



FRA OPINION 5.1

Member States should take urgent measures to provide all Roma living in segregated settlements in conditions of severe housing deprivation with access to decent housing that is accessible, affordable, environmentally safe, healthy and desegregated.

In order to achieve this, they should make use of available EU funds, as foreseen under Article 3 of Regulation (EU) 2021/1058 on the European Regional Development Fund and on the Cohesion Fund, specific objective (iii) promoting the socioeconomic inclusion of marginalised communities, low income households and disadvantaged groups, including people with special needs, through integrated actions, including housing and social services.

FRA Roma survey data published in 2022 show that a large proportion of Roma live in unacceptable housing, segregated and lacking the most basic amenities, often without even access to clean tap water.

In October 2022, the European Parliament resolution on the situation of Roma people living in settlements across the EU called on the Commission and the Member States to urgently address the situation of Roma people living in settlements in a comprehensive and effective manner, with appropriate short- and long-term policies supported by sufficient EU and national funding. The European Parliament also highlights in this resolution that such catastrophic conditions, as well as the negative psychological and sociological impact of segregation, not only affect people living within the settlements, but also have an impact on the wider community.



FRA OPINION 5.2

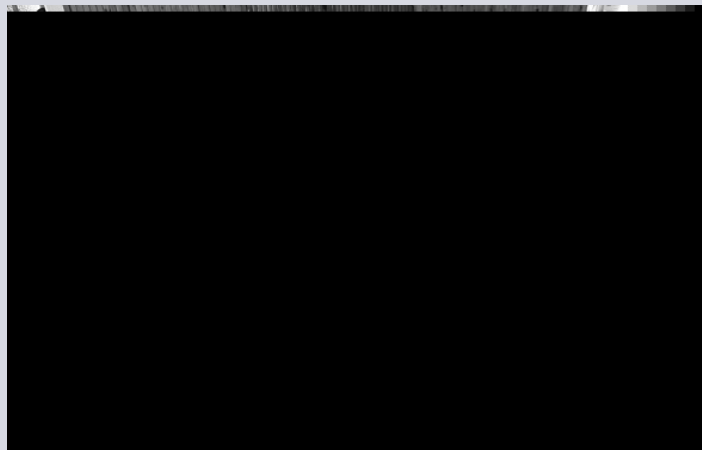
Member States are encouraged to establish platforms and build capacity among Roma civil society, including women, children and young people. Member States should consider promising practices in other EU countries and make full use of EU funds to establish platforms for cooperation with civil society organisations and local and regional stakeholders in the implementation, monitoring and review of the national action plans and strategies.

The 2021 EU Council recommendation on Roma equality, inclusion and participation (2021/C 93/01) emphasises the need for Member States to step up meaningful participation by and consultation of Roma people. The 2022 Roma Civil Monitor acknowledged that the intensity and quality of Roma and NGO participation in the preparation of the national Roma strategic frameworks and national action plans has improved compared with the past. Still, the active engagement of civil society participation is entirely missing in several Member States, and only few Member States have started on sustainable and broadly representative Roma platforms and to build capacity among Roma civil society to ensure full participation at all levels.

The 2021 EU Council recommendation on Roma equality, inclusion and participation (2021/C 93/01) asks EU Member States to monitor and evaluate the implementation of the national strategic frameworks. The EU Anti Racism Action Plan calls on Member States, in full respect of their national contexts, to move towards the collection and use of equality data based on racial or ethnic origin, in order to capture both subjective experiences of discrimination and victimisation and systemic aspects of racism and discrimination.

Still, available equality data are fractional and not harmonised across countries, data sources and data collectors. This can also be seen in the lack of data on Roma fleeing Russia's war of aggression against Ukraine. In 2022, several Member States stepped up in developing new data collections or improving the data collected through the national censuses to include equality characteristics.

Some Member States mandated new or existing human rights bodies to collect data and document antigypsyist incidences. However, not all data collection efforts complied yet with the UN OHCHR human rights principles for data collection and the recommendations of the EU High Level Group on Non-discrimination, Equality and Diversity outlined in the EU guidance note on the collection and use of equality data based on racial or ethnic origin.



Article 14 of the EU Charter of Fundamental Rights (the Charter) enshrines the right to education. One of the four sectoral objectives of the EU Roma strategic framework is that children from all racial or ethnic backgrounds must have equal access to education. That is also in line with the Racial Equality Directive.

In the European Care Strategy, the Commission called on Member States to provide equal opportunities for Roma children. So did the Council in its recommendation establishing a European Child Guarantee.

The education gap between Roma children and children from the general population remains significant, with high dropout rates after lower secondary school, FRA's Roma Survey 2021 shows. Segregation in education has even increased since 2016.



FRA OPINION 5.3

EU Member States should continue to make all efforts to ensure efficient monitoring through the regular collection and use of equality data. Such efforts should monitor the use of funds, as well as measures and programmes to reach the 2030 targets for Roma equality, inclusion and participation.

Member States are encouraged to ensure that their data collection, including national censuses, comply with the human rights-based approach to data. They should take due consideration of the EU guidance on the collection and use of equality data based on racial or ethnic origin.

Member States should encourage and actively foster cooperation between civil society, academia, equality bodies and statistical offices to facilitate reporting and regular monitoring of discrimination, antigypsyism and hate crime.



FRA OPINION 5.4

EU Member States should end any segregation of Roma in education and collect evidence of it to fully implement the Racial Equality Directive.

Member States should prioritise and make use of national and EU funds to provide quality education and more training opportunities for Roma children, engaging Roma civil society in the design, implementation and monitoring of their national measures.

