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COMMITTEE OF EXPERTS ON ROMA AND TRAVELLER¹ ISSUES (ADI-ROM)

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Explanatory Memorandum

**Recommendation to the member States on desegregation and inclusion policies and practices in
the field of education of Roma and Traveller children**

Prepared by the Secretariat²

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 a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

² Please note that this draft text remains subject to further editorial revision.

Introduction

Rationale for the Recommendation

1. Across Europe, a significant number of Roma and Traveller children continue to be educated in segregated settings that offer reduced curricula, lower-quality teaching, and limited opportunities for social interaction with their peers. Such practices constitute a grave form of discrimination, undermine the right to education, and perpetuate cycles of marginalisation, antigypsyism and social exclusion. Council of Europe monitoring bodies, the Commissioner for Human Rights, and independent research have consistently documented the persistence of de facto segregation, including the disproportionate placement of Roma and Traveller children in so-called “special schools”, separate classes, annex buildings, or schools located in residentially segregated areas. Segregation in education is not an isolated phenomenon. It is deeply intertwined with structural inequalities, including inadequate housing and spatial segregation patterns, extreme poverty, and entrenched antigypsyism. These root causes require a comprehensive, long-term and multi-sectoral response.

2. This Recommendation responds to these challenges by providing a coherent framework of principles and guidelines to support member States in preventing and eliminating school segregation and advancing inclusive education for Roma and Traveller children. It builds on the Council of Europe’s long-standing commitment to equality, human dignity and the right to education, and reflects the growing consensus that inclusive education is the most effective means of guaranteeing universality and non-discrimination in the exercise of the right to education.

Relevant binding international human rights standards

3. The Recommendation is grounded in a robust body of binding international and European human rights law. Article 3 of the [International Convention on the Elimination of All Forms of Racial Discrimination](#) (ICERD) explicitly obliges States to prevent, prohibit, and eradicate all practices of racial segregation. This obligation is further reinforced by the UNESCO [Convention against Discrimination in Education](#), which specifically defines discrimination as including the establishment or maintenance of separate educational systems or institutions for persons or groups on the basis of specific grounds. It mandates that such separation is only permissible under very limited conditions (such as gender or linguistic reasons) and only if these systems offer equivalent access and quality. The UN [Convention on the Rights of the Child](#) (UNCRC) requires that all children enjoy the right to education (Articles 28 and 29) based on equal opportunity and explicit protection against discrimination (Article 2). The UNCRC further provides that the best interests of the child shall be a primary consideration in all actions concerning them and requires States to take all appropriate measures to ensure that the child is protected against all forms of discrimination. Furthermore, the UN [Convention on the Rights of Persons with Disabilities](#) (UNCRPD), particularly Article 24, establishes a clear international standard for inclusive education at all levels of the education systems.

4. Within the European system, the [European Convention on Human Rights](#) (“the Convention”) notably Article 14 read in conjunction with Article 2 of Protocol No. 1, protects the right to education without discrimination. Article 1 of Protocol No. 12 provides a free-standing, general prohibition of discrimination by any public authority on any ground such as “race”³, “colour, language, national or social origin, association with a national minority or other status. The [European Social Charter](#), and the [revised Charter](#) protect the rights of children to social, economic and educational protection. The [Framework Convention for the Protection of National Minorities](#) (FCNM) requires States to foster equal opportunities in education and to prevent practices that hinder effective equality. At the level of the

³ Since all human beings belong to the same species, the Council of Europe rejects theories based on the existence of different “races”. However, in this document, the term “race” is used in order to ensure that those persons who are generally and erroneously perceived as “belonging to another race” are not excluded from the protection provided for by the legislation and the implementation of desegregation and inclusion policies and practices in the field of education of Roma and Traveller children.

European Union, [Council Directive 2000/43/EC](#) (the Racial Equality Directive) prohibits both direct and indirect discrimination based on racial or ethnic origin, specifically in the field of education.

Relevant case-law of the European Court of Human Rights on school segregation

5. The European Court of Human Rights (“the Court”) has developed a consistent body of case-law establishing that the disproportionate placement of Roma children in separate schools, classes or other school facilities constitutes discrimination, even in the absence of discriminatory intent. The European Court have clarified that:

- Member States have positive obligations to prevent and eliminate school segregation, including *de facto* segregation. (see, inter alia, [Horváth and Kiss v. Hungary](#), no. [11146/11](#), 29 January 2013, § 127-29, [X and Others v. Albania](#), nos. [73548/17](#) and [45521/19](#), 31 May 2022, §§ 84; [Elmazova and Others v. North Macedonia](#), nos. [11811/20](#) and [13550/20](#), 13 December 2022, § 74; [Szolcsán v. Hungary](#), no. [24408/16](#), 30 June 2023, § 55; [Salay v. Slovakia](#), no. [29359/22](#), 27 May 2025, §§ 112-15);
- Administrative difficulties, parental preferences or residential patterns cannot justify segregated schooling. (see, inter alia, [Sampanis and Others v. Greece](#), no. [32526/05](#), 5 June 2008, § 86, [X and Others v. Albania](#), cited above, §§ 86-88), [Elmazova and Others v. North Macedonia](#), cited above, §§ 76-79, [Szolcsán v. Hungary](#), cited above, § 54-59);
- Member States must adopt effective safeguards, including objective assessment tools, regular monitoring, and timely desegregation measures. (see, inter alia, [Sampani and Others v. Greece](#), no. [59608/09](#), 11 December 2012, §§ 103-104; [Elmazova and Others v. North Macedonia](#), cited above, § 74; [Salay v. Slovakia](#), cited above, §§ 113-115);
- Roma children’s specific vulnerability requires special protection and targeted support measures. (see, inter alia, [D.H. and Others v. the Czech Republic](#) [GC], no. [57325/00](#), 13 November 2007, §§ 205-207; [Oršuš and Others v. Croatia](#) [GC], no. [15766/03](#), 16 March 2010, §§ 180-182);
- Delays or inaction in implementing desegregation measures violate the Convention. [Lavida and Others v. Greece](#), no. [7973/10](#), 30 May 2013, § 73; [X and Others v. Albania](#), cited above, § 87; [Szolcsán v. Hungary](#), cited above, § 69).

Relevant Council of Europe non-binding standards

6. The Recommendation is further informed by the solid framework for the protection of Roma and Travellers established through a series of Committee of Ministers recommendations initially focused on the schooling of Roma children ([CM/Rec\(2000\)4](#) and [CM/Rec\(2009\)4](#)) and later expanded into broader pedagogical standards. These include [CM/Rec\(2007\)13](#) on gender mainstreaming and [CM/Rec\(2012\)13](#) on ensuring quality education for all. Later recommendations emphasise the cultural and linguistic aspects of learning, such as history teaching and intercultural dialogue ([CM/Rec\(2011\)6](#)), the importance of language competences for educational success ([CM/Rec\(2014\)5](#)), and the inclusion of Roma and Traveller history in school curricula ([CM/Rec\(2020\)2](#)). The [CM/Rec\(2022\)1](#) highlights the role of plurilingual and intercultural education in fostering a democratic culture. General policy and social inclusion are guided by [CM/Rec\(2008\)5](#) on national policies for Roma and Travellers covering various policy areas and [CM/Rec\(2012\)13](#), which promotes mediation as a tool for human rights and inclusion. Specific living conditions have been addressed in [CM/Rec\(2004\)14](#) regarding movement and encampment and [CM/Rec\(2005\)4](#) on housing improvements. This framework has been further strengthened to address access to justice through [CM/Rec\(2017\)10](#) and [CM/Rec\(2023\)4](#) regarding Roma youth participation and [CM/Rec\(2024\)1](#), which focuses on the equality of Roma and Traveller women and girls including in school education. A similar commitment to inclusive education has been reflected in the Council of Europe’s Disability [Action Plan](#) (2006-2015) and the [Strategy on the Rights of Persons with Disabilities](#) (2017-2023) adopted by the Committee of Ministers. The promotion of inclusive education has also been at the heart of Council of Europe’s long-standing Roma and Travellers action plans, including the most recent [Council of Europe Strategy for Roma and Traveller inclusion](#)

[\(2026-2030\)](#). The European Commission against Racism and Intolerance (ECRI) has issued several key General Policy Recommendations (GPRs) to address systemic inequality. These include the GPR [No. 3](#) (1998) which specifically addresses racism and intolerance against Roma, and GPR [No. 7](#) (revised 2017) which classifies segregation as a form of discrimination. Furthermore, GPR [No.10](#) (2006) focused on combating racism through school education while GPR [No.13](#) (revised 2020) targets antigypsyism and discrimination against Roma and Travellers.

The Drafting Process of the Recommendation

7. The Recommendation and its Explanatory Memorandum have been developed by the Committee of Experts on Roma and Traveller Issues (ADI-ROM) which was established as a subordinate body to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI). In line with its Terms of Reference, ADI-ROM supervised the preparation of the [Feasibility Study on desegregation and inclusion policies and practices in the field of education of Roma and Traveller children](#), which was endorsed by the CDADI in November 2025. It constitutes the foundation for the drafting of the Recommendation. ADI-ROM established a dedicated Working Group tasked with elaborating the draft Recommendation, drawing on the findings of the Feasibility Study, the jurisprudence of the Court, the European Committee of Social Rights (the “Committee”), and the standards adopted by the Committee of Ministers and those developed by Council of Europe monitoring bodies.

8. The following principles and guidelines are organised into 5 chapters. Each chapter sets out relevant measures that member States and other relevant actors are recommended to take to prevent and eliminate school segregation in order to fulfil their duties and responsibilities under the Convention. The implementation of these principles and guidelines ensures the protection of the relevant human rights and fundamental freedoms, in particular those addressed in Article 14 of the Convention, Article 2 of its Protocol 1 and Article 1 of its Protocol No. 12, in full respect of the principle of the rule of law and the positive obligations that member States have in this respect. Its prompt and full implementation should be regularly reviewed.

Scope, Approach and Definitions

On paragraph 1:

9. The overarching objective of the principles and guidelines set forth in this Recommendation is to assist member States and relevant stakeholders in their efforts to ultimately eliminate all forms of school segregation, at all levels of education, and achieve fully inclusive environments for Roma and Traveller children. It is acknowledged that school desegregation is a complex, multi-dimensional process, deeply intertwined with socio-economic disparities and residential patterns. The Court has clearly established that the failure to implement concrete desegregation measures, even when national authorities have acknowledged the existence of the problem, constitutes a violation of the Convention. The Court stressed that the difficulty of the process does not absolve the State from its obligation to act with sufficient promptness and due diligence (*X and Others v. Albania*, § 85-87, *Elmazova and Others v. North Macedonia*, §§ 74, 77). Member States are expected to find a rigorous balance: ensuring that long-term strategic planning is consistently combined with immediate, effective actions to prevent school segregation and advance desegregation efforts.

10. As emphasised in the Thematic Commentary on education by the Advisory Committee on the Framework Convention for the Protection of National Minorities (the “Advisory Committee”), a comprehensive approach to ending segregation in education takes time, demands sustainable funding and steps should be continuously taken and regularly monitored to ensure that the quality of education is improved for all (Advisory Committee, [Thematic Commentary No. 1 on Education](#), 2024, § 63). However, the recognition of this complexity should not serve as a justification for administrative passivity or the postponement of desegregation policies.

On paragraph 2:

11. The [Study](#) that ADI-ROM drafted in preparation of this Recommendation, concludes, that educational reforms are insufficient if pursued in isolation. The same conclusion can also be deduced from ECRI GPR [No.10](#) (2006), which highlights the need for education to be part of broader policies to fight against racism, and ECRI GPR [No.13](#) (revised 2020), which identifies antigypsyism as a primary driver of exclusion. The "holistic approach" referred to in the paragraph requires a multi-sectoral synergy: educational desegregation measures should be implemented in tandem with social inclusion policies to be sustainable. This approach also reflects the principles of Recommendation [CM/Rec\(2008\)5](#), which advocates for multi-dimensional policies across housing, health, education, and employment, and [CM/Rec\(2009\)4](#), which specifically notes that the schooling of Roma and Traveller children cannot succeed without addressing the socio-economic situation of their families.

12. While the demographic presence, historical experiences and specific situations of Roma and Traveller communities differ considerably across member States, the principles and guidelines set out in this Recommendation aim to support all member States, irrespective of whether Roma and Traveller populations are numerically small or geographically dispersed. Member States should determine the most appropriate way of designing and implementing the relevant measures in line with their specific circumstances and their diverse needs, with a view to effectively eliminating school segregation.

On paragraph 3:

13. As underscored by the Court, primary and secondary education is of fundamental importance for each child's personal development and future success (see *Catan and Others v. the Republic of Moldova and Russia* [GC], nos. [43370/04](#), [8252/05](#) and [18454/06](#), 19 October 2012, § 144). The right to education under Article 2 of Protocol No. 1 of the Convention concerns various schooling levels, including mandatory pre-school (see *Djeri and Others v. Latvia*, nos. [50942/20](#) and [2022/21](#), 18 July 2024, §§ 118, 122), elementary (*Timishev v. Russia*, 2005, nos. [55762/00](#) and [55974/00](#), 13 December 2005, § 64) but also secondary education (*Cyprus v. Turkey* [GC], no. [25781/94](#), 10 May 2001, § 278) and higher education (*Leyla Şahin v. Turkey* [GC], no. [44774/98](#), 10 November 2005, § 141). Where a State applies different treatment in the implementation of its obligations under Article 2 of Protocol No. 1, an issue may arise under Article 14 of the Convention (*Case "relating to certain aspects of the laws on the use of languages in education in Belgium"*, no 1474/62; 1677/62; 1691/62; 1769/63; 1994/63; [2126/64](#), 23 July 1968; *D.H. and Others v. the Czech Republic* [GC], cited above; *Oršuš and Others v. Croatia* [GC], cited above).

14. The principle of child-centred policy-making and the necessity of multi-level participation lie at the core of developing policy measures that ensure quality and inclusive education for Roma and Traveller children, in line with the UN Convention on the Rights of the Child (UNCRC). This requires making the 'best interests of the child' a primary consideration in all educational policy-making (Article 3 UNCRC) and safeguarding the right of children to express their views freely in all matters affecting them (Article 12 UNCRC). It also entails that member States implement a continuous process of child impact assessment, to predict the impact of policies and budgetary allocations and child impact evaluation, to measure the actual impact of their implementation ([CRC General Comment No. 5](#), 2003, p. 12, 45).

15. Public authorities bear the primary responsibility for ensuring quality of all education offered as part of the national education system, which is closely linked to inclusive education ([CM/Rec\(2012\)13](#), Appendix, 11, 26). Consequently, when drafting policies, budgetary allocations and measures aimed at eliminating school segregation, authorities should proactively assess their potential impact on Roma and Traveller children and evaluate the actual outcomes of their implementation. Crucially, these principles extend to all children of school age, including those who are currently outside the education system. This is a vital component of any desegregation strategy, as children outside the education system are often affected by systemic barriers such as extreme poverty and antigypsyism (CDADI, Feasibility study on desegregation, [CDADI\(2024\)19rev](#), p. 23). As pointed out in [CM/Rec \(2009\)4](#), the

whole cycle of policy making should be taken into account when designing or adapting educational policies for Roma and Travellers. Balanced attention should be placed on needs assessment as well as policy design, implementation, monitoring and evaluation, while effective Roma and Traveller participation of parents, families, children, community representatives and civil society organisations should be ensured and enhanced at all levels and in all phases of the policy cycle.

