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**SECRETARIAT OF THE FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**

**COMPILATION OF OPINIONS OF THE ADVISORY COMMITTEE
RELATING TO ARTICLE 12 OF THE FRAMEWORK CONVENTION**

FIRST CYCLE

“Article 12

- 1 The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.
- 2 In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.
- 3 The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.”

Note: this document was produced as a working document only and does not contain footnotes. For publication purposes, please refer to the original opinions.

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1. ALBANIA

The Advisory Committee notes that a number of calls have been made for greater attention to be paid to fostering the knowledge of the culture, history and language of national minorities in schools. Notwithstanding that some work has been carried out to foster such knowledge, the Advisory Committee is pleased to hear that there are plans to review further the school curriculum and the school textbooks. The Advisory Committee, in this respect, considers that it is important that attention is given to national minorities in these changes, and that persons belonging to national minorities are consulted in the revision process. The Advisory Committee highlights the importance of these changes, not just to improve understanding about national minorities but also to ensure that stereotypes of national minorities are removed from all educational materials.

The Advisory Committee notes that teacher training is available for teachers of the Greek national minority at the Pedagogical High School in the city of Gjirokaster. The Advisory Committee considers, however, that training will also be needed for teachers of other national minorities if adequate education in and of minority languages is to be offered in accordance with the requirements of Article 14.

In relation to Roma children, the Advisory Committee is concerned about a small number of allegations of incidents where Roma children have been denied registration at school or where they have been placed at the back of the class. The Advisory Committee considers that notwithstanding the intervention by the authorities in certain cases, such practices are not compatible with the Framework Convention. Furthermore, the Advisory Committee is also concerned about reports concerning bullying of Roma children and evidence of high absentee rates and low achievement levels of Roma pupils. These latter matters have varied and complex causes, ranging from difficult and dangerous access to the schools (with children having to walk on, and cross, dangerous roads), to the distance of schools from where Roma families live and the precarious financial circumstances of many Roma families. The Advisory Committee encourages the Albanian authorities to take these issues seriously and follow-up on all complaints and petitions received.

The Advisory Committee is aware of some of the initiatives being undertaken, in particular by certain non-governmental organisations, in order to improve the situation of Roma children in schools. The Advisory Committee is also aware of the potential importance of the national Roma strategy (see also under Article 4 above) that is being developed, and encourages the Albanian authorities to pay particular attention to the question of education of Roma children in this strategy. In specific terms, the Advisory Committee considers that teachers should be given encouragement and support in order to be more sensitive to the needs of Roma children and their life-style and traditions, and that special assistance programmes for Roma children in schools should be developed further in order to assist those who may lag behind. In this connection there exists a clear need for more Roma teachers and special assistants, for example for those Roma children who may not have learnt Albanian before going to school. The Advisory Committee notes that a key to improving the situation is to ensure that the education system reflects and takes fully into account the language and culture of the Roma, as stipulated in the principles contained in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe. The Advisory Committee is of the opinion that Albania needs to develop, implement and evaluate further its measures aimed at improving the status of Roma in the educational system and that the proposed Roma strategy, which is to be developed, offers the opportunity of achieving much in this field, even with minimal resources.

The Advisory Committee welcomes that there is a Greek language branch at the University in Gjirokaster and notes that there is interest on the part of other minorities to establish additional departments at University to cater for their linguistic and other needs. The Advisory Committee is therefore of the view that the authorities could examine further the possibility of extending education for these other national minorities at University level.

In respect of Article 12

The Advisory Committee *finds* that greater attention should be paid to fostering knowledge of the culture, history and language of national minorities in schools and *considers* that this matter should be examined further in a future review of the school curriculum and the school textbooks.

The Advisory Committee *finds* that teacher training is available for teachers of the Greek national minority and *considers* that training will also be needed for teachers of other national minorities.

The Advisory Committee *finds* that alleged incidents where Roma children have been denied registration at school or have been placed at the back of the class, are not compatible with the Framework Convention. The Advisory Committee *considers* that particular attention and follow-up should be given to these and other issues - including the high absentee rates and low achievement levels of Roma pupils - in the national Roma strategy that is being developed.

The Advisory Committee *considers* that the Albanian authorities could examine further the possibility of extending education of national minority languages at University level.

2. ARMENIA

In the legislative field, the Advisory Committee notes that Article 35 of the Constitution guarantees the right to education to every Armenian citizen. With regard to persons belonging to national minorities, the Advisory Committee is concerned by the fact that, apart from the aforementioned general guarantee, the State does not implement any active educational policy in favour of such persons and provides little or no support for educational initiatives by national minorities. The representatives of national minorities point out that the authorities rely heavily on the action of the persons concerned and the support of kin-States. The Advisory Committee notes the major problems encountered in this connection by the Yezidis and Syrians, who receive no aid from a kin-State. Notwithstanding the serious economic difficulties faced in the country, it encourages the Government to increase its involvement in this field by means of practical support measures so as to enable such persons to exercise their right to education and to encourage awareness of their culture, history, languages and traditions as well as of those of the majority.

As to equal opportunities in access to education, the Advisory Committee notes that persons belonging to national minorities would like the Government to regard such equality as a genuine right necessitating an active contribution from the State. In this context, the Advisory Committee is concerned by the difficulties facing some of the Yezidi children. According to certain sources, the problem of low to non-existent State support, which cannot be offset with aid from any kin-State, is supplemented by a high rate of absenteeism, partly for economic reasons and partly because of the discriminatory attitude of some pupils and teachers. The Advisory Committee considers that the authorities should address this situation and take all the necessary steps to eliminate the shortcomings noted.

The Advisory Committee is concerned to note the insufficiency of resources for the proper functioning of schools for national minorities and the consequent shortage of such schools. Among the shortcomings highlighted by representatives of national minorities and largely acknowledged by the Government, the Advisory Committee notes the lack of training officers for schools teaching the languages of national minorities, the shortage of nursery schools for children belonging to national minorities and the lack of public support in this field, as well as the absence of suitable textbooks and teaching curricula. The Advisory Committee notes that culture, history, religion and the traditions of persons belonging to national minorities are only taught in special Sunday classes, not as part of the general teaching curriculum. It appears that even though the law provides for Sunday schools and other optional classes aimed at studying the language and history of the national minorities, such activities are still fairly low-key and are difficult to run because of lack of State support. The Advisory Committee also notes that pupils belonging to national minorities consider discriminatory the fact that information on admission examinations is published and school competitive examinations are organised exclusively in Armenian. In the Advisory Committee's view, the authorities should take all the necessary steps to eliminate the above-mentioned shortcomings.

However, the Advisory Committee notes the positive initiatives taken recently by the Government in the field of access to education. For instance, a department responsible for national minorities has been set up in the Educational Reform Centre of the Ministry of Education and Science. This department is to help prepare study programmes relating to national minorities in the State schools, devise textbooks and seek financial resources, in co-operation with persons belonging to national minorities and their associations.

The Advisory Committee also notes that quotas have been set over the past few years to guarantee access by students belonging to national minorities to higher education, and in particular to courses for persons wishing to teach the minority language of their community of origin.

The Advisory Committee notes with satisfaction that, in view of their positive experience in this field, the authorities have announced their intention to reinforce bilateral co-operation in the educational field with the kin-States of certain national minorities in Armenia. They are hoping that this will increase the educational opportunities of persons belonging to these minorities, particularly in connection with supplies of school textbooks and teacher training.

The Advisory Committee encourages the Armenian authorities to implement the aforementioned measures without delay, consulting those concerned on their specific needs. At the same time, it considers that the shortcomings noted should be more systematically remedied in the specific legislation to be drafted in the field of protecting national minorities and in the corresponding implementation policies.

In respect of Article 12

The Advisory Committee *finds* with concern that there is no active state policy in respect of persons belonging to national minorities in the field of education, and that the support offered by the state for the latter's initiatives is insufficient. The Advisory Committee *considers* that the authorities should show greater commitment in this field in order to ensure that these persons can enjoy equal access to education and that they can enjoy awareness of their culture, history, languages and traditions as well as of those of the majority.

The Advisory Committee *finds* with concern that there is a shortage of teachers, special curricula and textbooks for schools offering teaching in and of minority languages. It is also concerned that there is a shortage of nursery schools for children belonging to national minorities. The Advisory Committee *finds* that the Syrians and the Yezidis are particularly affected by these difficulties and that in some cases Yezidi children are being subject to discriminatory attitudes on the part of certain pupils and teachers. The Advisory Committee considers that the authorities should take all necessary measures to rectify these shortcomings.

