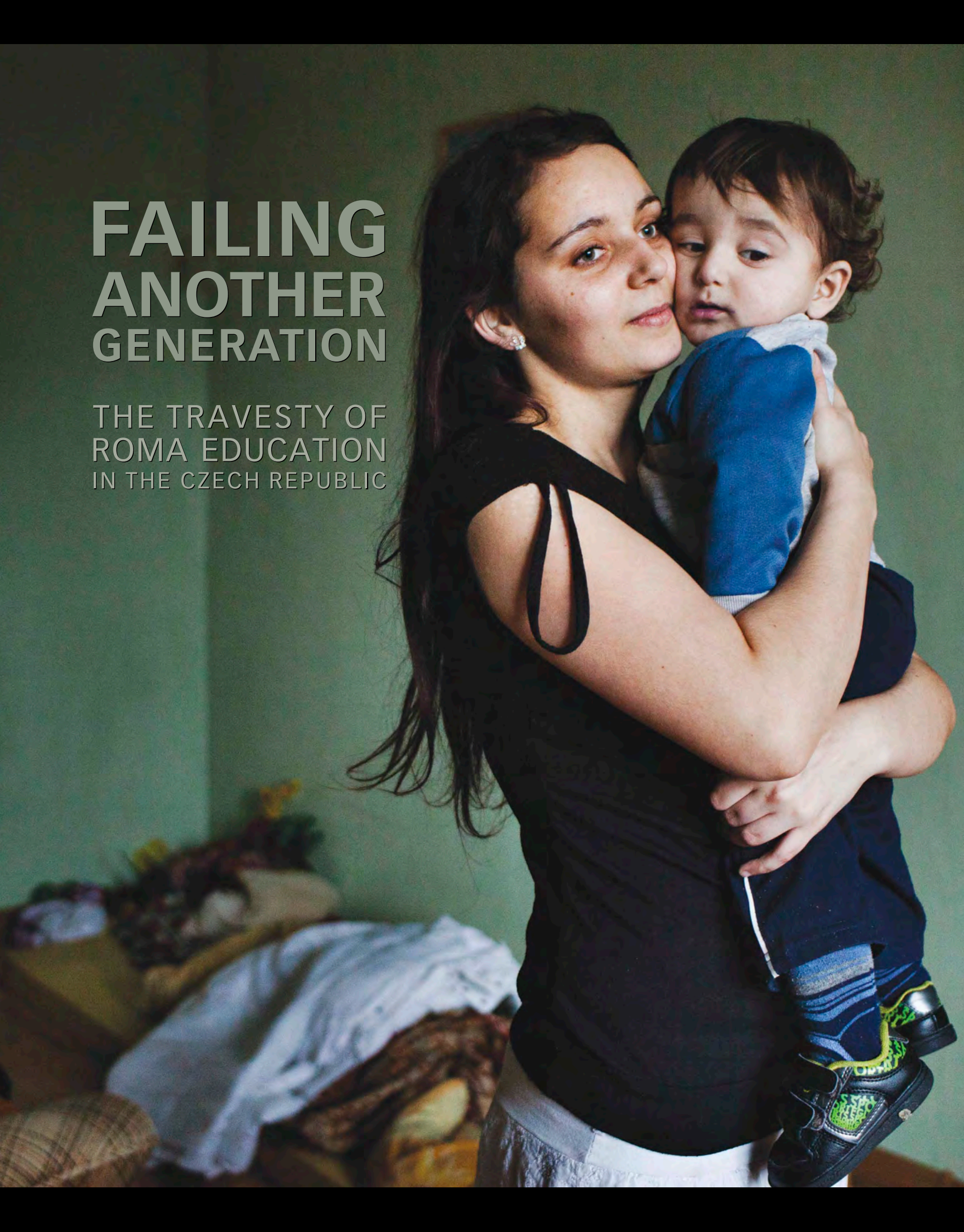


FAILING ANOTHER GENERATION

THE TRAVESTY OF
ROMA EDUCATION
IN THE CZECH REPUBLIC



FAILING ANOTHER GENERATION

THE TRAVESTY OF
ROMA EDUCATION
IN THE CZECH REPUBLIC

