

False starts

The exclusion of Romani children from primary education in Bosnia and Herzegovina, Croatia and Slovenia

Summary

Excluded from primary education

In countries across Europe, Romani children face barriers to education. The failure of governments to ensure their right to education blights the future employment prospects of individual children, and perpetuates a cycle of deprivation and marginalization within Romani communities.

Education is not only a right in itself. It is indispensable to realizing other human rights. Romani communities have remained among the poorest in Europe. Segregation and discrimination have forced many Roma to live on the fringes of society, in some cases in desolate settlements or slums lacking basic infrastructure and services. In many countries Roma are among the main victims of ill-treatment by the police and of racially motivated violence by private individuals or groups. Too frequently, they are denied justice for the human rights violations against them.

This report highlights the lack of access of Romani children to primary education in Bosnia and Herzegovina, Croatia and Slovenia. Too often, Roma do not attend school, or do so only intermittently. With high drop-out rates, many fail to complete even primary education. Some are segregated in “Roma only” groups or classes, where they are offered only a reduced curriculum. Racist attitudes and prejudice are prevalent, even among some teachers and educators working with Romani children.

Extreme poverty denies most Romani children the full advantages of education. Free meals, textbooks and transportation are sometimes provided. Yet frequently children cannot overcome the obstacles of excessive distances between Romani settlements and schools or the lack of warm clothing in winter. They are often unable to study or do homework in cold, overcrowded homes. For children who do go to school, poor clothing marks them out as Roma and as targets for bullying and harassment.

Tackling these barriers to education is the responsibility of governments. The authorities in Bosnia and Herzegovina, Croatia and Slovenia have failed to respect and protect the right to education, including in some cases by not addressing racism and discrimination directed at members of Romani communities inside and outside schools. They have also not fulfilled the right to education of Romani children by actively promoting their full inclusion in education.

The right to education

The right to education is enshrined in international human rights standards and treaties, many of which are legally binding on Bosnia and Herzegovina, Croatia and Slovenia. Government obligations related to the right to education can be framed according to the four “As”:

- **Availability.** Primary education must be compulsory and free for all. Functioning educational institutions and programmes have to be available in sufficient quantity.
- **Accessibility.** Education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination.
- **Acceptability.** The form and substance of education, including curricula and teaching methods, must be acceptable (for example, relevant, culturally appropriate and of good quality).
- **Adaptability.** Education has to adapt to the needs of students within their diverse social and cultural settings. Measures should be taken that enhance the ability of children to access and benefit from education.

States seeking to join the European Union (EU) are required to meet human rights standards and bring domestic laws in line with EU law. Slovenia became an EU member state in 2004. Croatia is a EU candidate country, and Bosnia and Herzegovina a “potential candidate country”.

EU criteria require that institutions in candidate countries guarantee democracy, the rule of law, human rights and respect for and protection of minorities (the Copenhagen criteria). In June 2000 the EU enacted a directive to implement the principle of equal treatment irrespective of racial and ethnic origin (the “Race Directive”). It prohibits direct as well as indirect discrimination, and explicitly applies to education.

Bosnia and Herzegovina

Estimates of the number of Roma living in Bosnia and Herzegovina vary, ranging between 20,000 and 100,000. The most often quoted figure is 60,000. Romani is the first language of most, although decreasingly so among younger generations. A significant number of Roma live in informal settlements, without security of tenure and with limited or no access to essential services. Their level of poverty is significantly higher than that of the rest of the population.

The rights to education and to freedom from discrimination are upheld in law in Bosnia and Herzegovina. Members of minorities, if they are in sufficient number, have the right to be taught in their language or offered a curriculum relevant to their culture. A 2004 Action Plan on the Educational Needs of Roma and Members of Other National Minorities addresses many of the areas requiring urgent attention to ensure that Roma are fully included in a school system adapted to their needs and culture.

Illiteracy rates among Roma remain very high, however, and most Romani children are partially or totally excluded from education. In most cases they are unable to attend pre-school programmes. Although in recent years there has been some improvement in elementary school attendance – including as a result of initiatives by non-governmental organizations (NGOs) and individual local authorities – the rates remain extremely low.

High drop-out rates result in Romani children sometimes leaving elementary school after only a few years in education. Statistics suggest that Romani girls are even less likely than Romani boys to have access to education.

Availability. Primary education is free and compulsory in Bosnia and Herzegovina. However, few aspects of the 2004 Action Plan, which envisages the training of teaching staff in Romani culture and language, have been put into operation.

