

Amnesty International

Statement to Working Session 6: Tolerance and non-discrimination I

Across Europe the Roma remain largely excluded from public life and are unable to enjoy full access to rights such as education, housing, work and health services. AI believes that poverty is both directly and indirectly instrumental in denying many Roma access to basic human rights. These include the right to education and work and to freedom of expression and political participation -- key avenues to breaking out the cycle of poverty and marginalization.

In Italy, during 2007 and 2008, members of Romani communities as well as Romani settlements have been at the receiving end of several measures taken by the authorities in the name of 'security', as well as vigilante style attacks by members of the public. Since May 2008, the Italian authorities have taken several disproportionate and discriminatory measures singling out *de facto* the Roma community, and have recently embarked on a still undefined initiative to collect fingerprints from all residents, both adults and children, of Romani settlements in the country. Furthermore, these measures have been taken against a backdrop of often very aggressive anti-Roma rhetoric by local and national politicians, as well as a stigmatizing and negative imagery of Roma in national and local media. These have created a climate in which verbal and physical attacks on Roma by members of wider society are increasingly accepted.

Romani children in Bosnia and Herzegovina, Croatia, Macedonia, the Czech Republic, Slovakia, Slovenia and many other participating states, where Amnesty International and other prominent organizations have documented research, continue to face grave violations of their right to education, and consequently face huge obstacles to realizing a range of other human rights.

Amnesty International has been campaigning against discrimination of Roma in access to education in **Bosnia and Herzegovina** since 2006, and welcomes the fact that in the last year some significant steps have been undertaken by the authorities to improve the situation. The country joined the Decade of Roma Inclusion and the Council for National Minorities of Bosnia and Herzegovina was made operational. Despite these positive developments more coordination between the state level institutions and entity and municipal authorities is needed.

Primary school attendance rates for Romani children in Bosnia and Herzegovina still remains disproportionately low. Romani language, culture and traditions are not included in a systematic way in the school curricula.

Roma children in **Croatia** lack full access to primary education, especially in geographical areas not covered by existing governmental special measures and other programmes to promote their inclusion. In several schools in some areas of the country segregation of Roma remains a concern as the state authorities continue to neglect the problem and have not undertaken any measures to tackle it. Attendance in pre-schooling programmes is dramatically lower among Romani children which is a major contributor to their lower performance in first years of primary education. Roma culture and languages are not incorporated in school curriculum.

In **Macedonia**, successive governments have consistently failed to uphold the rights of Romani people, particularly women and girls, who faced double discrimination, on the grounds of their gender and ethnicity. Such double discrimination is widespread, routine and pervasive. Discrimination in education has led to few Romani girls completing primary education or attending secondary school, often leaving education without qualifications. Together with discrimination by employers, this leads to the denial of access to work in the formal economy. Many Romani women face a variety of obstacles in obtaining citizenship, including a lack of required documentation, such as birth certificates, an inability to pay the costs of citizenship documents, and gender discrimination. The lack of the necessary documentation also impedes access by Romani children to education, and by Romani women to health care. Amnesty International considers that the current administration has failed to respond adequately to the challenge of the Decade of Roma Inclusion. The joint government/NGO strategy outlined in the Strategy for Roma remains largely unimplemented.

For decades, more than half of all Romani children in the **Czech Republic** have been sent to special schools for children with mental disabilities. In November 2007, the Grand Chamber of the European Court of Human Rights, in a landmark case, concluded that the Czech Republic had discriminated against Romani children by placing them in special schools for children with learning difficulties solely on the basis of their Roma origin. While noting that there have been changes to the Czech law and that other efforts have been made to address the education needs of Roma, the Court found that the difference in treatment was not objectively and reasonably justified. In 2005 the Czech government passed a new education law, which redefined the special education system by introducing new positive measures and by 'renaming' special schools as 'practical primary schools'. Research by Amnesty International and other organizations suggests that the change in name of special schools has not yet had a significant impact on the education of Romani children and most of Romani children continue to be educated in separate schools teaching a reduced curriculum.

Huge numbers of Romani children continue to be segregated into Roma-only schools and classes in **Slovakia**, while many are still inappropriately placed in special schools for children with mental disabilities or special educational needs. In special

schools, Romani children not only receive a substandard education, but have in practice very remote possibilities of reintegrating into mainstream schools or of advancing beyond compulsory education. Romani children attending mainstream schools face other forms of segregation, including in Roma-only primary schools and in Roma only classes.

The government of Slovakia has recently taken certain steps designed to improve access of Romani children to education. From 2002, the government has made provision for the introduction of Zero grade and preparatory classes for children who have not attended pre-schooling, most of whom are Roma, and for the employment of teaching assistants in primary schools. Amnesty International considers that, if systematically implemented, these measures could advance the realization of the right to education of Romani children. Unfortunately, however, at present these measures are entirely voluntary and have not been adopted in all municipalities in which a significant number of Roma live.

In March 2008 the government of Slovakia adopted its Mid-term Policy for the Development of the Roma National Minority of the Slovak Republic, SOLIDARITY – INTEGRITY – INCLUSION, 2008-2013. According to representatives of non-governmental organizations the strategy was not widely consulted on among the Romani community and civil society. While the policy acknowledges the problems of ethnic segregation in education, and the high number of Romani pupils in special schools, it fails to include concrete and targeted measures to address them.

The **Slovenian** authorities are failing to fully integrate Romani children in the Slovenian educational system and have tolerated in some cases the creation of special classes for Romani children, where often a reduced or simplified curriculum is taught.

Amnesty International is concerned at the existence of the so called “Bršljin model” which has been developed at the Bršljin School in Novo Mesto. Amnesty International’s research has documented how this model – instead of helping Romani pupils to catch-up -- is in fact fostering segregation. The model has evolved since its creation, but despite requests the authorities have failed to provide Amnesty International with an external evaluation of it.

Although the above mentioned governments have taken some measures to combat discrimination and disadvantage faced by Romani children in education, the organization is concerned at continued lack of political will and commitment to eliminating racial discrimination against Roma.

Recommendations

Amnesty International calls on the participating states to:

- Ensure that officials and politicians refrain from making any comments or using language that might incite or encourage attacks on Roma community.

- Ensure that participating states actively fight discrimination against Roma, and encourage participating states to undertake awareness-raising campaigns;
- Assume responsibility and proactively tackle discrimination and segregation of Romani children in education;
- Ensure the genuine participation of Romani communities in determining policy which affects their lives, including consultation for inclusion in the education systems;
- Ensure that their national legislation is amended to include a prohibition of segregation in education, where such prohibition does not yet exist;