

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Czech Republic must put an end to unlawful segregation of Romani children

A statement of Amnesty International, European Roma Rights Centre, Open Society Fund Prague, Open Society Justice Initiative, League of Human Rights, IQ Roma Servis, Life Together and Slovo 21

Tomorrow marks seven years since the European Court of Human Rights found the Czech Republic to be in breach of the European Convention on Human Rights with respect to unlawful discrimination of Romani pupils in the Czech education system. Seven years on, these violations of the right to education and discrimination have not been addressed and Roma pupils continue to experience segregated education across the country. On 25 September, in a response to the failure to address this ongoing unlawful situation with respect to EU anti-discrimination law, the European Commission launched infringement proceedings under the Race Equality Directive against the Czech Republic which could result in significant financial sanctions.

The case of *D.H. and Others vs the Czech Republic* involved a group of young Roma people from Ostrava who were enrolled in a special elementary school, a school for children with 'mild mental disabilities'. The European Court ruled that placement of Romani children in the schools for pupils with mild mental disabilities amounted to unlawful discrimination. Yet, according to the latest findings of the Czech School Inspectorate and the Public Defender of Rights, Romani children still account for at least one-third of all pupils in practical (formerly named special) schools. However, we are concerned that the methodology behind this data is problematic and does not fully reflect the scope of the problem.

Furthermore, many Romani children are also educated separately from their peers in the mainstream elementary schools. In many towns and villages there are schools known as "Roma schools", which are made up almost exclusively of Roma pupils while a few hundred metres away there are usually other schools which are attended by pupils the vast majority of whom are non-Roma. "Roma schools" are often less demanding and focus on practical skills at the expense of the basic academic knowledge and ability which are necessary to proceed to the next level of secondary education. Although some directors attempt to provide quality education for both Romani and non-Romani children at the same school, they often face insurmountable problems due to lack of resources and support from the government and local authority.

This situation is in breach of not just the Czech anti-discrimination legislation, but also international human rights and EU law. We are aware of the ongoing reform of the Czech School Act which aim at the inclusion of pupils with special educational needs into mainstream schools. However, this reform fails to address the existence of ethnically segregated schools – a critical omission which will continue to place the Czech Republic in breach of its legal obligations.

We, civil society organisations that work with schools, parents and pupils, therefore call on the Czech government to take the infringement proceedings as an opportunity to effectively remedy the continuing unlawful situation and end the racial discrimination of Romani children within the country's education system.

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