The international community has frequently prioritized post-war stabilization and reconstruction assistance, including educational reform, for the Bosniak, Croat and Serb communities. The lack of suitably trained teachers and the lower priority given to educational support for minorities has reduced the availability of education for children from Romani communities.

Accessibility. Extreme poverty within Romani communities is one of the main causes of poor school attendance. Assistance envisaged in the 2004 Action Plan, including free textbooks, meals and transportation for children from low-income Romani families, has often not been provided, with the exception of the distribution of free textbooks in some cases.

Negative stereotypes about the Roma's "way of life" or attitude towards education are often used to explain poor school attendance and grades.

[*"We still have insufficient consciousness on importance of education within the Roma population. They treat it in a 'liberal' way – you can go to school, you cannot go to school, you do not have to go to school"*. **Bosnia and Herzegovina Report to the UN Committee on the Elimination of Racial Discrimination, September 2005.**]

Local social welfare authorities appear to do little to ensure that Romani children are included in compulsory education. The sheer lack of statistics and reliable data on the number of Roma, at local and national level, explain in part the difficulties local authorities face in tracking children not in school.

Acceptability. Discrimination against Roma and negative stereotyping can be seen in the marginalization of Romani communities and their exclusion from the enjoyment of many human rights. While there are reports of discrimination against Romani children in schools, such episodes do not translate into outright discriminatory practices, such as the segregation of Romani children in schools or their exclusion from certain educational activities.

Romani culture and traditions are not included in a systematic way in school curricula. Some schools with a significant Romani population have organized occasional events and extra-curricular activities focused on Romani culture, often in cooperation with local Romani associations. However, such activities are insufficient and at best are attempts to fill the gaps left by the authorities in ensuring that curricula reflect Romani culture.

Adaptability. Despite provision in the 2004 Action Plan, and some positive examples at the local level, an extremely small number of Roma attend pre-schooling programmes. These are often not available on a free or subsidized basis. Similarly, although the Action Plan calls for an increase in the number of Romani teachers and mediators in schools, their number remains low.

With the rare exception of cultural activities organized locally by schools, the Romani language is not used or taught in schools. Although the introduction of teaching in Romani language in primary schools and the production of teaching materials are long-term processes, no steps towards these objectives have been taken by the authorities.

Croatia

Estimates suggest that between 30,000 and 50,000 Roma live in Croatia, although only 9,000 declared themselves as Roma in the 2001 census. Almost 80 per cent use Romani language or *Ljimba d'bjas*, a language related to Romanian. Outside the capital, Zagreb, Roma normally live in separate settlements. These are frequently built without planning permission, and lack basic infrastructure and services. High poverty rates particularly affect Roma, who are often excluded from the labour market as a result of low educational levels, high illiteracy rates and discrimination.

The rights to education and to freedom from discrimination are enshrined in Croatian law. Minorities in Croatia have the right to education in their language or script and about their culture and history. A 2003 National Programme for Roma includes steps to promote the inclusion of Romani children in education. Croatia is taking part in the Decade of Roma Inclusion 2005-15, a regional intergovernmental initiative, and has made commitments in a 2005 Action Plan to improve the access of Roma to education, employment, health care and housing.

Despite these measures, Romani children are routinely excluded from primary education. They frequently drop out of school or repeat grades, and only 27 per cent are believed to complete elementary education. Their attendance rates at elementary school are considerably lower than for non-Romani children, and one third are officially estimated never to have gone to school.

Availability. Elementary education is compulsory and free in Croatia. However, teachers working with Roma have reported a lack of adequate training on aspects of Romani culture and to reduce negative stereotyping of Roma. Neither the National Programme for Roma nor the Action Plan for the Decade of Roma Inclusion includes specific measures on the training of teachers working with Romani pupils in primary schools. The lack of suitably trained teachers has reduced the availability of primary education for Romani children.

Accessibility. Overcrowding and lack of basic infrastructure in many Romani settlements negatively affect access to education and the advantages it brings. Although central and local government and schools themselves provide assistance to Romani families to purchase textbooks, stationery and clothing for children attending school, many very poor families still face difficulties in covering the costs.

Legal provisions on compulsory education are not always enforced when Romani children fail to go to school. In certain areas, social welfare authorities lack the personnel and resources to support school attendance or to tackle the range of socio-economic problems affecting Romani families.

Although “Roma only” classes offering a simplified version of the normal curriculum are increasingly rare, Romani children still experience discriminatory treatment because of teachers’ negative stereotyping and low expectations.

