

Vulnerable Children and Inclusive Education



ENOC Conference
September 2016

Astrid Podsiadlowski

Outline

- Brief overview of FRA activities
- FRA research related to children in vulnerable situations:
 - Migrant children
 - Roma children
 - Children with disabilities
 - LGBTI children
- Overall trends and conclusions



FRA'S role and tasks

- to provide assistance and expertise on fundamental rights issues to the European Union institutions and the Member States, when they implement EU law → PROVIDING EVIDENCE-BASED ADVICE
- Information & data collection: research & comparative analysis → INFORMATION ABOUT FRA WORK
- to promote dialogue with civil society, in order to raise public awareness of fundamental rights and actively disseminate information about its work → AWARENESS RAISING

Ref. Council Regulation (EC) 168/2007 of 15 /02/2007

Chair's Statement of the Fundamental Rights Forum 2016

“[43] EU Member States and local educational authorities could support educational establishments and professionals by promoting educational programmes that foster critical thinking and mutual respect: this could include providing assistance to newly arrived migrant children to settle in, or teaching about the history of immigration and its positive influence.”

– Michael O’Flaherty, Fundamental Rights Forum Chair



***"Persisting discrimination and marginalisation will not only result in losing the skill and talent that Europe needs, but could also be a grave danger to social cohesion."
– Michael O’Flaherty, FRA Director***

Research on migrant integration

Project: *Social inclusion and migrant participation in society*



The situation of migrant children in education

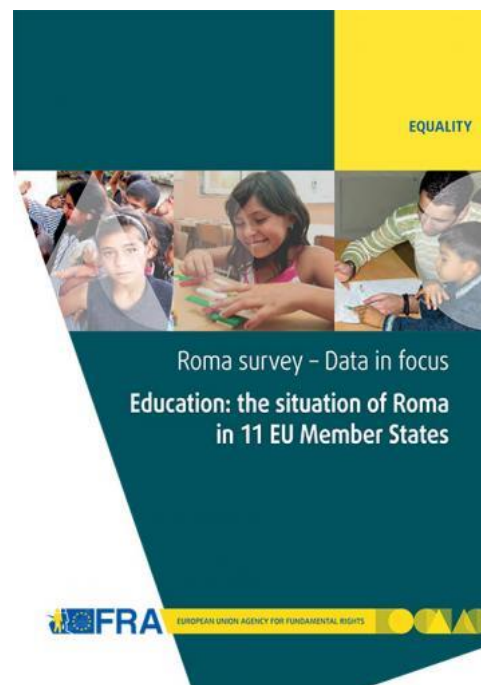
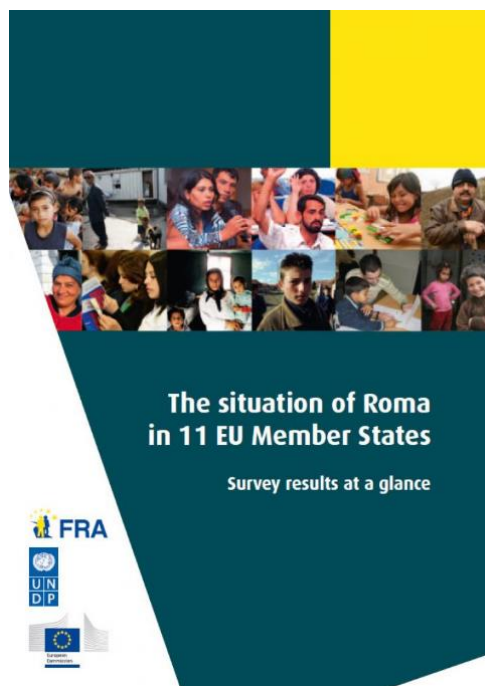
- De facto **segregation of children with immigrant backgrounds in school** in 13 EU Member States.
- **Lack of active participation** in society
- **Risk of marginalisation**, leading to social exclusion and a lack of opportunities for migrant youths
- **Discrimination on the grounds of nationality** is not covered or prohibited in 16 EU Member States.
- Most EU Member States do not provide **language learning support** to immigrants and refugees.

