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International organizations call on the Czech Minister of Education to introduce deeper changes in order to reverse the segregation of Roma in schools for pupils with “mild mental disabilities”

On 2 February, in a letter to the Czech Minister of Education, Youth and Sports, Miroslava Kopicová, Amnesty International, the European Roma Rights Centre and the Open Society Justice Initiative cautiously welcomed, as a first step, the Minister's letter to elementary school directors of 19 January 2010, calling on them to ensure that only pupils with a “genuine mild mental disability are assigned to the practical elementary schools.”

Amnesty International, the European Roma Rights Centre and the Open Society Justice Initiative emphasized in their communication that this letter constitutes an important general message to Czech schools, acknowledging the unlawful segregation of Romani children in schools designed for pupils with “mild mental disabilities”. However, the three organizations also underlined that the Minister's initiative is not sufficient to curb the erroneous placement of children in such schools, and to reverse discrimination and segregation in the education of Roma. The organizations stressed that this must be followed up by concrete and clear guidance and implementation to ensure that Romani children take their place alongside non-Roma in mainstream education.

The three co-signing organizations pointed out that “the content of this letter simply reaffirms existing provisions of Czech education law”. As the Minister's letter itself confirms, 26 per cent of Romani children are currently attending schools established for pupils with “mild mental disabilities”, a number that is vastly disproportionate to their population size. The Minister highlighted the unlikelihood of such high numbers of children of Romani origin having mental disabilities.

In their communication, the co-signing organizations called on the Minister to affirm clearly her support for the desegregation of Czech schools by:

- commencing efforts to transfer Romani children from practical to mainstream elementary schools under a concrete timeline;
- passing legislation creating a duty to desegregate Czech schools;
- preventing the wrongful placement of Romani and other children in practical schools through an immediate moratorium on the admission of all children to such schools for the school year 2010/2011;
- providing appropriate support to pupils (and families) who need it, in order to ensure their effective participation and development to their fullest potential within mainstream elementary schools;
- making publicly available the concrete guidelines to be provided to school directors; and,
- clarifying publicly how the Ministry of Education intends to monitor and evaluate the implementation of its broad school integration goals.

Background

On 13 November 2007, in its judgment on the case of *D.H. and others v. the Czech Republic*, the European Court of Human Rights found that the Czech Republic discriminated against Romani children by placing them in special schools (schools for pupils with “mild mental disabilities” – now called practical elementary schools), where they received a substandard education. The government was obliged to adopt corrective measures.

More than two years later, however, Romani children across the country continue to be overrepresented in schools and classes for pupils with “mild mental disabilities”, where they receive education based on a reduced curriculum. A 2008 study by the non-governmental organizations European Roma Rights Centre and Roma Education Fund found that in some parts of the country Romani children constitute more than 80 per cent of the pupils in practical schools. In comparison with mainstream elementary schools, pupils of practical schools are taught to a lower standard and therefore their future education or employment opportunities are reduced.

Once a child is placed in a practical school or a class for pupils with “mild mental disabilities”, it is very difficult for them to re-enter mainstream education. The law does not require the regular reassessment of pupils; such reassessment can only take place at the request of parents. For the very few who do transfer back to mainstream education, the process is extremely difficult, owing to the simplified curriculum they have been following. Often, no assistance is provided by the mainstream schools to help children catch up.

The placement in practical schools and classes for pupils with “mild mental disabilities” is based on the results of assessments that fail to factor in cultural and linguistic differences of Romani children and may be compounded by the prejudice of staff conducting them.