



ROMA CHILDREN STILL LOSE OUT

SEGREGATION PERSISTS IN SLOVAK SCHOOLS DESPITE NEW LAW



'IN GRADE 7 OF THE SPECIAL SCHOOL I LEARNED THE SAME THINGS THAT I LEARNED IN GRADE 3 OF THE MAINSTREAM SCHOOL'

14-year-old Romani boy, found to have been erroneously placed in a special school

Every child has the right to education, and should be able to exercise this right free from discrimination of any kind. In Slovakia, huge numbers of Romani children are denied this right. They are placed in "special schools" or classes for children with mental disabilities (despite not having any mental disability), or they are segregated in mainstream Roma-only schools or classes. In both cases they study a lower curriculum in virtual isolation from other pupils.



Sub-standard education reduces future employment prospects and further education opportunities for the children and adds to a cycle of marginalization and poverty for Romani people. In 2006, only three per cent of Romani children reached secondary school, while only eight per cent enrolled in secondary technical schools.

Some measures have been taken by the authorities. Most importantly, the new Education Act passed in 2008 bans all forms of discrimination, particularly segregation. However, this ban was not accompanied by any effective measures to ensure that it is implemented in practice.

DISADVANTAGED FROM THE BEGINNING

Decisions to place children in special schools are made at the age of entry to compulsory education. The majority of Romani children are put at an immediate disadvantage

because they usually do not speak Slovak and have not had the benefit of pre-school education. The tests used for assessments in Slovakia have been criticized as not being culturally neutral, and not suitable for Romani children. Parents often agree with such a placement because they know their children will experience less rejection and stereotyping from their non-Romani peers, parents or teachers.

SOCIAL STATUS AND MENTAL DISABILITY

Romani children, mainly coming from "settlements" are identified as students from "socially disadvantaged environment". Because of their social status, they are perceived as children with special educational needs, alongside "students with disabilities".

The government's Policy on the Roma minority includes a goal to differentiate Romani children from students with





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INTERNATIONAL AND REGIONAL HUMAN RIGHTS STANDARDS

The right to education, including a prohibition of discrimination and segregation in education, is enshrined in many international and regional human rights standards and treaties to which Slovakia is a state party.

In 2007, the European Court of Human Rights ruled in the case of *D.H. and Others v. the Czech Republic* that segregating Roma students into special schools is a form of unlawful discrimination according to the European Convention on Human Rights.

The placement of a disproportionate number of Romani children in special schools has been considered a practice of racial segregation by the UN Committee on the Elimination of Racial Discrimination. In its review of Slovakia, the Committee expressed concern “at de facto segregation of Roma children in special schools, including special remedial classes for mentally disabled children.”

disabilities, requiring special upbringing and education. The Education Act 2008, however, fails to include this important distinction. The lack of a clear definition contributes to the confusion and leaves school placement of Romani children susceptible to discrimination.

Above: Boys studying at the special school in Pavlovce nad Uhom.

Below left, below right and back page:

Artwork by Romani children in the second grade at the special school in Pavlovce nad Uhom 2007/8.

‘IT IS NOT HEALTH ISSUES THAT CAUSE THE DISABILITY, BUT SOCIAL DISADVANTAGE.’

Director of the Office of Chief School Inspectorate

OFFICIAL STATISTICS AND REALITY

The collection of disaggregated data, at least according to ethnicity and gender, is crucial for ending discrimination. It is a requirement under the International Convention on the Elimination of All Forms of Racial Discrimination. At present, the government does not collect ethnically disaggregated data on the composition of different kinds of schools in Slovakia. Thus the authorities fail to acknowledge the extent of segregation.

In Pavlovce nad Uhom, for example, the Director of the Košice Regional School

KATKA AND PATRICIA

Katka, eight years old, and her nine-year-old sister, Patricia, were transferred to the special school of Pavlovce nad Uhom in the 2007/2008 school year, although they were coping very well with the curriculum at the mainstream school. Their mother believes the children learn the same things in both schools. Katka told Amnesty International that she used to like the mainstream school better and that she would like to be a teacher when she grows up. This will be a very difficult dream to realize, as her only option after completion of special school will be vocational training. The two girls continue studying a reduced curriculum at the special school.



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Authority claimed that, according to statistics taken from the national census, there are only 10 Roma pupils at the mainstream school and eight in the special school. However, Amnesty International found that 99.5 per cent of the 190 pupils in the special school are Roma. In addition, Amnesty International found that many of the children in the special school had not been assessed at all before being transferred from the mainstream school.

LEGAL PROHIBITION OF SEGREGATION AND IMPLEMENTATION IN PRACTICE

Currently, there is no effective independent complaints mechanism in Slovakia that parents can easily access if, for instance, their children are inappropriately placed in special schools. The State School Inspectorate, mandated to process individual complaints and petitions, although independent in its activities, cannot issue sanctions related to segregation.

Unlike similar bodies in Bulgaria and Hungary, the Slovak National Centre for Human Rights does not have authority to investigate individual complaints, to initiate its own investigations, or to recommend remedies in individual cases of violations of the right to education.



Above right: Roma and non-Roma pupils during leisure-time class at the mainstream school of Pavlovce nad Uhom, March 2008.

Front cover: Romani pupil of the special school in Pavlovce nad Uhom practising writing March 2008.



‘WHY HAVE THEY SEPARATED OUR CHILDREN AND WHITE CHILDREN? WHEN A ROMA SEES A WHITE CHILD THEY HATE EACH OTHER, THEY CALL EACH OTHER NAMES: “GADZO”, “GYPSY”. WHEN I WAS AT SCHOOL, THERE WAS NO ROMA OR GYPSY, ALL WERE FRIENDS.’

Romani man, Jarovnice

TAKE ACTION NOW

Please write to the Slovak authorities and urge them to take the necessary measures to respect, protect and fulfil the right to education free from discrimination of all children and to end racial segregation in education.

THE GOVERNMENT OF SLOVAKIA SHOULD:

- Adopt the necessary legal or administrative measures to ensure the integration and attendance of Romani children in mainstream education. Any erroneous placement of children in special schools should be addressed, and sanctions placed on any form of racial segregation in education.
- Define the category of “students from socially disadvantaged background”, a term commonly used for Roma children, differently from “students with disabilities”. The former term should be used only to identify children for temporary special measures to support the full realization of their right to education.
- Systematically gather data, disaggregated on the basis of gender and ethnicity.

- Review the mandate of the Slovak National Centre for Human Rights. It should comply with the standards of other human rights bodies monitoring anti-discrimination legislation. It should have the authority to initiate its own investigations, to investigate individual complaints and recommend remedies and to monitor and impose sanctions for segregation.

PLEASE SEND APPEALS TO:

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Deputy Prime Minister for Human Rights and Minorities
Section for Human Rights and Minorities
Government office of the Slovak Republic
Nám. slobody 1
813 70 Bratislava, Slovakia
Fax: +421 2 52 491 647
Email: podpredseda@vlada.gov.sk
Salutation: Dear Deputy Prime Minister

Ján Mikolaj
Minister of Education
Ministry of Education
Stromová 1
813 30 Bratislava, Slovakia
Fax: +421 254773986
Email: kancmin@minedu.sk
Salutation: Dear Minister

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INTERNATIONAL**



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June 2009
Index: EUR 72/004/2009

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