

Kancelář veřejného ochránce
práv a ochránce práv dětí
Údolní 39
602 00 Brno
Česká republika

Brussels, 23 April 2026

Complaint regarding the violation of the right to education of Romani children from Ukraine in Czech Republic

I.

The European Roma Rights Centre (ERRC)¹ is a Roma-led organisation whose vision is for Romani women and men to overcome antigypsyism and its legacy, to achieve dignity, equality, and full respect for their human rights, and to use their experience to contribute to a more just and sustainable world.

The ERRC hereby files this

c o m p l a i n t

because we believe that the right to access to education of Romani refugee children from Ukraine in the Czech Republic is being violated and that they face discrimination in accessing education. We believe that the Czech authorities have a responsibility to ensure their right to education.

The complaint is based on the facts and arguments below.

¹ www.errc.org

II.

Romani refugees from Ukraine in the Czech Republic

Since the start of Russia's full-scale invasion of Ukraine in 2022, the Czech Republic has been one of the main host countries for Ukrainian refugees. As of January 2026, there were almost 400.000 refugees from Ukraine in the Czech Republic.² About 92.000 of those are children.³ Many of them are of Roma origin.

However, there is no official data on the numbers of Roma from Ukraine currently living in the Czech Republic. The Czech authorities do not collect disaggregated data on the ethnicity of refugees from Ukraine. As a result, there are only estimates of numbers usually made by NGOs or international organisations. According to the NGO Romodrom, currently there about 900 Roma refugees from Ukraine in the Czech Republic. Almost 53% of those are children and youth, with children under 15 years of age making up 96% of that number.⁴ However, the real numbers could be much higher among others due to increased rates of mobility amongst some Romani refugees and their invisibility to Czech authorities and organisations.

In theory, Romani refugees have access to the same rights as other refugees who found themselves in the Czech Republic. However, reality does not always correspond to the theory as it brings many barriers which prevent Romani refugees from effectively exercising their rights.

The Commissioner for Human Rights of the Council of Europe, Dunja Mijatovic, in a statement issued in February 2023 following her five-day visit to the Czech Republic in which she discussed the treatment of Romani Ukrainians seeking temporary protection. She noted that the treatment of Romani refugees from Ukraine was markedly different to that of non-Romani Ukrainians, indicating the impact of the deeply-rooted prejudices against Roma in Czech society. She also acknowledged the persistent "fragmentation of responsibilities" between the central government level and the level of the local, regional, and nationwide state administrations which creates significant barriers to equal treatment.⁵

² UNHCR: Ukraine Refugee Situation – Czech Republic, available here: <https://data.unhcr.org/en/situations/ukraine/location/10819>

³ UNICEF: UNICEF Refugee Response in the Czech Republic, available here: <https://www.unicef.org/eca/unicef-refugee-response-czech-republic>

⁴ Romodrom: Ongoing monitoring of the situation of Romani refugees from Ukraine, available here: <https://romodrom.cz/en/aktuality/ongoing-monitoring-of-the-situation-of-romani-refugees-from-ukraine>

⁵ See: Report following the visit of the Commissioner for Human Rights of the Council of Europe, Dunja Mijatović, to the Czech Republic from 20 to 24 February 2023. Available at: <https://rm.coe.int/report-on-czech-republic-by-dunja-mijatovic-commissioner-for-human-rig/1680ac88cd>

According to the ERRC report from 2024, Romani refugees in the Czech Republic faced a lot of general problems such as limited access to information and problems with accessing temporary protection. When it comes to the human rights situation, Romani refugees faced problems accessing adequate housing, education and employment.⁶

Access of Romani refugee children to education in the Czech Republic

Refugees from Ukraine, especially those from vulnerable households, continue to encounter significant barriers in the Czech Republic when trying to secure stable housing, access basic services, and obtain essential information. According to 2024 data, almost 60% of the Ukrainian refugees in the Czech Republic lived below the poverty line compared to 10% of Czechs.⁷

Overall, 18% of vulnerable refugee households in the Czech Republic identified education as their most urgent need. These households are more likely to have children who are not attending school, indicating greater obstacles to accessing education. Although school integration is relatively high: 92% of households with school-aged children report enrolment in Czech schools, gaps remain. Among the 8% of children who are out of school, the proportion is notably higher in vulnerable households (12%) compared to others (5%).⁸ Furthermore, there are no data on children who are enrolled in schools but do not attend the classes.