The Advisory Committee *finds* that certain initiatives have recently been taken in the field of access to education and *considers* that the authorities should develop these further, and attempt, as part of the current legislative process and in consultation with the persons concerned, to identify lasting solutions to the current difficulties.

3. AUSTRIA

The Advisory Committee notes that in Burgenland and Carinthia, the system of bilingual primary schools is a means to meet the requirements of Article 12 of the Framework Convention, one of the aims of which is to facilitate contacts among students and teachers of different communities. It is to be welcomed that these schools are becoming increasingly popular among parents, and that they are also attended by large numbers of pupils belonging to the majority population.

Regarding the preparation of textbooks, it seems that there is still a major shortage of books in Burgenland Croatian, and the Advisory Committee can only encourage the Federal and regional authorities to continue to support efforts to prepare and publish such textbooks in co-operation with Burgenland's Croat associations. More generally, the Advisory Committee considers that the authorities should make sure the needs in the field of textbooks for persons belonging to the various national minorities are met.

The Advisory Committee notes that the culture and language of national minorities are broadly disseminated in some of the autochthonous settlement areas of national minorities, mainly Burgenland and Carinthia, but that much remains to be done in other autochthonous settlement areas such as in Styria or Vienna. The Advisory Committee expresses the wish that the authorities will continue their efforts to increase the multicultural and multi-ethnic components of school curricula, particularly outside autochthonous settlement areas of national minorities.

The Advisory Committee welcomes the fact that, as a result of the determined efforts of the authorities in recent years, there are no longer any Roma attending special schools for mentally disabled children in the main autochthonous settlement area of this minority in Burgenland. It is of the opinion that other regions could draw inspiration from this achievement. The Advisory Committee notes that, for many Roma who have arrived in Austria more recently and live outside Burgenland, there is still a major need for additional educational measures. It considers therefore that the authorities should step up their support activities in this field so as to promote genuine equality of opportunities in access to education at all levels (see related comments under Article 4).

In respect of Article 12

The Advisory Committee *finds* that there is still a major shortage of textbooks in Burgenland Croatian. It *considers* that the Federal and regional authorities should continue to support efforts to prepare and publish such textbooks in co-operation with Burgenland's Croat associations. More generally, the Advisory Committee *considers* that the authorities should make sure the needs in the field of textbooks for persons belonging to the various national minorities are met.

The Advisory Committee *finds* that the culture and language of national minorities are broadly disseminated in some of the autochthonous settlement areas of national minorities, mainly Burgenland and Carinthia, but that much remains to be done in other autochthonous settlement areas such as in Styria or Vienna. The Advisory Committee *considers* that the authorities should continue their efforts to increase the multicultural and multi-ethnic components of school curricula, particularly outside autochthonous settlement areas of national minorities.

The Advisory Committee *finds* that there are no longer any Roma attending special schools for mentally disabled children in the main autochthonous settlement area of this minority in Burgenland but that there is still a major need for additional educational measures for many Roma who have arrived in Austria more recently and live outside Burgenland. The Advisory Committee *considers* that the authorities should step up their support activities in this area so as to promote genuine equality of opportunities in access to education at all levels.

4. AZERBAIJAN

The Advisory Committee supports international initiatives aimed at ensuring that history textbooks and other educational materials do not foster negative stereotypes of national minorities and considers that the results of such initiatives should be taken into account by the Azerbaijani authorities in their efforts to reach this goal.

The Advisory Committee notes that the limited availability of textbooks and teachers is an obstacle in the context of the teaching of many of the minority languages of Azerbaijan. For example, concerns have been expressed that the shortcomings with respect to up-dated textbooks in Lezgin, Talysh and Tat languages and lack of Kurdish teachers have hampered the development of education for the minorities concerned. The Advisory Committee welcomes the fact that the authorities, while referring to economic constraints, recognise that shortcomings exist in this sphere. The Advisory Committee suggests that this issue is kept under constant review by the Government with a view to addressing any shortcomings.

The Advisory Committee notes that Azerbaijan is currently introducing reforms concerning the role of the Azerbaijani language in education. While considering the aim to promote the Azerbaijani language in education to be fully legitimate, the Advisory Committee underlines that these reforms must be designed, implemented and monitored carefully so that they do not harm equal access of persons belonging to national minorities to education at all levels. In this connection, the Advisory Committee notes the concerns by certain representatives of national minorities that the increased requirements concerning the use of the Azerbaijani language and Latin alphabet notably in the context of higher education have been introduced without adequate preparation, resources and support for persons belonging to national minorities and that a more gradual transition would therefore have been preferable. The Advisory Committee encourages the authorities to keep this issue under constant review in consultation with representatives of national minorities and introduce amendments if necessary (see also related comments under Article 14 below).

In respect of Article 12

The Advisory Committee *finds* that international initiatives aimed at ensuring that history textbooks and other educational materials do not foster negative stereotypes of national minorities are important and *considers* that the results of such initiatives should be taken into account by the Azerbaijani authorities in their efforts to reach this goal.

The Advisory Committee *finds* that the limited availability of textbooks and teachers is an obstacle in the context of the teaching of many of the minority languages of Azerbaijan and *considers* that this issue should be kept under constant review by the Government with a view to addressing any shortcomings.

The Advisory Committee *finds* that Azerbaijan is currently introducing reforms concerning the role of the Azerbaijani language in education and that there are reports suggesting that certain aspects of the said reform have been introduced without adequate preparation, resources and support for persons belonging to national minorities. The Advisory Committee *considers* that the authorities should keep this issue under constant review in consultation with representatives of national minorities and introduce amendments if necessary.

5. BOSNIA AND HERZEGOVINA

The Advisory Committee notes that on-going discussions in the field of primary and secondary education essentially focus on the status of the Serbian, Croatian and Bosnian languages and curricula and the ways and means to put an end to the so-called “two schools under one roof”, i.e. separate classes for Croat and Bosniac pupils which still exist *de facto* in certain parts of the Federation, particularly in Canton 6 (Middle Bosnia) and Canton 7 (Herzegovina Neretva). The current reform, which was accepted by Bosnia and Herzegovina as a Council of Europe post-accession commitment, also aims at moving from three distinct curricula - and set of textbooks - to a common core curriculum supplemented by a “national group of subjects”. The unification process of some 52 schools in the Federation, which have operated separate and completely parallel systems while coexisting in the same school buildings, has however met with difficulties and resistance, notably from Croat officials arguing that they need to maintain their own school system in order to avoid assimilation.

The Advisory Committee underlines that in the case of Bosnia and Herzegovina, the principles set out in Article 12, paragraph 2 of the Framework Convention, namely to facilitate contacts among students and teachers of different communities, are of central importance. The need to promote the reconciliation process and to enhance national cohesion at all levels in the post-conflict rehabilitation phase makes it crucial to eliminate elements of segregation such as using separate entrances for the same school buildings or peer pressure encouraging intolerance towards pupils from another ethnicity. Moreover, efforts to introduce a common core curriculum should be instrumental in facilitating the integration of returnee children and student mobility, which remains a challenge given the number of displaced persons and refugees (see related comments under Article 6 above, paragraph 66). In a longer-term perspective, efforts should also be made to encourage common approaches to the remaining ‘national group of subjects’ as well. At the same time, the Advisory Committee emphasises that the education reform and the unification process should take place in a manner that fully respects the principles enshrined in Article 14 of the Framework Convention concerning teaching of/in minority languages and ensures that persons belonging to each of the three constituent peoples have an equal right to use their language, without discrimination.

Given the allocation of powers between the State and the Entities - and particularly the Cantons which are responsible for educational matters in the Federation -, there is an urgent need to coordinate matters in the field of education to ensure that the principles of Articles 12 and Article 14 of the Framework Convention are consistently reflected in legislation and practice throughout the territory of Bosnia and Herzegovina. The Advisory Committee therefore welcomes the adoption on 17 February 2004 of an “Action Plan on the Educational Needs of Roma and Members of Other National Minorities in Bosnia and Herzegovina” by the Entities and Cantonal Ministers of

Education. This Plan, which has been developed at the initiative of the OSCE following an eight-month consultation process with the various actors concerned, constitutes a sound basis for the competent authorities to try and meet the needs of the national minorities and especially the Roma. It builds upon three key instruments developed with the active participation of the Council of Europe: the May 2000 Education Agreement signed by the Ministers of Education of the three constituent peoples, the Education Reform Agenda, presented by the Ministers of Education and endorsed by the Peace Implementation Council in November 2002, as well as the 2003 Framework Law on Primary and Secondary Education in Bosnia and Herzegovina. The Action Plan calls for systematic action to ensure equal access to education for all and accommodation of educational needs for pupils belonging to national minorities.