On paragraph 4:

16. The definition of school segregation set out in paragraph 4 is grounded in the jurisprudence of the Court, which has consistently identified a range of practices resulting in situations reflected in the disproportionate representation of Roma children in certain schools, classes or facilities, and which amount to segregation in education and constitute discrimination. Through its extensive case-law, the Court has clarified that segregation may take different forms, including:

- Placement in “special schools” or “classes”: In *D.H. and Others v. the Czech Republic* (cited above, §§ 196-210), *Horváth and Kiss v. Hungary* (cited above, §§ 109-129) and *Salay v. Slovakia* (cited above, §§ 96-116), the Court found violations arising from the disproportionate placement of Roma children in “special schools” or “classes” for children with intellectual disabilities, where they followed a reduced curriculum compared to ordinary schools or classes;
- Placement in annexes and separate buildings: In *Sampanis and Others v. Greece* (cited above, §§ 83-96), *Sampani and Others v. Greece* (cited above, §§ 90-105) and *Lavida and Others v. Greece*, (cited above, §§ 64-73), Roma children were assigned to separate classrooms in annex buildings or in school premises attended exclusively by Roma;
- Placement in separate classes within the same school: In *Oršuš and Others v. Croatia* (cited above, §§ 158-185), the Court examined the assignment of Roma children in “Roma-only” classes on the basis of their allegedly insufficient command of the official language;
- Placement in residentially segregated schools: In *X and Others v. Albania*, (cited above, §§ 81-88), *Elmazova and Others v. North Macedonia* (cited above, §§ 68-78) and *Szolcsán v. Hungary* (cited above, §§ 52-59), the Court examined situations where Roma children were concentrated in primary schools or classes attended predominantly or almost exclusively by Roma children as a result of residential segregation and administrative inaction.

17. Across all these cases, the Court found that the reasons advanced by the authorities for the placement of Roma children were not objectively and reasonably justified by a legitimate aim. The Court consistently underlined that segregation is unlawful even in the absence of any discriminatory intent on the part of the authorities. The decisive consideration is the impact on the situation of Roma children and the resulting separation from their peers. Accordingly, States are under a positive obligation to take effective measures to prevent and eliminate segregation (see, inter alia, *Lavida and Others v. Greece*, cited above, §§ 72-73; *Elmazova and Others v. North Macedonia*, cited above, §§ 77-78; *Szolcsán v. Hungary*, cited above, §§ 55-59; *Salay v. Slovakia*, cited above, § 114).

18. ECRI has consistently urged member States to ensure that national legislation explicitly deems segregation as a form of discrimination (GPR No. 7, cited above, para 6). ECRI defines it as the act of separating persons on grounds such of “race”, colour, language, religion, nationality or national or ethnic origin, without an objective and reasonable justification (GPR No.7, Explanatory Memorandum, 16). To encapsulate this concept in the educational context, ECRI emphasises that policies should avoid the over-representation of minority groups in separate classes or schools (GPR No. 10, cited above, 3. a), d)) and abolish the frequent placement of Roma children in “special schools” (GPR No. 13, cited above, 4 d), e)).

19. The Advisory Committee has firmly underlined that segregation in education constitutes a form of discrimination that prevents equal access to education, particularly to quality education for all, and runs counter to the development of the spirit of mutual respect, understanding and co-operation that

are central to the Framework Convention The Advisory Committee has also identified that segregation may operate through various administrative mechanisms, including separate school buildings, separate classes, separate shifts in the same school buildings, application of separate curricula for the same types of schools. ([Thematic Commentary No. 1 on Education](#), §§ 20, 59, 60). In order to identify and evaluate the effects of such mechanisms, segregation should be assessed within a given geographic area or educational unit. A `geographical area` refers to a broader territorial or administrative division that, depending on the national context of a member State, may comprise a region, a locality, a municipality, a school district, or a neighbourhood catchment area, where imbalances between different schools can occur due to various factors, including enrolment policies, residential segregation or parental choices. Conversely, an `educational unit` refers to a specific institutional school setting, such as a single school, class, annex, or educational track. Including the `educational unit` in the definition in paragraph 4 aims to ensure that segregation is recognised even in situations where a school's overall student composition is diverse, but Roma and Traveller children are internally placed into separate settings, including classes or shifts. In this context, the proportion of Roma and Travellers children in each comparable setting, such as class, school, school building, school district and other educational unit, is relevant, for the purpose of determining school segregation.

20. As underlined by the Council of Europe Commissioner for Human Rights, segregation also occurs within mainstream school premises, where Roma and Traveller children may be assigned to separate classes and can be prevented from using common facilities, such as playgrounds or dining halls (Commissioner for Human Rights, [Fighting school segregation in Europe](#), 2017, p. 8). Such practices, including separate shifts, result both in physical and social separation maintaining social divides and entrenches social distance between communities and persons belonging to them. (Advisory Committee, [Thematic Commentary No. 1 on Education](#), §§ 10, 20).

21. The Advisory Committee and ECRI also highlighted the disproportionate diagnosing of Roma and Traveller children as having "special educational needs" and their placement in institutions commonly referred to as "special schools" (Advisory Committee, [Thematic Commentary No. 1 on Education](#), § 60). ECRI has likewise expressed concern about practices affecting Traveller children, including their placement in Traveller-only classrooms, and the used of reduced timetables (ECRI, [Report on Ireland](#), 2025, § 79).

22. In the context of this Recommendation, "special educational needs" encompass a broad spectrum of individual needs that typically involve various types of educational support. In line with Council of Europe standards for ensuring quality education for all children ([CM/Rec\(2009\)4](#), [CM/Rec\(2012\)13](#)), such needs are to be met primarily within mainstream schools, and through appropriate support and accommodation. References to "special educational needs" in this context highlight the need to ensure that such frameworks are not misused as a mechanism for separating Roma and Traveller children from their peers, and that States adopt effective safeguards and inclusive education policies to prevent their disproportionate representation in education settings.

On paragraph 5:

23. School desegregation represents a proactive and multi-dimensional process of eliminating the physical and social separation of Roma and Traveller children. This process requires tackling the root causes of segregation, including antigypsyism to ensure that all children learn together in inclusive settings and receive the same high-quality education. In line with Art. 14 of the European Convention and Recommendation [CM/Rec\(2012\)13](#), quality education should be ensured without discrimination on any ground and should be understood as encompassing both equal access to the education system and the enjoyment of conditions of teaching and learning which enable children through positive measures, to successfully complete their educational programmes. This ensures that desegregation is

not merely a physical relocation of children, but a qualitative transformation of their educational experience.

24. The definition of desegregation builds upon Recommendation [CM/Rec\(2009\)4](#), where the Committee of Ministers established that authorities should implement desegregation measures whenever *de facto* segregation based on ethnic origin exists, a mandate reinforced by ECRI [GPR No. 13](#), which calls for the end of school segregation and the integration of Roma children into mainstream schools settings. Furthermore, it builds on [Resolution 1927 \(2013\)](#) of the Parliamentary Assembly of the Council of Europe, which emphasises that ending segregation requires a long-term commitment supported by national and local action plans, underpinned by robust financial and legal frameworks.

25. The Court has clarified the nature of this duty: in *Lavida and Others v Greece* and more recently in *X and Others v. Albania*, it ruled that governmental delays and inaction in implementing desegregation measures cannot be considered as having had an objective and reasonable justification. In *Szolcsán v. Hungary*, it expanded the State's obligation beyond individual cases to include the necessary development of a systemic, comprehensive policy to put a permanent stop to segregation in education (see *Lavida and Others v Greece*, 2013, § 73; *X and Others v. Albania*, 2022, § 87; *Szolcsán v Hungary*, 2023, § 69).

26. For policy planning, monitoring and evaluation purposes of desegregation, comprehensive and transparent needs assessments systems could be put in place to regularly check and ensure a balance in the distribution of children, the number of places for schools, classes or similar units, including classroom ratios. (Commissioner for Human Rights, [Fighting school segregation in Europe](#), 2017, p. 25) Such assessments should also aim to systematically monitor and evaluate the risk of school segregation. Notable approaches include the uniform monitoring system introduced by the Slovak Republic, which uses administrative data to track segregation risks consistently over time, and the systemic framework in Romania, which conducts annual national analyses of school segregation risks across multiple criteria to inform specific desegregation measures (Ministry of Education, Research, Development and Youth of the Slovak Republic, [Monitoring rizika segregácie](#) [Monitoring the risk of segregation] 2023-2024; Ministry of Education of Romania, [Raportul național privind analiza riscurilor de segregare școlară în sistemul de educație din România](#) [National Report on the Analysis of School Segregation Risks] 2024-2025).

On paragraph 6:

27. The definition of inclusion draws on the CDADI [Guidance document on strategies for inclusion](#), which characterises the concept as a holistic approach that ensures that all individuals have equal opportunities and are protected from discrimination based on their identity or background. In recent years, the Council of Europe has undergone a significant paradigm shift, moving from the concept of "integration" towards "inclusion," which ECRI defines as an approach that proactively values diversity and creates the specific conditions necessary for the full and active participation of every member of society ([ECRI Glossary](#)). This evolution is mirrored in the transition from an intercultural approach focused on migrants to a broader perspective of intercultural inclusion that encompasses all groups shaping a society's diversity, including Roma and Travellers. Within this framework, education is recognized as crucial engine for social inclusion. Consequently, existing standards emphasize that achieving inclusion for Roma and Traveller children requires more than mere physical presence in a classroom; it demands enrolling Roma and Traveller children in pre-school education, non-discriminatory enrolment in primary and secondary education, robust efforts to combat antigypsyism within the school system, and putting an end to segregation. This approach is further supported by positive measures designed to ensure that the specific needs of Roma and Traveller children and their families are met, thereby enabling the effective exercise of human rights and fundamental freedoms for all children (Feasibility Study on desegregation and inclusion, cited above, pp. 17, 29, 36).

28. As defined in Recommendation CM/Rec(2012)13 of the Committee of Ministers “quality education” is understood as education which: gives access to learning to all pupils and students, particularly those in vulnerable or disadvantaged groups, adapted to their needs as appropriate; provides a secure and non-violent learning environment in which the rights of all are respected; develops each pupil’s and student’s personality, talents and mental and physical abilities to their fullest potential and encourages them to complete the educational programmes in which they enrol; promotes democracy, respect for human rights and social justice in a learning environment which recognises everyone’s learning and social needs; enables pupils and students to develop appropriate competences, self-confidence and critical thinking to help them become responsible citizens and improve their employability; passes on universal and local cultural values to pupils and students while equipping them also to make their own decisions; certifies outcomes of formal and non-formal learning in a transparent way based on fair assessment enabling acquired knowledge and competences to be recognised for further study, employment and other purposes; relies on qualified teachers who are committed to continuous professional development; is free of corruption.

29. Inclusive education has been recognised by the Court as the most appropriate means of guaranteeing the fundamental principles of universality and non-discrimination in the exercise of the right to education. The Court has emphasised that it must have regard to the evolving conditions of international and European law and respond, inter alia, to emerging consensus on the standards to be achieved in the field of education (see, inter alia, *Çam v. Turkey*, no. [51500/08](#), 23 February 2016, § 64; *Sanlısoy v. Turkey* (dec.), no. [77023/12](#), 8 November 2016, § 59). In this context, it is important to note that the Court has reiterated that the coexistence of members of society free from racial segregation is a fundamental value of democratic societies, and that inclusive education is the most appropriate means of guaranteeing the fundamental principles of universality and non-discrimination in the exercise of the right to education. The Court reiterated that the coexistence of members of society free from racial segregation is a fundamental value of democratic societies and that inclusive education is the most appropriate means of guaranteeing the fundamental principles of universality and non-discrimination in the exercise of the right to education (see, inter alia, *Elmazova and Others v. North Macedonia*, cited above, § 89, see, *mutatis mutandis*, *Vona v. Hungary*, no. [35943/10](#), 9 July 2013, § 57, *Çam v. Turkey*, cited above, § 64).

Desegregation policies and practices in the field of education

Legal prohibition of school segregation

On paragraph 7:

30. The Court underscored that the principle of non-discrimination regarding Roma children in education is a fundamental standard of international law, drawing on a comprehensive set of legal instruments such as the International Convention for the Elimination of all Forms of Racial Discrimination and the UNESCO Convention against discrimination in the education (see *Lavida and Others v. Greece*, 2013, §§ 30-33). The Court specifically highlighted Recommendation [CM/Rec\(2009\)4](#) of the Committee of Ministers, which mandates that member States develop national policies to ensure protection against discrimination and quality education and put in place explicit legal measures prohibiting segregation on an ethnic or racial basis with effective, proportionate and dissuasive sanctions. In the Court’s view, this is further supported by the UN Committee on the Elimination of Racial Discrimination (CERD) [General Recommendation No. 27](#), which urges States to take proactive steps to prevent and avoid the segregation of Roma children. Moreover, the Court referred the UNESCO [Convention against Discrimination in Education](#) which provides a clear definition of discriminatory measures, specifically categorizing the establishment or maintenance of separate educational systems or institutions for individuals or groups as a violation of the right to education (see *Lavida and Others v. Greece*, 2013, § 71).

31. Along the same line, the ECRI has consistently recommended that segregation be explicitly regulated as a form of discrimination in national legislation ([GPR No. 7](#), cited above, para 6). ECRI has monitored the implementation of this standard across the Council of Europe, welcoming legislative amendments in Bosnia and Herzegovina ([Second Report](#), 2011, § 29), Bulgaria ([Fifth Report](#), 2014, § 19), Croatia ([Fourth Report](#), 2012, § 31), Hungary, ([Fourth Report](#), 2009, § 76), Slovakia ([Fourth Report](#), 2009, § 42) and the United Kingdom, [Fourth Report](#), 2010, § 55). Recent developments noted by ECRI include the criminalisation of segregation through criminal law in Slovakia ([Sixth Report](#), 2020, §90), the prohibition of segregation in anti-discrimination legislation in Serbia ([Fourth Report](#), 2024, § 73) and Spain ([Sixth Report](#), 2025, § 88), and provisions in school legislation in Bulgaria ([Sixth Report](#), 2022, § 65). Member States have also introduced school working groups on desegregation (Hungary, [Sixth Report](#), 2022, §10), statutory duties to increase mixed schools (United Kingdom, [Sixth Report](#), 2024, § 12), maximum class thresholds (Italy, [Sixth Report](#), 2024, § 66) and specific desegregation measures in education legislation in Romania ([Sixth Report](#), 2025, § 91) and Spain ([Sixth Report](#), 2025, § 88). The Advisory Committee noted similar developments, such as a requirement for a 50-50 ratio of Roma and Egyptian students to other students in Montenegro ([Fourth Opinion](#), 2024, §134) and legislation prohibiting segregation as a form of discrimination in Albania ([Fifth Opinion](#), 2023, §52) in Kosovo⁴ ([Fifth Opinion](#), 2023, § 36) and North Macedonia ([Fifth Opinion](#), 2022, § 38).