Although precise nationwide figures are missing, the evidence available to us supports the conclusion that Roma children are disproportionately “out of system” compared to other Ukrainian refugees. Roma refugee children have multiple characteristics at once: ethnicity (Roma), refugee status, language barrier and often also poverty which makes them vulnerable to (intersectional) discrimination. According to the UNHCR, Roma refugee children faced barriers to accessing education, with parents unable to afford school supplies and reporting mistrust in the local education system.⁹

⁶ ERRC: Temporary Protection; The ongoing Struggle of Romania Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, 2024, available at:

https://www.errc.org/uploads/upload_en/file/5601_file1_temporary-protection-the-ongoing-struggle-of-romani-refugees-from-ukraine.pdf

⁷ PAQ Research, Dva roky války na Ukrajině. V Česku zůstává přes 300 tisíc uprchlíků. Integrace musí pokračovat, 13 February 2024, available here: <https://www.paqresearch.cz/post/dva-roky-pote/>

⁸ UNHCR Czechia: Protection Brief June 2025, available here:

<https://data.unhcr.org/en/documents/details/116697>

⁹ UNHCR Czechia: Participatory Assessments Report 2024, available here:

<https://data.unhcr.org/en/documents/details/116637>

According to the report issued by the ERRC in 2024¹⁰, Romani children from Ukraine face practical and structural difficulties in accessing education. Despite of the official high numbers of refugee children enrolled in schools in the Czech Republic, the reality seems to be that many Romani children do not physically go to school. This was mentioned by some of the NGO workers interviewed by the ERRC for the purposes of the research report. One of them stated that many parents enrolled their children in schools in order to avoid repercussion from social-protection authorities but that actual attendance was low.

The interviewed activists mentioned several reasons why parents were not sending children to school. The main one was the language barrier, as even though there were so-called 'adaptation groups' created which focused mainly on learning the Czech language, there was a lack of availability of these groups, and they could not fulfil the demand. Moreover, it should be noted that Roma from Zakarpattia often speak Hungarian or Romanes rather than Ukrainian which makes their adaptation more challenging. One activist also expressed his opinion that teachers were not prepared to have pupils whom they did not understand. Of the four Romani refugees interviewed for the ERRC research report who had children of school age, only one stated that her children regularly attend school in the Czech Republic.

An additional problem is the lack of space in educational facilities, a structural issue which existed in the Czech Republic before the beginning of the Russian invasion. There were already not enough pre-school or school facilities for the native Czech population, and so the influx of refugees needing to access the education system has brought additional strain.

Furthermore, many Romani refugee children require specialized assistance in accessing education. Some Romani refugee adults are illiterate, which makes the enrolment process more difficult. Some of the Roma refugee children never went to school and would need 'catch-up education' first. Some of the children had attended schools but their school attendance was interrupted, and they have not been to school ever since the war started. Moreover, there is often a natural fear from parents resulting from past discrimination that their children might face discrimination and bullying if sent to schools which can discourage them from enrolling their children. All the above-mentioned issues can create barriers to in-person education.

¹⁰ ERRC: Temporary Protection; The ongoing Struggle of Romania Refugees from Ukraine in the Czech Republic, Hungary, Moldova, Romania, and Slovakia, 2024, available at: https://www.errc.org/uploads/upload_en/file/5601_file1_temporary-protection-the-ongoing-struggle-of-romani-refugees-from-ukraine.pdf

Refugee children could also be enrolled in the education system through online learning, attending classes online from home. This was also possible for many Romani refugee children however, as many respondents of our research confirmed, Romani families often did not have access to the electronic equipment and stable internet connections necessary for children to effectively participate in online learning. Even though online education is better than no education whatsoever, reliance on online education can result in weaker integration, lower language acquisition and higher long-term dropout risk.

When considering the situation of Roma refugee children from Ukraine the historical context of Roma education in the Czech Republic must be taken into account. Historically, Roma in the Czech Republic have faced systemic educational discrimination, including placement in “special schools” or segregated classes, a practice condemned by the European Court of Human Rights¹¹ and the European Union¹². Although reforms have been introduced, structural biases persist. Roma refugee children are entering a system that is already unequal for Roma, compounding their disadvantage.

As a result of the abovementioned deficiencies, many Romani refugee children find themselves out of any education system. This creates a parallel educational reality that disproportionately affects this vulnerable group and creates space for further exclusion, especially for Romani children who face compounded barriers (poverty, discrimination, documentation gaps, mobility/housing insecurity). The longer the war in Ukraine lasts, the bigger the gap and exclusion will become.

The ERRC notes that the Czech Republic has implemented several measures to support Ukrainian refugee education such as funding for language courses or employment of Ukrainian teaching assistants. These policies have been relatively effective for the general refugee population. However, major gaps remain for Roma refugees as they lack targeted policies. There is overdependence on NGOs and community organizations.

Lack of disaggregated data and monitoring

A further concern relates to the absence of reliable data regarding the participation of Romani refugee children in education.

¹¹ D.H. and Others v the Czech Republic, ECtHR judgment, 2007

¹² See e.g. the ERRC Policy Brief: Segregation of Romani schoolchildren in the Czech Republic, available here: https://www.errc.org/uploads/upload_en/file/5594_file1_segregation-of-romani-schoolchildren-in-the-czech-republic.pdf

The Czech Republic does not collect disaggregated data based on ethnicity, which makes it difficult to assess the scale of exclusion affecting Romani children including those coming from Ukraine. While data protection concerns are legitimate, the absence of any monitoring mechanisms or proxy indicators prevents authorities from evaluating whether vulnerable groups are effectively accessing education.

Due to this shortcoming, the educational situation of Romani refugee children remains largely invisible in official statistics, limiting the ability of public institutions to adopt targeted and effective measures and monitor any progress.