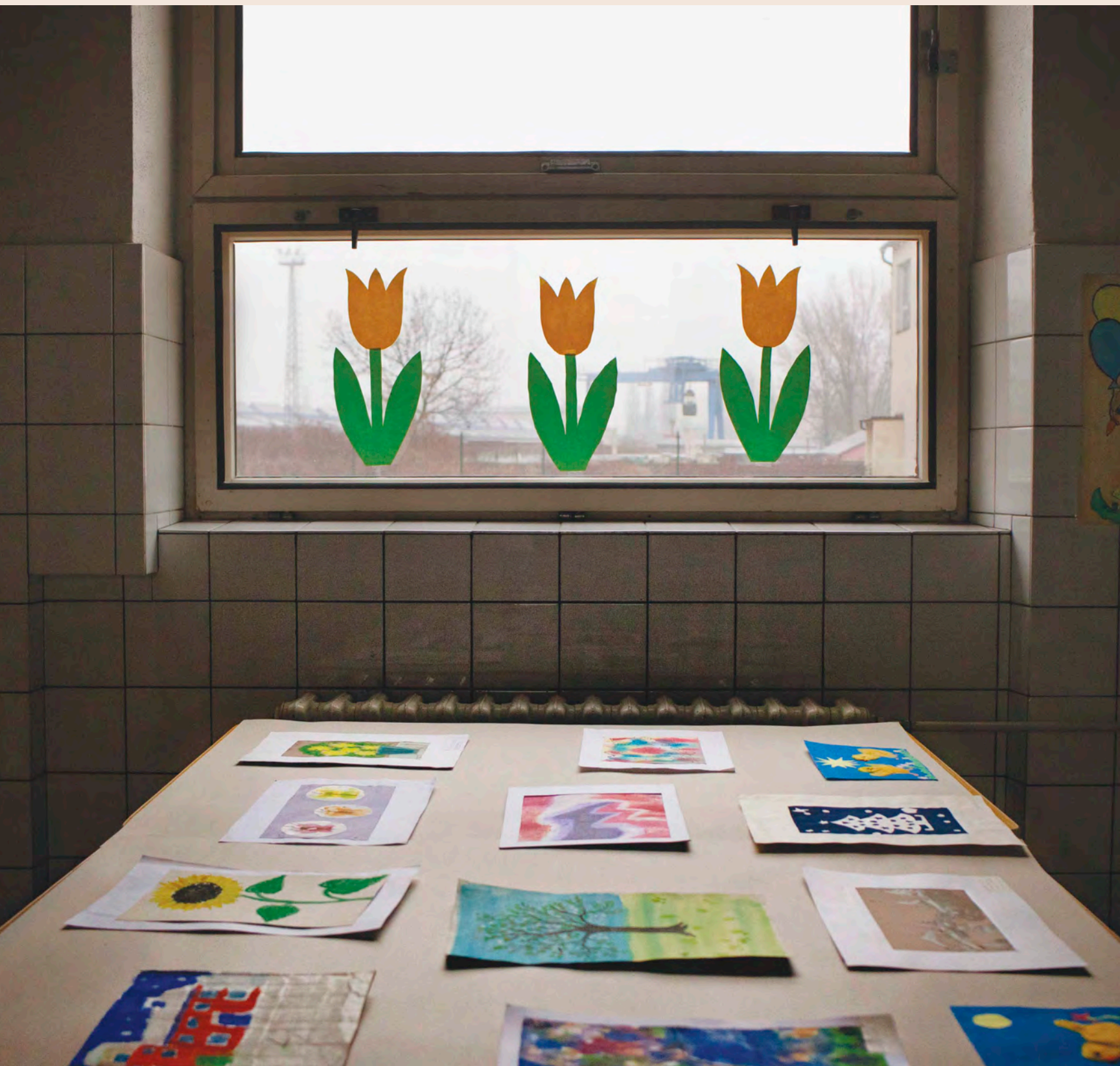
PHOTOGRAPHS BY
STEPHANIE SINCLAIR





The 300,000 Roma in the Czech Republic face widespread and persistent discrimination in all aspects of their lives.