As regards Article 12, paragraph 1 of the Framework Convention, the Advisory Committee notes that to date, measures to foster knowledge of the culture and history of national minorities are insufficient. As proposed by the Action Plan, such measures should be intensified with a view to giving all pupils a real chance to be acquainted with the multi-cultural character of Bosnia and Herzegovina. The Advisory Committee is indeed of the opinion that the benefits of inclusion and mainstreaming national minority issues into education could be instrumental in the post-conflict reconstruction effort.

Until recently, textbooks in the fields of history, literature, geography and social sciences have reportedly contained nationalist views and each school system (Bosniac, Croat and Serb) has presented its own interpretation of recent history. Against this background, the Advisory Committee welcomes the four-year process carried out by the Textbook Review Commission, which agreed to remove ethnically offensive terminology from some textbooks, to revise maps so as to present Bosnia and Herzegovina as a single State as well as to deal with controversial events from the past 10 years in a dispassionate way. The Advisory Committee encourages the authorities to continue this review process as well as the development of guidelines for history and geography textbook developers, an initiative supported jointly by the Council of Europe and the OSCE, to improve further the quality of textbooks.

The Advisory Committee is deeply concerned about the access of Roma children to education in Bosnia and Herzegovina. As recognised in the aforementioned Action Plan, a large majority of Roma children are unable to attend school due to their extremely poor living conditions. This often prevents their parents from providing them with proper clothing, textbooks and supplies. Transportation fees as well as small daily allowances for food are further obstacles faced by poor Roma families wishing to send their children to school. Discrimination and verbal harassment, including prejudicial attitudes towards the Roma by some teachers, school administrators and by other pupils, have also been signalled in some instances, which undermine Roma parents' confidence in the school system. The Advisory Committee therefore urges the authorities to tackle these problems with increased vigour. As a result of these and other factors, such as the lack of documentation for registration of children (see related comments under Article 4 above), the presence of Roma in schools is low and Roma pupils are nearly absent in the later grades of primary education and in secondary education. Reportedly, the percentage of Roma girls attending schools is much lower than that of the boys, a factor that merits increased attention from the authorities.

The Advisory Committee considers that the aforementioned Action Plan contains a number of proposed measures that, if properly implemented, could significantly improve the situation of the Roma in education. In this context, the Advisory Committee was pleased to learn that 4 Cantons of the Federation as well as the Republika Srpska have already set aside specific appropriations in their 2004 budget to start implementing the Action Plan. Other Cantons should follow suit and secure as a matter of priority funds, inter alia for procurement of textbooks, supplies, meals and

transport fees, as required by the Action Plan and by Article 18 of the 2003 Framework Law on Primary and Secondary Education. The Advisory Committee considers that successful implementation of this Action Plan will to a large extent depend on the degree of commitment of all the authorities concerned. The Advisory Committee finds it important that the authorities intensify their efforts in this sphere, in particular to monitor and support - including amongst Roma parents - the implementation of legal provisions concerning compulsory education and school attendance. This should be done in consultation with the persons concerned and also bearing in mind the principles contained in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

In respect of Article 12

The Advisory Committee *finds* that the principles set out in Article 12, paragraph 2 of the Framework Convention, namely to facilitate contacts among students and teachers of different communities, are of central importance in Bosnia and Herzegovina. It *considers* it crucial to eliminate elements of segregation such as using separate entrances for the same school buildings or peer pressure encouraging intolerance towards pupils from another ethnicity. The Advisory Committee also *considers* that the education reform and the unification process should take place in a manner that fully respects the principles enshrined in Article 14 of the Framework Convention.

The Advisory Committee *finds* that measures to foster knowledge of the culture and history of national minorities are insufficient. It *considers* that such measures should be intensified with a view to giving all pupils a real chance to be acquainted with the multi-cultural character of Bosnia and Herzegovina, as proposed by the “Action Plan on the Educational Needs of Roma and Members of Other National Minorities in Bosnia and Herzegovina”.

The Advisory Committee *finds* that problems concerning the access of Roma children to education are reason for concern, in particular since a large majority of Roma children are unable to attend school due to their extremely poor living conditions. The Advisory Committee *considers* that the aforementioned Action Plan contains a number of proposed measures that, if properly implemented, could significantly improve the situation of the Roma in education. It also *considers* that successful implementation of this Action Plan will to a large extent depend on the degree of commitment of all the authorities concerned and that the authorities should intensify their efforts in this sphere, in particular to monitor and support - including amongst Roma parents - the implementation of legal provisions concerning compulsory education and school attendance.

6. BULGARIA

The Advisory Committee notes that the Bulgarian education system lacks a tradition of promoting knowledge of minorities' culture, history, language and religion. At the present stage the curriculum and teaching resources contain few elements that would reflect the diversity of Bulgarian society and help the system open up to multiculturalism, the emphasis being placed more on the culture, values and history of the majority. Although minorities' cultures and history are studied in Bulgarian universities and research institutes, this cannot suffice to give an intercultural perspective to the entire Bulgarian education system, including at primary and secondary levels, so as to enable pupils to develop a spirit of tolerance and receptiveness to diversity (see also the comments relating to Article 6 above).

Whereas certain local authorities and representatives of the educational sector describe the climate in schools as being frequently one of tolerance and mutual respect, it is nevertheless clear that the deficiencies remaining in this regard are underestimated. The Advisory Committee notes with

concern that according to certain sources the information conveyed in history courses regarding certain minorities is often negative and presented in an excessively emotional manner, which is liable to strengthen existing prejudices. As to the Roma, their history, culture and traditions are virtually missing from the schoolbooks in current use. At the same time, the hostile attitudes towards Roma children which may be encountered in schools on the part of some teachers, pupils or parents are in turn liable to instil in the younger generation the negative image associated with this community.

The Advisory Committee encourages the authorities to revise history and literature textbooks and any other teaching instruments capable of conveying a damaging image of minorities and their cultures, and to take the necessary steps to remedy the deficiencies observed. It notes with interest the recent preparation, with active participation by non-governmental organisations, of educational instruments reflecting the history and culture of minorities, Roma included. Most of these instruments have been approved by the Ministry of Education and Science, and tested under pilot schemes. The Advisory Committee encourages the authorities to support reproduction and the distribution of these instruments in Bulgarian schools, and also to ensure an intercultural perspective in the training of future teachers.

The Advisory Committee notes in this respect that a Department for the Cultural Integration of Minorities was set up in 2001 within the Ministry of Education and Science which adopted an Instruction on integration of children and pupils belonging to minorities in September 2002. Likewise, it greets certain commendable initiatives in this area, such as the staff training programmes and the provision of “assistant teachers” in the schools concerned, the introduction of compulsory attendance for the first year of pre-school education, and more specific projects seeking fuller integration of Roma children into the school system. The Advisory Committee observes that these measures apply both to children and to the education of young people and adults, and are also designed to meet the needs of other groups subject to difficulties regarding education (Turks in particular).

Despite these measures, the Advisory Committee is deeply concerned over the difficulties facing the Roma in education. The Advisory Committee finds it most alarming, although the phenomenon has been acknowledged by the authorities and its elimination proclaimed as a priority, that nearly 70% of Roma children are kept apart in separate schools located in the Roma settlement areas where material conditions are inferior and the standard of education usually below what is generally characteristic of Bulgarian schools. The Advisory Committee considers that this situation places Roma pupils at a disadvantage and may form an impediment to the application, where they are concerned, of Article 12 and of the principle of intercultural dialogue stated in Article 6 of the Framework Convention. The Advisory Committee notes that the measures taken for streaming these pupils into mixed (“integrated”) schools, often in co-operation with non-governmental organisations, frequently encounter considerable difficulties including the hostility of certain school directors and teachers, and that the progress noted is limited. Moreover, it appears that the financial resources essential to their implementation did not back the specific measures envisaged in the Plan of Action adopted in September 2003.

The Advisory Committee is also deeply concerned by the fact that the unwarranted assignment of Roma children to the “special” schools for children with mental disabilities continues to be reported, a situation which is not compatible with Article 12 paragraph 3 of the Framework Convention. The Advisory Committee is pleased to learn that stricter criteria aimed at averting unwarranted enrolment of Roma children in such schools were introduced in 2002, and urges the authorities to ensure that the criteria are observed in future as well as to remedy the shortcomings observed here.

