

ERRC

Protecting the Most Vulnerable

Sinan Gökçen

CHILD PROTECTION is a rapidly developing field in human rights; in the last decades, both the practices and the international legal frameworks have substantially changed and an increasing number of civic initiatives concentrated on this topic became active. Practices moved away from focusing on merely orphaned or abandoned children to attending to the abused and neglected children of any family. Moreover, the individual rights of children have been significantly reinforced by a number of international conventions. Additionally, the individual rights of parents and the universal right to family life have been strengthened with international agreements. By and large, the United Nations Convention on the Rights of the Child of 1989 and the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 form the international legal foundations in the arena of child protection in Europe today. European attempts to further rights supporting child protection continue; in the Autumn of 2007, 23 Council of Europe Member States signed the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, which represents a major step in the prevention of sexual offences against children, the prosecution of perpetrators and the protection of victims. Coupled with the relentless efforts of the local and international NGOs, child protection schemes in Europe seem to be following a sound and steady enhancement scale; despite the fact that certain shortcomings are present.

One of the question marks surrounds the situation of the Romani children within the framework of child protection schemes in Europe. Cultural and linguistic differences, long lists of deprivations, and on the whole,

discrimination by community members, neighbours, welfare workers and state authorities contribute to increased risks of Romani children falling into very disadvantaged positions as far as the child protection systems are concerned. The ERRC carried out an extensive research project evaluating the situation of Romani parents and children vis-à-vis the child protection system of Hungary in 2007. As an outcome of this project, the report entitled “Dis-Interest of the Child: Romani Children in the Hungarian Child Protection System”, was printed in December 2007. As this report affirms, Roma, both as parents and children, seem to be at a disadvantage when facing the social protection schemes aimed at safeguarding the welfare of the child, regardless of general positive or negative aspects of the system.

With the hope of stimulating an international debate on child protection systems and the position of Roma, this *Roma Rights Quarterly* is devoted to the topic of “Child Protection”. Dr Maria Herczog and Dr Maria Neményi, who conducted research for the ERRC report “Dis-Interest of the Child”, co-authored the article “Romani Children and the Hungarian Child Protection System”. This piece describes the constructive amendments to the Hungarian Child Protection System in the last decade, then describes its limitations through an analysis of data gathered during their research. Next, Hana Žurovcová and Kumar Vishwanathan from the Roma-Czech NGO *Life Together* based in Ostrava contributed, “Changes in the Czech System of Child Protection and Hope for Children in Institutional Care”. The authors present the experiences of their NGO in the field of child protection and support for families endangered with the forced removal of their children in Czech Republic. Thirdly, Lars Lindgren and Heidi Pikkarainen, experts from the Swedish Office of

the Ombudsman against Ethnic Discrimination provide an introduction to the child protection problems experienced by Roma in Western Europe in their article, “Discrimination Against Roma in the Swedish Social System”.

Next, the ERRC’s Tara Bedard, who led the ERRC’s research on child protection and authored “Dis-Interest of the Child”, provides a comparison of Native Canadian and Romani children in her article, “Assessing the Right of Forcibly Separated Romani Families to Compensation: Lessons from the Canadian Experience”. Finally, Vera Egenberger touches upon the highly controversial issue of ethnic

data collection and child protection in her article, “Demystifying the Collection of Ethnic Data and the Child Protection System”.

On the whole, this issue of the *Roma Rights Quarterly* is intended to spark debates that will pave the way for the extension of ensuing international academic, human rights and legal work on child protection matters to adequately address the situation of Roma, as well. It can be said that Roma sit in somewhat of a blind spot as far as the benefits of child protection systems are concerned and sometimes the system does more harm than good for them. Thus, their situation needs urgent intervention.