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The **Chance for Children Foundation (CFCF)** is a Budapest-based Roma NGO founded with the express purpose of fighting structural discrimination against Roma and impoverished children in education through collective legal action coupled with community organising and local action. (www.cfcf.hu)

The **European Roma Rights Centre (ERRC)** is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. Since its establishment in 1996, the ERRC has endeavoured to provide Roma with the tools necessary to combat discrimination and achieve equal access to justice, education, housing, health care and public services. The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations. (www.errc.org)

The **Legal Defence Bureau for National and Ethnic Minorities (NEKI)** is an NGO aiming to combat discrimination of Roma. Its main objectives are maintaining a free-of-charge legal aid service for disadvantaged Roma and conducting anti-discrimination strategic litigation. Priority areas are hate crimes, hate speech and discrimination in access to social services. NEKI is also a watchdog organization in respect of domestic and international obligations of the State in connection with Roma rights. (www.neki.hu)

Introduction

This submission is a joint report by the Chance for the Children Foundation (hereinafter also referred to as “CFCF”), the European Roma Rights Centre (hereinafter also referred to as “ERRC”) and the Legal Defence Bureau for National and Ethnic Minorities (hereinafter also referred to as “NEKI”).

Major concerns related to recent changes of the Constitutional system, the functioning of the a democratic government system, general human rights protection and social security, the criminalization of marginalized and poor members of society, the government attacks on civil society are all detailed in the submission to Hungary’s UN Universal Periodic Review written by a broader coalition of representatives of Hungarian civil society. Therefore this submission will only focus on a few thematic areas with the aim to highlight the major concerns related to the equality and non-discrimination of Roma people in Hungary.

Normative and institutional framework of the state

1. The legal framework of the new public work system

The Government introduced a new public work system in 2011. According to the Government’s communication underlying reason of creating this new system was that the former schemes of public work and social benefits did not motivate people to engage in employment but refrained considerable portion of able and active job seekers from working.

The new public work system aims at providing support to long-term unemployed people, especially those receiving the Employment Replacing Subsidy (ERS), by offering public work. In the new system recipients of the ERS has to have had an employment relationship (public work or ordinary work) of at least 30 days in the previous year. The recipient must cooperate with the Public Employment Centre as a registered job seeker. Failing to meet this criteria results in exclusion from public benefit system. Refusing to do the public work offered or violating the obligation to cooperate will also be sanctioned by two years of exclusion from the system of public benefits.

The number of participants in public work is around 200 000 to 300 000 every year since its introduction. The proportion of Roma among public workers cannot be defined exactly as official data disaggregated by ethnicity is not collected in this regard. The number depends on many factors such as the proportion of Roma in a given settlement or the type of public work available.

In NEKI’s opinion the legal framework of the public work system discriminates public workers directly and Roma public workers indirectly. First of all the wage of public workers is considerably lower than the minimum wage (77% of the minimum wage or 85% of it where secondary education is a minimum requirement for doing some public work) thus the principle of equal pay for equal work is not applied. Public work does not fall within the scope of the Labour Code and, therefore, some of the legal arrangements which protect workers do not apply to public workers. Public workers for example do not receive supplementary holidays so they are entitled to fewer holidays than those working within the scope of Labour Code.

2. The new legal and institutional system of public education

A new act on public education has been adopted in 2011 (Act CXC of 2011 on National Public Education) which worsen the situation of multiply disadvantaged and/or Romani students in particular. The new educational act does not prohibit discrimination expressis verbis, it only refers to the right to equal treatment as a principle that governs education.

Public schools have been nationalized as of 1 January, 2013. A new centralized body, the Klebelsberg School Maintainer Centre is the sole maintainer of all primary and secondary schools handed over by municipalities. When taking over the school, the Centre had the historic opportunity to inspect all schools and take steps against unlawful practices, such as segregation of Roma children. The Centre however so far failed to map the situation of Roma children in the nationalized schools and to challenge segregation.