Besides the phenomenon described above, Roma are confronted with other serious problems regarding access to education, although various initiatives have been launched to improve matters (no fees for the pre-school year, introduction of preparatory classes intended for children belonging to minorities, etc.). The great socio-economic hardship of the families, the poor quality of the education delivered in the schools which they attend, the neglect of Romani in the education process, compounded by limited knowledge or ignorance of Bulgarian, have led to substantial numbers of Roma children not enrolling in, and dropping out, of school even before finishing elementary level. Levels of absenteeism are high, and school achievement levels discouraging. The Advisory Committee is deeply concerned that, according to non governmental sources, between the 1992 and 2001 censuses a dramatic increase of about 60% in the percentage of illiteracy among the Roma population was noted. The Advisory Committee urges educational authorities to take immediate action in this respect, including specific awareness raising measures directed towards the Roma families themselves.

In view of this overall situation of Roma children, the Advisory Committee urges the authorities to make all appropriate efforts to improve their educational position, ensuring systematic consultation of the families taking into account the principles set out in Recommendation No. (2000) 4 of the Committee of Ministers on the education of Roma/Gypsy children in Europe. Specific attention should also be paid in this context to the educational needs of young people and adults belonging to the Roma community.

Having taken note of a recent decision by the authorities to devise a long-term strategy for the school integration of children belonging to minorities, the Advisory Committee, while welcoming the decision, wishes to impress upon the authorities the urgency of finding solutions to the problems without further delay through concrete measures established in consultation with the persons concerned and coupled with the necessary resources.

In respect of Article 12

The Advisory Committee *finds* that despite the measures recently taken in this respect, equal opportunity in access to education is not yet secured to Roma, who continue to face difficulties such as their isolation in schools, unwarranted placement of some in "special" schools, poor school attendance, drop-out rates, increasing illiteracy, and lack of suitable teaching material. The Advisory Committee *considers* that the authorities should step up efforts to remedy the deficiencies observed and to promote the proper school integration of Roma children.

The Advisory Committee *finds* deficiencies in the promotion of knowledge of culture, history and traditions of minorities in Bulgarian education, and *considers* that the authorities should take positive measures to give the Bulgarian education system a genuine intercultural perspective conducive to tolerance and openness to dialogue and diversity.

7. CROATIA

The Advisory Committee welcomes the initiatives, co-ordinated by the Ministry of Education, to conduct independent reviews aimed at ensuring that history textbooks do not foster negative stereotypes of national minorities and considers that the resulting findings that contribute to the reaching of this goal should be fully implemented.

The Advisory Committee has been informed about the problems of securing adequate textbooks for persons belonging to national minorities especially in secondary schools. Considering the importance of the matter, the Advisory Committee suggests that this issue is kept under constant review by the Government with a view to addressing any shortcomings, including through bilateral co-operation.

While recognising that there appears to be no large-scale separation of Roma children within the educational system of Croatia, the Advisory Committee is highly concerned about reports that in certain schools, Roma children are placed in separate classes and school facilities are organised and operated in a manner that appears to stigmatise Roma pupils. The Advisory Committee stresses that placing children in separate special classes should take place only when it is absolutely necessary and always on the basis of consistent, objective and comprehensive tests. The Advisory Committee supports the efforts of the office of the Ombudsman to review this situation with a view to ensuring that Roma children have equal access to, and opportunities to continue to attend, regular classes. The Advisory Committee is aware of the reservations expressed by some Roma with respect to the integration of Roma pupils in regular classes and supports efforts to involve Roma parents and Roma organisations in the process aimed at remedying the current situation. The Advisory Committee considers that a key to reaching this aim is to secure that the education system reflects and takes fully into account the language and culture of the minority concerned, as stipulated in the principles contained in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe. The Advisory Committee notes that the Government of Croatia adopted in July 1998 a "Programme of Integration of Roma Children in the Educational and School System" which contains a number of useful ideas in this respect. The text of the Programme appears however rather cursory in nature, and the Advisory Committee considers that Croatia needs to develop, implement and evaluate further its measures aimed at improving the status of Roma in the educational system.

In respect of Article 12

The Committee of Ministers *concludes* that there exist important initiatives on independent reviews aimed at ensuring that history textbooks do not foster negative stereotypes of national minorities. The Committee of Ministers *recommends* that the findings of such reviews be fully implemented.

The Committee of Ministers *concludes* that there have been problems with regard to securing adequate textbooks for persons belonging to national minorities especially in secondary schools and *recommends* that the Government keep this issue under constant review with a view to addressing any shortcomings.

The Committee of Ministers *concludes* that in certain schools in Croatia, Roma children are reportedly placed in separate classes, and school facilities are organised and operated in a manner that appears to stigmatise Roma pupils. The Committee of Ministers *recommends* that this questions be reviewed, and necessary measures taken, with a view to ensuring that Roma children have equal access to, and opportunities to continue to attend, regular classes, bearing in mind the principles contained in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

8. CYPRUS

The Advisory Committee notes with approval the regulatory possibilities and budgetary support available for minority education in Cyprus at primary, secondary and higher levels of education and equally notes a high degree of satisfaction of persons belonging to national minorities in this respect. The Advisory Committee welcomes in particular the recent decision taken by the Government to establish an elementary school for the Maronites (see also comments under Article 5).

9. CZECH REPUBLIC

The Advisory Committee welcomes the considerable efforts made recently by the Czech Republic in the area of education with respect to the implementation of Article 12 of the Framework Convention. The Advisory Committee observes that the Government is self-critical with regard to the lack of attention given to the culture, history and language of national minorities in schools and deems it necessary to redouble efforts in this area (see comments under Article 6).

The system of so-called "special" schools has recently been the subject of much attention. While these schools are designed for mentally handicapped children, it appears that many Roma children who are not mentally handicapped are placed in these schools due to real or perceived language and cultural differences between Roma and the majority. The Advisory Committee considers that such practice is not compatible with the Framework Convention. The Advisory Committee stresses that placing children in such special schools should take place only when it is absolutely necessary and always on the basis of consistent, objective and comprehensive tests.

The "special" schools have led to a high level of separation of Roma pupils from others and to a low level of educational skills in the Roma community. This is recognized by the Czech authorities. Both governmental and civil society actors agree on the need for a major reform. There is however disagreement about the precise nature of the reform to be carried out, of the amount of resources to be made available in this respect and of the speed with which reforms are being implemented. The Advisory Committee is of the opinion that the Czech authorities should develop the reform, in consultation with the persons concerned, so as to ensure equal opportunities for access to schools for Roma children and equal rights to an ordinary education, in accordance with the principles set out in Committee of Ministers Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

The Advisory Committee notes with approval the initiatives that have been taken to establish so-called zero-classes, allowing the preparation of Roma children for basic school education, inter alia by improving their Czech language skills and would encourage these facilities being made more broadly available. Furthermore the Advisory committee considers the creation of posts of Roma pedagogical advisors in schools, a civil society initiative, to be a most positive step. The Advisory Committee encourages the State authorities in its efforts to ensure the increase and development of such posts. A further crucial objective remains to encourage a much higher number of Roma children accessing and successfully completing secondary education. The Advisory Committee notes that there appears to be no serious complaints about the possibilities for persons belonging to national minorities to receive an education, with the exception of those complaints relating to Roma.

In respect of Article 12

The Committee of Ministers *concludes* that, despite the measures taken in the field of education, insufficient attention is still paid to the culture, history and language of the national minorities in the Czech Republic's education system and *recommends* that the Czech authorities redouble their efforts in this area.

The Committee of Ministers *concludes* that the practice of placing a high percentage of Roma children in so-called "special" schools results in distinct separation of these children from the majority school population and the maintenance of low educational levels among persons belonging to the Roma minority. The Committee of Ministers *concludes* that such practice is not compatible with Article 12 of the Framework Convention. The Committee of Ministers *recommends* that the Czech Republic devise new measures to guarantee equal opportunities for access to schools for Roma children and for receiving a standard education in them, bearing in mind the principles set out in Committee of Ministers Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

The Committee of Ministers *concludes* that the steps taken by the Czech authorities to prepare Roma children for basic school education, through the so-called "zero" classes, are commendable, as is the creation of posts for Roma educational advisers in schools, and *recommends* that the authorities pursue these measures and take other initiatives to ensure that an increased number of Roma children will have access to secondary education and complete it successfully.

10. DENMARK

The Advisory Committee refers to its observations above concerning the scope of implementation. On the basis of the information currently at its disposal, the Advisory Committee considers that implementation of these articles does not give rise to any other observations.

11. ESTONIA

The Advisory Committee finds it laudable that the national curriculum underlines the importance of the identity of all ethnic groups living in Estonia. The Advisory Committee notes that careful implementation of this principle is essential and should also receive attention in the framework of the national integration programme in a manner that covers all national minorities of Estonia. The Advisory Committee also stresses that the teaching of minority languages for the persons belonging to the majority should be supported and encouraged as it contributes to the implementation of the principles contained in Article 12.

