

**Input on the Initiative setting out the EU post-2020 Roma equality and inclusion policy**

16 March 2020

The Center for Reproductive Rights welcomes the opportunity to provide input to the European Commission's "Initiative setting out the EU post-2020 Roma equality and inclusion policy". The input stresses the importance of incorporating the intersectionality approach in the EU post-2020 Roma equality and inclusion policy and effectively addressing systemic and intersectional discrimination and human rights violations in health care settings, in particular with regard to sexual and reproductive health and rights.

The Center for Reproductive Rights is an international human rights non-governmental organization working to advance gender equality and women's sexual and reproductive health and rights. The Center conducts fact finding, legal and policy advocacy, litigation, and capacity building and empowerment initiatives.

Roma women in the European Union continue to face human rights violations and multiple and intersecting forms of discrimination in all spheres of life, including in the field of health care. The gravity of the human rights violations they continue to experience particularly in reproductive health care settings is severe and requires strong legal and policy actions by Member States as well as by the EU institutions.

In some EU Member States Roma women continue to face systemic and persistent discrimination and grave violations of their sexual and reproductive rights. For instance, in Bulgaria and Slovakia, Roma women experience ethnic segregation in reproductive health care settings, including in maternal health care facilities. It has been documented that Roma women are placed in segregated rooms with segregated bathrooms and eating facilities,<sup>1</sup> despite repeated calls from the European Parliament<sup>2</sup> and international human rights mechanisms<sup>3</sup> to prohibit and prevent such segregation.

Roma women also often face exacerbated forms of verbal, physical, and psychological violence and racial harassment during childbirth and in reproductive health care settings and such practices have been documented among others in Bulgaria, Hungary and Slovakia.<sup>4</sup> In some countries, including Bulgaria, they also face barriers in access to sexual and reproductive health services due to, for instance, lack of health care insurance.<sup>5</sup>

In a number of Member States, such as Slovakia and the Czech Republic, Roma women have been subjected historically to systematic practices of forced and coercive sterilization and have been unable to obtain adequate reparations, including compensation, for the resulting violations of their human rights.<sup>6</sup>

The EU post-2020 Roma equality and inclusion policy should explicitly recognize the systemic and persistent discrimination of Roma women in reproductive health care settings and outline

effective and targeted measures that Member States should incorporate into their national Roma integration strategies to effectively address and prevent these human rights violations.

These measures should include:

- without delay prohibit and take effective measures to prevent and sanction all forms of ethnic segregation in health facilities, including maternal health care settings;
- take effective measures to guarantee Roma women access to quality sexual and reproductive health care, free from discrimination, coercion and abuse and to address, remedy and prevent human rights violations affecting them;
- consult with Roma women, communities and civil society organisations regarding all measures and initiatives affecting them;
- ensure effective and timely remedies to all survivors of forced and coercive sterilization, including through the establishment of effective compensation schemes;
- implement effective training and awareness-raising programs for health care personnel providing reproductive and maternal health care designed to combat and eradicate stereotypes and prejudices that foster the discriminatory treatment of Roma women;
- collect, on a systematic basis and in line with human rights standards, comprehensive data on sexual and reproductive health disaggregated, at a minimum, by gender, age, socio-economic status, and ethnicity;
- undertake regular assessments and monitoring of implementation of the above measures to address and eliminate discrimination against Roma women in access to quality health care.

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<sup>1</sup> Center for Reproductive Rights & Poradňa pre občianske a ľudské práva, *Vakeras Zorales – Speaking Out: Roma Women’s Experiences in Reproductive Health Care in Slovakia* (2017); European Roma Rights Centre v. Bulgaria, Complaint No. 151/2017, Eur. Comm. Soc. R. (2018).

<sup>2</sup> European Parliament resolution of 25 October 2017 on fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism (2017/2038(INI)), para. 24.

<sup>3</sup> See, e.g., Committee on Economic, Social and Cultural Rights, *Concluding Observations: Slovakia*, paras. 44-45, E/C.12/SVK/CO/3 (2019); Committee on the Elimination of Racial Discrimination, *Concluding Observations: Slovakia*, paras. 23-24, CERD/C/SVK/CO/11-12 (2018).

<sup>4</sup> See, e.g., COMMISSIONER FOR HUMAN RIGHTS OF THE COUNCIL OF EUROPE, *Women’s Sexual and Reproductive Health and Rights in Europe* 42-43, 44 (2017); Center for Reproductive Rights & Poradňa pre občianske a ľudské

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práva, *Vakeras Zorales – Speaking Out: Roma Women’s Experiences in Reproductive Health Care in Slovakia* (2017); European Roma Rights Centre v. Bulgaria, Complaint No. 151/2017, Eur. Comm. Soc. R. (2018); European Roma Rights Centre, “Romani woman harassed by racist hospital staff during childbirth wins case,” 18 January 2017, <http://www.errc.org/press-releases/romani-woman-harassed-by-racist-hospital-staff-during-childbirth-wins-case>.

<sup>5</sup> European Roma Rights Centre v. Bulgaria, Complaint No. 151/2017, Eur. Comm. Soc. R. (2018).

<sup>6</sup> See, e.g., European Parliament resolution of 25 October 2017 on fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism (2017/2038(INI)), para. 26; Committee on Economic, Social and Cultural Rights, *Concluding Observations: Slovakia*, paras. 44-45, E/C.12/SVK/CO/3 (2019); Committee on the Elimination of Racial Discrimination, *Concluding Observations: Czech Republic*, paras. 19-20, CERD/C/CZE/CO/12-13 (2019); *Slovakia*, paras. 23-24, CERD/C/SVK/CO/11-12 (2018); Human Rights Committee, *Concluding Observations: Slovakia*, paras. 26-27, CCPR/C/SVK/CO/4 (2016); Council of Europe Commissioner for Human Rights, *Final report by Mr Alvaro Gil-Robles, Commissioner for Human Rights, on the human rights situation of the Roma, Sinti and Travellers in Europe*, para. 74, CommDH(2006)1 (2006); “Commissioner Muižnieks urges the Czech authorities to adopt the bill on reparations for involuntary sterilisation of Roma women,” (22 Oct. 2015), available at <http://www.coe.int/en/web/commissioner/-/commissioner-muiznieks-urges-the-czech-authorities-to-adopt-the-bill-on-reparations-for-involuntary-sterilisation-of-roma-women>. See also European Roma Rights Centre, *Coercive and Cruel: Sterilisation and its Consequences for Romani Women in the Czech Republic (1966-2016)* (2016); Center for Reproductive Rights & Poradňa pre občianske a ľudské práva, *Body and Soul: Forced Sterilization and Other Assaults on Roma Reproductive Freedom in Slovakia* (2003).