The Hungarian National Social Inclusion Strategy was adopted in 2011 in order to fulfil the requirement from European Union member states to adopt National Roma Inclusion strategies. An updated Strategy was published in 2014. No specific measure had been adopted to decrease segregation of Romani children based on these strategies; combating racial segregation is neither a priority nor a long term goal for the Hungarian government.

Government attempts to legalize segregation

Since 2010 the Hungarian Government made several attempts to legalise segregation. At first, the Government and the National Roma Self-government (NRSZ) agreed to deepen the NRSZ's involvement in the education of the Roma. A new act has been adopted on national minorities in 2011 (Act CLXXIX of 2011 on the rights of minorities) which gives floor to the takeover of primary schools by national minority self-governments in case 75% of the students of the respective school already receive minority education. The government also made increased budgetary allocations available for schools maintained by minority self- governments. In Hungary segregated schools are the most likely to provide Roma minority education. As of September 2012, three schools had been transferred to the NRSZ. On 27 March, 2014 the Ombudsman published a report on the situation of minority secondary schools. According to the Ombudsman Roma minority education is in a special situation compared to other minorities in Hungary, since Roma minority education often serves segregation, moreover Roma minority schools provide a lower quality of education compared to other minority schools due to the fact that it cumulates the disadvantage arising out of the socio-economic status of its students.

Secondly, on 29 March, 2013 a proposal was submitted to the Parliament for the amendment of the Act CXXV of 2003 on Equal treatment and the promotion of equal opportunities. According to the proposal, the provisions on positive measures (exceptions from discrimination) would have been amended to allow discrimination (and segregation) for remedial aims. A coalition of NGOs called MPs to vote NO for the amendment. Finally, the amendment has been revoked. NGOs expressed their concern that the proposal would have created a situation on which- contrary to the Racial Equality Directive- segregation would have been legal in case it served remedial aims.

Minister Zoltan Balog responsible for public education expressed his concerns about the law currently prohibiting segregation completely. He believes integration is a two-step effort: first the disadvantaged, mostly Roma children shall be put into segregated schools where “they will catch up”, and then once they achieve the knowledge and skills in these segregated schools equal to that of students in the “white” schools, the Roma children can be integrated into the mainstream population. Mr Balog volunteered to testify in a court in defence of the Greek Catholic Church which maintains a segregated school in Nyiregyhaza. The Court of Nyiregyhaza established that the Church was segregating its students based on their Roma origin in a judgment of 28 February 2014. After the judgement has been delivered, Mr. Balog expressed his dislike of the judgement and said that the verdict “is a sad commentary on the judiciary, which denies parents’ right to a free choice of schools.”

Finally, despite protests of civil society organisations (CSOs) and professionals,¹ a modification of the Public Education Act was passed by the Parliament in December 2014 that authorized the government to determine (in a decree) the waivers which could be applied to permit segregated education.

Practice

1. Implementation of the public work system

NEKI received more than a hundred complaints regarding the implementation of the public work system. The complaints are connected to the following fields:

- Insufficient working conditions (employers are failing to comply with safety regulations, lack of proper tools, access to WC on site)
- The requirement of a 30-day employment is practically impossible to meet in many cases where there is simply not enough public work positions offered
- Public work related trainings are not organized
- Wages are not paid in time
- Public employers (mostly local councils) are often using their powers to intimidate or pressurize Roma by threatening them with excluding them from public work positions or dismissing them from public work. (In both instances the effected persons are losing their right to public benefits for a given time)

Experiences of NEKI show that institutions entitled to investigate complaints regarding the compliance with work safety regulations and the rules relating to working conditions are often not carrying out a thorough and proper investigation.

In general, in NEKI’s view the system makes it possible for local councils, the most common public employers, to abuse their powers and take discriminatory actions in connection with Roma public workers.

