

**Our vision:**

We want society of cheerful and friendly relations between Roma and other people. World where Roma people have their dignified roles and respect like individuals and as a nation.

**Our mission:**

We want to be a mediator who supports possibilities, opportunities and determination of Roma people on their way for growth and social use. To protect their rights and dignity in society.

12<sup>th</sup> July 2019, Brno, CZ

**IQ Roma servis NGO Shadow Report  
to the Report Submitted by the Czech Republic State Party**

**Response to Point 19 Article 2**

The significant problem of underreporting is still prominent in the Czech Republic as well as the public's overall negative attitude in the area of discrimination. The issue of racial discrimination is not perceived as a problem by society, officials or policy makers, and is often downplayed in the media.

The Ombudsperson undoubtedly plays an important role in anti-discrimination efforts; their activities are based on three basic areas. It is the area of information, education and direct assistance.

As for the informative role, the Ombudsperson issues recommendations (addressed to the professional public) and opinions (intended for the general public). In the area of education, the Ombudsperson implements various educational activities. However, it should be noted that these activities are directed towards different institutions and legal entities. These institutions should then apply these lessons in their practice, including transferring results to citizens who are ultimately victims of discriminatory behavior.

Providing assistance to victims of discrimination that turn to the Ombudsperson's office in their particular cases is undoubtedly the main activity of the Ombudsperson in ensuring equal treatment and protection against discrimination.

**It is important to bear in mind the biggest problem of discrimination and the fight against it: the fear and unwillingness of the victims of discrimination to openly address their situation.** The success of the fight against discrimination, however, is directly dependent on the percentage of victims who speak out publicly. While we know in what areas of life discriminatory behavior is most common, this undesirable phenomenon cannot be eradicated without identifying specific cases, specific culprits.

**For this reason, it would be convenient to allow the Ombudsperson or non-profit organizations to bring legal action to court, as parties in discrimination disputes. Allowing actions to be brought by these entities would shift the burden from the victims and ensure better effectivity of these actions.**

**It would be necessary for the Ombudsperson's office to intensify the information role and, in particular, educational activities towards the general public, with the aim of removing the "barriers" of publication, which are currently the greatest protection of those committing discrimination**

**Response to Points 22 – 26 Article 3**

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## The Agency for Social Inclusion and the Coordinated Approach to Socially Excluded Localities (CASEL):

The cooperation within CASEL is divided into several phases – negotiation with the municipality, creation of working groups, strategic plan containing concrete measures, preparing and submitting project applications, implementation of projects, evaluation.

Since 2017, it is possible to apply for financial support for projects from EU funds in line with the strategic plan. Project applications must be consulted and approved by the Agency for Social Inclusion (hereinafter referred to as "ASI"), individual departments and, in some cases, the Region. This system has evolved completely outside of the working groups and all the energy devoted to CASEL in 2018 has not paid off, with a few exceptions (practically only those projects that had been put into open calls are running, despite being created in the working groups; the groups did not work as intended – similar projects were created without the desired interconnection).

There are practically no working groups in their original form and with their original vision. Despite the fact that the majority of NGOs involved expressed clearly their interest in working groups to continue for the purposes of activity coordination and plan implementation evaluation, these no longer operate. If relevant actors meet, they do so because they are involved in specific projects, which means there is group project management, but not thematic groups that would go beyond project activities. The evaluation process was hectic, in the form of evaluating project indicators, without deeper involvement of the working groups (and thus without evaluating the overall impact of CASEL by the organizations involved).

## Overall Evaluation of CASEL's Contribution to the City of Brno, Břeclav

The ASI perceives its activities in a positive light and as successful, but from our point of view they were not a success. The main goal is to implement projects, to exhaust the allocations. This was already reflected in the preparation of the strategic plan, which was created on the basis of project intentions, not on the basis of mapped needs and predetermined goals, to which project fiches and project needs were to be set. The overall significant delays in the process hampered the activities of organizations and their strategic planning. Currently, CASEL is merely a tool for project delivery, without the need to reflect and evaluate the impact on socially excluded localities, there is no "coordinated approach". The original demand of some members (mainly NGOs) to clarify value plans (e.g. in the group of education – what inclusion, which is the main line of the plan, means for individual partners etc.) or the effort to set the goals of the working group and its meaning were postponed in the beginning due to lack of time without anyone returning to this discussion over time.

On the one hand, ASI staff tried to negotiate with everyone and acted helpful, held personal meetings with each partner, and seemingly agreed to the views of those with whom they were speaking to at the moment. All this at the expense of clarity, transparency and credibility of the information provided.