According to the decision of the European Committee of Social Rights in *European Roma Rights Centre (ERRC) v. Czech Republic* (Complaint No. 190/2020), the lack of data and statistics on ethnicity and the lack of alternative means to map the extent of the discrimination risk may amount to indirect discrimination.¹³

III.

The right to education is a nationally and internationally recognized human right. It provides a key pathway to all aspects of life – health, employment, freedom of expression – but also a way out of the vicious circle of poverty and marginalization.

Article 33 of the Charter of Fundamental Rights and Freedoms (Constitutional Act no. 2/1993 Coll.) guarantees the right to education. It affirms that everyone has the right to education.

Although the right to education is classified as a social right—enforceable only within the limits set by law—it still contains an unconditional, directly applicable core including prohibition of discrimination. The prohibition of discrimination follows from Articles 1 and 3 of the Charter. The protected grounds include national background and ethnicity.

The Anti-Discrimination Act (Act No. 198/2009 Coll.) establishes a general legal framework for equal treatment. It prohibits discrimination in multiple areas of social life including access to education.

The Education Act (Act no. 561/2004 Coll.) makes non-discrimination a core principle of the education system.

¹³ <https://hudoc.esc.coe.int/eng/?i=cc-190-2020-dmerits-en>

The right to education is also protected on international level e.g. by the European Convention of Human Rights, UN Convention of the Rights of the Child, UN Covenant on Economic, Social and Cultural Rights etc. These instruments also guarantee that this right should be provided on equal basis for everyone notwithstanding their nationality, ethnicity, gender, religion and other characteristics.

According to the European Court of Human Rights (ECtHR), in many states in Europe, Romani children face difficulties in accessing quality education (see *D.H. and Others v. the Czech Republic* [GC], 2007, § 205). As a result of their turbulent history and constant uprooting the Roma have become a specific type of disadvantaged and vulnerable minority. They therefore require special protection and this protection extends to the sphere of education (*ibid.*, § 182).

The ECtHR has addressed the issue of the prohibition of discrimination (Article 14 of the Convention) on numerous occasions. It has stated that discrimination is the treatment of persons in relevantly similar situations differently, without an objective and reasonable justification (e.g. *Willis v. the United Kingdom*, 2002, § 48). However, Article 14 of the Convention does not prohibit a Member State from treating groups differently in order to redress “de facto inequalities” between them; in certain circumstances, the failure to attempt to redress the inequality through differential treatment may in itself give rise to a violation of Article 14 (see, for example, *Thlimmenos v. Greece* [GC], 2000, § 44). The ECtHR has also held that a general policy or measure which has a disproportionately adverse impact on a particular group of the population may be considered discriminatory, notwithstanding that it is not specifically targeted at that group (e.g. *Hugh Jordan v. the United Kingdom*, 2001, § 154) and that discrimination which is potentially contrary to the Convention may not be the result of legislative action but may arise from a factual situation (e.g. *Zarb Adami v. Malta*, 2006, § 76).

Based on the information available from the sources above and from the NGOs working in the field in the Czech Republic with Romani refugees from Ukraine, we believe that Romani refugee children find themselves in a more disadvantaged situation compared to Czech majority population as well as non-Roma Ukrainian refugees in relation to access to education. Many of the Romani refugee children do not have access to any education whatsoever.

It is important to emphasize that right to education is not only a *right* — it’s a key to long-term stability, employment, and integration. When Roma refugee children are left out of schooling, the effects are intergenerational: reduced future opportunities, continued social exclusion, and perpetuated poverty.

Unfortunately, there is a lack of data disaggregated on the basis of ethnicity. Thus, it is difficult to monitor and analyse the exact situation and any progress in this field.

IV.

According to international human rights law, the Czech Republic has the duty to respect, protect and ensure the right to education. The state is also responsible for remedying past discrimination if there is a history of discrimination when it comes to right to education.¹⁴

The Czech Government is not only responsible for providing formal access to education, but also for ensuring that Roma refugee children can genuinely benefit from it. The facts described above suggest that the right to education of Romani refugee children from Ukraine in the Czech Republic is not effectively ensured.

Thus, the ERRC asks your institution to investigate and identify human rights violation and discrimination of Romani refugee children from Ukraine in the Czech Republic regarding their access to education. We also ask you to provide recommendations to Czech authorities for legal and policy changes which could be adopted to improve the situation.

In particular, we believe that the Czech authorities should:

- ensure effective enrolment and school attendance of all refugee children in Czech schools;
- implement targeted outreach and information campaigns;
- introduce and fund Romani mediators to provide assistance to Roma refugees;
- establish monitoring mechanisms for participation of Romani children from Ukraine in education including collection of disaggregated ethnic data in conformity with human rights standards;
- prevent school segregation;
- provide language and integration support programmes;
- enhance cooperation with Roma civil society organisations;
- strengthen services for Roma refugee youth as a distinct priority group across education, employment, and protection systems to ensure their meaningful inclusion and long-term opportunities;
- provide material support for vulnerable families.

¹⁴ See e.g. Horváth and Kiss v Hungary, ECtHR judgment, 2013

We look forward to hearing from you soon.

Sincerely,

European Roma Rights Centre
Dorde Jovanovic, President