¹ See: Commitment related to Bill No. T/2085. <http://cfcf.hu/images/Allasfoglalas.pdf> (Accessed 11 September, 2015)

3. Discriminatory inspections by the Council of Miskolc

The law enforcement units of the Council of Miskolc, the fourth biggest city in Hungary situated in the North Eastern part of the country, has been conducting inspections with other local authorities since 2013 in areas of the city where there is a considerable Roma population. During the inspections a group of 10-15 representatives of various local authorities entered apartments, inspected the rooms, bathrooms and toilets. According to the Council of Miskolc the purpose of the inspections was to observe and protect the property of the council (especially with regards to social housing), to review whether inhabitants are registered at their addresses, whether they are collecting rubbish according to the local rules and maintaining order around the house and whether rules for keeping pets are being respected. The inspections were clearly targeting apartments rented or owned by Roma (. According to the inhabitants, although fines were imposed only in few cases, the inspections were frequent and very humiliating, so that the inhabitants felt harassed and intimidated when representatives of the local government entered into private homes and checked the families.

The Commissioner of Fundamental Rights (hereinafter referred to as: the Ombudsman) conducted an investigation in relation with these inspections and identified several violations of fundamental rights.² Also, the Ombudsman issued several recommendation to the council of Miskolc, the most important of which is to discontinue the inspections in their present form.

The main problems as identified by the Ombudsman are the following:

- The inspections do not have any expressive legal mandate thus they are not complying with the principle of rule of law and legal certainty.
- The implementation of the inspections are not complying with the rights to fair authority proceedings and effective remedy.
- The inspections are unduly restricting the right to privacy.
- the planning, organizing and implementation of the inspections are infringing the principle of equal treatment.

However, after the Ombudsman made its report public the mayor of Miskolc stated in a press conference stated that the inspections will continue despite the Ombudsman's concerns and express call for terminating them.

4. Discriminatory fining practice of the Hungarian police

According to the reports of NGOs, including NEKI, the local police are applying a discriminatory fining practice in numerous settlements – mainly in North Eastern Hungary – with respect of local petty offences. Reports state that local police are imposing fines primarily on Roma when they are committing petty offences mostly relating to riding bicycles (lack of bicycle accessories required by law such as a bicycle bell, front light and rear reflector). Paying the fines requires a considerable effort from the

² Joint report of the Commissioner of Fundamental Rights and the Deputy Commissioner of Minority Rights, Case nr.: AJB-1474/2014.

perpetrators, most of them unemployed living on social benefits. As a result many of the perpetrators has to spend time in prison as they are unable to pay the fines.

In general it can be stated that the individual measures by the police were arguably lawful (as the law did require that bicycles be equipped with certain accessories), the sanctioning practice of the police indicates ethnic disproportionality that could not be reasonably justified and were based on ethnic profiling, a form of racial discrimination.

The Equal Treatment Authority examined the fining practice of the Rimóc Police after a report by a local official and the procedure ended in a settlement between the Nógrád County Police Headquarters and the Hungarian Helsinki Committee, the NGO that joined the proceedings³. In its first instance decision the Court of Eger on 17 September 2015 settled that the police directly discriminated local Roma in Gyöngyöspata between May and December 2011 by failing to protect them from the far-right activists (who were illegally marching in the town), as well as by fining Roma in the settlement for petty offences.⁴

Despite the above case and the dozens of complaints gathered by NGOs and media reports the National Police refused to examine the fining practice of the concerned police departments or to hold consultations with NGOs.