In our view, the ASI has failed in its vision of coordinating and monitoring the impact on socially excluded localities. Although working groups were set up initially and there was room for coherent and clear coordination of all partners, the ASI failed to carry out and implement this role. The lack of clarity and lack of transparency in social inclusion processes and strategies should have been eliminated and open to all relevant partners through CASEL. In

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the end, however, this was not the case, and the ASI only followed up on the ills of all previous working groups and platforms. It should be noted that in the city of Brno, the most open political representation was in office in the given period for setting meaningful systemic changes supporting social inclusion. Better constellation may not happen again in the future. This makes the fact that the ASI has failed to seize this opportunity all the more regrettable.

### Response to Point 26 Article 3

In the area of securing standard housing, the responsibility to provide housing has been transferred to municipalities from the state, and both fail in this area. The Roma's access to commercial housing is made considerably more difficult by prevailing ethnic discrimination, as has been proven repeatedly. Other reasons include lack of willingness to rent apartments to families with a larger number of children and the high entry costs of getting an apartment.

The state (the current government) has resigned all efforts to pass the Social Housing Act, which could clearly define beneficiaries and designate instruments that could contribute to supporting these people in this area. Instead, the government has been focused solely on the construction program, which is contrary to what is stated in the report – under this program, there are no guarantees defined in the area of social support to be provided to tenants in these apartments. Social support in this area is thus almost completely absent. At the same time, thanks to the vague anchoring of the right to housing, people in a difficult housing situation do not have the possibility to enforce state / municipal support through legal channels. Thus, many Roma still depend only on substandard housing in overpriced and inadequate lodging houses and shelters.

### Response to Point 62 Article 5

The Health Ministry is focusing on Roma health, but the aim is to raise Roma awareness of health care (through health coordinators etc.), not to remove barriers to access to health care (discrimination and refusal of service by doctors, unavailability of professionals such as dentists, psychiatrists and psychologists in socially excluded localities).

Many of our clients' access to healthcare is still limited by their ethnicity. It is common to reject Roma patients, not to provide information on health, etc.

### Response to Point 68 Article 5

Research conducted by Lumos organization (2019)<sup>1</sup> points out that the number of children in infant homes has only slightly decreased in recent years (by 24 %), while the number of children in children's homes has dropped by only 8 % between 2001 and 2017. In addition, this figure can be explained by the overall decrease of the number of children in the population, so if we recalculate the number of children in children's homes to 10,000 children in the population, the number of children in children's homes is still the same. The number of children placed in long-term foster care is increasing (it practically doubled between 2007 and 2017). The total number of children living outside their family in substitute homes increased by more than 7,000 (63 %) between 2008 and 2017.

<sup>1</sup> Investice do dětí / Investing into Children. 2019. Lumos. Available at:

[https://lumos.contentfiles.net/media/assets/file/Investice\\_do\\_deti\\_CELA\\_ZPRAVA\\_web\\_ilwLbI5.pdf?](https://lumos.contentfiles.net/media/assets/file/Investice_do_deti_CELA_ZPRAVA_web_ilwLbI5.pdf?)

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Social care instruments in the practice of child protection agencies are presented and implemented in practice (e.g. individual child protection plans, case and family conferences, etc.), but their use is unsystematic – there are great differences, even within one city, between individual departments for the social and legal protection of children (the Czech “OSPOD”s), in how and when they use the tools available. Some tools (such as case conferences) are sometimes used in ways that are threatening to clients and especially children (their safety is not guaranteed, children cannot express their opinions or are given only symbolic opportunity to do so, often in a very formal environment that is not safe for the child)<sup>2</sup>. In many cases, these tools are only used formally without real effort to help the family.

## Response to Point 70 Article 5

There is no ethnic data, but we know from our own experience (of than 20 years) that placing Roma children in foster care is an exception (according to OSPOD staff, foster families choose children, do not want to accept Roma children or larger groups of siblings – more than two children at a time).

In the city of Brno, courts do not want to grant foster care to the relatives of a child in the long term, even in cases where families are economically weak and where granting fostering or not granting it makes the difference between the possibility of taking care of a child and having to place the child in institutional care. However, official statistics do not show this data.

Children are still being removed from families because of poor housing and economic distress. And because there is no social housing concept, the child is placed in alternative care at the moment of losing housing.

## Reaction to Points 71-74 Article 5

The registration system for kindergartens is in some cases challenging for parents with less orientation skill regarding information. In Brno, entries are made electronically; parents can only submit printed applications within a two-day period in May. Families who miss registration (even for health or family reasons) are refused or offered a place on the other side of the city (for families from socially excluded localities, it is almost impossible to accept such a place both economically and logistically). We also see cases of children being placed in preparation year instead of the mandatory pre-school year (despite not being given an official postponement).

The 2017 Report on the Status of the Roma Minority lists 86 elementary schools with more than 30 % of Roma pupils. In some large cities (Ostrava, Brno, Prague) there are even schools where estimates range from 50 % to 90 %. Frequently used measures, such as Roma assistants, projects to support these schools etc., often bring only partial effects and support the status quo in the long run. An important question to be asked is whether the society does not actually want this segregation to continue; whether it is not in fact considered desirable.