32. In line with ECRI [GPR No. 7](#), national legislation should provide for effective, proportionate and dissuasive sanctions in cases of discrimination, including those involving school segregation, and should allow for the imposition of programmes of positive measures ([GPR No. 7](#), § 12, Explanatory Memorandum, §§ 31,34). Consistent with this approach, [CM/Rec\(2009\)4](#) calls on member states to ensure that segregation on racial or ethnic grounds in education is expressly prohibited in law and that such legislation is accompanied by effective, proportionate and dissuasive sanctions, together with mechanisms to secure its full and effective implementation.

Design and evaluation of desegregation policies

On paragraph 8:

33. The implementation of the prohibition of school segregation requires effective policies and measures which are coordinated across the local, regional and were appropriate national levels according to the domestic context. In its case-law concerning school segregation, the Court has made clear, under Article 46 of the Convention, that execution measures must be capable of bringing discrimination and segregation to an end in practice. In [Sampani and Others v. Greece](#), the Court referred to concrete steps required of the authorities, such as enrolling Roma children still of school age in another school and ensuring access to “second chance schools” for those who had reached the legal age (§ 128). In [Lavida and Others v. Greece](#), it further indicated that the State must remove obstacles and take measures capable of securing the effective implementation of desegregation (§ 81). Similarly, in [X and Others v. Albania](#), the Court explicitly stated that the measures adopted must ensure the end of discrimination in the Roma school (§ 95), while in [Elmazova and Others v. North Macedonia](#) it stressed that execution measures must put an end to the segregation of Roma children in the school and classes concerned. In [Szolcsán v. Hungary](#), the Court reiterated that, in the context of Article 46, the authorities must develop and implement a policy against segregation in education and take steps to eliminate it, as recommended by ECRI (§ 69). These judgments underline that addressing school segregation requires concrete, targeted and effective measures capable of achieving genuine desegregation.

34. As established by the Advisory Committee, regardless of the underlying reasons for segregation, authorities have a positive obligation to adopt a comprehensive approach to end educational segregation. This includes addressing the structural factors that lead to it, such as spatial segregation,

⁴ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

as well as tackling barriers within the school environment ([Thematic Commentary No. 1 on Education](#), (§ 62). This requirement for a multi-level policy framework gives effect to ECRI [GPR No. 13](#), which mandates a "comprehensive multidisciplinary approach" (§ 2) to "end segregation" (§ 4.d) and to integrate Roma children into mainstream settings alongside the majority population. Consequently, a long-term commitment to inclusive education should be translated into national or local action plans on desegregation supported by financial, legal, and administrative measures (PACE [Resolution 1927 \(2013\)](#), 7.3.3.).

35.A promising example of a comprehensive national framework can be found in Romania. The Law on Pre-university Education (No. [198/2023](#)) establishes a robust legal framework by explicitly prohibiting school segregation, providing for a national desegregation structure, and defining inclusive education as a fundamental principle (Art. 67, 79). This legal framework is operationalized through a specialized administrative structure, primarily the National Commission for School Desegregation (Art. 80), established by Order No. [4482/2025](#) as the central authority responsible for policy enforcement and the execution of national action plans. Furthermore, a standardized Methodology (Order No. [7701/2024](#)) has been designed for the systematic monitoring, evaluation, and identification of segregation across all educational establishments. This framework decentralizes enforcement by tasking regional units with the continuous monitoring of school settings (Art. 116), thus ensuring that the national policy is implemented at the local levels.

On paragraph 9:

36.Policies aimed at eliminating school segregation should be built upon regularly collected information which is essential for identifying systemic problems and planning preventive solutions. Council of Europe bodies underlined that equality data on Roma and Travellers, in particular in the field of education, should form a solid basis for concrete action, appropriate policies, national strategies and action plans promoting equality and inclusion (Commissioner for Human Rights, [Fighting school segregation in Europe](#), 2017, p. 21; ECRI Sixth [report](#) on the Czech Republic, §96; Sixth [report](#) on Bulgaria, § 85, Fifth [report](#) on Italy, § 86; Fifth [report](#) on Ukraine, §60, Advisory Committee, Thematic Commentary no.1 on [Education](#), 2024, §§ 52, 53).

37.Relevant information should provide a comprehensive picture of the situation by including indicators on, among other, ethnic and linguistic affiliations, gender, age, geographical location, socio-economic factors, like housing status. As pointed out by the Advisory Committee, States should explore ways and means of collecting disaggregated equality data through censuses, other official data, independent research and empirical surveys (Advisory Committee, Thematic Commentary no.1 on [Education](#), 2024, § 52). Furthermore, relevant information should be sought through community outreach, including from civil society organisations, grassroots organisations, community-level groups, or Roma and Travellers activists to ensure the data reflects lived realities.

38.As noted in the Feasibility Study on desegregation and inclusion policies and practices in the field of education for Roma and Traveller children, it is important to acknowledge the diversity of national legal frameworks regarding equality data. For example, in countries where ethnic data cannot be collected, the European Commission recommended EU member States the use of proxy data, with a focus on socio-economic indicators and geographical mapping to identify relevant patterns (Feasibility Study on desegregation and inclusion, cited above, pp. 23). A comprehensive evaluation process requires both quantitative and qualitative data, including aggregated information. Quantitative data, such as enrolment rates, dropout statistics, like those used in the EU FRA Roma Survey, are relevant for tracking segregation. (EU FRA, [Rights of Roma and Travellers in 13 European Countries](#). Perspectives from the Roma Survey 2024) In contrast, qualitative data, gathered through community consultations, human rights monitoring, and sociological research, are essential for understanding the causes of segregation, including the educational experiences of Roma and Traveller children and the impact of segregation on them.

39. Promising practices, include the Atlas of Roma Communities in Slovakia which provides a methodology for and the results of the mapping of Roma settlements, which serve as a tool for school inspectors to assess the demographic proportions of schools relative to their local surroundings. Furthermore, the Slovak School Inspection has developed specific methodological guidelines to identify segregation and design desegregation measures. These guidelines facilitate partnerships with civil society organisations and have been integrated into regular inspections to ensure continuous school oversight (Council of Europe, [Mapping Study, School Segregation of Roma Communities: Trends and Pathways towards Educational Inclusion](#), 2024, p. 40, 45).

On paragraph 10:

40. The Court addressed the placement of Roma children in residentially segregated schools in several judgments and held that, among other factors, the ethnic structure of residents within a catchment area cannot objectively justify school segregation (*X and Others v. Albania*, (2022, §§ 86-88), *Elmazova and Others v. North Macedonia* (2022, §§ 76-79) and *Szolcsán v. Hungary* (2023, § 54-59)). The European Committee on Social Rights underscored that living in segregated settings has negative implications for the access of Roma children to schooling (*ERRC v. Portugal*, 2011, § 66).

41. To achieve demographic balancing and ensure the even distribution of children from diverse backgrounds, public authorities can use several instruments. These include implementing efficient demographic perspectives to prevent the oversupply of school places, which frequently contributes to increased segregation, and defining socially diverse catchment areas that do not reproduce residential separation. It is also essential to ensure that the quality of education and school infrastructure is consistent across all districts to avoid the marginalization and lack of attractiveness of schools in disadvantaged areas. Strategic decisions concerning the opening or closing of schools, as well as the deliberate placement of new educational facilities should be employed to actively eliminate school settings (schools or classrooms) that contribute to segregation and ensure that new sites do not reinforce spatial isolation. Additionally, reducing the number of students per classroom can facilitate a more balanced distribution of socially disadvantaged children among schools (Council of Europe, [Mapping Study on School Segregation](#), 2024, p. 48).

On paragraph 11:

42. The Court has established that parental choice is not absolute and cannot be used to waive a child's right to be free from racial discrimination. In several cases, "consent" from Roma parents for segregated placement was found to be invalid because it was not properly informed or was given under undue pressure (see *D.H. and Others v. the Czech Republic* [GC], cited above, §§ 203, 204; *Sampanis and Others v. Greece*, cited above, § 94, 95, *Oršuš and Others v. Croatia* [GC] cited above, §§ 178-179). This principle may apply to other administrative mechanisms resulting in separate classes or the use of 'reduced timetables' that may disproportionately affect Traveller children. (ECRI, Sixth [Report](#) on Ireland, 2025 § 79; Advisory Committee, Fifth [Opinion](#) on Ireland, 2025, §§ 129, 138) Similarly, the preferences of majority parents, or opposition, sometime leading to "white flight," do not justify the maintenance of segregated schools (see *Sampani and Others v. Greece*, cited above, §§ 103-104; *Elmazova and Others v. North Macedonia*, cited above, § 77).

43. The term "parents" should be understood widely, confined to fathers and mothers but may include, at least, grandparents (see, inter alia, *Lee v. United Kingdom* [G.C.], no. [25289/94](#), 18 January 2001). Drawing on Recommendation [CM/Rec\(2011\)12](#) of the Committee of Ministers to member States on children's rights and social services friendly to children and families, a "parent" refers to the person(s) with parental responsibility according to national law. In cases where the parent or parents are absent or no longer have parental responsibility, this can be a guardian, an appointed legal representative or the child's immediate caregiver.

44. The Court has emphasised that preventing and remedying segregation requires States to ensure that assessment tools and placement procedures do not reproduce discriminatory patterns. In [D.H. and Others v. the Czech Republic](#) [GC], it found that the psychological tests used for placement were, at the very least, liable to be biased and were not analysed in light of the particularities of Roma children, and therefore could not justify the differential treatment (§ 201). This concern was developed further in [Horváth and Kiss v. Hungary](#), where the Court held that, given the recognised bias in past placement procedures, the State has specific positive obligations to avoid the perpetuation of past discrimination or discriminatory practices disguised in allegedly neutral tests (§ 116). Most recently, in [Salay v. Slovakia](#), the Court again identified the disproportionate placement of Roma children as a discriminatory practice in absence of guarantees needed to avoid the misdiagnosis and inappropriate placement of Roma children (§§ 107, 115).

45. Designing socially balanced catchment areas can play a decisive role in tackling school segregation. For example, education systems such as in Spain, France and Switzerland regulate priority of access to proximity schools by designing catchment areas or school zones which have considerable potential to achieve balanced school enrolment. For example, researchers from the Centre for Democracy Studies Aarau at the University of Zurich developed an algorithm that reduced school segregation based on residential patterns in the city of Zurich. Educational authorities in cooperation with the municipality in Paris designed multi-school catchments areas to reduce social segregation among the capital's middle schools (Council of Europe, [Mapping Study](#), 2024, p. 51).

46. The Hódmezővásárhely municipality in Hungary addressed Roma segregation through a systemic redesign of its entire primary school network and catchment areas. The city closed 10 existing schools and opened five new ones, utilizing a socio-economic registry to ensure that disadvantaged students were distributed so as not to exceed a 20% threshold in any single institution. This reform replaced the conventional model of closing individual segregated schools with a city-wide redistribution of students to achieve a demographic balance across the urban network (Council of Europe, [Mapping Study](#), 2024, p. 89-90).

47. The Catalan government reduced primary class sizes to 20 or 22 students to mitigate school segregation. By limiting seat availability, the policy prevents an oversupply of places and avoids the concentration of disadvantaged and late-arrival students in low-demand schools, thereby facilitating a more equal distribution of children across the educational system (Council of Europe, [Mapping Study](#), 2024, p. 49).

On paragraph 12

48. To ensure Roma and Traveller children benefit from quality inclusive education, member States should implement proactive desegregation measures that address both historical and ongoing structural inequalities. The European Court of Human Rights has underlined that it is primarily for the State to take positive, effective measures to correct the Roma children's factual inequality and avoid the perpetuation of the discrimination that resulted from their over-representation in schools or classes, thereby breaking the circle of marginalisation (see, inter alia, [Elmazova and Others v. North Macedonia](#), 2022, § 74, [Szolcsan v. Hungary](#), 2023, § 55; [X and Others v. Albania](#), 2022, §§ 84). In this regard, authorities should specifically focus on the needs of Roma children, by helping them integrate into ordinary schools and develop the skills that facilitate life among the majority population (see, inter alia, [D.H. and Others v. the Czech Republic](#) [GC], § 207; [Horváth and Kiss v. Hungary](#), 2013, § 127). Competent authorities should recognise these particularities by facilitating their enrolment (see [Sampanis and Others v. Greece](#), 2008, § 86). Structured deficiencies call for the implementation of positive measures and the active, structured involvement of social services to address poor school attendance, high drop-out rates, or assist the Roma children with any difficulties they encountered in following the school curriculum (see, inter alia, [Oršuš and Others v. Croatia](#) [GC], 2010, § 177; [Horváth and Kiss v. Hungary](#), 2013, § 104, 127; [Salay v. Slovakia](#), 2025, §§ 112-15).

49. On a positive note, in *Avdiu and Others v. Albania*, the European Court of Human Rights found that authorities fulfilled their positive obligation to correct factual inequality and segregation by acknowledging the discrimination, closing the segregated school, and ensuring children could access an inclusive educational environment. Central to this specific intervention was the provision of municipal transportation and reimbursement of costs for families (see [Avdiu and Others v. Albania](#), 2023, §§ 12-14). As already underlined, it is essential to combine desegregation measures with such additional measures. Depending on the circumstances of the concrete desegregation initiative, it may be necessary to support them through different supporting measures, such as the redesign of catchment areas, improving school infrastructure, active support for integrating children in a new schooling environment, involvement of social services, or the provision of school meals.

50. Member States can devise comprehensive administrative and financial measures to actively eliminate school segregation and promote inclusive education. As highlighted by the Advisory Committee, systemic approaches may include the establishment of dedicated anti-segregation working groups within school districts, the mandatory development of equal opportunities action plans, and the regular review and adjustment of school catchment area boundaries to ensure a socio-demographically balanced distribution of pupils alongside early school-leaving prevention systems. Furthermore, States can leverage funding mechanisms to ensure accountability and enforce compliance with desegregation targets (Advisory Committee, [Sixth Opinion on Hungary](#), 2026, § 124).

On paragraph 13:

51. Member States should devise clear methodological guidance to overcome common barriers associated with equality data collection. A clear distinction should be made between the collection of individual data, which entails strict privacy safeguards, and the use of cumulative or aggregated data, which allows authorities to track systemic trends and school compositions without compromising personal anonymity. While quantitative data is essential for measuring the statistical scale, ratios, and spatial distribution of segregation, qualitative data is equally indispensable for capturing the root causes, contextual nuances, and the lived educational experiences of the Roma and Traveller children.