Towards more inclusive education

- **Coordination of housing and education policies** to avoid residential and socio-economic segregation
- **Involvement of parents** in schools and local communities, to improve community relations and educational achievements of all children
- **Improving the intercultural competences of teachers**



Research on Roma



The situation of Roma children in education

- **Placement in ‘special schools’ or ethnically segregated classes**
- **Considerable gaps between Roma and non-Roma** children persist at all levels of education, from preschool to secondary education
- **Enrolment rates in preschool or kindergarten** for Roma children vary vastly across Member States, ranging from 9% in Greece to 83% in Hungary
- On average **only 12 %** of the surveyed Roma aged 18 to 24 **completed upper-secondary** general or vocational education

Towards more inclusive education

- **Increased access to high-quality non-segregated early childhood education**
- **Strengthening of ties with communities and increased participation of parents**
- **Involvement of ethnic minorities in communities**
- **Ensuring compliance with the duty to primary school attendance**

In school: "You were told all the time that you were worthless, you're bad, stupid and all that. So I never had any friends at all."(Interview respondent)



Research on Violence against children with disabilities

The situation of children with disabilities in education

- **Schools remain a common setting for abuse against children with disabilities**, with bullying and verbal insults particularly widespread in educational settings.
- **Children with disabilities are more likely to be victims of violence** than children without disabilities
- **Children with ‘invisible disabilities’** and children with multiple and severe disabilities at **higher risk**
- **Triggers of violence:** exclusion, prejudice, ‘vulnerability’ and ‘easy targets’, overburdening of parents and overextended and untrained personnel
- **Intersection** with other characteristics and multiple layers of risk
- There is a lack of **age-appropriate and accessible complaints mechanisms**; children are not considered to be reliable witnesses

Societal attitudes

Exclusion

Lack of
knowledge
about disability

Prejudice
and fear of
'otherness'

Structural weaknesses

Lack of
inclusiveness

Lack of prevention
mechanisms

Lack of support
measures

Lack of targeted
training

Staff issues

Lack of
competence,
awareness
and willingness

Inadequate
communication
techniques

'Bad examples'
to children

"We are dealing with putting out a fire once it breaks out [...], but we are skipping the whole area of preparation the environment so that the fire does not start." (Interview respondent)