The Advisory Committee notes that the on-going reform of the educational system of Estonia (see also related comments under Article 14) has significantly increased the demand for the training of teachers. In particular, the teachers of schools with instruction in a minority language should be given increasing access to language and other training.

There are regrettably limited contacts between the pupils of minority language schools and those attending schools with Estonian as the language of instruction. The Advisory Committee finds it commendable that this concern has been identified in the context of the national integration programme and expresses the hope that the initiatives aimed at alleviating this problem will receive adequate resources.

The Advisory Committee notes that the public higher educational institutions have significantly limited the amount of instruction available in the Russian language. Considering the impact of this transition on persons belonging to national minorities, the Advisory Committee finds it important that the authorities concerned should assist those persons to adapt to this new language situation so as to ensure that the increasing focus on the Estonian language will not cause difficulties for persons belonging to national minorities with respect to their equal opportunities for access to higher education.

With regard to pre-school education, the Advisory Committee notes that the current legislation underlines the availability of Estonian language pre-schools. The Advisory Committee finds it important that this goal is achieved in a manner that also provides equal opportunities for access to such education for persons belonging to national minorities.

In respect of Article 12

The Committee of Ministers *concludes* that the national curriculum underlines the importance of the identity of all ethnic groups living in Estonia and *recommends* that this principle be carefully implemented and that it receive attention also in the framework of the national integration programme.

The Committee of Ministers *concludes* that the on-going reform of the educational system of Estonia has significantly increased the demand for the training of teachers and *recommends* that the teachers of schools with instruction in a minority language be given increasing access to language and other training.

The Committee of Ministers *concludes* that there are limited contacts between the pupils of minority language schools and those attending schools with Estonian as the language of instruction and *recommends* that the initiatives aimed at alleviating this problem be given adequate resources.

The Committee of Ministers *concludes* that the public higher educational institutions have significantly limited the amount of instruction available in the Russian language and *recommends* that persons belonging to national minorities are assisted so as to ensure that this development does not cause difficulties for persons belonging to national minorities with respect to their equal opportunities for access to higher education.

The Committee of Ministers *concludes* that the current legislation underlines the availability of Estonian language pre-schools and *recommends* that this goal be achieved in a manner that also provides equal opportunities for access to such education for persons belonging to national minorities.

12. FINLAND

Bearing in mind the concerns expressed to the Advisory Committee by several individuals belonging to national minorities regarding the relatively limited amount of information that is given on minorities in the general education system, the Advisory Committee finds it important that Finland ensure that textbooks, and the educational system in general, provide adequate information on minorities, including on their culture and language. As concerns the Roma, the Advisory Committee recognises that certain difficulties may arise in fostering knowledge of the Roma culture among the majority due to the reluctance on the part of some Roma to share information on certain aspects of their culture.

The Advisory Committee takes note of the reports according to which a relatively high proportion of Roma children are placed in special and adapted educational groups within the public school system, often due to language and cultural differences between the Roma and the majority. The Advisory Committee stresses that placing children in such special groups should take place only when it is absolutely necessary and always on the basis of consistent, objective and comprehensive tests. The Advisory Committee finds it important that Finland further explore, where appropriate, the possibility of taking alternative measures enabling children to stay in regular classes, such as individualised teaching plans, bearing in mind also the principles contained in the Committee of Ministers' Recommendation No R (2000) 4 on the education of Roma/Gypsy children in Europe.

Bearing in mind that, in the context of education, experiences gained by minorities at the day-care and pre-school level are often of central importance, the Advisory Committee regrets the fact that the commendable inclusion of the support of the Roma language and culture as one of the educational objectives of the Children's Day Care Decree has reportedly not had a real impact on the relevant practice at the local level.

The Advisory Committee welcomes the establishment of a Roma language board in the Finnish Research Centre for Domestic Languages with the aim to develop and research Roma language and expresses the hope that adequate resources will be allocated for the activities of this body.

While the Advisory Committee welcomes the fact that, under the Comprehensive School Act, Roma language may be taught as a mother tongue, it notes that, in 1998, such language classes were in fact available only in 8 municipalities. It appears that one reason for the limited availability of Roma language classes is the lack of qualified teachers. Therefore, the Advisory Committee is of the opinion that Finland should strengthen its efforts to provide opportunities for the Roma in the field of teacher training, taking into account the experience gained in the efforts to secure the training of teachers speaking Swedish or Sami languages.

In respect of Article 12

The Committee of Ministers *concludes* that several individuals belonging to national minorities consider the amount of information that is given on minorities in the general education system to be inadequate. The Committee of Ministers *recommends* that Finland ensure that textbooks, and the educational system in general, provide adequate information on minorities, including on their culture and language.

The Committee of Ministers *concludes* that, reportedly, a relatively high proportion of Roma children are placed in special and adapted educational groups within the public school system, often due to language and cultural differences between the Roma and the majority. The Committee of Ministers *recommends* that Finland ensure that such placing in special and adapted groups takes place only when it is absolutely necessary and always on the basis of consistent, objective and comprehensive tests. The Committee of Ministers also *recommends* that Finland explore further, where appropriate, the possibility of taking alternative measures enabling children to stay in the regular classes.

The Committee of Ministers *concludes* that the inclusion of the support of the Roma language and culture as one of the educational objectives of the Children's Day Care Decree has reportedly not had a real impact on the relevant practice at the local level. The Committee of Ministers *recommends* that Finland take further measures to ensure that this objective is reflected in the relevant practice.

The Committee of Ministers *concludes* that a Roma language board has been established in the Finnish Research Centre for Domestic Languages but that no staff resources have been allocated for this purpose. The Committee of Ministers *recommends* that Finland allocate adequate resources for the activities of this body.

The Committee of Ministers *concludes* that the limited availability of Roma language classes appears to be, to a certain extent, caused by the lack of qualified teachers. The Committee of Ministers *recommends* that Finland strengthen its efforts to provide opportunities for the Roma in the field of teacher training.

13. GEORGIA

Teaching of or in minority languages

The Advisory Committee notes with interest that a large, albeit declining, number of schools still exist in Georgia which provide teaching in minority languages, or which have minority language sections while providing teaching in Georgian, or vice versa. Most of the teaching concerned is in Armenian, Azeri, Russian, Greek or Ossetian. In some schools which provide teaching in Georgian, minority languages are also taught. The Advisory Committee nevertheless notes that the system, as it exists, faces a number of difficulties.

Firstly, the schools which teach in a minority language face a general lack of resources, especially quality textbooks. For years the schools have made use of textbooks supplied by neighbouring countries, which do not correspond to the Georgian curriculum, placing their pupils in a situation of inequality with their counterparts attending schools which teach in Georgian. The Advisory Committee is pleased to note that textbooks are now being translated into the minority languages, and that new textbooks are being prepared in those languages. These new books should, *inter alia*, make possible higher-quality teaching of minority languages as first languages, and of Georgian as a second language. This process, however, still encounters difficulties insofar as the distribution of these textbooks does not yet reach all the schools concerned, and problems still exist in terms of the quality and cost as well as the training of teachers to work with these new tools. The teaching of or in certain minority languages is also made difficult in some cases by the absence of any textbooks. One example of this is the Ossetian school in Tbilisi, which has hitherto used textbooks from Tskhinvali, now no longer available since the conflict of August 2008.

The Advisory Committee notes with concern that significant shortcomings also remain in the training of teachers both of and in minority languages. Furthermore, although a few programmes exist in this field, opportunities to train teachers for minorities' schools are very limited. In many cases, teachers employed to teach Georgian in regions where persons belonging to national minorities live in substantial numbers do not know the minority language(s), making communication with the pupils and their parents very difficult. Similarly, most school heads belong to the majority population and do not speak these languages. Furthermore, the potential number of teachers and school heads from national minorities who have a good command of minority languages is in steady decline, as a result of the difficulties experienced by students educated in a minority language who seek access to higher education (see comments in paragraphs 131 to 133 below).

Opportunities to study certain minority languages, such as Kurdish and Assyrian, at school are non-existent at present. The Advisory Committee notes in this respect that, as a result of the devolution of educational administration and the discretion enjoyed by individual school councils (most of the members of which belong to the majority population) to choose the subjects that the school will

offer, minority languages have little chance of being taught, particularly those of the numerically smaller minorities. Efforts to preserve these languages and to ensure that they are taught depend almost wholly on the communities concerned.

The Advisory Committee therefore calls on the Georgian authorities to continue and step up their efforts to make available quality school textbooks and to develop an effective system to prepare teachers to work with pupils belonging to national minorities in Georgian and in minority languages. It is important for the representatives of national minorities to be involved in these processes. The Advisory Committee also emphasises the importance of promoting the recruitment and retention as teachers of persons belonging to national minorities. Furthermore, more support should be given to the teaching of the languages of numerically smaller minorities.