[“*When something is wrong in the school it is always the Roma’s fault*”. “*The teacher tells me off when I speak my language*”. “*Teachers do not even want to hear our songs*”. **Romani children at an elementary school in Croatia, March 2006**]

Acceptability. Education should promote understanding between ethnic groups and respect for the child’s cultural identity, language and values. Discrimination against Roma not only directly limits the accessibility of education but is incompatible with the aims of education as set out in international human rights standards.

Moreover, Romani culture and traditions are not included in a systematic way in curricula in Croatian schools, in contrast with the rights other minorities enjoy. Roma-related activities, sometimes in cooperation with Romani NGOs, have been initiated by individual teachers or schools.

Adaptability. Although most Romani adults understand and speak Croatian, many Romani children with little or no command of the Croatian language face extreme difficulties when they start school and teachers use only Croatian in lessons. The languages spoken by Roma in Croatia are virtually absent from schools, unlike other minority languages.

Many Romani children have no experience of pre-school programmes, in contrast with the rest of the population, although there have been improvements in recent years. Low-income Romani families usually cannot afford to pay nursery school fees, and not all have access to free pre-school education.

Existing pre-school programmes organized by or with Romani organizations expressly aim to improve Croatian language skills and otherwise facilitate integration. However, although the National Programme for Roma and the Action Plan for the Decade of Roma Inclusion include relevant measures – and progress has been notable – the resources allocated are still insufficient.

In addition, especially in areas outside Međimurje and Varaždin Counties, many schools with a significant Romani population do not employ Romani teaching assistants. Assistants can play a crucial role in overcoming language difficulties and in promoting communication between schools and Romani communities and parents. However, parents have complained that, while the teacher is working with non-Romani children, Romani pupils are left with poorly trained Romani assistants and may receive substandard education. For the employment of Romani assistants to be truly beneficial and conducive to the inclusion of Roma in schools, they must receive the necessary training, enabling them to participate in the teaching process more fully and meaningfully.

Slovenia

The Romani population in Slovenia is estimated at between 7,000 and 12,000, although in the 2002 Slovenian census only 3,000 people declared themselves as Roma. Romani languages spoken in Slovenia include two main variants used chiefly in the Dolenjska and Prekmurje regions. Many Romani children of school age have little or no knowledge of the Slovene language. Roma often live in settlements that are not formally legalized, and have no security of tenure. Unemployment is above 90 per cent in certain areas.

The rights to education and to freedom from discrimination are upheld in Slovenian law. However, law and practice differentiate between “autochthonous” (indigenous) Italian and Hungarian minorities, which have the right to education and schooling in their own languages and enjoy the highest degree of minority rights protection, “autochthonous” Romani communities, which receive lower protection, and “non-autochthonous” Roma, whose minority rights are not protected.

In 2004 Slovenia adopted a Strategy for the Education of Roma, which identifies the main obstacles to the integration of Romani children and a number of important policies and measures aimed at improving access to education for Roma.

Yet the majority of Romani children in Slovenia still do not have access to pre-school education. Their primary school attendance rates, despite improvements, remain lower than for the rest of the population. In Prekmurje, 70 per cent of Romani pupils are reported to attend school regularly, but in Dolenjska the corresponding figure is 39 per cent. Romani children attending school frequently do not complete all nine years of elementary education.

Availability. Under Slovenian law, primary education is compulsory and free. However, the availability of primary education for Romani children is limited by lack of appropriate training for teachers. Teachers who work with Romani children in schools and pre-schools seldom receive specific training, including on Romani culture or language, that would help integrate Romani children in school and reduce negative stereotyping and low expectations. Existing initiatives by local education authorities or NGOs are still insufficient.

Accessibility. The authorities have made efforts to provide free meals, textbooks and transportation to pupils from low-income Romani families. However, long distances between settlements and schools, overcrowded and cold houses, poor sanitary conditions in the settlements, lack of adequate clothing and insufficient financial resources to meet costs associated with education continue to deny children the full advantages of education.

[*“Some of us live in huts. How can the children do well at school?”* **Members of the Romani community, Slovenia, March 2006**]

Racism and discrimination also play an important role. Romani children are over-represented in schools for children with mental disabilities. In the school year 2004/05 more than 8 per cent of Romani children in elementary education were placed in special schools, compared to slightly more than 1 per cent for non-Roma.