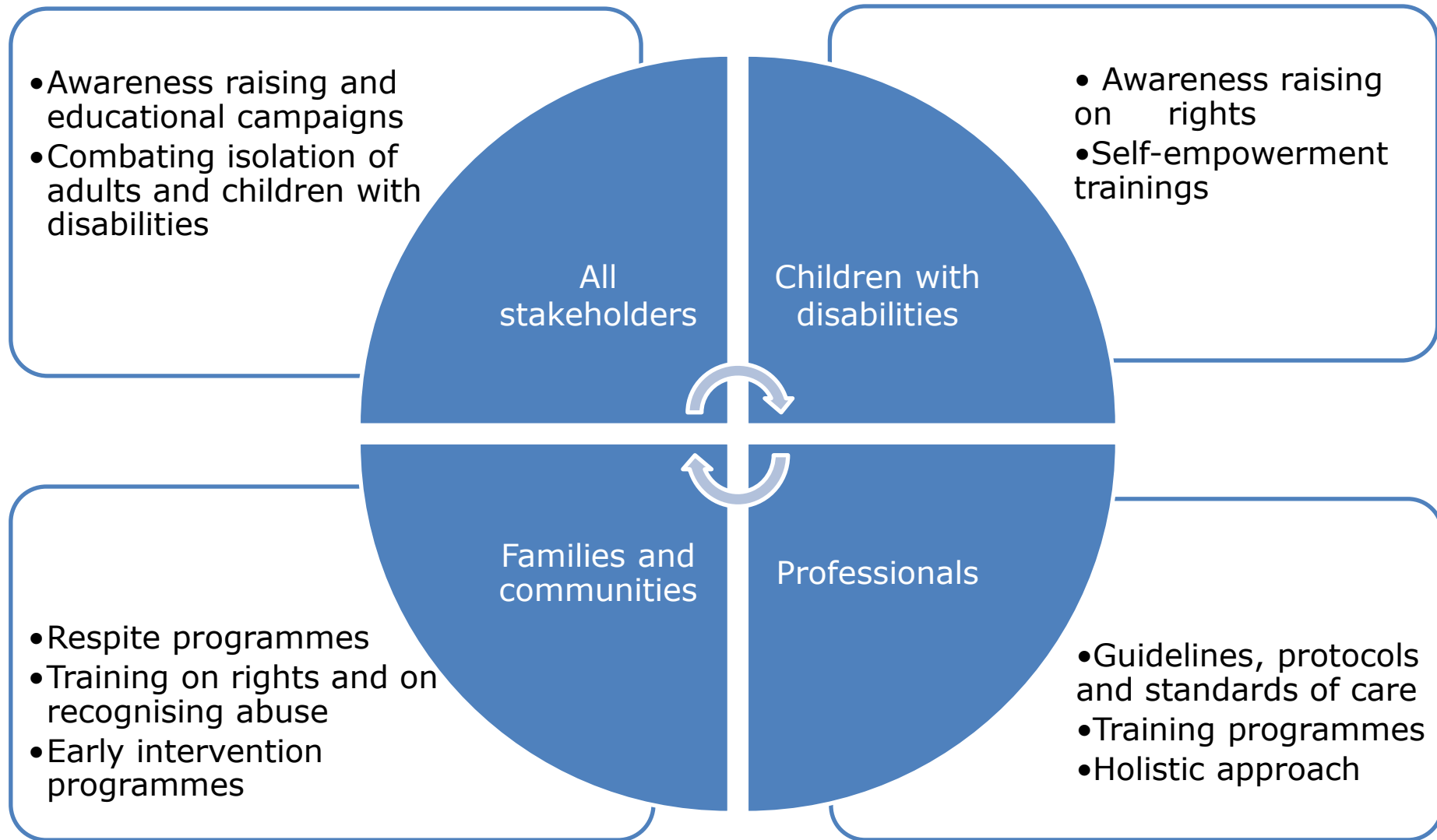
"You have to work with the [children] themselves, the staff working with them and the organisation itself to make sure it is a well-rounded and understood issue" (UK, Representative of NGO)

"In this field there is still a lot to do. It is a pathway that needs education for everybody." (Portugal, Public Authority)

Measures to prevent violence against children with disabilities

"I see no reason to create special programmes, special courses and training. Hostility is hostility, intolerance is intolerance, degrading other people is degrading regardless of their physical or mental state, or emotional condition." (Poland, Organisation for children's education, rehabilitation and upbringing)

Towards more inclusive education



Research on LGBTIQ

"There are no openly LGBT people in our school. It would be unimaginable. Those children would be marked, I guess. (...) To be gay is totally taboo. School considers that they doesn't exist."(Interview respondent)

The fundamental rights situation of Intersex people

FRA FOCUS

Most European societies recognize people as either male or female. However, this does not account for all variations in sex characteristics. As a result, intersex people experience fundamental rights violations ranging from discrimination to medical interventions without their consent.

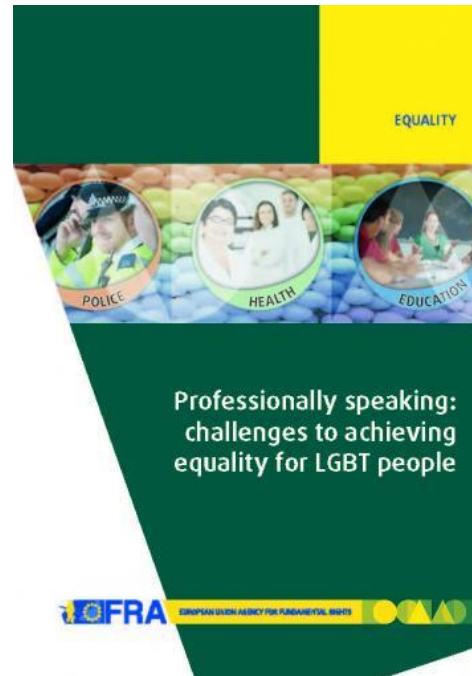
This paper examines the legal situation of intersex people from a fundamental rights perspective. It draws on evidence from the Agency's updated legal analysis on homophobia, transphobia, and discrimination on grounds of sexual orientation and gender identity, which now includes a section on intersex issues.