Equal opportunities in the education system

The Advisory Committee notes that a wide-ranging reform of the education system is under way. Where national minorities are concerned, the authorities have told the Advisory Committee that their objective is to move towards a multilingual education system enabling quality teaching of both the Georgian language and minority languages to be provided, with a view to promoting the integration of persons belonging to national minorities. In addition, the authorities wish to harmonise the provision of education in the Georgian language and that in the minority language, so that all pupils are on an equal footing, particularly where school curricula are concerned. A number of bilingual schools have been set up in regions where persons belonging to minorities live in substantial numbers, and it is planned to extend this model to 40 schools in the country. The Advisory Committee welcomes these developments, and expects them to lead to true equal opportunities in the school system between pupils belonging to national minorities and those belonging to the majority.

However, a number of concerns relating to educational reform have been drawn to the Advisory Committee's attention. The requirement for history, geography and literature to be taught in the Georgian language from 2010-2011 causes understandable concern to many of the parties to whom the Committee spoke, who took the view that pupils and teachers who do not speak Georgian will not be ready in time to cope with this change. In addition, a system of funding based on pupil numbers has been introduced (in place of the funding per class which previously applied), and according to the representatives of national minorities, this favours neither the schools which teach in minority languages nor the bilingual schools. The Advisory Committee points out that it is important to ensure that implementation of educational reform does not have discriminatory effects on persons belonging to national minorities, and thus to take account of the specific circumstances prevailing in certain regions.

One of the main concerns expressed to the Advisory Committee by the representatives of national minorities relates to access to higher education. A compulsory university entrance examination was introduced in 2005, comprising a test in the Georgian language and literature, which represents a considerable obstacle to students from the minority-language education system. Such students have an extremely low pass rate, so their presence at Georgian universities has fallen very significantly since 2005. This results in many students from the minority-language education system continuing their higher education abroad, after which they reportedly tend not to return to Georgia. In the Advisory Committee's opinion, the emigration of a portion (the best educated) of the young persons who belong to national minorities is a cause for great concern. Furthermore, those who stay in Georgia see their opportunities to get into the labour market restricted by their lack of access to higher education.

The Advisory Committee notes with satisfaction that the authorities have been endeavouring since 2006 to put a stop to the discriminatory effects of the university entrance examination on students belonging to national minorities; the most recent change came in 2008, when it was made possible for part of the examination (the “general competences test”) to be taken in Armenian or in Azeri. Courses to prepare students for the examination have also been organised, and the Georgian authorities have given the Advisory Committee a description of some new plans along the same lines. However, such efforts have to date been largely inadequate and have neither countered effectively the discriminatory effects of the university entrance examination nor reversed the tendency for students from national minorities to continue their studies abroad. This situation of *de facto* exclusion from higher education of students belonging to national minorities is incompatible with the principle of equal opportunities for all in the education system, as set out in Article 12, paragraph 3 of the Framework Convention.

Furthermore, several representatives of the Armenian minority emphasised their wish for the creation in the region of Samtskhe-Javakheti of either an Armenian-language university (also see the comments in this respect under Article 13 below) or a multilingual university, with the Akhalkalaki branch of Tbilisi State University currently offering teaching only in Georgian, in conformity with the Law on Higher Education, which establishes Georgian as the language of higher education (except where there is an agreement with another State; see the comments under Article 13 below). The Advisory Committee takes the view that the establishment of a higher education institution offering courses in several languages, including those of the national minorities, could facilitate the access to higher education of persons belonging to national minorities.

In addition, the Advisory Committee regrets that, according to the information received, the vocational training available to persons belonging to national minorities, especially in the regions where they live in substantial numbers, is limited. This deficiency further aggravates the exclusion of these persons from the labour market.

The Advisory Committee urges the Georgian authorities to take, forthwith, all the necessary measures to guarantee effective equality of opportunities for persons belonging to national minorities in respect of access to higher education. It also calls on them to continue and step up their efforts to ensure that persons belonging to national minorities have equal access to quality education, in accordance with the principles of the Framework Convention.

Teaching of the Georgian language

The Advisory Committee considers that the teaching of the Georgian language to persons belonging to national minorities who have insufficient command of it is one of the main challenges facing the Georgian authorities in the context of the implementation of the Framework Convention. In fact, as already referred to at length in the present Opinion, lack of knowledge or inadequate proficiency in the Georgian language prevents such persons in a number of cases from fully enjoying the rights guaranteed by the Framework Convention. It constitutes a significant obstacle to the full participation in the life of Georgian society of the persons belonging to national minorities. The increasingly strict application of the legislation on the state language (see the comments under Articles 4 and 10 above) may well further marginalise a significant number of these persons.

The Advisory Committee notes that a number of measures have been taken in recent years to help the persons belonging to national minorities who do not know Georgian to learn it. The authorities, for instance, support the substantial efforts made by the “language centres” in the regions of Kvemo-Kartli and Samtskhe-Javakheti. Furthermore, the Advisory Committee notes with interest that the persons concerned are showing a greater interest in acquiring a good knowledge of

Georgian. However, the authorities' efforts still seem to be very much insufficient, and do not meet the many needs that exist (teaching of Georgian in schools, bilingual teaching, adult education, teacher training, etc), especially in rural regions where the persons belonging to minorities have few opportunities to study Georgian. In addition, according to the Advisory Committee's information, the quality of teaching and the methods used are frequently inadequate, and there is a shortage of qualified teachers to teach Georgian as a second language. The measures taken to date and the lack of dialogue have sometimes also given rise to reactions of rejection among national minorities, which at times regarded the measures concerned as having been taken in order to assimilate them. The Advisory Committee considers that this situation raises issues of compatibility with the requirements of Article 14, paragraph 3 of the Framework Convention.

The Advisory Committee therefore urges the Georgian authorities to make every effort to improve substantially the availability of the teaching of the Georgian language, emphasising teacher training and the writing of textbooks, and ensuring a coordinated response to the many needs that exist. It recommends that the authorities, in close consultation with persons belonging to national minorities, work out a comprehensive long-term action plan, with the emphasis on support measures rather than on measures which give rise to greater exclusion. Furthermore, it is particularly important for the promotion of the learning of Georgian to go hand-in-hand with measures to protect and develop the languages and cultures of national minorities, as stipulated by the principles set out in the Framework Convention.

Intercultural education

As already pointed out under Article 6 above, the Advisory Committee deplores the lack of information, or sometimes biased information, about the history, religion and culture of national minorities in the textbooks and other materials used in schools. This deficiency, sometimes coupled with a situation of isolation from Georgian society and with linguistic difficulties, is responsible for a very low level of exchanges between pupils and teachers belonging to national minorities and those belonging to the majority. In this context, the Advisory Committee welcomes the efforts made by the authorities to facilitate exchanges between schools in the regions where national minorities live and those in other regions of the country. It strongly encourages the authorities to continue this kind of programme and make it more widely available.

A particular problem arises in respect of history teaching, with the persons belonging to national minorities disputing the way in which their history is presented in school textbooks. The Advisory Committee is aware that history teaching is a highly sensitive subject in the Caucasus. It nevertheless calls on the Georgian authorities to ensure an objective and pluralistic approach to the teaching of history and to improve the content of history textbooks, drawing on proposals that might be made by boards of historians including persons belonging to national minorities. It points to the potential usefulness in this context of the Council of Europe's work on history teaching.

Concerning Articles 12 and 14

The Advisory Committee *finds* that there is still a large number of schools offering instruction in minority languages, but that they are faced with a general lack of resources, particularly by way of good quality textbooks and teacher training. It *finds* moreover that the efforts to preserve the languages of the numerically smaller groups rely almost entirely on the communities concerned.

The Advisory Committee *considers* that the authorities should intensify their efforts regarding the supply of good quality textbooks and develop an effective system of training for teachers who work with pupils belonging to national minorities. It also *considers* it important to promote the recruitment, and the retention in service, of teachers from the national minorities. Lastly, more support should be given to the teaching of the languages of numerically smaller minorities.

The Advisory Committee *finds* that an extensive reform to the education system is being implemented, giving rise to a number of concerns among persons belonging to national minorities, particularly in relation to the impact, on their language rights, of the extension of the compulsory use of Georgian at school. The Advisory Committee *considers* it important to ensure that the implementation of the reform to education does not have discriminatory effects for persons belonging to national minorities.

The Advisory Committee *finds* that the compulsory university entrance examination, which comprises a test in Georgian language and literature, forms a considerable obstacle for students who have studied in the education system in a minority language. The Advisory Committee *considers* that the Georgian authorities should effectively guarantee equal opportunities for persons belonging to national minorities in access to higher education.