It begins at school.





By longstanding practice Roma children are funneled into so-called “practical schools”—dead-end institutions where they are taught a limited, low-level curriculum. The experience leaves students unqualified for all but the most basic jobs and traps generations in a cycle of poverty and hopelessness.

In 1999, eighteen children from the eastern Czech city of Ostrava challenged the system before the European Court of Human Rights. Their case, known as *D.H. and Others v. Czech Republic*, argued that Roma children were being targeted for discrimination and denied their basic right to quality education.

In 2007, the European Court of Human Rights agreed. In a landmark judgment, the court demanded that the Czech government stop the segregation and redress its effects.

But victory in court and real change are two different things. Roma children still face discrimination in the Czech school system. Most still end up in inadequate, third-rate schools.

Meanwhile, the children at the center of the original case at the European Court have grown up. They now have children of their own.

As a child, Julius Mika attended a standard school. Then a bout with pneumonia forced him to miss several weeks of classes. When he recovered, instead of getting support from teachers to catch up, he was moved into a practical school.

I wouldn't wish the experience on my worst enemy. The system left me without an education and without even a trade.

If I were better educated I would have a better job and consequently a better life—not just me but my children as well. I would go back to school but now I have children and I have to work to provide for them. So, I make a living cutting trees for the city.

I was happy that the case ended in our favor—to hear that the court, someone with greater power, recognized that the school system was wrong and that Roma children deserve equal standards of education.

But nothing has really changed. In the system now, they say we have a choice. But if parents refuse to send their children to the practical school and the child returns to the regular school, the teachers make the experience horrible for them. Most often, children will end up at the practical school anyway.

If I could choose, I would strive to be something more. I would be a lawyer. I would practice law to stop what is happening to Roma children.

I don't want my children to be judged the way I was judged.



Denisa Holubová and her sister Sabrina were attending a regular elementary school in the 1990's. When their mother, Alena Lesková, complained about bullying, the teacher and the principal urged her to send her daughters to a practical school. Alena chose to fight the school administration and her daughters joined the legal complaint against the system.

Denisa became the lead applicant in the case before the European Court of Human Rights. Her initials—D.H.—have become synonymous with the case.





We wanted the standard schools to work for the girls.

Denisa was good at school and showed potential. I wanted my daughters to become something and the practical schools do not provide the kind of access to opportunities that the standard schools do.

Eventually both my daughters were forced into a practical school. The director insisted that the girls be enrolled in the practical school because, he said, they are not able to learn. The same as they say with so many Roma children.

I still have three children in school. It is still the same—nothing has changed. They call it a standard school now, but it's really still a practical school.

This has to change, so that Roma children can become something. So that they have a chance to change their lives.

Alena Lesková with her daughter Denisa Holubová outside their home.

Veronika Šindelářová was in the third grade when her teacher told her she would be sent to a practical school. Her mother protested. Veronika was a good student and her mother thought the standard school would open more doors for her. But the teacher continued to pick on Veronika, the only Roma student in the class. To protect Veronika, her mother agreed to move her to a practical school.

The studies at the practical school were much easier.

And all the grades were put together in the same room.

I would have liked to study to become a nurse, but the practical school limited my options. I could only continue in vocational schooling. I went to a school to learn to bake sweets.

I don't want what happened to me to happen to my children. I want the best for them. I want them to have more than I had. To have dreams. And I want them to be able to fulfill their dreams.