5. Education of Romani Children

5.1. Segregation of Romani Children in Schools

School segregation of Roma children is increasing in Hungary. Approximately 45% of Roma children attend schools or classes in Hungary where all or the majority of their classmates are also Roma.⁵ In 2014 381 primary and secondary schools have been officially reported to have 50% or more Roma among their students.⁶ Until this date the Government has not targeted any of these schools by desegregation measures. The central authority responsible for schools (Klebensberg School Maintainer Centre (KLIK)) since 2013 has the opportunity and means to take measures, so far it has failed to map the situation of Roma children and to address school segregation. The Centre expressed its position towards integration in a lawsuit on 17 February 2014, maintaining that it is not its duty to promote integration in a proactive manner and to monitor segregation in schools. There are 8 pending segregation lawsuits in which the Centre was invoked after the nationalisation of the schools. In none of the pending cases took the Centre any action to settle the case out of court and to end segregation. In Piliscsaba the Centre put an end to the already started desegregation process when launched a new class in the segregated Roma- only school which was about to closed down based on the decision of the previous school maintainer local municipality.

³ For more information on the case visit the website of the Hungarian Helsinki Committee at <http://helsinki.hu/rendorsegi-lepesek-az-etnikai-aranytalansagok-kikuszobolesere>

⁴ For more information on the Gyöngyöspata case visit the website of the Hungarian Civil Liberties Union at: <http://tasz.hu/romaprogram/diszkriminalta-romakat-rendorseg-gyongyospatan>

⁵ European Union Agency for Fundamental Rights (FRA): Roma Survey – Data in focus. Education: the situation of Roma in 11 Member States. 2014. p. 44–45.

⁶ The data of the Educational Authority (EA) provided upon request of the Chance for Children Foundation (CFCF) in 2014 reported 381 primary and secondary schools to have 50% or more Roma among their students (although the EA warned that there is high latency in the provided data).

Since 2011 the Hungarian Supreme Court (Curia) adjudged in 5 Roma education cases that Romani children were unlawfully segregated and two municipalities have been convicted by the Equal Treatment Authority for segregation.⁷ Nevertheless, Hungarian courts have not yet ordered the desegregation of any of the schools, effective remedy against systematic discrimination of Roma children is not provided. In the extensively debated recent Nyíregyháza resegregation case⁸ the Curia has justified segregation of Roma children based on religious education. This interpretation casts a shadow over compliance of the current legislation and wording of the Equal Treatment Act (ETA) with relevant provisions of international and EU law pertaining to the prohibition of discrimination.

5.2. Misdiagnosis of Romani children

Testing procedures in use to assess the mental ability of children are contributing to segregation as culturally biased testing results in misdiagnosis of Roma children.⁹ This has been affirmed in 2013 by the European Court of Human Rights (ECtHR) in the *Horváth and Kiss v. Hungary case*.¹⁰ The Court noted that Romani children had overall been overrepresented in the past in remedial schools in Hungary due to the systematic misdiagnosis of mental disability. The Committee of Ministers have called Hungary to provide data on the impact of new diagnostic procedures on Romani students. No data has been provided yet. CFCF has evidence submitted to an on-going litigation in the Court of Eger that culturally biased diagnostic protocols (e. the Budapest-Binet test) leading to the misdiagnosis of Romani children are still in use nationwide despite of governmental efforts because of the lack of supervision and monitoring over expert panels.

5.3. Negative impact of mainstream education policy changes on Romani and socially disadvantaged children

The new Public Education Act reduced the compulsory school age from 18 to 16 years and reintroduced “failing” from first grade which affects mainly disadvantaged and Roma children while school year repetition is one of the main reasons for early drop out.¹¹ These amendments came after the first positive effects of the 1998 reform could be observed that raised CSA to the age of 18 years. Academic research shows already that the reduction of CSA not only sends a negative message to

⁷ See <http://cfcf.hu/jogi-%C3%BCgyek/jogi-dokumentum%C3%A1r> (Accessed 11 September, 2015) for the Supreme Court (Curia) judgments or CFCF website for a description of cases: www.cfcf.hu

⁸ In the *Nyíregyháza resegregation case* (2014)⁸, which concerned a Roma-only church school the Curia examined whether conditions provided by Art. 28. (2) of the Equal Treatment Act has been met, whether segregation could be justified and found that segregation was lawful, as the church provided religious education. The Curia took the position that the fact that the Greek Catholic Church conducted “Roma pastoral care” justified its decision to reopen an already closed down segregated Roma-only school in a Roma settlement (instead of integrating the Roma children into the other Greek Catholic School in the city center), because it could not conduct “Roma pastoral care” in a school where the ethnic composition of the students is mixed.