52. Monitoring and evaluation of education should be comprehensive, systematic, and grounded in disaggregated data that captures the schooling trends, including the multifaceted nature of segregation in education and whether desegregation measures are producing concrete results. The Advisory Committee has underlined that the collection of data should cover all parts of the education system from preschool to university, adult and vocational training and allow monitoring of drop-out rates (persistent non-attendance), attendance rates, educational outcomes and educational or professional directions (such as higher education, apprenticeships or employment), and exclusion or expulsion rates. (Advisory Committee, [Thematic Commentary no.1 on Education](#), § 52, 53). Such data should seek to identify the educational experiences of Roma and Traveller children and the reasons for non-attendance, including experiences of racist bullying (Advisory Committee, [Fifth Opinion on Ireland](#), 2024, § 140; Advisory Committee, [Fifth Opinion on the United Kingdom](#), 2023, § 194) Data should also be collected to assess the relative proportion of minority children enrolled in preschool education and in school compared to the overall proportion of people belonging to national minorities in the population at large. Accurate and regularly collected disaggregated data should allow policy makers to address problems identified, including through designing appropriate policies, national strategies and action plans promoting effective equality and the inclusion of persons belonging to national minorities, including Roma and Travellers (Advisory Committee, [Thematic Commentary no.1 on Education](#), § 52, 53). ECRI has likewise stressed the importance of data collection on Roma and Traveller children in the area of education, in order to measure the extent of problems and adapt policies to effectively address them ([GPR No. 13](#) cited above, § 14).

53. In countries where ethnic data cannot be collected by the authorities, alternative sources of data (such as sample surveys, expert estimates and data produced by equality bodies, academic institutions

and civil society) and proxy data should be used, amongst which socio-economic data can play a central role (CDADI, Feasibility study on desegregation cited above,, p. 23).

54. Member States may draw valuable guidance from recent Council of Europe work on data governance in education. The Council of Europe and UNESCO International Institute for Educational Planning report [Open School Data in European Education Systems](#) (2025) highlights the importance of transparent, standardised and school-level data for strengthening accountability, identifying inequalities and informing evidence-based policy making. Relevant guidance on the collection and use of equality data, including data disaggregated by racial or ethnic origin, can also be found in the European Commission's [Guidance Note on the Collection and Use of Equality Data](#) (2022) and in its report [Data Collection in the Field of Ethnicity](#) (2021), both of which offer practical standards and safeguards that complement the approaches outlined in this recommendation.

On paragraph 14

55. The Council of Europe's ETINED report [Open School Data](#) (2025) underlines that transparent and comparable school-level data are essential for monitoring system performance, identifying disparities between schools, and supporting equity-oriented education governance. These elements are essential for assessing whether policies to reduce segregation and advance inclusion are producing measurable results. This approach is fully consistent with the Committee of Ministers' Recommendation [CM/Rec\(2009\)4](#) on the education of Roma and Travellers, which emphasises that the entire policy cycle should be considered when designing or adapting educational policies. It calls for balanced attention to needs assessment, policy design, implementation, monitoring and evaluation, and stresses the importance of ensuring effective Roma and Traveller participation at all levels and in all phases of this cycle. Recommendation [CM/Rec\(2008\)5](#) on policies for Roma and Travellers similarly underlines the need for coherent, evidence-based strategies supported by reliable data and regular monitoring (see ACFC [Thematic Commentary No. 2](#), "The effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs", 2008, § 30).

56. Member states can draw from European Commission's portfolio of indicators on inclusive education and addressing school segregation, as established in the context of the EU Roma Strategic Framework for equality, inclusion and participation for 2020-2030. This portfolio provides a robust methodological tool, which allows authorities to measure the implementation of policies and their actual impact on the ground. States can track quantitative targets, such as reducing the share of Roma and Traveller children attending segregated schools and increasing their participation in early childhood and mainstream education. The portfolio addresses data collection limitations by offering practical guidance on utilizing proxy indicators, such as socio-economic data and other relevant information, in national contexts where the collection of ethnically disaggregated data is legally restricted. (Portfolio of Indicators, Proxy indicators, Increase effective equal access to quality inclusive mainstream education, [SWD\(2020\) 530 final](#)).

On paragraph 15

57. The European Committee of Social Rights emphasized that States have an obligation to collect data when a specific group faces disproportionate risks of discrimination in state care. The Committee ruled that even when the collection of ethnic data is prevented by "legislative and constitutional obstacles," authorities cannot use this as an excuse for inaction; rather, they have "the responsibility to find alternative means of assessing the extent of the problem." This finding is relevant to the educational context addressed in Paragraph 15. Member States should proactively gather data to identify and address patterns of school segregation by utilising `alternative means` to identify the extent of a discrimination risk with regard to Roma and Traveller children. (*ERRC v Czech Republic*, no.190/2020, 29 May 2024, § 87; Recommendation [CM/ResChS\(2024\)2](#) by the Committee of Ministers, *ERRC v Czech Republic*).

58. The Council of Europe's [Children's Data Protection in an Educational Setting – Guidelines](#) (2021) underline that processing children's data in schools must comply with the principles of lawfulness, fairness, necessity, proportionality, purpose limitation, transparency and data minimisation, with strengthened safeguards for special categories of data such as ethnic origin. Similarly, data collection aimed at identifying segregation should be grounded in voluntary self-identification, informed consent, confidentiality, and compliance with data-protection principles, ensuring that Roma and Traveller children are protected while enabling authorities to detect discriminatory patterns and monitor progress toward inclusive education (Recommendation [CM/Rec\(2008\)5](#), Appendix, V.; ECRI [GPR no. 13](#), §14, Advisory Committee [Thematic Commentary No. 2](#), §31). Individual data collection should be grounded on self-identification such as through administrative data. In the case of aggregated data collection, cumulative data obtained through third-party identification could be used to identify systemic inequalities. Where ethnic self-identification data are unavailable, desegregation efforts may rely on carefully designed and community-validated third-party identification, complemented by proxy indicators, to ensure that patterns of Roma segregation can be reliably detected and addressed (Council of Europe, [Mapping Study](#), p. 38-42). An example in this regard is related to civil society efforts in Hungary, where the Coalition for Inclusive Education—comprising Roma activists, local experts and strategic civil partners—collected data directly from Roma parents to document and substantiate segregation in the education system (Rule 9.2. [Communication from NGOs](#) concerning the case of Horvath and Kiss v. Hungary (Application No. 11146/11), 2024, §§ 21-29). As pointed by the Advisory Committee, representatives of Roma and Travellers should be involved throughout the process of data collection, while the methods of collection such data should be designed in close co-operation with them (Advisory Committee, [Thematic Commentary No. 2](#), §31).

Funding desegregation measures and supporting multistakeholder cooperation

On paragraph 16

59. Council of Europe monitoring bodies have consistently underlined that adequate, sustained and well-targeted funding is indispensable for effective school desegregation. As pointed out by the Human Rights Commissioner, attempts to desegregate based on short-term interventions or projects with limited external funding makes it difficult to ensure sustainable results and the institutionalisation of good practices. Sustainability should be ensured through clear ownership by the national authorities, as the process cannot be left solely in the hands of NGOs, private actors or local authorities (Commissioner for Human Rights, [Fighting school segregation in Europe](#), 2017, p. 20-21). Desegregation requires long-term investment in inclusive infrastructure, pedagogical support, teacher training and community-based programmes. Member States should ensure that financial resources are not used to preserve the status quo of segregation but instead operate for structural change. Public investment should be strategically aligned with the overarching objective of eliminating segregation and building inclusive, high-quality educational environments for all children (ECRI, [Annual Report 2024](#), §§ 12-14).

On paragraph 17

60. As pointed out by the Advisory Committee, effective participation, both as a principle and as a right protected under Article 15 of the Framework Convention for the Protection of National Minorities (FCNM), should be ensured at all levels, in all decisions affecting persons belonging to national minorities including Roma and Travellers, and should involve all relevant actors. In the field of education, these actors include children, parents and other caregivers, teachers and other educational experts and competent school authorities (Advisory Committee, [Thematic Commentary No. 2](#), §155; (Advisory Committee, [Thematic Commentary No. 1 on education](#), § 11). Participation in education is also framed in the 2026–2030 Council of Europe Strategy on Roma and Travellers as a cornerstone of inclusion, emphasising that Roma and Traveller learners, families, and communities should be actively

involved in shaping educational policies and school life (Council of Europe, [Strategy for Roma and Traveller Inclusion](#) (2026–2030), CM(2025)180-add1, 2025).

61. The Court's case-law shows that successful desegregation requires not only engaging Roma families but also addressing the concerns and attitudes of non-Roma parents, whose resistance can hinder desegregation efforts (see, inter alia, [D.H. and Others v. the Czech Republic](#) [GC] (2007, §§ 205; [Sampanis and Others v. Greece](#) 2008, §§ 81, [Oršuš and Others v. Croatia](#) [GC] (2010, §§ 154-155, [Sampani and Others v. Greece](#), 2012, §§ 98, [Lavida and Others v. Greece](#), 2013, §§ 69, 72, [Elmazova and Others v. North Macedonia](#) 2022, §77). The Feasibility Study on Desegregation (2024) provides concrete examples of how such challenges can be addressed. In North Macedonia, enrolment in ethnically mixed preschool groups encountered opposition from some non-Roma parents, which was mitigated through broader community-based outreach and training for preschool teachers, Roma assistants and the involvement of local authorities. In Hungary, the National Integration Network (OOIH) improved inter-ethnic relations and reduced social distance between Roma and non-Roma children through programme components addressing culture, minority issues and prejudices. These cases illustrate how majority-group attitudes can affect inclusion processes and why communication, prejudice-reduction, and community engagement are essential elements of desegregation policies (Feasibility study on desegregation, cited above, p. 44-48).

Advancing inclusive education and desegregation policies

Inclusive preschool education

On paragraph 19:

62. To ensure Roma and Traveller children are prepared for successful and equal participation in inclusive schooling, it is vital to recognise the transformative role of preschool education in closing the gap between pupils of different social backgrounds before primary school begins. As pointed by the Advisory Committee, preschool education is a crucial determinant of future life opportunities. Preschool education provides children with their first structured exposure to the official language, equipping them with the essential linguistic and social competences needed to ensure a smooth transition into primary schooling (Advisory Committee, Thematic Commentary No. 1, §§ 55-56).

63. Educational experts consider inclusive early childhood education as one of the most effective measures to reduce school and social inequalities, achieving equity in educational systems and fundamental to prevent later school segregation. Separation at the preschool stage entrenches exclusion from the outset and undermines the effectiveness of later desegregation measures. As noted in the CDADI [Feasibility Study](#), member States recognise that inclusion of Roma children in the formal education process as early as possible is a key measure for preventing school segregation. The [Study](#) notes that many countries have expanded their early childhood education and developed additional language-support programmes to facilitate early integration into mainstream education. A promising practice highlighted in the [Feasibility Study](#) is the Omama project in the Slovak Republic, an early childhood home-visiting programme in which trained Roma women from local communities support the cognitive, social and physical development of Roma children aged 0–4. Regular home visits, educational activities and parental coaching have shown – in the framework of an independent evaluation conducted with the University of Oxford - to improve children's neurocognitive outcomes and to reduce the number of Roma children later placed in special schools (Feasibility study on desegregation, cited above, p. 5, 48).

On paragraph 20:

64. Parental awareness and trust are decisive factors influencing whether Roma and Traveller children access early childhood education. Building trust with Roma and Traveller parents requires proactive, community-based engagement, rather than only the provision of information. The Feasibility Study

documents several promising approaches where Roma mediators, community workers and local NGOs play a key role in explaining the value of preschool, supporting families with enrolment procedures, and maintaining regular communication between parents and educational institutions (Feasibility study on desegregation, cited above, p.46–49; [Mapping Study: School segregation](#), 2024, p.88). These practices, as noted by the Advisory Committee, further enhance parents’ trust in the educational environment ([Thematic Commentary No. 1 on Education](#), § 57). In this context, the role of Romani and Traveller women and mothers is particularly vital, as they frequently act as powerful agents of trust-building between families and schools. A good practice in this regard is the promotion of female role models from Roma and Traveller communities; for instance, Roma Active Albania organised the 2019 EU Award for Roma Integration in the Western Balkans and Turkey, titled “Unknown Heroes,” which was dedicated to celebrating Roma women who have brought significant improvements to their communities. (CM/Rec(2024)1 Explanatory Memorandum, § 219)

On paragraph 21:

65. Roma and Traveller children remain disproportionately excluded from preschool education, undermining both equality of opportunity and the effectiveness of desegregation policies. A large-scale randomised control trial conducted by the World Bank in Bulgaria (2014–2015) showed that removing preschool education costs and organising information campaigns for Roma parents halved non-attendance rates and significantly increased attendance (Feasibility study on desegregation, cited above, p.47). As also recommended by the Advisory Committee, kindergarten fees should therefore, where they exist, be waived for persons in socio-economically disadvantaged situations ([Thematic Commentary No. 1 on Education](#), § 58). As underscored in the [Feasibility Study](#), removing financial barriers and providing additional financial support (for example, for travel costs, books, pedagogical material including games and toys, medical services and meals) is one of the most important conditions for ensuring inclusion of Roma and Traveller children from disadvantaged backgrounds in inclusive quality (early childhood and preschool education).

66. The World Bank evaluation mentioned in the previous paragraph was used in Bulgaria to successfully advocate for a law aimed at increasing participation in kindergarten for children aged 4–6, adopted by the Bulgarian Parliament in 2020. Other promising practices include free or income-adjusted preschool places, transportation schemes, simplified enrolment procedures, and targeted support services. (Feasibility study on desegregation, cited above, § 47). Positive measures to promote attendance in preschool can also play a relevant role, such as financial incentives or free meals provided to children and free transfers. However, as pointed out by the Advisory Committee, caution should be exercised, to ensure that such measures do not result in segregated school settings ([Thematic Commentary No. 1 on Education](#), § 58).

The CDADI [Feasibility Study](#) pointed to the fact that researchers and experts alike consider that, within a universal early childhood education and care system, targeted interventions on disadvantaged groups or Roma and Travellers reduce the gap in equal access to high-quality services. Furthermore, it noted that the working group on Early Childhood Education and Care set up by the European Commission emphasised that universal policies and practices benefitting all children and targeted measures for Roma and Travellers are key for more inclusive and quality early education and care. (Feasibility study on desegregation, cited above, 46).

Learning of the State languages and Romani languages

On paragraph 22:

67. The Advisory Committee underlined that learning the official language is a right of persons belonging to national minorities, as well as a legitimate aim to be promoted by the authorities. In practice, this means that persons affiliating with national minorities should have the possibility to learn both the minority language and the official language(s) simultaneously (Advisory Committee, [Thematic](#)

[Commentary No. 1 on education](#), § 109). In the case of Roma children, lack of linguistic competence – in particular, a lack of knowledge of the official language – should not be used as the basis for placing children in schools for children with special educational needs, or segregated classes. Rather, targeted measures, such as classroom support and enrolment in preschool, should be used to boost competence in the official language(s). (Advisory Committee, [Thematic Commentary No. 1 on education](#), § 60; ECRI [GPR No. 10](#), cited above, Section I.3, c.; Committee of Ministers Recommendation [CM R\(2000\) 4](#) on the education of Roma children in Europe, Appendix, II. §§ 9-10).