Since 2003/04 the education authorities have in general endorsed the creation of mixed classes, and the 2004 Strategy for the Education of Roma rejected segregation in education. However, despite improvements, separate classes and groups for Roma have been masked in primary schools as “catch-up” classes. The “Bršljin model”, first implemented at the Bršljin elementary school in Novo Mesto, provides for separate groups of pupils who do not perform sufficiently well in certain subjects. It has been criticized by Slovenian education experts for effectively perpetuating segregation, and called “a step back from the already achieved levels of integration” by the Council of Europe Commissioner for Human Rights.

Acceptability. Negative stereotyping by teachers results in low expectations of Romani children and other discriminatory attitudes.

["Romani children, they are not interested in physics or mathematics. They may learn Spanish, because they watch a lot of telenovelas"] **An elementary school teacher, Slovenia, March 2006]**

School curricula do not make Romani culture and traditions available to all children. The multicultural curricula proposed by the Strategy for the Education of Roma remain to be implemented. Old textbooks and teaching materials "for Roma" are reportedly still being used in some schools, some containing a reduced curriculum.

Activities organized by schools about Romani culture as part of pre-school and elementary education appear to depend on the initiative of individual schools or teachers. They are often limited to activities around International Roma Day or to the playing and singing of Romani songs and music.

Adaptability. Linguistic barriers make it significantly more difficult for Romani pupils with only a basic knowledge of Slovene to integrate at primary school. The Strategy for the Education of Roma envisages Romani children in pre-school education at least two years before elementary school, but the number of Romani children who have access to pre-school education remains low.

A project aimed at standardizing the languages spoken by Roma in Slovenia has been a step in the right direction. However, measures to include Romani language in school and pre-school curricula, outlined in the Strategy for the Education of Roma, remain to be implemented.

On the initiative of schools, or through projects financed by international donors, Romani teaching assistants have been employed to overcome linguistic and other barriers. As yet, though, they have not been incorporated in a systematic and comprehensive way in the school system.

Recommendations

Bosnia and Herzegovina, Croatia and Slovenia must take immediate action to prohibit discrimination against Roma in education, and take further steps towards eliminating discrimination against Romani children and promoting equality in education. Among its recommendations to the authorities in the three countries, Amnesty International is calling for immediate action to:

- adopt an approach to the education of Romani children based on their integration into a school system that adapts to their needs and culture;
- confront discrimination against Roma in schools as a matter of urgency, in particular in Croatia by monitoring the composition of classes and, where needed, the activities of teachers working with Roma, and by providing training to primary school teachers aimed at eliminating negative stereotypes and prejudices, with particular focus on Roma; and in Slovenia by ensuring that no Romani children are placed in special schools, classes or groups simply because they are Roma, and that segregated classes are not masked as catch-up classes.

Amnesty International is also calling on the authorities to take concrete and targeted steps towards ensuring that:

- sufficient material assistance, such as textbooks, meals, transportation and school allowances, is provided to Romani children from the poorest families;
- Romani, culture, history and traditions are included in school curricula in all areas or schools with a significant Romani population;
- Romani language is offered as an elective subject in schools with a significant Romani population, to Romani and non-Romani pupils alike;
- Romani assistants and mediators are employed in a systematic and comprehensive way in all schools and pre-schools with a significant Romani population;
- Romani children have access to pre-school programmes of a sufficient duration with a view to overcoming the language and other difficulties Romani pupils face when attending elementary school;
- all members of Romani communities, and those who are their legitimate and genuine representatives, have the right to meaningfully participate in the development of education policies to include Roma in education;
- a comprehensive approach is developed to encourage school attendance by all Romani children of compulsory education age, including through: outreach by social workers; ensuring that measures to achieve the right to education are in the best interests of the child; and, as a last resort, enforcing legal provisions for compulsory attendance;
- financial and other resources are available to implement fully national plans of action and strategies to increase the access of Roma to education.

At the international level, intergovernmental organizations have in recent years been promoting, in the former Yugoslavia and elsewhere, a range of Roma-related projects and activities. Their objectives include reducing discrimination against Roma and

enabling Romani children to enjoy the full benefits of education. Amnesty International calls on the international community – the EU, Council of Europe, Organization for Security and Co-operation in Europe, relevant UN agencies, World Bank and governments already active in this field in Bosnia and Herzegovina, Croatia and Slovenia – to:

- redouble efforts to promote the inclusion of Romani children in education, in cooperation with local authorities, including by providing financial and other assistance.

Amnesty International is calling on the EU in particular to:

- ensure that existing and future Roma-focused initiatives address the specific issue of access to education of Romani children in EU member states, as well as in candidate and potential candidate countries;
- ensure that the Directorate-General for Education and Culture of the European Commission takes a proactive role in fighting discrimination against Romani children in the field of education.