⁹ FRA: Roma Survey – Data in focus. Education: the situation of Roma in 11 Member States. 2014. p. 44.

¹⁰ *Horvath and Kiss v. Hungary*, application no. 11146/11, Second section (2013), available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116124> (Accessed 11 September, 2015)

¹¹ See Art. 45 (6) of the Act CXC of 2011 on National Public Education on compulsory school age entered into force on 1 January 2013.

stakeholders and society, and as a result, early school leaving has increased in affected cohorts.¹² Secondly, it has negative effect on the number of students acquiring higher education certificates. Thirdly, these tendencies have had disproportionately greater effect on students with undereducated parents and multiple disadvantages, a group to which the majority of Roma people belong.¹³ Furthermore civil society activists have reported that schools have used this opportunity to get rid of overage students. An especially evil form of exclusion was reported to the Chance for the Children Foundation (CFCF) in a town in North East Hungary.¹⁴

6. Overrepresentation of Romani children in state care

Disaggregated data based on ethnicity is not available in Hungary, however research conducted by the European Roma Rights Centre in 2007 already revealed that Romani children are overrepresented in state care¹⁵ and recent research confirmed that the overrepresentation has not changed: on the basis of the interviews conducted in 24 children's homes in Hungary, the 2010 ERRC research found that approximately 65.9% of the children in children's homes visited were Romani. This figure was consistent with detailed information provided by 13 of those homes on the ethnic breakdown of the child population, where 89 of 135 (65.9%) children were reported to be Romani.¹⁶

The European Roma Rights Centre together with the Civil Liberties Union (TASZ) revealed several cases of Romani new born babies unlawfully removed from their parents shortly (few days) after birth and taken to foster care in 2013 and 2014. The decisions were justified mainly by circumstances related to poverty and negligence of the parents. The NGOs provided legal aid for Romani parents who tried to get their children back, and represented the parents in three court cases out of which so far one has successfully ended with a court ruling that ordered the reintegration of the children with their family, in one case the Supreme Court maintained that the children should remain in foster care, and the third case is still pending.

The overrepresentation of Romani children in institutional care appears to be the result of indirect discrimination against Roma, a lack of clear guidance in the child protection law and policy and various shortcomings in the operation of the child protection system, which disproportionately

¹² Mártonfi, György (2014): A korai iskolaelhagyás és néhány kapcsolódó mutató összefüggése. [Correlation of early school leaving and some relevant indicators] Iskolakultúra, 2014/5. p. 77-90.

http://www.ofi.hu/sites/default/files/attachments/hany_eves_korig_tartson.pdf (Accessed 11 September, 2015)

¹³ Hermann, Zoltán (2014): A tankötelezettségi korhatár változásainak leírása [Description of changes in CSA] Hungarian Academy of Sciences, 2014. <http://econ.core.hu/file/download/Szirak2014/Hermann.pdf> (Accessed 11 September, 2015)

¹⁴ According to complaints of Roma parents in Gyöngyöspata some Roma children who were registered and educated as special needs students in normal schools for 8 years were re-examined by the expert committee just before their 16th birthday and found to be "normal" students. As soon as they lost the special needs status, the schools persuaded them to leave, even if they had not finished 8 grades.