FRA OPINION 5.5

EU Member States should strengthen their efforts to tackle poverty and social exclusion among Roma. This will require targeted measures combining gainful employment and allocation of social transfers to achieve the 2030 target to close the poverty gap between Roma and the general population, as required by the EU Roma strategic framework.

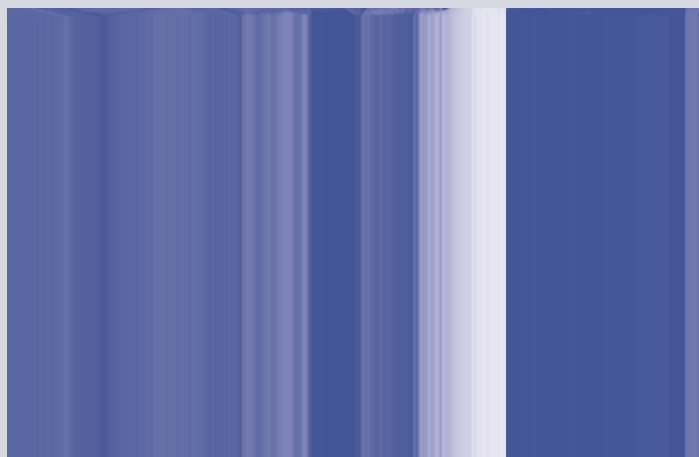
Member States should specifically address Roma children in their national action plans until 2030 for the EU Child Guarantee. In doing so, they should take into account the findings and recommendations of the specific country studies developed by the United Nations Children's Fund and the European Commission.

Member States, in close cooperation with Roma civil society organisations and communities, should identify, plan and implement effective measures to attract Roma women to the labour market in order to enhance their economic independence and protect them from poverty.

Reducing poverty and social exclusion and closing the socioeconomic gap form one of the three horizontal objectives of the EU Roma strategic framework. The European Child Guarantee is the EU's flagship initiative to ensure that every child in Europe at risk of poverty or social exclusion has access to the most basic of rights, such as healthcare and education. It identifies Roma children as specifically disadvantaged and calls on Member States to address their needs.

The European Parliament's resolution in July 2022 calls for an end to women's poverty, and names Roma women as a particularly vulnerable group. The EU's headline target in the European Pillar of Social Rights action plan is to reduce by at least 15 million the number of people at risk of poverty or social exclusion. That must be ensured for everyone through living wages and adequate minimum income benefits for those lacking sufficient resources.

In 2021, four in five (80 %) Roma, including their children, still live in households at risk of poverty and in severe material deprivation (48 %), FRA's most recent data from 10 EU Member States show. National Roma strategies and action plans largely do not address poverty and social protection, the Roma Civil Monitor 2022 concludes.



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ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION

The onset of the Russian war of aggression against Ukraine resulted in the registration of nearly 4 million displaced people across the EU, as the focus chapter of this report describes. At the same time, increased global mobility after the COVID-19 pandemic led to an increase in irregular border crossings into the EU.

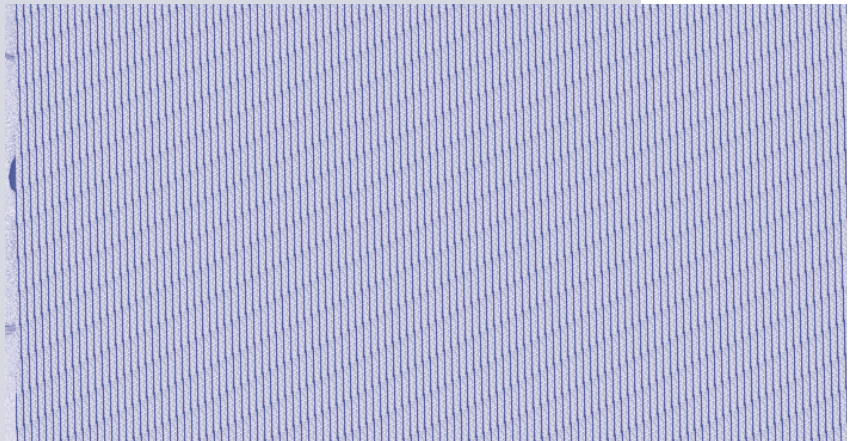
Serious and persistent rights violations have been reported at several points along the EU's external border. Combined with the lack of prompt and effective investigations, they pose serious challenges to the rule of law. Fundamental rights violations at borders worsened and impunity for unlawful action continues as violations are unaddressed.

Pressure on civil society organisations from state authorities and other actors defending migrants' and refugees' rights at borders is increasing. EU rules to reform asylum policies remain pending with the EU co-legislator. The mechanism to oversee the application of Schengen rules is being revised, with more attention given to fundamental rights. The legal instruments establishing information technology systems in the area of freedom, security and justice contain several fundamental rights safeguards; now the main challenge is to apply them in practice.

For refugees other than those fleeing the Russian invasion of Ukraine, legal avenues to reach safety in the EU remain limited. Against the background of increasing global forced displacement, some try to reach safety by coming in an irregular manner. When they unlawfully cross, or try to cross, the EU's external borders, they experience rights violations in several EU Member States.

Such fundamental rights violations are serious, recurrent and widespread. Many reports involve conduct by officials that may constitute serious crimes under national law. Nevertheless, the national justice systems take up few cases. That can lead to a sense of impunity.

Civil society is a key component of Europe's fundamental rights architecture and plays a crucial role in upholding people's rights. Conflict between civil society organisations defending migrants' and refugees' rights, on the one hand, and state authorities and non-state actors, on the other, is increasing.



FRA OPINION 6.1

The Schengen Council and the Commission's annual 'State of Schengen' reports should devote one agenda item or heading to the fundamental rights situation at borders.

EU Member States should set up or strengthen national mechanisms to monitor fundamental rights compliance at their borders, building on FRA's expertise.

