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Persisting Challenges, Broken Promises: Addressing Roma School Segregation and Discrimination

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“Realizing Roma Rights: Addressing Violence, Discrimination and Segregation in Europe”

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Roma school segregation is a widespread phenomenon in Europe. The recent data indicate the high presence of school segregation of Roma children in countries such as Bulgaria, Romania, Slovakia, and others. Although cases have been identified since many years ago and the public authorities have been constantly alerted by civil society, the situation remains alarming and little progress is visible. Romani CRISS solely has identified and documented more than 20 cases in the past years. There have been different stages in the process of fighting school segregation, from the efforts to prove to authorities and to have these officially acknowledge the existence of the phenomenon, to adopting legislation which prohibits segregation and to the issue of changing the attitudes of the parents. Apart from the discriminatory physical separation, Roma school segregation comes together, in the majority of cases, with poor quality of education.

A study conducted by Romani CRISS in Romania in 2011 indicates that *“Segregation is more often encountered in primary school, where 64.5% of Roma students learn in segregated classes, whereas its middle school percentage is 53% (this may also be due to the fact that the share of Roma students who attend middle school is more reduced). In primary school, 9.8% of Roma students learn in all-Roma classes, and 9.5% in middle school”*.

The situation is different from 15 years ago only in the sense that authorities have become aware of the phenomenon: either as a result of the civil society’s efforts, as in Romania, either as a result of clear decisions of the European Court of Human Rights, condemning states for segregation cases, such as Czech Republic, Croatia, Greece and more recently, Hungary. However, the acknowledgement of Roma school segregation doesn’t always come from the side of local authorities, which are, in this case, the most relevant: school units’ managers or teachers. This is, in fact, an obstacle to researchers’ attempt to give an overview on the scale of school segregation: most teachers, when being interviewed on this topic, would state there is no school segregation, which is actually their way to hide the reality, either because they choose showing things in a good light, either from fear of sanctions.

Regardless of the awareness of the phenomenon, the situation remains worrying.

School segregation has appeared in different contexts, depending from country to country. Sometimes it was the case of governments' policy to form different Roma classes, in order to prepare Roma students to better integrate in the society, while in other countries it was the response of school units to non-Roma parents' requests to avoid having their children learning in the same school unit as Roma children. Further, school segregation is associated with residential segregation very often.

School segregation is manifested in different forms, which are common for all European countries where this phenomenon is encountered. Roma children are enrolled in separated schools, separated buildings, belonging to the same school, or to separated classes. A very serious form of Roma school segregation is the enrolment of Roma children in special schools, as a result of abusive diagnosis as children with special education needs or with mental disabilities.

Regardless of its causes or forms, school segregation is a serious threat to human dignity and to the principle of equal access to education. Its impact manifests on a very long-term and it reflects not only on the Roma children, but on their families, as a whole, as well. Not enjoying the same school benefits as non-Roma children has negative effects on the employment opportunities, as well as on their entire future.

It is a fact that Roma pupils in segregated classes have a significantly higher risk of illiteracy. A study shows 1 that *“around 15% of pupils in classes with a majority of Roma children are illiterate, compared to around 4% of the other Roma pupils.”*

Although mechanisms to address school segregation exist, until present, these have failed to prove significant efficiency. For example, Romani CRISS has used documented cases of school segregation to lobby the authorities, jointly with other representatives of the civil society, to adopt specific legislation combating school segregation. However, almost six years after the adoption of this piece of legislation, its results are very weak, in terms of implementation.

In spite of the significant number of European Court of Human Rights' decisions on Roma school segregation (against Czech Republic, Croatia, Greece and Hungary), significant changes haven't been achieved. This is clearly the case for the D.H. and others v. Czech Republic, as a Joint NGO submission to the Committee of Ministers, from November 2012 states: 5 years after the ECHR decision, in the Czech Republic Roma children are still segregated, including in one school where one of the D.H. plaintiff studied.

How come, after quite several European Court of Human Rights decisions, after so many years of efforts in combating Roma school segregation, so low results are visible?

First of all, for many cases, those who struggle to contribute to the eradication of this phenomenon don't actually know what the extent of it is. This is the result of the education systems' failure to collect data on this. Although it is crucial to have initial data before starting to work on combating segregation plans, this doesn't happen, not even in those countries where the law requests for periodical data collection, such as Romania.

Secondly, those who are directly responsible for creating school segregation situations are never properly sanctioned.

The local communities are silent – there is a lack of powerful initiative coming from Roma parents, dissatisfied with the quality of education their children benefit from. On the other side, there are common initiatives of non-Roma parents, who won't accept their children to learn in the same school unit as Roma. The voices of the non-Roma parents are always the ones to be heard by the decision-makers. In fact, this is one of the primary factors mentioned by school managers or teachers when motivating Roma school segregation.

The most important signal against Roma school segregation should come from Roma parents. However, taking into account the officials' reluctance to hearing Roma's needs and requests, these

1 Come Closer – Inclusion and Exclusion of Roma in Present-Day Romanian Society, Bucharest 2008

efforts should be doubled by governments. Not tolerating this practice, adopting legislative measures to combat and prevent it and taking strong measures of condemning the existent situations represent the minimal steps which need to be taken in order to start a long-term process of eliminating this serious form of discrimination.