The Advisory Committee *finds* that the authorities' efforts as regards teaching of the Georgian language to persons belonging to national minorities remain largely insufficient and do not meet the many needs that exist. The Advisory Committee *considers* that the authorities should set about substantially improving the availability of teaching of Georgian, and that it would be expedient to develop an overall long-term action plan in close consultation with persons belonging to national minorities, with the twofold aim of promoting the learning of Georgian and protecting and promoting the languages and cultures of national minorities.

The Advisory Committee *finds* that school textbooks are lacking information on the history, religion and culture of national minorities, or contain sometimes biased information. It *considers* that the authorities should continue and intensify their efforts to facilitate exchanges between pupils and teachers from different regions and communities, and that they should also ensure an objective and pluralistic approach to history teaching.

14. GERMANY

As mentioned above (see the comments on Article 5), education is mainly the responsibility of the *Länder* and so it is largely up to them to promote the culture, history, language and religion of national minorities. The German authorities acknowledge that the culture and language of national minorities is given considerably more exposure in the areas traditionally inhabited by these minorities than in other German regions. The Advisory Committee hopes that the authorities will continue in their efforts to extend the multicultural and multi-ethnic content of school curricula, even in areas outside those traditionally inhabited by national minorities.

15. HUNGARY

The Advisory Committee welcomes the important efforts made by the Hungarian authorities in the field of minority education set out in the State Report. Without seeking to detract from these achievements, the Advisory Committee points out that, in its contacts with national minority self-governments, it has learned that there is still, for a number of minorities, a shortage of available textbooks in the minority language and/or a shortage of qualified teachers. In such circumstances, it is difficult to offer an education in bi-lingual schools and native language schools, which is of the same quality as that offered in Hungarian. The statistics provided by the Government indicate that it is but a small percentage of parents that choose these forms of minority language education. Although many factors ultimately influence their choice, this unsatisfactory situation may discourage parents from opting for an education where most subjects are taught in the minority language. In this context the Advisory Committee is concerned about reports that additional funding

which is made available at the level of the central government to cover additional costs for minority education does not have the desired effect. Apparently this additional source of income for minority schools is offset in several cases by a reduction of expenditure by the local self-governments, so that, in effect, the total amount of resources available for minority schools is not increased. The Advisory Committee considers that the Hungarian authorities should investigate this question as a matter of urgency and take action to remedy any such undesirable effects in order to ensure that the full range of options provided for at the regulatory level is indeed open in practice.

The Advisory Committee is deeply concerned about the position of Roma in the field of education, which significantly differs from that of other minorities and the majority in Hungary.

The Advisory Committee is deeply concerned about the well documented cases of improper treatment of Roma children in the field of education, notably through putting them in “special schools”, which are reserved ostensibly for mentally disabled children. The Advisory Committee stresses that placing children in such special schools should take place only when it is absolutely necessary on the basis of consistent, objective and comprehensive tests, which avoid the pitfalls of culturally biased testing. It considers it a positive step that the existence of and the need to address this unacceptable phenomenon has been recognised by the Ministry of Education. The Advisory Committee considers that the current situation is not compatible with Article 12(3) of the Framework Convention and must be remedied.

The Advisory Committee is further concerned about the disproportionately low number of Roma students successfully completing secondary and higher education. This problem too is recognised by the Government and the Advisory Committee notes that the Government has engaged in developing medium and long-term approaches to remedy the situation. The Advisory Committee concludes that the current situation needs considerable improvement and that progress in this area should be regularly reviewed.

A further phenomenon in the field of education appears to be the *de facto* increasing separation of schools, already mentioned under Article 6(1) above, where parents withdraw their children from schools where Roma children go. Furthermore, the reluctance of Roma parents to send their children to kindergarten appears to express a lack of confidence in the educational system. Whereas the Hungarian authorities obviously should pay due respect to the principle of parental choice, they must at the same time not remain passive before these undesirable developments and take measures to counteract them. In addressing all these issues, the Advisory Committee considers that the Hungarian authorities should pay due attention to Recommendation No. R (2000) 4 of the Committee of Ministers to member states on the education of Roma/Gypsy children in Europe.

In respect of Article 12

The Committee of Ministers *concludes* that there is still, for a number of minorities, a shortage of available textbooks in the minority language and/or a shortage of qualified teachers. Furthermore it *concludes* that there is reason for concern about additional funding which is made available at the level of the central government to cover additional costs for minority education not having the desired effect. The Committee *recommends* that Hungary investigate this matter as a matter of urgency and take action to remedy any undesirable effects and also take all other measures necessary in order to ensure that the full range of options provided for at the regulatory level is indeed open in practice.

The Committee of Ministers *concludes* that the practice of improper treatment of Roma children in the field of education, notably through putting them in “special schools”, which are reserved ostensibly for mentally disabled children is not compatible with Article 12(3) of the Framework Convention and must be remedied.

The Committee of Ministers *concludes* that a disproportionately low number of Roma students successfully complete secondary and higher education. The Committee of Ministers *concludes* that the current situation needs considerable improvement and *recommends* that progress in this area be regularly reviewed.

The Committee of Ministers finds that there appears to be an increasing de facto separation of schools, where parents withdraw their children from schools where Roma children go. It *recommends* that the Government should not remain passive before these undesirable developments and take measures to counteract them.

In addressing all these issues, the Committee of Ministers *recommends* that Hungary pay due attention to Recommendation No. R (2000) 4 on the education of Roma/Gypsy children in Europe.

16. IRELAND

The Advisory Committee recognises the particular challenges facing both the Government and the Traveller community concerning the education of Traveller children.

The Advisory Committee understands that Traveller children have in the past faced serious problems and marginalisation in relation to access to education, particularly in relation to school exclusion, segregated education, attainment levels and dropout rates. While the situation has clearly improved in certain respects, problems continue to persist.

The Advisory Committee is aware of alleged incidents of Traveller children being rejected or excluded from schools as well as cases of racism and bullying in schools. The Advisory Committee is aware that the Government recognises the importance of acting when such incidents are notified to it and encourages the education authorities to act promptly to deal with such complaints.

The Advisory Committee is pleased to note that at primary school level, near full enrolment of Traveller children has been recorded. The Advisory Committee notes in this respect the important contribution made by the Visiting Teacher Service to this progression. The Advisory Committee however notes with concern that while initial enrolment rates at second level are improving considerably, very few Traveller children complete second level education and a handful of Travellers go on to third level education. The Advisory Committee considers that the authorities should step up their efforts to improve this situation, including through providing investment and support for community and school based strategies. The Advisory Committee also considers that an independent evaluation of Traveller education within the education process could contribute to the creation of a full strategy for tackling issues in this field.

The Advisory Committee is concerned that, while statistics are not available on attainment levels of Traveller children, there is evidence that the levels of literacy of some children remains particularly low. The Advisory Committee considers that further measures are required in order to address this situation.

The Advisory Committee considers that further steps should be taken to foster knowledge of the culture, history, language and religion of minorities and the majority in Ireland. In this, particular attention should be placed on reviewing the school curricula, improving relevant educational materials, including history and other textbooks, and ensuring that all teachers develop the skills necessary to combat discrimination and promote respect for diversity in their work.

The Advisory Committee notes the publication of guidelines by the Department of Education and Science on Traveller education at primary and post-primary school level. The Advisory Committee considers that it is important that these guidelines, which promote an understanding of the Traveller culture, history and language in an intercultural context, be implemented and that teachers receive in-service training on these guidelines.

The Advisory Committee is pleased to note that segregated teaching of Traveller children has largely been phased out. The Advisory Committee nonetheless notes from the information submitted by the Government that there remains one segregated unit attached to a school, a small number of culturally specific primary schools for Travellers, several Training Centres for teenage Travellers and a number of pre-schools for Traveller children.

The Advisory Committee understands that the Government is currently examining whether it would be in the best interest of the Traveller community to phase some of these out. The Advisory Committee is of the opinion that Traveller children share the need for contact with children from different backgrounds and that the placing of Traveller children in separate educational facilities only on the basis of their Traveller background gives rise to deep concern from the point of view of Article 12 of the Framework Convention. While the Advisory Committee understands the need to cater for the specific needs of Traveller children, including through the provision of additional resource teachers for children with special needs, the authorities should take full account of the long-term interests of both Traveller children and other children to be educated together in an integrated environment.