68. In addition, Recommendation [CM/Rec\(2022\)1](#) on the importance of plurilingual and intercultural education emphasises that education systems should foster learners' ability to engage constructively across linguistic and cultural differences. Intercultural education therefore plays a key role in ensuring that language-support measures for Roma and Traveller children are delivered in inclusive, culturally responsive environments, strengthening participation in mainstream education while preventing practices that risk reinforcing segregation.

69. As noted by the Committee of Experts of the European Charter for Regional or Minority Languages (the Committee of Experts), the Romani language represents one of the most complex linguistic cases in Europe, with many varieties due to the wide geographic spread of its users, acknowledging the diversity of its varieties. ([Romani and the European Charter for Regional or Minority Languages](#), Factsheet, 2025). The Committee of Experts underlined that member States should strengthen the teaching of Romani at all levels of education, ensuring financial means and teaching materials for Romani instruction while informing parents and children about available offers ([Fifth Evaluation Report on Austria](#), p. 30, [Third Evaluation Report on Romania](#), p. 74, [Fifth Evaluation Report on Serbia](#), p. 51, [Third Evaluation Report on Bosnia and Herzegovina](#), p. 49, [Sixth Evaluation Report on Montenegro](#), p. 28).

On paragraph 23:

70. In strengthening Roma and Traveller children's readiness for mainstream, non-segregated schooling, paragraph 23 highlights the importance of age-appropriate, inclusive language-support measures that respect children's linguistic and cultural background. The Council of Europe has long recognised the value of Romani as part of Europe's cultural and linguistic heritage and has developed tools to support its use in education. The [Curriculum Framework for Romani](#) provides "a common basis for the elaboration of language syllabuses, curriculum guidelines, examinations, textbooks, etc. across Europe" and has been further advanced through the [QualiRom project](#). QualiRom promotes quality education in the Romani language from a human-rights perspective, offering training on the use of its materials and providing consultancy on curriculum development for policy makers, decision-takers and curriculum developers.

71. The [Romani-Plurilingual Policy Experimentation](#) (2022–2025) has been working with primary schools in Greece, the Slovak Republic and Slovenia to explore how Romani language and culture can be used pedagogically to promote the educational inclusion of Roma children. These initiatives demonstrate that multilingual and culturally responsive approaches can strengthen children's linguistic development and support their successful transition into mainstream education.

72. This approach is aligned with Recommendation [CM/Rec\(2014\)5](#) on the importance of competences in the language(s) of schooling for equity and quality in education which underscores the need for systematic, high-quality support across all learners, and specifically for those from vulnerable and disadvantaged socio-economic backgrounds.

School enrolment and assessment

On paragraph 24:

73. Recent desegregation and inclusion initiatives show that it is important to include the goals of desegregation and inclusion explicitly in enrolment policies and educational planning. Several member States have introduced regional and local desegregation programmes that illustrate promising approaches. Czechia, Hungary and Spain have adopted regional or municipal plans aimed at reducing segregation and promoting inclusive schooling. Bulgaria has launched comprehensive municipal-level programmes for the desegregation of schools, the prevention of secondary segregation and anti-discrimination, targeting more than 17,800 children and children from vulnerable groups. Croatia has implemented a 2023–2025 regional and local programme specifically designed to reduce the share of Roma children attending segregated primary schools. In Ireland, the Supporting Travellers and Roma (STAR) pilot projects contribute to improving educational outcomes, fostering inclusive school communities, and promoting respect for the identity of Travellers and Roma. These examples demonstrate that desegregation requires coordinated planning, targeted investment and sustained political commitment (European Commission, [COM\(2024\) 422 final](#), 7, 9, 10). By lowering class ratios across all schools, Catalonia ensures a more balanced distribution of late-arriving students, preventing their concentration in low-demand schools. The policy, now generalised region-wide, builds on earlier successful municipal initiatives and has proven effective in reducing the concentration of migrant and disadvantaged children ([Mapping Study: School segregation](#), 2024, p. 49).

74. National authorities should implement support measures, including outreach, mediation, and cooperation with social services, to ensure that all children are enrolled in mainstream schools. As noted by the Advisory Committee on FCNM, administrative requirements, such as proof of residence, documentation, or registration, should not disproportionately impact Roma and Traveller children. (Second Opinion on Montenegro; Third Opinion on Bosnia and Herzegovina in [Thematic Commentary No. 1 on education](#), § 73) ECRI stressed that member States should ensure the effective enrolment of Roma and Traveller children in preschool, primary and secondary education and establish an effective drop-out monitoring mechanism at primary and secondary level to ensure the attendance of Roma/Traveller children and thus mitigate the risk of drop-out (ECRI, [Factsheet Preventing and combating antigypsyism and discrimination against Roma and Travellers](#), 2023, §21).

On paragraph 25

75. According to various monitoring reports of ECRI and studies of other bodies, inappropriate language and other testing often leads to unjustified placement of Roma and Traveller children in separate school settings. Therefore, any testing tool needs to be thoroughly assessed for potential bias and discriminatory outcomes that may result from limited knowledge of Roma children in their future language of instruction or from the upbringing in different cultural background. In [Oršuš and Others v. Croatia](#) (2010) the European Court accepted that temporary language-support measures could, in principle, pursue a legitimate aim of adapting education to children's needs. However, it held that such measures must be grounded in objective, consistent and comprehensive testing, should have a clear legal basis, and should include appropriate safeguards to prevent discrimination. In the absence of such safeguards, and where the measures disproportionately or exclusively affect Roma children, they amount to segregation contrary to Article 14 of the Convention, read together with Article 2 of Protocol No. 1 (see [Oršuš and Others v. Croatia](#) [GC] cited above, §§ 157-162). The Advisory Committee's [Thematic Commentary No. 1](#) on education stresses that a lack of linguistic competence should not be used as a basis for placing Roma children in special schools or long-term segregated classes. Rather, targeted measures, such as classroom support and enrolment in preschool, should be used to boost competence in the official language(s). (§ 60). ECRI's GPR [No.10](#) likewise underline that language-related support should be delivered where justified by objective and reasonable criteria and

is in the best interest of the child, and for a limited period of time (ECRI, GPR [no. 10](#), cited above, Section I.3.c).

On paragraph 26

76. Across Council of Europe monitoring mechanisms, a consistent concern has been the misuse of assessments—whether psychological, linguistic or pedagogical—to justify the placement of Roma and Traveller children in separate or special-needs schools, classes or similar settings. Such testing practices have been criticised for being culturally biased and they can therefore not be considered a fair means of assessing children’s skills or needs (see, inter alia, [D.H. and Others v. the Czech Republic](#) [GC], § 201; [Horváth and Kiss v. Hungary](#), 2013, § 119, [Salay v. Slovakia](#), 2025, § 107). In the context, a competency assessments should serve solely to identify the support a pupil requires and should not be used to separate or segregate Roma and Traveller children or to restrict their access to mainstream education.

Teaching and school curricula

On paragraph 27:

77. Inclusive education also requires the inclusion of Roma and Traveller history, culture and perspectives in school curricula. According to ECRI’s GPRs [No. 3](#) and [no. 13](#), member States should integrate Roma history and culture into the curriculum as a means of countering prejudice, antigypsyism and promoting equality. The Parliamentary Assembly echoed this approach in [Recommendation 1557 \(2002\)](#), which called for eradicating segregated schooling practices affecting Roma children and for promoting the teaching of the Romani language, history and culture as part of mainstream education. The Committee of Ministers compiled comprehensive guidance on this topic in its Recommendation [CM/Rec\(2020\)2](#), which calls on member States to incorporate the teaching of Roma and/or Travellers’ history into existing academic subjects. Education about the Roma Holocaust and other historical persecutions should form an integral part of the curriculum (see also Recommendation [CM/Rec\(2022\)5](#) on passing on remembrance of the Holocaust and preventing crimes against humanity).

78. The Council of Europe’s study on the representation of Roma in curricula and textbooks highlights several promising practices. In Germany, Sinti and Roma are included in history or social science curricula, resulting in comparatively broad and varied textbook coverage. Hungary explicitly required the term “Roma” to be defined in curricular glossaries and for textbooks that dedicate full sections or lessons to Roma history and culture. In Romania, textbooks go beyond limited curricular references by including Roma in geography and civics, as well as in discussions of the abolition of Roma slavery. France provides detailed textbook coverage of the Roma genocide, offering more substantial treatment than in many other countries. Together, these examples show how curricular inclusion can lead to more accurate and visible representation of Roma and thus contribute to inclusive education also covering the history of this minority group (The Representation of Roma in European Curricula and Textbooks. [Analytical Report](#), 2020, p.13, 16).

79. ECRI has highlighted initiatives to integrate the teaching of Roma history and culture into Spanish schools as a promising practice for fostering inclusion. In a collaborative effort, the national authorities partnered with the State Council of Roma People to develop specialized educational materials that showcase Roma history and their significant contributions to Spanish culture (Sixth [Report](#) on Spain, 2025, § 5).

80. To support member States in integrating Roma and Traveller history and culture into teaching and learning, the Council of Europe has developed a [Roadmap for the implementation of a capacity building programme on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials](#) together with a set of pedagogical tools that provide concrete guidance for curriculum reform and classroom practice. These include a [mapping study](#) on the representation of

Roma and Travellers in school curricula and textbooks, [recommendations](#) for ensuring their full participation in curriculum development, [historical briefings](#) on Roma and Traveller communities, and methodological resources. These are complemented by dedicated guidance on [teaching the Roma Holocaust](#) and other historical persecutions from a human rights perspective. Together, these tools provide concrete support for integrating Roma and Traveller histories into mainstream curricula and for fostering an inclusive learning environment grounded in accuracy, respect and intercultural understanding (Council of Europe, [Capacity-building programme and tools supporting the implementation of CM/Rec\(2020\)2](#)).

On paragraph 28

81. Combating antigypsyism coupled with supporting inclusive quality education has been a key component of the Council of Europe's Roma and Traveller strategies ([Strategic Action Plan for Roma and Traveller Inclusion](#) (2020-2025) and the [Strategy for Roma and Traveller inclusion](#) (2026-2030)). The Council of Europe has played a pioneering role in conceptualising and addressing antigypsyism, first by recognising it as a specific form of racism, then by defining it in ECRI GPR [No. 13](#), and subsequently by developing targeted activities to eliminate it. The ADI-ROM [Thematic report on combating antigypsyism](#) (2025) stresses the need to reach younger generations through formal education, remembrance initiatives and public awareness campaigns.

82. The Joint Project of the European Union and the Council of Europe "Inclusive Schools: Making a Difference for Roma Children" ([INSCHOOL](#)) provided support in the design and implementation of national inclusive education policies and innovative inclusive education practices in Czechia, Portugal, Romania and the Slovak Republic. Through 1,122 interventions carried out by INSCHOOL facilitators and educational advisors, participating schools strengthened their understanding and use of the [Index for Inclusion](#) methodology, improved governance structures and participatory practices, and enhanced their capacity to apply inclusive and culturally responsive teaching methods. The project also increased the knowledge and confidence of teaching and non-teaching staff in applying inclusive education principles, thereby contributing to safer, more respectful and more equitable learning environments for Roma and Traveller children.

83. Recommendation [CM/Rec\(2024\)1](#) on equality for Roma and Traveller women and girls, further emphasises the need to address antigypsyism, intersectional discrimination and identity-based bullying in school environments (see also PACE [Resolution 2153 \(2017\)](#) promoting the inclusion of Roma and Travellers, 4.1.3). As pointed out by the Advisory Committee, the school environment can also influence drop-out rates. A lack of sensitive, diversity-conscious pedagogical approaches, and a general absence of empathy towards children can foster hostile educational environments. Bullying of students belonging to national minorities by other students and even teachers can push children to stop attending school. According to the Advisory Committee, policies at national level should effectively address situations when Roma and Traveller do not send their children to schools attended by non-Roma children due to the fear of racist bullying and intimidation or where de facto school segregation of Roma children emerged due to racist bullying in schools (Advisory Committee, [Thematic Commentary No. 1 on Education](#), §§ 61, 63, 77).

84. Furthermore, various forms of violence in the digital space, such as cyberbullying, will require greater attention, especially in terms of their impact on Roma children who are at greater risk of bullying on intersecting grounds (Advisory Committee, [Thematic Commentary No. 1](#) on education, § 24). In line with ECRI recommendations, the authorities should ensure that all schools are encouraged to put in place a policy to prevent, monitor and respond to racist incidents, including bullying (GPR No. 10, cited above, § II.1). For example, authorities could develop and implement group-specific modules against the bullying of Roma children and young people (See, *inter alia*, ECRI sixth-cycle [report](#) on Albania, § 11; ECRI fifth-cycle [report](#) on Ukraine, § 75) in addition to general anti-bullying measures. A practical example of this approach is highlighted by ECRI: the adoption of a procedure for handling

cases of violence, including bullying and cyberbullying, and the obligation for schools to adopt plans for the prevention and reduction of violence in Romania. In this context ECRI considers as a good practice the awareness-raising campaign in schools carried out by the Romanian authorities in different projects aimed to address violence and bullying in schools (Sixth [report](#) on Romania, 2025, § 20).

On paragraph 29

85. With regard to the integration of new technologies in schooling, the Advisory Committee underlines that the authorities should make sure that such tools are accessible for members of national minorities, including Roma and Travellers children living in rural or poorer areas, where the necessary hardware is sometime difficult to obtain and internet access limited. Remote or distance learning including training on use of digital platforms should be made available for Roma and Traveller children ([Thematic Commentary No. 1](#) on education, §§ 130, 141) Authorities should ensure that all children, including Roma and Traveller children, benefit from new technologies and participate in such teaching by guaranteeing access to the full digital learning ecosystem: provision of suitable devices, reliable and affordable internet connectivity, and ongoing technical, pedagogical and community support so that technology enhances learning rather than deepens exclusion (European Commission, Roma Civil Monitor, [Digital Inclusion of Roma: Current Patterns, Trends and Barriers](#), 2024, p.24-25).

On paragraph 30

86. Increasing the number of Roma and Traveller teachers and educators is essential for building inclusive, non-discriminatory and culturally responsive education systems. This aspect has also been highlighted in § 27 of Recommendation [CM/Rec\(2024\)1](#) on equality of Roma and Traveller women and girls, which calls on Member States to facilitate the recruitment of teachers and other support staff from Roma and Traveller communities, including women, to facilitate communication between schools and parents. Similarly, ECRI recommends that member States ensure that a large number of Roma and Travellers join the teaching profession to aid the school integration of Roma children (ECRI, GPR [no. 13](#), cited above, § 4.I). To attract and retain Roma and Traveller candidates in the teaching profession, member States could implement a range of targeted measures, among others, providing dedicated scholarships for pedagogical studies, establishing alternative certification pathways for existing teaching assistants, launching recruitment campaigns coupled with ongoing professional mentoring.