Key facts

- Many Member States legally require birth sex to be certified and registered as either male or female.
- In at least 23 Member States, sex "normalisation" surgery is carried out on intersex children.
- In 5 Member States, a legal representation can consent to sex "normalisation" medical interventions independently of the child's ability to decide.
- 10 Member States require patient consent prior to the child's ability to decide.
- Intersex characteristics are better concealed by sex discrimination rather than discrimination on the basis of sexual orientation and/or gender identity as it concerns physical (sex) characteristics.

Key conclusions

- Legal and medical professionals should be better informed of the fundamental rights of intersex people, particularly children.
- Gender remains a strictly characteristic, and birth sex should be assessed to better protect intersex people.
- Member States should avoid non-consensual "sex normalisation" medical treatments on intersex people.



The situation of LGBT children in education

- **Close to one half of the 18-24-year-old respondents (47 %) in the EU LGBT survey indicated that they had **hidden or disguised being LGBT** at school before the age of 18.**

RESPONDENTS AGED 18-24 ACROSS THE EU EXPERIENCED AT SCHOOL:	Never	Rarely	Often	Always
<i>Negative comments about the respondent being LGBT</i>	28 %	33 %	29 %	10 %
<i>Negative comments about schoolmates perceived to be LGBT</i>	8 %	23 %	50 %	20 %
<i>Negative comments about teachers perceived to be LGBT</i>	29 %	30 %	30 %	11 %

"The education system from the kindergarten to the university ignores that people can be different, and only when someone gets a friend or an acquaintance, only then people begin to go deeper and understand that it is acceptable. The tolerance is being formed on the basis of personal experiences, but the education process does not include it as an element."

Teacher, Latvia [LV/TE/10], FRA PA Report, 2016.

*'I've had literally no training at all about how to deal with it so no, I would not feel comfortable dealing with it'.
Teacher, United Kingdom [UK/TE/68], FRA PA Report, 2016.*

Lack of awareness and training

*"I don't know so many things. If I end up in a situation where a student shares with me [about their sexual orientation and discrimination against them] or I witness such discrimination or violence, I wouldn't know how to react. I don't feel safe and knowledgeable on the topic."
Teacher, Bulgaria [BG/TE/7], FRA PA Report, 2016.*

Towards more inclusive education

- **Public awareness-raising campaigns**, especially in schools
- **Training of professionals and authorities**, to address bullying and discrimination of LGBTI persons in education
- **Encouraging open and respectful discussions** on LGBTI issues in school
- Establishment of properly working **reporting mechanisms and monitoring bodies** in schools

Promising practices from the Fundamental Rights Forum

- Inclusion in **educational materials**
- **Teacher guides, intersectionality toolkit and norm criticism toolkit**
- **School exchange**
- **Promoting parenting education and enhancing dialogue** between schools and parents
- Providing a platform for **public participation**



Overall trends and conclusions

- Schools should always be a **safe and supportive environment for all children regarding their sex, ethnic origin, sexual orientation or gender identity, religion or disability**
- Schools should **teach and promote** respect for diversity, human rights, including child rights, in their curricular components
- Teachers must be supported and trained to deal with cultural conflicts and diversity in a positive way
- **Educational tools** to promote diversity **and inclusive education**
- Schools should foster participation through **democratic processes** involving students, teachers and parents to teach inclusion in practice
- Schools should **assess** their own performance on diversity and non-discrimination through systematic data collection

For more information or
publications

www.fra.europa.eu

or contact us

childrights@fra.europa.eu