Veronika Šindelářová at home with her sons Fabián and Rinaldo and her half-sister Vanesa.





Like the other applicants in the case, Peter Danko was already out of school by the time the European Court ruled in his favor. After finishing practical school, he went on to become an apprentice to work in construction.

It's still hard to find jobs.

Recently, I found an ad in the paper and when I called the man said, yes, the job was available. But when I arrived and he saw that I was Roma, he said it was already full. So I am still looking for work.

My dream is to work. And I want us to have a home of our own. My girlfriend and I have been together for four years. We will be having a baby girl. Her name will be Katrina.

I would like my daughter to go to university.



Margita Danková, Peter Danko's mother, has watched seven children go through the practical school system.

They wouldn't let my children stay in the standard school because my family is from Slovakia. They said, "They need to speak Czech." All of my children spoke Czech all the time—we've been here 20 years. I didn't fight because i didn't have any options. I put them in the practical school when they said this.

I got involved in the case because I wanted my children to continue their studies. When the psychologists checked to see if my children were actually mentally disabled, they discovered they were not.

Margita Danková (left) with children and grandchildren—from left to right, Adrian, Sára; Nina, holding Santyjago; and Lucie, holding Kristinka.





Since the judgment, some practical schools are starting to steer children back into mainstream education—but with no support and often in hostile circumstances or ghettoized schools.

Recently, the school principal called Margita Danková about her daughter, Sára.





He said, “I have beautiful news—your daughter can go to a standard school.

You can choose where you want her to go.”

But I was angry with him and said, “Why would you wait until she is 12 years old to make this decision? Why didn’t you say something sooner?”

And where should she go? One school he suggested has a reputation of beating the Roma children. She started to cry, she didn’t want to go.

Sára Danková (center) on her way to school.

Helena Kočková was 10 years old when she joined the case. She attended practical school until she graduated at 15.

Whenever I didn't know
something they shouted at me.

We had some lessons but most of the time we watched videos or went for walks.

If they'd given me a chance, I would have gone to beauty school. I wanted to be a manicurist. But I was not prepared in my early education.

Helena Kočková inside the home she shares with her family.



Bára Kočková is the niece of Helena Kočková, one of the 18 applicants in the case. Bára attends the same school Helena did.

Bára enjoys school and says she wants to become a teacher. But her father, Roman Kočko, worries about her prospects. He says the school—which is no longer considered a practical school—has changed in name only.





It's supposedly a standard school but it is very low level.

My children have homework once a month.
This is a real standard school?

There are only Roma children at the school.
We thought we could switch her out, but now she is behind and we don't have the money to get her a tutor.

The only way Bára will be able to be a teacher is for her to go to university and I'm afraid there is no chance for that. She's being prepared to be a server or some other low level job.

Bára Kočková prepares for school.

Helena Bandyová's two daughters, both of whom were sent to practical schools, were applicants in the D.H. case. After seeing their experience, Helena fought to keep her son out of the practical school system.

Dušan Bandy graduated from a standard school that was committed to inclusive education.





What we were doing in the 5th grade, my sisters were doing in the 8th.

We had homework almost every day. The teachers were encouraging and supportive. I learned to use the computer and was able to teach my sisters.

Having a better education has been very helpful. They treat me better in the employment office. The first question they ask you is, "Did you go to a practical school or standard school?"

Education helps with everything in life.

Dušan Bandy and his mother Helena Bandyová.

For most families, the idea of inclusive education seems a long way away. And the practice of segregation remains entrenched.

Yveta is a cousin of Dušan Bandy. Her son, Dominik, attended a standard school near the family's home. Then, in January 2012, the school administrators told Yveta that Dominik needed to be transferred to a practical school.

He started at the standard school but he always returns home with bruises.