87. The Advisory Committee has repeatedly stressed that the availability of qualified teachers from minority backgrounds requires targeted pre-service and in-service training, dedicated university programmes, and active recruitment and retention policies. Member States could adopt incentives such as scholarships, salary supplements, retraining opportunities, and proactive outreach to attract minority candidates including Roma and Travellers into the profession ([Thematic Commentary No. 1](#) on education, §§ 114-115).

88. Romania has for example developed targeted initiatives to strengthen the professional capacities of Roma and non-Roma teachers working in Romani-language and Roma-related subjects. Various projects supported Romani language teachers and Roma history teachers in schools offering instruction in Romani, Romanian or Hungarian, with the aim of reinforcing the cultural and intercultural dimensions of teaching at both local and national levels. Similarly, Hungary continues to adopt its so-called “nationality teacher programme”, which aims to increase the number of young people choosing to become a “nationality teacher” as a career and to raise the quality of “nationality teacher training”, to make language training in minority languages more effective (Advisory Committee, [Sixth Opinion on Hungary](#), 2026, § 140).

89. Other initiatives brought together Roma and non-Roma teachers as well as school mediators to deepen their understanding of Roma culture, identity and educational needs. Many Roma language

teachers are Romani women ([Sixth Report submitted by Romania](#), 2025, p.43). Similarly, education programs for teaching and professional staff were implemented in the Slovak Republic where the number of teaching staff with the competence using Romani language had increased ([Sixth Report submitted by the Slovak Republic](#) to the ACFC, 2024, §§215-217).

Considering nomadism in inclusive education practices

On paragraph 31

90. The European Court of Human Rights has recognised that the traditional lifestyle of Travellers and Gypsies (in the context of the United Kingdom) forms part of their protected ethnic identity, requiring public authorities to take this into account nomadism when designing and implementing policies. In [Chapman v. the United Kingdom](#) [GC] (2001), the Court held that living in caravans is “an integral part of ethnic identity” (§ 73) and that their vulnerable position requires “special consideration” (§ 96). In [Winterstein and Others v. France](#) (2013), the Court criticised authorities for failing to consider “the applicants’ specific needs arising from their lifestyle” (§ 160). Similarly, in [Hirtu and Others v. France](#) (2020), the Court stressed that Travellers constitute a minority whose “specific needs linked to their way of life” must be taken into account (§ 70). Most recently, in [Faulkner and McDonagh v. Ireland](#) (dec.), 2022, the Court reaffirmed that the State must consider “the particular needs of the Traveller community” when designing public services (§ 112). These principles are relevant to policies in areas such as education, where Traveller mobility and needs require specific consideration.

91. The Court has recognised that, in the context of Roma and Travellers, the notion of “home” under Article 8 extends beyond conventional or permanent housing. Because many members of these communities live in temporary or mobile dwellings, the Court has repeatedly held that “home” includes caravans and other non-permanent forms of accommodation ([Chapman v. the United Kingdom](#) [GC], cited above, §§ 71–74; [Hirtu and Others v. France](#), cited above, § 65). It also covers cabins, bungalows or similar structures placed on land, irrespective of whether the occupation is lawful under domestic law ([Yordanova and Others v. Bulgaria](#), cited above, § 103; [Winterstein and Others v. France](#), cited above, § 141).

92. The European Committee of Social Rights has held that the duty to avoid social exclusion, respect cultural difference and prohibit discrimination applies to all Roma groups, whether itinerant or settled, and that special consideration must be given to their housing needs and lifestyle. States must ensure the availability of suitable temporary and permanent accommodation, including a sufficient number of serviced residential and halting sites for caravans, and must respect the choice of those who wish to live in mobile homes (see [COHRE v. Italy](#), 2010, §§39–40; [FIDH v. Belgium](#), 2013, §112; [ATD Fourth World v. France](#), 2007, §§149–155).

93. These case-law findings reflect and reinforce Committee of Ministers guidance ([Rec \(2004\)14](#) on the movement and encampment of Travellers; [Rec \(2005\)4](#) on improving housing conditions of Roma and Traveller and ECRI GPR [No.13](#)). Those standards stress that spatial-planning regulations should not impede traditional Traveller life and secure an adequate number of suitably serviced encampment areas. In practice, States should plan and fund a balanced mix of permanent and temporary accommodation, consult Roma and Traveller communities in site selection and design, guarantee access to basic services (water, sanitation, electricity, schooling and health), and adopt procedural safeguards and alternatives to eviction to prevent forced displacement and segregation.

94. In this context, Recommendation [CM/Rec\(2024\)1](#) on equality of Roma and Traveller women and girls underscores that Member States should ensure, including through an appropriate design of school arrangements and curricula, that the diverse traditions and ways of life of Roma and Traveller girls, including nomadism, are accommodated, accepted and respected (Appendix, VI. § 25).

95.As the Advisory Committee explains in its 2024 [Thematic Commentary on Education](#), member States should accommodate this way of life when guaranteeing quality education, including by adopting positive measures. Schools should actively promote tolerance and respect for nomadic lifestyles among teachers and administrative staff and ensure that no practical barriers impede children from receiving education remotely where needed. The Advisory Committee further emphasises that states should show flexibility, including by providing children with a nomadic way of life with the tools necessary for distance learning, such as computers or tablets, reliable internet access, and by ensuring that stopping places, whether transient, temporary or permanent, have stable electricity connections. It has also welcomed examples where states deploy specialised staff assigned to work with Traveller children to support school attendance and provide an individualised approach ([Thematic Commentary no. 1 on Education](#), § 78).

96.A comparative overview of home education policies in Europe shows that many education systems allow for home-based or distance learning arrangements in situations where children cannot regularly attend school, including during periods of mobility. According to the 2018 Eurydice report [Home Education Policies in Europe](#), several systems allow distance learning or home instruction in exceptional circumstances, such as prolonged absence from school or family travel. While the report does not address Traveller communities specifically, its findings illustrate that European education systems already possess regulatory frameworks that can support flexible learning arrangements, which may be relevant for Traveller children. For example, the Irish Home School Community Liaison (HSCL) coordinator’s scheme has been developed to promote a genuine partnership between parents, teachers, and communities (European Commission, [Engaging parents and learners as key actors in education: building meaningful partnerships for school success](#), 2024, p.14-17).

97.ECRI highlighted promising practices in the field of education of Travellers and welcomed the Equal Start initiative in Ireland, which combines universal and targeted measures to support access and participation in early learning and care and school-age childcare for disadvantaged children, including those from Traveller and Roma backgrounds. ECRI also noted the expansion of the Delivering Equality of Opportunity in Schools (DEIS) programme, which covers an additional 361 schools and reaches approximately 65% of Traveller children, with specific actions aimed at improving attendance and school completion (ECRI, [Sixth report on Ireland](#), 2025, §78).

Tailored support to further school attendance and successful completion of education

On paragraph 32

98.As highlighted in the European Commission’s [Thematic report on the Roadmap for ensuring school success for all](#), the identification of children’s needs requires a careful balance between recognising specific educational requirements and avoiding oversimplification and labelling. While it is essential to understand students’ individual circumstances and needs in order to provide the appropriate support and resources, this process should be approached with nuance so as not to reduce children to categories that may limit their potential and stigmatise them (European Commission, [Roadmap for ensuring school success for all: A practical ‘living’ guide for the implementation of the Council Recommendation on Pathways to School Success Thematic report](#), 2004, p. 30). In this respect, individual needs-based measures should support Roma and Traveller children’s inclusion in mainstream, quality education, and should not be used as a pretext for placing them in separate educational settings under a claim of providing adapted interventions (Advisory Committee, [Thematic Commentary No.1 on Education](#), §62).

99.Promising approaches to identifying individual needs and providing tailored support for children can be found in several member States. Portugal has adopted a progressive model of inclusive education that applies to all students, irrespective of whether they have special needs, and explicitly rejects the categorisation of students. Under Decree-Law No. 54/2018, all students are entitled to access the curriculum and receive the support they require without being labelled based on personal

characteristics. Instead of categorising students as having "special education needs," the law refers to "support measures," thereby reducing the risk of segregation and discrimination based on diagnoses or clinical labels. Similarly, the Children's voice project in Denmark places strong emphasis on ensuring that children's perspectives are meaningfully integrated into decision-making. By engaging children, parents, teachers, health professionals and social workers in the development of a joint individual learning plan, the project promotes a holistic and participatory approach. Its structured methodology, joint assessments, unified planning frameworks and continuous follow-up on children's progress helps shift the focus away from diagnoses and towards children's strengths, capacities and resources (European Commission, [Roadmap for ensuring school success for all](#), 2024, p. 32, 33).

On paragraph 33

100. The [Feasibility Study on desegregation and inclusion policies and practices](#) confirms that Roma and Traveller children who transition from segregated to mainstream education require targeted, sustained and multi-dimensional support to overcome the educational gaps created by low-quality, segregated education. The study shows that segregated settings are generally associated with poor infrastructure, low teacher expectations, low qualifications and low achievement, making additional assistance essential when children enter mainstream schools. In line with this evidence, second-chance education programmes designed for early school leavers with a socially disadvantaged background or belonging to vulnerable groups should be designed as inclusive pathways back into mainstream education, and not as parallel systems that risk reproducing the very segregation they are intended to remedy.

101. Promising practices in Member States demonstrate that effective support should address both economic and socio-pedagogical barriers; for instance, the "Vidin project" in Bulgaria successfully combined municipal busing with the provision of free textbooks, tutoring for underperforming students, and intensive family engagement through parent training sessions ([Mapping Study on School Segregation](#), p. 58). In Slovakia, the desegregation effort in Žilina illustrated the necessity of removing financial obstacles, such as transportation costs, alongside implementing tutoring programs and regular communication with Roma parents to build institutional trust ([Feasibility Study on a School Desegregation Intervention in the Slovak Republic](#), p. 21). Mentoring programs, such as those implemented in Szeged (Hungary), have proven effective in improving literacy skills and reducing dropout rates by involving university students as mentors ([Mapping Study](#), pp. 88 and 90). Scholarships and accommodation support for Roma children in Bosnia and Herzegovina, Croatia, Greece and Hungary also improved retention in education ([CDADI\(2024\)19rev](#), p. 43).

102. ECRI notes that 29.718 Roma children in Romania (representing 23.61% of the total number of children) benefit from the National Programme for Reducing of School Drop-out (2021-2026), which is implemented in 1.409 lower secondary schools. In this context, ECRI highlights the "School After School" and "Second Chance" programmes as good practice: both provide targeted support to children at risk of dropping out and offer pathways to reintegrate those who have already left school ([Sixth Report on Romania](#), 2025, §88).

On paragraph 34

103. Recommendation [CM/Rec\(2024\)1](#) on equality of Roma and Traveller women and girls underscores that Roma and Traveller girls face multiple and intersecting forms of discrimination, shaped by antigypsyism, gender norms and socio-economic marginalisation. These inequalities exist also in education, where Roma and Traveller girls experience lower enrolment, attendance and achievement rates, and often lack safe and supportive learning environments. Furthermore, harmful practices such as child marriages, early marriages and forced marriages have a negative impact on the education of Roma girls (Recommendation [CM/Rec\(2024\)1](#), Explanatory Memorandum, § 121). It must however be noted that under-aged boys may also be impacted by early marriages (Advisory Committee, [Thematic Commentary No.1 on Education](#), § 68).

104. Member States are encouraged to adopt comprehensive measures to ensure the equal participation of Roma and Traveller girls in quality education at all levels. This includes increasing their enrolment, attendance and achievement while preventing any form of school segregation; accommodating and respecting their diverse traditions and ways of life within school arrangements and curricula; supporting non-formal and extracurricular learning opportunities; and strengthening communication and trust with families through the recruitment and sustainable funding of teachers, mediators and support staff from Roma and Traveller communities. Member States should also implement targeted programmes to prevent and combat bullying by students or teachers against Roma and Traveller girls ([CM/Rec\(2024\)1](#), §§ 24-29).

Training of teachers and other school staff

On paragraphs 35-36

105. Council of Europe standards consistently underline that teacher preparedness is essential for ensuring inclusive education for Roma and Traveller children. Committee of Ministers Recommendation [CM/Rec\(2009\)4](#) calls on educational authorities to ensure that all teachers, particularly those working in ethnically mixed classes, receive specialised training in intercultural education, with specific attention to Roma and Traveller children, and that such training be part of officially recognised programmes. The Advisory Committee and ECRI likewise stresses that teachers working with multicultural and multilingual groups require training to accommodate diversity in classroom settings and to understand the cultures and identities of Roma and Travellers (Advisory Committee, [Thematic Commentary no.1 on Education](#), § 43; ECRI GPR [No. 10](#)) Following the same approach, the Committee of Ministers recommendation [CM/Rec\(2022\)10](#) on multilevel policies and governance for intercultural integration encourages educational institutions to develop intercultural competences and attitudes among their staff, encouraging them to acquire the skills to enable constructive exchanges, dialogue and co-design based on shared values and goals in terms of living together and combating all forms of exclusion and marginalisation (§ 29).

106. Human rights education based on the principles of equality, non-discrimination, tolerance and respect for diversity can play a key role in combating racism and intolerance in education. ECRI underlines the importance of training for educational staff recommending national authorities to provide the entire teaching staff with initial and ongoing training to understand racism and racial discrimination and use human-rights-based teaching methods (ECRI, GPR [No. 10](#), III. 1-5, see, also PACE [Resolution 1927 \(2013\)](#), § 7.2.2.). The Advisory Committee adds that teachers should be equipped to recognise and address discriminatory behaviour and their own biases (Advisory Committee, [Thematic Commentary no.1 on Education](#), 2024, §44). In Recommendation [CM/Rec\(2009\)4](#) the Committee of Ministers directly linked policies and measures to combat school segregation with appropriate training of educational staff and information for parents (Appendix, § 5).

School mediators and teaching assistants

On paragraph 37

107. The Advisory Committee has consistently highlighted the beneficial impact of Roma and Traveller school mediators and teaching assistants on enrolment, attendance and educational outcomes, noting positive experiences in a wide range of member States, including Romania, Bulgaria, Hungary, Slovakia, the Czech Republic, Bosnia and Herzegovina, North Macedonia, Serbia, Spain and Portugal (Advisory Committee, [Thematic Commentary on Education](#), 2024, §§ 80–82). ECRI also noted that Roma assistant posts were introduced in kindergartens and primary schools in Slovenia with their role being formalised as “Roma helper” (Sixth [Report](#) on Slovenia, 2025, § 91). Where mediator positions have been institutionalised and sustainably maintained, their positive impact on Roma communities has been evident (Sixth [Report](#) on Montenegro, 2025, § 62; Sixth [Report](#) on Romania,

2025, § 89; ECRI [Conclusions](#) in respect of Bulgaria, 2025, § 2; Sixth Report on Portugal, 2025, § 82, 90).