¹⁵ Dis-Interest of the Child: Romani Children in the Hungarian Child Protection System, ERRC, 11 December 2007, available at: <http://www.errc.org/article/dis-interest-of-the-child-romani-children-in-the-hungarian-child-protection-system/2960> (Accessed 11 September, 2015)

¹⁶ Life Sentence: Romani Children in State Care in Hungary, ERRC, 20 June 2011, available at: <http://www.errc.org/article/life-sentence-romani-children-in-state-care-in-hungary/3953> (Accessed 11 September, 2015)

impact Romani families. Poverty-related material conditions remain one of the major reasons for the removal of Romani children from their home environment, despite an explicit ban on such actions in the Hungarian Child Protection Act. School absenteeism, especially among Romani teenagers, is a major reason for their perceived endangerment and removal from their family. The perception that Romani families “deviate” from societal norms, compounded with negative stereotypes among some child welfare workers, also increases Romani children’s chances of institutionalisation. The cumulative effects of poverty and marginalisation are often insurmountable barriers to the return of Romani children to their families once in State care. There is a lack of programmes promoting a positive Roma identity among Romani children living in State care and a lack of Romani child protection professionals. Few Romani children are reintegrated with their biological families and many end up staying in institutional care until they reach adulthood.

7. Trafficking of children and Romani women

Previous research of the European Roma Rights Centre¹⁷ showed that young women and children living in poorer regions, especially Roma are highly vulnerable to become victims of trafficking as Roma women and youth were perceived to represent between 40 and 80% of victims of Trafficking in Human Beings (THB) in Hungary. ERRC research also indicated that children brought up in State care are more vulnerable to becoming victims of trafficking; given the overrepresentation of Romani children in State care (see above), Romani children, and especially girls are highly vulnerable to this phenomenon. Women living in poorer regions, young women, children, those living in childcare institutions and Roma are highly vulnerable to become victims of trafficking. According to recent research conducted by the Central European University in 2014¹⁸ children from impoverished families and neighbourhoods are in the highest risk of victimization to trafficking.

When children are at risk of being trafficked or have been already victims of trafficking in Hungary they should be treated by the general child protection system as there is no separate victim assistance service designed for children. However, the local child welfare institutions in Hungary have no appropriate means to prevent the risk of trafficking and to assist the children at risk, and endangered children are most likely to be re-victimized while in the child care institutions since their needs are not addressed efficiently during and after the placement procedures. The 2014 research also revealed that the Hungarian police and the judicial system are not able to address child trafficking properly. Criminal proceedings against the traffickers are only initiated if the victims file complaints. Witness support is not provided for the protection of victims and according to the protocols of the police children between 14 and 18 are not considered to be a child anymore and are rather treated like adults. Hungarian police are reported to frequently neglect coercion claims by victims and fail to provide any special assistance to them. As a consequence of all these shortcomings only a few child trafficking cases are registered in Hungary yearly, although Hungary is both a country of origin and destination of child trafficking at least in three forms of child trafficking: begging, pickpocketing and sexual exploitation. The Group of Experts on Action against Trafficking in

¹⁷ European Roma Rights Center (ERRC): Breaking the Silence: Trafficking in Romani Communities. 2011 <http://www.errc.org/cms/upload/file/breaking-the-silence-19-march-2011.pdf> (Accessed 11 September, 2015)

¹⁸ Vidra, Zsuzsanna, Baracsi, Kitti, Sebhelyi, Viktória (2015): Child Trafficking in Hungary: Sexual Exploitation, Forced Begging and Pickpocketing. Center for Policy Studies, Central European University

Human Beings of the Council of Europe (GRETA) also highlighted in its 2015 report on Hungary¹⁹ that the number of identified child victims is low and urged the authorities to increase their efforts to identify child victims and to set up child-specific identification procedures. The GRETA report also called the Hungarian authorities to identify any gaps in the investigation procedures and the presentation of cases in court with a view to ensuring that crimes relating to THB are investigated and prosecuted effectively.

Recommendations for action by the state under review

With respect of the public work system:

- Modify the legal framework of the public work system to eliminate discriminatory rules and ensure that equal rules are applicable for public workers compared to those working within the scope of the Labour Code especially in the fields of wages and holidays.
- Ensure that institutions entitled to investigate complaints regarding compliance with the rules of the public work system are carrying out their duties with the necessary thoroughness, impartiality and effectiveness.

