelines for civil society monitoring and documenting school segregation and desegregation action plans

**Room 10
Palais de l'Europe**

Working language: English and French

Although some steps have been taken in some countries, e.g legislation banning school segregation, little progress has been made in effectively combating this phenomenon. Civil society involvement is a democratic tool that can be used to report on the implementation of public policies for Roma and Travellers. Therefore, clear methodologies and approaches would provide guiding tools for civil society actors in the area of educational discrimination.

Facilitator: **Robert Rustem**, Outreach Officer, Roma and Travellers Team, Council of Europe

Discussion

**Room 11
Palais de l'Europe**

Working language: English and Romani

Working group 2: The development of a draft Joint Statement on inclusive education with key stakeholders and Roma and Traveller civil society organisations

Concerted efforts often bring about the best results. Shared responsibilities strengthen collective action to end discriminatory practices in the education of Roma and Traveller children. A joint Statement condemning the discriminatory practices in education would strengthen the voice of justice, boost change and corrective policies, improve stakeholder response, ensure Roma and Traveller participation, enhance the role of civil society and weaken impunity and indifference.

Facilitator: **Margareta Matache**, Director of the Roma Program, François-Xavier Bagnoud Center for Health and Human Rights, Harvard University

Discussion

11.30 - 12.00

Tea/coffee break

12.00 - 13.00

Taking stock of issues discussed during the 8th Dialogue Meeting: preliminary conclusions and commitments to moving forward

Participants will take stock of issues discussed during the meeting and identify key action priorities for further development in the area of Roma and Traveller children's rights to access quality and inclusive education. The session aims to interpret the outcomes of the 8th Dialogue meeting into concerted further efforts between the Council of Europe and civil society.

Moderator: **Tatjana Andjelić**, Chair of the Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM)

- Presentation of the outcomes from the working groups and proposals for follow-up activities

Discussion

- Closing Remarks: **Hallvard Gorseth**, Head of Department a.i. for the Roma and Travellers Team, Council of Europe

13.00

End of the meeting