108. The Explanatory Memorandum to Recommendation [CM/Rec\(2024\)1](#) likewise stresses the significant potential of the mediators, community development workers and facilitators to improve the school enrolment, attendance and outcomes of Roma and Traveller children (§ 133). These developments reflect long-standing Council of Europe standards: Recommendation [CM/Rec\(2008\)5](#) on policies for Roma and Traveller in Europe and [CM/Rec\(2009\)4](#) calls for the employment, training and full integration of Roma and Traveller mediators in schools; PACE [Resolution 1927 \(2013\)](#) urges the introduction of appropriately trained and paid Roma assistants and mediators; and ECRI GPR [No. 10](#) and [No.13](#) emphasise the use of mediators to support school integration, ensure communication with parents, enhance trust and combat antigypsyism. This progress has also been supported by Council of Europe programmes such as [ROMED](#), which trained mediators across Europe, and the guidance provided in Recommendation [CM/Rec\(2012\)9](#) on mediation as an effective tool for promoting respect for human rights and social inclusion of Roma. The former Committee of Experts on Roma and Traveller Issues (CAHROM) concluded that the work of school mediators has changed the attitude of a good number of Roma communities towards the education in general and towards school as institution in various Member States, among others the Slovak Republic, Czechia, Romania, Bulgaria, Hungary, Serbia and Poland (CAHROM, Thematic Visit on Roma Mediation (with a focus on school mediators/assistants), Final Thematic Report, [CAHROM\(2017\)16](#), p. 23-30).

Supporting desegregation and inclusive education through social inclusion policies and policies for preventing and combating antigypsyism

On paragraph 38

109. [The Feasibility study on desegregation and inclusion policies and practices](#) in the field of education for Roma and Traveller children underlines that the persistent failure of education policies for Roma and Travellers is linked, among other factors, to the longstanding issue of antigypsyism, which requires addressing its root causes. The [Declaration](#) of the Committee of Ministers on the Rise of Anti-Gypsyism and Racist Violence against Roma in Europe likewise acknowledges the systemic nature of antigypsyism and recommends that initiatives to improve the situation and inclusion of Roma and Travellers should comprise measures to combat discrimination and address antigypsyism, alongside social and economic inclusion measures. ECRI's GPR [No. 13](#) further recognises that the school segregation of Roma and Traveller children constitutes an educational manifestation of antigypsyism and calls upon member States to adopt a comprehensive and multidisciplinary set of measures to combat it. These conclusions are reinforced by the recent recommendations in the ADI-ROM [Thematic report on combating antigypsyism](#), which underline the need to recognise, document and address antigypsyism as a specific form of racism and to embed targeted measures against it across all relevant policy areas, including education (Thematic Report on combating antigypsyism, CM(2025)119-add3, p.33, 34).

110. At European Union level, the [EU Roma Strategic Framework](#) requires Member States to adopt national Roma inclusion strategies promoting Roma equality, inclusion and participation that combine measures to prevent and combat antigypsyism with concrete desegregation actions in education and housing. Furthermore, as emphasised by the EU Anti-racism Action Plan 2020-2025, it is vital that member States systematically address antigypsyism not only through targeted Roma policies, but also by embedding it firmly within the broader context of comprehensive national strategies and action plans to combat racism (European Commission, [EU Anti-Racism Strategy 2026-2030](#), COM(2026)12 final). These frameworks underline the importance for member States to embed school desegregation within broader inclusion policies ensuring the necessary social, economic and legal conditions for Roma and Traveller children to participate fully in mainstream education.

111. Programa Escolhas in Portugal illustrates this integrated approach: structured around three strategic intervention areas, education; employability and entrepreneurship; and community participation, the programme funds local projects that combine educational support, mentoring, cultural activities and community mobilisation to prevent school dropout and promote social inclusion and thus provides a useful model for member States designing desegregation and inclusion measures (ADI-INT, [Compendium of good practice on intercultural integration](#), 2024, p.101-102).

On paragraph 39

112. Integrating education objectives such as inclusive education and elimination of school segregation in overarching inclusion strategies for Roma and Travellers ensures that responsibilities, timelines, budgets and accountability mechanisms are clearly allocated across ministries, educational authorities, local authorities and other stakeholders (school maintainers), and that desegregation measures are implemented as part of a sustained, multi-sectoral policy effort rather than as isolated school-level initiatives.

113. Social Inclusions strategies or national action plans should, among other measures: set explicit, time-bound objectives to alleviate segregation and increase enrolment, attendance and learning outcomes for Roma and Traveller children; define base lines and target values for core indicators; designate the persons and authorities responsible for reaching the targets; require regular collection and analysis of disaggregated data to monitor placement, attendance, achievement; mandate cross-sectoral coordination with housing, social-protection and anti-discrimination policies to address root causes of segregation; include legal safeguards and review mechanisms to prevent discriminatory placement practices; and provide for meaningful consultation and participation of Roma and Traveller communities, civil-society actors and education stakeholders in design, implementation and evaluation.

Advancing desegregation through protection against poverty and social exclusion and ensuring adequate housing

On paragraph 40:

114. [The Feasibility study on desegregation and inclusion policies and practices](#) in the field of education noted that in many member States a large proportion of Roma and Traveller families live in poverty and Roma children are at particular risk of poverty. Although data from the EU Fundamental Rights Agency show a decrease in the share of Roma children living in severe material deprivation, the proportion of Roma children who do not enjoy decent living conditions remains high and Roma children continue to be significantly more likely to live in poverty. Low-income neighbourhoods are often ethnically segregated and almost every second Roma and Traveller child (46 %) in 13 EU Member States surveyed attends a school where all or most of the children are Roma/Travellers (EU FRA, [Rights of Roma and Travellers in 13 European countries - Perspectives from the Roma Survey 2024](#), p.41). Against this background, desegregation and inclusive schooling can only be effective if the basic needs of Roma and Traveller families and children are sustainably secured, whether through adequate income or adequate economic, legal and social protection and social benefits.

115. The Court usually grants a wide margin of appreciation in spheres involving the application of social or economic policies (see, inter alia, *Connors v. the United Kingdom*, no. [66746/01](#), 27 May 2004, § 82; *Yordanova and Others v. Bulgaria*, no. [25446/06](#), 24 April 2012, §§ 118; *Hudorovič and Others v. Slovenia*, nos. [24816/14](#) and [25140/14](#), 10 March 2020, § 141) However, the Court has stressed that measures of economic and social policy must, nevertheless, be implemented in a manner that does not violate the prohibition of discrimination and complies with the requirement of proportionality (see, inter alia, *Stec and Others v. the United Kingdom* [GC], nos. [65731/01](#) and [65900/01](#), 12 April 2006, § 51-53; *Bah v. the United Kingdom*, no. [56328/07](#), 27 September 2011, § 40). In the area of housing, the Court has accepted that an obligation to secure alternative accommodation to

particularly vulnerable individuals such as Roma and Travellers, may flow from Article 8 of the Convention (*Yordanova and Others v. Bulgaria*, cited above, §§ 129-130).

116. According to Article 16 ESC (rev.), the State Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits and other appropriate means. According to Article E ESC (rev.), the enjoyment of the rights set forth in the Charter shall be secured without discrimination on any ground. The Committee reviews the means used by States Parties to ensure the social, legal and economic protection of all family types, including Roma and Traveller families. While State Parties retain discretion to choose the means and instruments to implement Article 16, the margin of appreciation is limited: measures must not undermine the effective protection afforded to of Roma and Traveller families (Committee of Social Rights, Conclusions 2006, [Statement of Interpretation of Article 16](#), European Roma Rights Centre (ERRC) v. Greece, 2004, §26).

117. States Parties must take the legal and practical measures which are necessary and adequate to the goal of the effective protection of the right to adequate housing in terms of Article 16. This objective must be achieved within a reasonable time, with measurable progress and to an extent consistent with the maximum use of available resources (ECSR, *International Federation of Human Rights (FIDH) v. Belgium*, no. 62/2010, 21 March 2013, §113). Housing benefits specifically targeted at families must be available (e.g. grants or subsidies for the purchase or construction of family homes, tax relief on mortgage repayments, subsidised loans for acquiring the first home, subsidised rent for families, housing allowances, etc.) (ECSR, [Digest of the Caselaw of the ECSR](#), 2022, p.142).

118. The European Committee of Social Rights underlined that the primary means to ensure economic protection should be family or child benefits provided as part of social security, available either universally or subject to a means-test, while protection of vulnerable families including Roma and Traveller families shall be ensured in accordance with the principle of equality. In the context of Article 17 ESC (rev.), the obligation of States Parties to take all appropriate and necessary measures to ensure that children and young persons have the assistance they need is strongly linked to measures directed towards the amelioration and eradication of child poverty and social exclusion. Measures must be adopted to reduce child poverty, including non-monetary measures such as ensuring quality and affordable services in the areas of health, education, housing etc. While the Committee acknowledged that States have a margin of appreciation to address school absenteeism, and that tying family allowances to school attendance pursues the legitimate aim of guaranteeing a child's right to education, such policies must be applied with strict proportionality. The Committee emphasizes that these measures must not be punitive in nature. Suspending or terminating financial support effectively punishes families for non-attendance by exacerbating their economic and social vulnerability, including of the children concerned. (ECSR, [Digest of the Caselaw of the ECSR](#), 2022, pp. 147, 148, 155).

On paragraph 40, a)

119. In its case-law, the Court has stressed the necessity for States to take into account the situation of disadvantaged social groups. It has, in particular, emphasised the vulnerability of Roma and Travellers, and the need to pay particular attention to their specific needs and ways of life, and the assistance they need in order to be able to enjoy effectively the same rights as the majority population, both in the area of housing and education (*Connors v. the United Kingdom*, no. [66746/01](#), 27 May 2004, § 84; *Hudorovič and Others v. Slovenia*, nos. [24816/14](#) and [25140/14](#), 10 March 2020, § 142, *Paketova and Others v. Bulgaria*, nos. [17808/19](#) and [36972/19](#), 4 October 2022, § 161, *D.H. and Others v. the Czech Republic* [GC], cited above, § 182; *Oršuš and Others v. Croatia* [GC], cited above, § 147). Such circumstances may give rise to positive obligations on the national authorities (*Chapman v. the United Kingdom* [GC], cited above § 96; *Yordanova and Others v. Bulgaria*, no. [25446/06](#), 24 April 2012, §§ 129-130 and § 133), albeit within certain limits (*Hudorovič and Others v. Slovenia*, cited above, § 158). The Court has considered the Roma applicants' specificity as a social group and their

needs as one of the relevant factors in the assessment of the proportionality that the national authorities are under a duty to undertake in housing matters (*Yordanova and Others*, cited above, §§ 129 and 132-133; *Winterstein and Others v. France*, no. [27013/07](#), 17 October 2013, § 148, *Hirtu and Others v. France*, no. [24720/13](#), 14 May 2020, § 70, *Hudorovič and Others v. Slovenia*, §§ 142 and 147).

120. The Committee on Social Rights has emphasised that the right to housing is essential for the exercise of other civil, political, economic, social and cultural rights. To give effect to Article 16, States Parties must ensure an adequate supply of housing for families, integrate family needs into housing policies and maintain existing housing at an adequate standard. Adequate housing must provide essential services and amenities (such as water, heating, waste disposal, sanitation facilities, electricity etc.) and be suitable size and quality in relation to the composition and needs of the household (*European Roma Rights Centre (ERRC) v. Greece*, 2004, §24).

On paragraph 40, b)

121. States Parties are required to ensure the economic protection of Roma and Traveller families in accordance with the principle of equality of treatment, including through family or child benefits provided as part of social security, whether available universally or subject to means-testing ([Digest of the Caselaw of the ECSR](#), 2022, p. 147). While States enjoy a wide margin of appreciation in designing and implementing national employment policies, the Committee of Social Rights examines indicators relating to the situation of vulnerable groups. Labour-market measures should therefore be targeted, effective, regularly monitored and designed to support minorities with distinct levels of under-employment or unemployment, such as Roma ([Digest of the Caselaw of the ECSR](#), 2022, p. 46).

On paragraph 40, c)

122. This point of the Recommendation should be read together with the detailed analysis contained in the Explanatory Memorandum to CM/Rec(2024)1 on the equality of Roma and Traveller women and girls, which provides an extensive explanation of the factors leading to the disproportionate placement of Roma and Traveller children in state care and the obligations arising from the case-law of the European Court of Human Rights and the findings of the Court and the European Committee of Social Rights in this area.

123. The Court has held that the removal of a child from the family setting is an extreme measure to which recourse should be had only as a very last resort (see *Neulinger and Shuruk v. Switzerland* [GC], no. [41615/07](#), 6 July 2010, § 136). The Court has emphasized guiding principles such as: the paramount importance of the child's best interests, the necessity to facilitate family reunification as soon as reasonably feasible, the care order being regarded as a temporary measure, the necessity of an adequate decision-making process, the application of the relevant provisions of national law be devoid of any arbitrariness (see, inter alia, *Strand Lobben and Others v. Norway* [GC], no. [37283/13](#), 10 September 2019, §§ 207-2013; *Zelikha Magomadova v. Russia*, no. [58724/14](#), 8 October 2019, § 112).

124. Similarly, the European Committee of Social Rights has held that placement of children outside the home must be exceptional and justified only by the needs of the child — namely where remaining in the family environment would pose a danger to the child. Financial conditions or material circumstances must not be the sole reason for placement, and appropriate alternatives should first be explored, considering the views and wishes of the child, their parents and other family members ([Digest of the Caselaw of the ECSR](#), 2022, p. 150; similarly see Advisory Committee, [Sixth Opinion on Hungary](#), 2026, § 169). States Parties must take all necessary legal, financial and operational measures to progressively provide young children with appropriate care services in family-based and community-based family-type settings, particularly for children under the age of three. Where a particular group of children (for example Roma children or children with disabilities) faces a disproportionate risk of placement in care, States Parties are obliged to collect data on the extent of

the problem. The collection and analysis of such data, with due safeguards for privacy and protection against misuse, is indispensable to formulating adequate policy and adopting appropriate measures to ensure the social and economic protection those children need. (ERRC and MDAC v. Czech Republic, 2020, §§135, 144, 172)

On paragraph 40, d)

125. The right to education of children is guaranteed under Article 2 of Protocol No. 1 of the European Convention. It concerns, as already described above in § 13 inter alia, elementary schooling, secondary schooling and university education. It includes access to educational institutions existing at a given time, transmission of knowledge and intellectual development, as well as the possibility of drawing benefit from the education received (European Court of Human Rights, Guide on the case-law of the European Convention on Human Rights, [Rights of the child](#), 2025, §§ 83, 84). Educational programs, including the obligation to attend specific classes, have been assessed in the light of their goals, such as socialisation and integration (*Osmanoğlu and Kocabaş v. Switzerland*, no. [29086/12](#), 10 January 2017, §§ 97, 103 and 105), while the need to operate desegregation measures has been approached by the Court through the prism of inclusive education, (*Elmazova and Others v. North Macedonia*, cited above, § 89).