With respect of the discriminatory inspections by the Council of Miskolc:

- Ensure that the inspections are stopped and that the Council of Miskolc is complying with the recommendations contained in the Ombudsman's report.

With respect of the discriminatory fining practice of the Hungarian Police:

- Ensure that the National Police properly examine the fining practice of the Hungarian police and compile an action plan with the involvement of NGOs that eliminates racial profiling.

With respect of the education of Romani children:

- Map school segregation and elaborate a comprehensive policy for school desegregation that builds on existing Hungarian good practices (involving all the schools that receive financial support from the state irrespective of their maintaining institutions e.g. church) to provide effective remedy for unlawful discrimination of Roma children.

¹⁹ Group of Experts on Action against Trafficking in Human Beings (GRETA): Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Hungary, 29 May 2015
http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Reports/GRETA_2015_11_FGR_HUN_en_w_cmnts.pdf
(Accessed 11 September, 2015)

- Build capacity and train the school maintaining state authority (KLIK) to design and implement adequate measures to eradicate school segregation and to ensure access to quality integrated education for Roma.
- Amend the Equal Treatment Act in order to clarify justification defences in school segregation and ensure their compliance with EU and international law. The amendment needs to prohibit the justification of racial or ethnic origin based school segregation for purposes other than minority education.
- Create a legal framework for collecting data in education disaggregated by ethnicity and use it for mapping segregation and for the evaluation of the impact of government policies on Roma.
- Provide adequate professional and financial support to inclusive schools, with mixed student composition, and disseminate effective pedagogical methodologies (learning contents, training methods which have been developed in the previously implemented large volume programmes (e.g. HRDOP 2.1. and SROP 3.3.2.) with EU support).
- Transform the school entry testing system and further assessment of mental ability to avoid early selection of children and focus policy efforts on the provision of needs based individualised development from an early age and mapping of individual progress for every child.
- Ensure effective control and monitoring over expert panels in charge of assessing the mental ability of children to avoid arbitrariness and discrimination (as requested by the ECtHR).
- Enact all legislative amendments necessary to raise the age of compulsory school attendance to 18 years.
- Maintain the secondary school capacities and promote access to these schools and successful completion of secondary level education for socially disadvantaged children.

With respect of Romani children in state care system:

- Create a legal obligation to regularly collect data disaggregated by ethnicity and other relevant factors in the area of child protection;
- Develop and adopt a detailed description of child endangerment and methodological guidance to facilitate objective and consistent assessment;
- Ensure regular and systematic monitoring and evaluation of both basic child protection and professional care services, including children's rights representatives, which takes account of the perceptions of families and children and their level of satisfaction with child protection services;
- Make anti-discrimination and multi-culturalism training an obligatory component of school curricula for child protection and social work professionals;
- Prioritise funding for basic child welfare services on a service provision basis to ensure an adequate level of preventative work and avoid the under-financing of the regions and city districts most in need;
- Ensure that the families of children in risk because of poverty and inadequate housing conditions are provided with the necessary social care and assistance to secure safe environment for their children.

With respect of Romani victims of trafficking:

- Establish special assistance system for children at risk of trafficking and child victims of trafficking to prevent the victimization and re-victimization of children;
- Ensure that adequate capacity of professional staff is available in state care institutions who are trained to provide professional care for traumatised, victimised and abused children;
- Stop criminalization of victims of child trafficking by police and train the police to treat them as child victims;
- Ensure the identification, adequate investigation and prosecution of the perpetrators including perpetrators active in poor regions and segregated neighbourhoods;
- Raise awareness, train and support community workers and civil society organisations to engage in counter-trafficking activities in segregated neighbourhoods;
- Implement information campaigns and prevention programs to address the complexity of child abuse and exploitation with the involvement of schools, child welfare institutions, youth organisations and community activists.