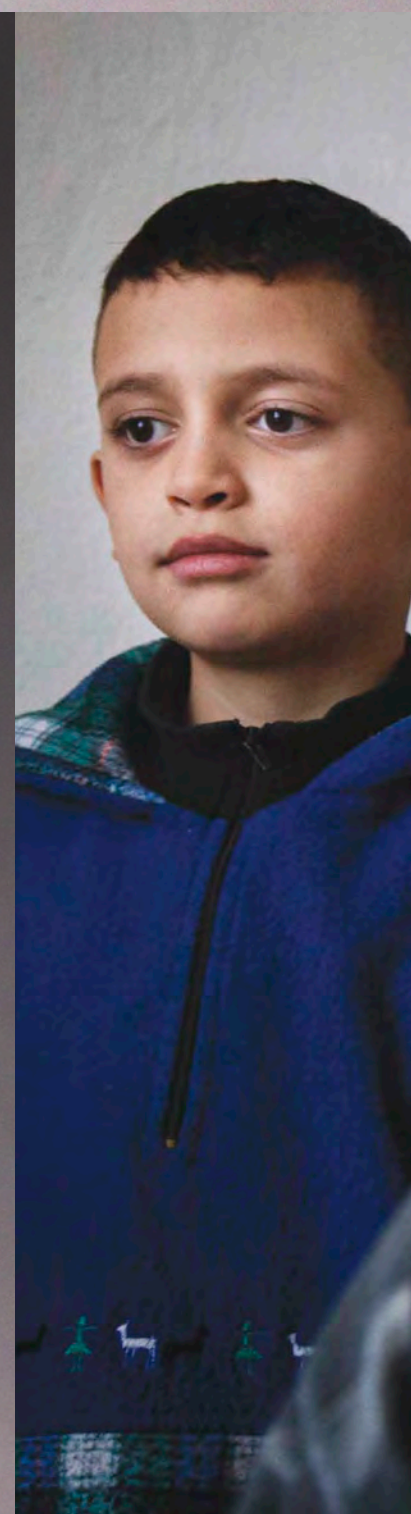
The kids stab him with their pencils and pens. I take him back to the school, angry at all the bruises and the teachers say, "I didn't see anything." The teacher said to me, "We aren't used to having Roma children here."

The teacher told me they don't teach children with mental retardation. So, we went to the psychologist—the practical school organized it. But the psychologist only copies what the school says about the children. Now they are removing Dominik from school for the rest of this year.

Dominik is very clever. I know that if he's well educated, he will have a better life. But i can only do what they say.

I think he will be forced to go to the practical school. I have to take him there, because they don't want him here. At least he won't return home from school every day crying.

Dominik Žiga (center) with his mother Yveta Gáborová, older brother Nikolas, and younger sister Jessica.





D.H. and Others v. Czech Republic
is a landmark decision.





It represents a significant step forward in legal history: the highest European court recognizing that Roma children must be included in mainstream education if the principles of human dignity, equality, and freedom that underpin the European Convention on Human Rights are to be realized.

Yet those principles remain abstract and illusory for many Roma children. Too many of them are still caught up in a sub-standard and discriminatory education system in the Czech Republic, with no real safeguards to help them grasp the many opportunities that most other children take for granted.

The *D.H.* case reminds us that the law outside the courtroom takes on a life of its own. Implementation of the *D.H.* decision—a case which is rooted in concepts of inclusiveness—relies heavily on political will to transform the judges' words into real life improvements for children's everyday lives.

The Czech government says it wants to include Roma children within mainstream schools. The practice tells a different story. Changes have been largely cosmetic. Some schools have been renamed, but Roma families

say the teachers and curriculum remain the same. Laws have been amended, but they only tinker at the edges of the current system. No major structural transformations have been made. The government has developed a plan to promote inclusive education, but how it will be funded remains unclear.

A report in February 2012 from the European Commissioner for Human Rights pointed out that an estimated 30 percent of Roma children in the Czech Republic are still placed in “schools designed for pupils with mild mental disabilities, compared to two percent of their non-Roma counterparts.”