Great expectations were raised by the reforms of education connected with the introduction of the so-called inclusion. This is not only focused on Roma children, but it is a long-term promotion of the principles of joint learning

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<sup>2</sup> LOŠŤÁKOVÁ, V. 13.6.2017. Lesk a bída případových konferencí / *The Case Conference High and Low*. A conference entry at the Šance pro všechny – domov bez násilí: podpora rodin ohrožených domácím násilím v Ústeckém kraji / *Chance for all – A Home Without Violence: Supporting Families Vulnerable to Domestic Violence* held by the regional office of the Ústí nad Labem Region.

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at all levels. One of the major measures that has been put in place and put into practice is the introduction of compulsory pre-school education from the age of 5, a change in the diagnosis system and recommendations, including related funding changes for support measures.

The Czech School Inspectorate<sup>3</sup> and research by People in Need<sup>4</sup> point out that the adoption of an amendment to the School Act on compulsory pre-school education did not result in a greater involvement of children from socially excluded localities in the educational process, despite the fact that this group was the one for the benefit of whom the amendment was primarily enacted (about 3 % of children still do not participate in compulsory pre-school education). This is mainly because the government has not taken any support measures that would allow Roma families (full-time) attendance – even if kindergarten is free, parents have to pay for meals, provide equipment and basic necessities (e.g. toiletries etc., the cost of which can sometimes reach several hundred crowns) and contribute to the fund for trips.

However, the problem of segregated schools is not just their existence. These schools do not choose their pupils. It is natural that these schools are struggling with large numbers of disadvantaged children (their social situation affects their school results), and so often the goals and quality of teaching are put aside in favor of solving other problems related to life strategies of their families. Some of these schools have publicly advocated for and supported the introduction of inclusion as a way to create a heterogeneous environment for all (and not only) Roma pupils.

One of the roots of the problem is not only the very existence of segregated schools, but above all the attitudes of schools in close proximity. Some schools are located in the vicinity of socially excluded localities but have long declared their negative attitudes or conducted activities to prevent Roma pupils from enrolling. The practice of refusing Roma pupils was confirmed both in the experience of parents, NGOs and in the so-called testings.

Segregated schools are the ones with the problem that Roma pupils leave primary school early. Alternatively, a large proportion of them leave secondary education (secondary schools, secondary vocational schools etc.) before completing their studies. This phenomenon is not specifically monitored as for the gender of early school leavers. On the one hand, we find in practice that girls (high school students) do not stop going to school because of early pregnancy. On the contrary, the aforementioned research from 2008<sup>5</sup> revealed that a higher percentage of early school leavers are boys.

<sup>3</sup> Tématická zpráva / *Topic Report: Dopady povinného předškolního vzdělávání na organizační a personální zajištění a výchovně-vzdělávací činnost mateřských škol za období 1. pololetí školního roku 2017/2018 /*

*Impacts of Compulsory Pre-School Education on Organizational and Personnel Provision and Educational Activities of Kindergartens for the First Half of the School Year 2017/2018.* Available at: <https://www.csicr.cz/getattachment/d6b06275-2f05-44ac-af69-aba7610dca3e/Tematicka-zprava-Dopady-povinneho-predskolniho-vzd?maxSideSize=2000&width=500&height=800>

<sup>4</sup> <https://www.clovekvtisni.cz/shrnuti-zavery-ze-setreni-o-dopadech-povinneho-predskolniho-rocniku-mezi-ucitelkami-ms-a-rodici-deti-ohrozenych-socialnim-vyloucenim-5300gp>

<sup>5</sup> VZDĚLANOSTNÍ DRÁHY A VZDĚLANOSTNÍ ŠANCE ROMSKÝCH ŽÁKŮ A ŽÁKŮ ZÁKLADNÍCH ŠKOL V OKOLÍ VYLOUČENÝCH ROMSKÝCH LOKALIT / *EDUCATIONAL TRACKS AND CHANCES OF ROMA PUPILS IN SCHOOLS AND AROUND THE EXCLUDED ROMA LOCATIONS.* GaC, Prague: 2009, created for the Ministry of Education, Youth and Sports.

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The topic of segregation and education of Roma children is often a political one on the local level and not very popular. There is no clear opinion of the founders of the schools on the existence of segregation and no clear declaration that segregation is not permissible. Although the introduction of inclusion offers a certain solution to supporting disadvantaged children in mainstream schools, it is necessary to look at education of Roma children from a broader perspective. Above all, it is not only a question of the readiness of children and their families to manage the education system. The point is to realize to what extent the education system is prepared to reflect their needs, both social and cultural. At the same time, it is necessary to admit and process the fact that educators, classmates and the wider public themselves are influenced by the mood of society, the unpopularity of the Roma minority and often their strategies aid in creating barriers between the Roma and education. The often-voiced arguments that the Roma themselves want special and segregated education for their children are not confirmed.

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