126. The European Committee of Social Rights has interpreted Article 17 of the Revised European Social Charter (right of children and young persons to protection) as imposing a positive obligation on States to adopt the measures necessary to ensure that children can grow up in an environment favourable to the development of their personality and their physical and mental abilities. States that have accepted Article 17 must take all appropriate legal, financial and operational measures to ensure that children and young persons, taking account of the rights and duties of their parents, receive the care, assistance, education and training they need. The Committee links this obligation to measures aimed at the amelioration and eradication of child poverty and social exclusion (ERRC and MDAC v. Czech Republic, 2020, §134; [Digest of the Caselaw of the ECSR](#), 2022, §148). The Committee has held that, while suspending or terminating a family allowance to address school absenteeism may pursue the legitimate aim of encouraging attendance, such measures must not be punitive in effect because they can increase a family's economic and social vulnerability. Measures such as suspending benefits for one year, terminating allowances after three consecutive months of non-attendance (or six months in a school year), or ending family allowances when the child becomes a parent, do not comply with Article 17 (*Equal Rights Trust v. Bulgaria*, 2018, §§59–61; [Digest of the Caselaw of the ECSR](#), 2022).

On paragraph 40, e)

127. Recommendation [CM/Rec\(2024\)1](#) sets out tailored support for Roma and Traveller girls across several interlinked domains: targeted educational measures and school support (paras. 24–29); timely, non-discriminatory sexual and reproductive health care and health mediators (paras. 30–34); gender-sensitive social protection and anti-poverty measures (paras. 6–8); prevention of disproportionate placement in alternative care and family-support programmes (paras. 9–17); protection from gender-based and hate-motivated violence and access to complaint and protection mechanisms (paras. 37–42); capacity-building, empowerment and leadership support (paras. 43–46); housing and accommodation measures including culturally appropriate halting sites (paras. 18–23); requirements on data collection and monitoring (paras. 54–55); and the integration of these measures into legislation, strategies and action plans with consultation and clear indicators (paras. 56–59). With regard to Roma and Traveller girls, including nomads, member states should develop pedagogical tools, mechanisms and approaches to ensure their transitioning and effective participation in the education process. An intercultural approach that considers specific culture, language including the gender dimension should be implemented. Member states may draw from tools such as the [Index for Inclusion](#) used by the Joint Project of the European Union and the Council of Europe “Inclusive Schools: Making a Difference for Roma Children” (INSCHOOL).

On paragraph 41:

128. The Advisory Committee notes that Roma children have been faced with situations of segregation caused by factors such as housing and spatial segregation ([Thematic Commentary on Education](#), 2024, §62). To reverse the trends in the educational segregation towards inclusive schooling, integrated policies need to be implemented that combat de facto segregation in respect to housing, as pointed out in ECRI GPR [No.13](#) (§ 6. b), and do not create or reinforce residential segregation nor local, regional or national initiatives including alternative housing results in practices that further segregation or produce a discriminatory impact on Roma and Travellers (see Committee of Ministers, Recommendation to member states on improving housing conditions of Roma and Travellers in Europe [Rec \(2005\)4](#), Appendix §§ 5, 21, 26; Recommendation [Rec \(2004\)14](#) to member states on the movement and encampment of Travellers in Europe, Appendix § 30).

This approach has been reinforced at European Union level. The [EU Roma Strategic Framework](#) requires EU member States to adopt national Roma inclusion strategies that combine measures to combat segregation in both education and housing with specific actions to eliminate segregation in primary schools and increase access to adequate desegregated housing and social services (COM(2020) 620 final, p. 4-5). A key point underlined by the European Commission referred to investments in both fields, housing and education, which should not contribute to any perpetuation of segregation. A practical example of this approach is the Madrid county relocation programme, which allocated EUR 217.5 million (EUR 174.4 million for housing) to purchase housing on the secondary market, place properties in public ownership and lease them to beneficiary families; relocations were planned, accompanied by community empowerment and a two-year adaptation period, and resulted in the elimination of the targeted segregated neighbourhoods, demonstrating how coordinated housing investment and social support can dismantle the spatial foundations of school segregation. (see Guidance for Member States on the use of European Structural and Investment Funds in tackling educational and spatial segregation, [EGESIF15-0024-01](#), 2015, p.18)

On paragraph 42:

129. Experience from Council of Europe programmes, such as the [INSCHOOL](#) project, confirms that continuing support measures, including homework and extra-curricular activities, that bring children together and focus on each child's individual strengths, have proven efficient. Educational methodologies based on the [Index for Inclusion](#), paired with financial support, have contributed to bring positive change within educational settings (Evaluation of the European Union & Council of Europe Joint Project: Inclusive Schools: Making a Difference for Roma Children, [CC.DGII.797.2021](#), p.24-26).

130. In Slovakia, a considerable number of community centres have been built to help Roma children do their homework and to organise out-of-school activities. ECRI considers this development as a clear example of a situation where the Ministry of Education should make these good practices a long-term feature of its budget and thus ensure that Roma teaching assistants can have permanent contracts (Sixth [report](#) on Slovakia, 2020 § 91). Similar promising practices regarding day centers were established in Roma settlements to provide support for Roma children and youth in Slovenia (Sixth [report](#) on Slovenia, 2025 § 91). Roma youth centers to provide study space, extracurricular activities and cultural events have been set up at local level in Estonia (ADI-INT, [Compendium of good practice on intercultural integration and multilevel governance](#), 2024, p.10-11). The Roma Branches within municipal Community Centres in Greece serve as local service hubs embedded in mainstream municipal infrastructure. They are designed to provide Roma families with easier access to social support, administrative advice, educational assistance and community outreach. Other local initiatives addressing social segregation in Vila Verde Portugal use community centres and local partnerships to deliver educational support, cultural activities and social inclusion measures tailored to the needs of Roma families (ADI-INT, [Compendium of good practices](#), 2024, p.19-20).

On paragraph 43:

131. The [Feasibility study on desegregation](#) and inclusion policies for Roma and Traveller children emphasises that assisting parents to get into stable, decent employment is a priority for securing the conditions necessary for children's regular school attendance and learning. Persistent unemployment, low wages and precarious working conditions among many Roma and Traveller families undermine children's educational participation and make it necessary that social-protection systems provide adequate benefits to parents who are unemployed or lack sufficient resources, in line with Article 13.1 of the Revised European Social Charter ([CDADI\(2024\)19rev](#), p. 56).

132. The European Committee of Social Rights has underlined that labour market measures should be targeted and designed to support minorities experiencing distinct patterns of under-employment or unemployment, including Roma ([Digest of the Caselaw of the ECSR](#), 2022, p .46). ECRI has repeatedly recommended that Member States adopt positive action to facilitate the labour market integration of Roma, in particular young Roma and Roma women, and to promote their employment in both the public and private sectors. Such action can include vocational training, active employment programmes, active labour-market measures, incentives and subsidies (ECRI [report](#) on Montenegro, 2917, § 74, ECRI [report](#) on Slovakia, 2020 § 98; ECRI [report](#) on Albania, 2020, § 51; ECRI [report](#) on Hungary, 2015, § 88).

133. ECRI has highlighted some national programmes as good practices: for example, Spain's Acceder programme has resulted in close to 100,000 job contracts for Roma over 24 years, and the Calí programme in Seville, which targets the social and labour inclusion of Roma women; both are highlighted as good practices (ECRI, [report](#) on Spain, 2025, §94).

Addressing antigypsyism as a prerequisite for desegregation and inclusive education practices

On paragraph 44:

134. ECRI GPR [No.13](#) describes the fight against antigypsyism in education as a comprehensive, cross-cutting necessity requiring awareness-raising among majority communities, intercultural training for teachers, measures to counter stereotypes, prejudice and harassment, and initiatives that foster interaction and mutual understanding between Roma and Travellers and non-Roma children and parents. This approach is in line with other Council of Europe standards, including Recommendation [CM/Rec\(2009\)4](#) and PACE [Resolution 1927 \(2013\)](#), which underline the need for inclusive school environments, intercultural education and strengthened cooperation between schools and Roma families as essential tools for combating discrimination and preventing segregation.

135. The Council of Europe's [INSCHOOL](#) programme has likewise demonstrated that whole-school approaches, cooperative learning and parental engagement are effective in reducing prejudice and improving learning outcomes. Empirical evidence from the [Feasibility study on desegregation](#) and inclusion policies and practices reinforces these findings: the impact evaluation of the Hungarian National Integration Network (OOIH) showed that both Roma and Travellers and non-Roma children in participating schools achieved better academic results, improved inter-ethnic relations, reduced social distance and enhanced non-cognitive skills. The study identified classroom group work, cooperative learning, student-centred differentiated teaching and tailored support for disadvantaged children as key drivers of success—benefiting both Roma and Travellers and non-Roma children ([Feasibility study on desegregation](#), cited above, p. 45).

136. Activities to raise awareness of and combat antigypsyism in the context of broader desegregation measures could consist, among other, of intercultural events, joint educational projects, mentorship programmes, cultural exchanges, arts programmes, sports, extracurricular activities and inclusion of positive Roma role models in educational activities, meetings with Roma and Traveller

scientists, public figures. The [European Roma Institute for Arts and Culture ERIAC](#) serves as resource-centre in this context.

On paragraph 45:

137. Council of Europe standards consistently underline that policies to combat antigypsyism in education must be supported by effective reporting, monitoring and sanctioning mechanisms. § 5 of Recommendation [CM/Rec\(2009\)4](#) requires member States to ensure that legal prohibitions of segregation on racial or ethnic grounds are backed by effective, proportionate and dissuasive sanctions, and that these laws are properly implemented (See also Commissioner for Human Rights, [Fighting school segregation in Europe through inclusive education](#), cited above, p.19).

138. ECRI GPR [No. 10](#) calls for schools to incorporate the fight against racism and discrimination into their governance structures, including through systems for monitoring racist incidents, compiling data to inform long-term policies, and ensuring that ministries of education and school inspectorates regularly monitor racism and discrimination as part of quality assurance (ECRI, GPR no.10, cited above, II §1.b; 2.i). ECRI GPR [No.13](#) further stresses that cases of discrimination against Roma and Travellers in education must be prosecuted and punished, as impunity perpetuates antigypsyism (ECRI GPR no. 13, cited above, § 4.r).

139. The ADI-ROM Thematic report on combating antigypsyism highlights systemic underreporting, the need for independent and permanent reporting structures, and the importance of reviewing and strengthening legal frameworks to ensure effective responses to antigypsyism including in the area of education (CDADI, [CM\(2025\)119-add3](#), 2025).

Exchanges across member States, networking and sharing best practices

On paragraph 46:

140. Intersectionality has increasingly been recognised as a necessary framework for responding to discrimination affecting groups exposed to compounded disadvantages. The CDADI Feasibility Study on preventing and combating intersectional discrimination notes that intersectionality is particularly relevant for groups such as Roma and Traveller women, disabled women or LGBTI persons, whose experiences of discrimination are shaped by the interaction of multiple grounds (CDADI, [Feasibility study on preventing and combating intersectional discrimination in Europe](#), p. 17)

141. Roma and Traveller girls in particular experience overlapping disadvantages linked to sex, ethnic origin, antigypsyism, socio-economic marginalisation and, in some cases, their nomadic way of life or migration status. Recommendation [CM/Rec\(2024\)1](#) explicitly recognises this, noting that Roma and Traveller women and girls are often subject to *multiple and intersecting forms of discrimination*, including sexism, gender-based violence and stereotypes related to their ethnic origin, religion, age, disability, sexual orientation, gender identity or expression, or other personal characteristics. Understanding and addressing the educational segregation of Roma and Travellers children therefore requires an intersectional approach, as segregation frequently results from several grounds operating simultaneously (Feasibility study on desegregation, cited above , p. 17).

142. The Explanatory Memorandum to the ECRI GPR [No. 14](#) describes intersectional discrimination as 'a situation where several grounds interact with each other at the same time in such a way that they become inseparable'. Recommendation [CM/Rec\(2019\)1](#) on preventing and combating sexism recognises that women and girls may face "multiple and intersecting forms of discrimination and sexism." Recommendation [CM/Rec\(2022\)16](#) on combating hate speech and Recommendation [CM/Rec\(2024\)4](#) on combating hate crime both emphasise the need to address discrimination that operates across several identity grounds at the same time. ECRI's GPR [No.13](#) on combating antigypsyism and discrimination against Roma further stresses that addressing antigypsyism requires tackling the multiple discrimination they face.

143. Measures to counter antigypsyism in education should be developed in cooperation with Roma and Travellers and explicitly incorporate an intersectional approach that recognises how Roma and Traveller experience overlapping disadvantages and tailors policy responses accordingly. In line with [CM/Rec\(2024\)1](#), paras. 24–26, such measures may include: targeted initiatives to ensure the equal participation and full support of Roma and Traveller girls in quality education; school arrangements that accommodate diverse traditions and ways of life, including nomadism; targeted supports such as the recruitment and sustainable funding of Roma/Traveller mediators and school support staff; gender-sensitive mentoring; accessible learning materials and specialist referrals; and anti-bias, anti-bullying and inclusion policies.

On paragraph 47:

144. National education authorities, school founders, administrators and maintainers, teachers, school staff, and Roma and Traveller and pro-Roma civil society should put in place regular, institutionalised opportunities to exchange in a transparent manner implementation experiences and promising practices on desegregation and inclusive schooling. Practical mechanisms include implementation workshops that could be initiated by the ministry of education, accessible online materials, evaluations and case studies that document school approaches, community-based learning hubs, homework-support models, mentoring schemes and school mediation. These exchanges should prioritise implementation processes and lessons learned (what worked, what did not, and why) and ensure effective participation of Roma and Traveller communities, representatives and civil society in the development, evaluation and further development of policy and measures based on community realities and leading to solutions that are adapted to the local situation.

On paragraph 48:

145. Member States should actively engage in international cooperation and multilateral partnerships to advance desegregation and inclusive education. The Council of Europe’s work on inclusive schooling and Roma inclusion demonstrates that cross-border collaboration, through joint projects, policy dialogues and shared platforms, accelerates identification and implementation of evidence-based desegregation measures, enables exchange of promising practices, and helps coordinate technical assistance and capacity building at national and local levels.

146. International platforms and joint initiatives support the development of common tools for measuring and addressing segregation as well as advancing inclusion, thereby strengthening accountability and enabling Member States to adapt interventions to local contexts. Member States are encouraged to continue engaging in international cooperation, to contribute to and use Council of Europe knowledge products and joint projects, and to develop regional platforms for systematic knowledge sharing, coordinated pilot programmes and joint capacity-building activities.

On paragraph 49:

147. At national and international level, Member States should establish and resource networks of twinned and clustered schools to promote direct school-to-school learning on desegregation and inclusive practices based on cooperation with Roma and Travellers and civil society.