Yet when placed in inclusive, supportive environments, Roma children flourish. A recent study of Roma children originally from the Czech Republic and Slovakia who now study at eight English schools shows what a difference inclusion makes. Eighty-five percent of those students had been placed in “practical” schools before their families emigrated to the United Kingdom. The study concluded that all of them “were successfully studying in mainstream schooling in the UK.” In the words of one teacher at the Babington secondary school in Leicester, England, “I do not see any difference between the Roma pupils and the non-Roma ones in terms of their ability or their potential.”

Some mainstream Czech schools have also taken steps towards a more open approach. A number have hired Roma teaching assistants to help Roma students learn and adapt to the school environment. But Roma children still often feel unwanted. Bullying is rampant. Students say sometimes their teachers are the worst offenders. As a result, some Roma families say they have no choice but to send their children to “practical schools” to make sure they feel safe—even though it will harm their children’s longer-term

chances in life. For many, the ideal of “inclusion” remains a fantasy rather than a legally mandated right.

Discrimination against Roma children is not just an issue for the Czech Republic. The wrongs these children suffer are violations of human rights standards—universal values that all European states have agreed to abide by. Human rights watchdogs, both in Europe and internationally, continue to remind us that the Czech Republic is failing to meet these standards.

- The Council of Europe’s former Commissioner for Human Rights, Thomas Hammarberg, singled out the performance of the Czech Republic in his report *Human Rights of Roma and Travelers in Europe*. Released in February 2012, just before he left office, the report repeated the same conclusion he reached in his 2011 report on the Czech Republic: “with thousands of Roma children effectively excluded from the mainstream education system in the Czech Republic and condemned to a future as second class citizens every year... it is now time to speed up the implementation of the inclusive education agenda.”
- A January 2012 study by the Organization for Economic Cooperation and Development (OECD) concluded that “in spite of a decision to progressively integrate disadvantaged students into mainstream schools” the placement of Roma students in “practical schools” is “still very high.”
- In September 2011, the United Nations Committee on the Elimination of Racial Discrimination expressed “its concern regarding the persistent segregation of Roma children in education” and recommended that the Czech government

“take concrete steps to ensure effective de-segregation of Roma children and students and to ensure that they are not deprived of their rights to education of any type or at any level.”

- In August 2011, the United Nations Committee on the Rights of the Child also said it was “deeply concerned that in spite of... the 2007 decision of the European Court of Human Rights, *D.H. and Others v. Czech Republic*, there continue to be serious and widespread issues of discrimination, particularly against the minority Roma children in the State party, including the systemic and unlawful segregation of children of Roma origin from mainstream education.” It urged the Czech government to “take all measures necessary to ensure the effective elimination of any and all forms of segregation of children of Roma origin, especially the discriminatory practices against them in the education system.”

The test now for the Czech Republic is whether it will finally do what the *D.H.* decision of the European Court requires: end segregation and discrimination, and ensure that all Czech children enjoy equal opportunity in an inclusive educational environment. The test for the international community is whether it chooses to help to make these changes possible—or stands by watching as nothing is done. More Roma children’s lives are ruined with every year that passes.

I want parents to speak up and say that our children are capable of being educated and deserve the chance to be educated. People should not be so quick to judge the Roma. We are all born on the same earth and breathe the same air. Roma children deserve the same chance at an education.

JULIUS MIKA, *D.H.* APPLICANT

Credits

Open Society Justice Initiative

400 West 59th Street

New York, NY 10019 USA

Phone: +1-212-548-0157

Fax: +1-212-548-4662

Email: info@justiceinitiative.org

www.justiceinitiative.org

Photography

© Stephanie Sinclair/VII for the Open Society Foundations

Design

Jeanne Criscola | Criscola Design

Printing

GHP Media, West Haven, CT

© 2012 Open Society Foundations



OPEN SOCIETY
JUSTICE INITIATIVE