The Advisory Committee attaches particular importance to early childhood care and education. This is not only important for Traveller children, but it also has an impact on the ability of Traveller parents to participate effectively in a range of areas affecting them (see also under Article 15 below). The Advisory Committee understands that the Department of Education and Science is awaiting a Composite Pre-School Evaluation Report which should form the basis of discussions and further policies in this area and the Advisory Committee hopes that due attention will be given in this report to satisfying fully the needs of Travellers including in relation to integrated early childhood care and education.

The Advisory Committee notes that there is a lack of qualified teachers from the Traveller community although notes that there are a number of teachers and assistants from the Traveller community in Traveller pre-schools. While the Advisory Committee understands that there are active discussions concerning a mentoring programme to support Travellers interested in teaching, further efforts are required to ensure the graduation of qualified teachers from the Traveller Community in the future.

The Advisory Committee recognises that a large number of important steps have been taken to improve the access of Traveller children to education. This is attested to in the First Progress Report of the Committee to Monitor and Co-ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community. The Advisory Committee notes however that with such a wide range of issues to be dealt with, it is particularly important to develop a full Traveller

Education Strategy. The Advisory Committee welcomes the fact that such a Strategy is being discussed by the Advisory Committee on Traveller Education and hopes that priority is given to this strategy drawing inspiration from the Committee of Ministers' Recommendation No. R (2000) 4 on the education of Roma/Gypsy children in Europe.

In respect of Article 12

The Advisory Committee *finds* that there are particular challenges facing both the Government and the Traveller community concerning the education of Traveller children.

The Advisory Committee *considers* that the Education authorities should act promptly to deal with complaints of Traveller children being rejected or excluded from schools and incidents of racism and bullying in schools.

The Advisory Committee *finds* that very few Traveller children complete the final year of secondary education and only a few go on to third level education and *considers* that the Government should step up its efforts to improve the situation.

The Advisory Committee *considers* that further measures are necessary in order to address the levels of literacy of some Traveller children.

The Advisory Committee *considers* that further steps should be taken to foster knowledge of the culture, history, language and religion of minorities and that the authorities should be particularly sensitive to the needs of Traveller children in this respect.

The Advisory Committee *finds* that while segregated teaching of Traveller children has been largely phased out, there remain certain separate educational facilities. The Advisory Committee *considers* that the authorities should take full account of the long-term interests of both Traveller children and other children to be educated together.

The Advisory Committee *finds* that there is a lack of qualified teachers from the Traveller community and *considers* that further efforts are required to ensure the graduation of qualified teachers from the Traveller community in the future.

17. ITALY

The Advisory Committee commends the considerable efforts made by the Italian authorities in the education of minorities resident in regions with self-governing status. It also welcomes the scope provided by Law No. 482 of 15 December 1999 for fostering study of the languages and cultural traditions of persons belonging to the historical linguistic minorities. It expresses the wish that the authorities will take full advantage of this law to increase the multi-cultural and multi-ethnic component of school syllabi and to facilitate purchase and/or publication of schoolbooks. More generally, the Advisory Committee hopes that efforts to increase knowledge about minority cultures will be enlarged for the benefit of the majority as well as of the minorities.

With regard to paragraph 3, the situation of Roma in the educational field gives rise to deep concern and differs appreciably from that of the other minorities and of the majority, so that equal opportunity in access to education is not yet secured to this minority.

The abnormally high level of absenteeism among Roma pupils forms one of the main obstacles to be eliminated. This absenteeism admittedly has varied and complex causes, but the Advisory Committee feels that in general state education should accentuate the language and culture of the Roma minority more than at present, in accordance with the principles set out in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe. The transportation problems facing Roma pupils who live in camps remote from schools, and the precarious financial circumstances of many parents, are also factors of absenteeism which should be addressed. Some moves have already been made at local and regional level to aid school bus services and relieve the parents' lack of means. The Advisory Committee nonetheless considers that the Italian authorities should redouble their efforts in this connection.

In respect of Article 12

The Committee of Ministers *concludes* that the level of absenteeism among Roma pupils is abnormally high; it *recommends* that the authorities redouble their efforts to combat this tendency and give the language and culture of the Roma minority more prominence, in accordance with the principles stated in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

18. KOSOVO¹

Article 12

Intercultural contacts in education

The Advisory Committee considers that the implementation of the principles of Article 12 of the Framework Convention is of central importance in order to ensure that the Kosovo school system is designed in a way that promotes inter-ethnic dialogue and mutual understanding. Determined action by the authorities is needed in order to address the mistrust and inter-ethnic tension that are still deeply felt in the Kosovo society. The Advisory Committee recognises that the challenges faced by the authorities are immense: they have to deal with the legacy of the past as well as with the post-conflict political atmosphere which risks making education a political battle field.

The continuous operation of "parallel schools", financed by the Serbian Ministry of Education and Sports and following the Serbian curriculum, means the *de facto* existence of a separate school system. While perpetuating the distance of Serbian pupils from the majority community, the existence of the parallel school system also reflects the lack of trust and the security concerns within the Serbian community vis-à-vis the Kosovo educational institutions. This poses a serious challenge to the prospect of achieving a unified education system.

In today's Kosovo, notwithstanding the existence of some shared school initiatives, the possibility for Serb and Albanian pupils to interact in the context of the school system is often non-existent and their mere co-existence in the same school is also difficult to achieve. Indeed, the Advisory Committee finds that there is still a widespread perception that attending shared schools is not safe. This feeling was aggravated by the events of March 2004, during which Serb schools were also targeted. The above-mentioned security concerns have prompted Serb students to travel to enclaves in order to receive education, despite difficult transportation conditions. In view of the above, the Advisory Committee finds that the authorities should give strong support to the design of a comprehensive plan which would endeavour to remove the existing barriers between Albanian and

¹ All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

Serbian pupils, including by paying increased attention to this issue in the context of the Kosovo Standards Implementation Plan.

Multicultural content of education

Education has a key role to play in the reconciliation process. Determined efforts by the competent authorities are needed to ensure that tolerance and diversity are duly reflected in all components of the education system. In this connection, the Advisory Committee welcomes the fact that a new unified curriculum, which is applicable also for pupils from minority communities, was developed in 2002 according to European standards. The Advisory Committee notes that this curriculum includes specific elements designed for Bosniac and Turkish communities respectively and that work is being done to adapt it to the needs of Serbian pupils in selected grades.

While this is a positive development, the Advisory Committee finds it essential that increased efforts are made to provide updated pedagogical materials that take into account the contribution of all communities to the Kosovo society (see also Article 14). In this connection, the Advisory Committee notes that members of the Ashkali and Egyptian communities have complained that their respective cultures and traditions are not reflected in the revised curriculum or in textbooks. The Advisory Committee encourages the competent authorities to duly take into account these comments in their future efforts to enhance the quality of education in Kosovo and to make sure that sufficient consultation of representatives of all communities is included in initiatives in the education field.

The educational situation of Roma, Ashkali and Egyptians

The Advisory Committee is particularly concerned with the situation of Roma, Ashkali and Egyptian pupils with regard to their access to education. The educational situation of these communities is characterised by extremely low enrolment rates and a high drop-out rate. The schooling situation is particularly alarming among girls belonging to these communities. The Advisory Committee understands that there is a constellation of factors explaining their poor educational situation, including the vulnerable socio-economic conditions in which these communities are living. With regard to the Roma, the lack of awareness among the community itself of the importance of education is also an obstacle as is the related absence of awareness among parents of the need to register their children in order to have access to a number of services, including education. The Advisory Committee is aware that some positive initiatives are being implemented by NGOs from these communities in liaison with pupils' parents to remove these obstacles. Such initiatives are commendable and should be encouraged and provided with adequate support.

The Advisory Committee notes that a large number of Roma, Ashkali and Egyptians have been outside the school system for the last years and need to be re-integrated into the education system. The Advisory Committee welcomes the efforts made by the Ministry of Education, Science and Technology (MEST) with the support of the OSCE and international NGOs to address this problem by providing catch-up classes for children from these communities in order to help them integrate into regular schools. The Advisory Committee finds it encouraging that the first results of this intensive programme have been assessed positively, including by members of these communities. The Advisory Committee considers that it is important that the sustainability of such a programme is ensured, not only by allocating sufficient financial means but also by ensuring that adequate teaching staff is assigned to this programme in order to ensure its quality. The Advisory Committee was also informed that Roma girls appear to have insufficiently benefited from this programme and recommends therefore that specific attention be paid to this issue.

The Advisory Committee finds it positive that the placing of Roma in “special schools” is apparently not a practice that exists in Kosovo. The Advisory Committee is, however, concerned about reported problems of harassment, intimidation and stigmatization among pupils belonging to this community as well as among pupils from the Ashkali and Egyptian communities. Such phenomena are reportedly rarely addressed by the school authorities. The Advisory Committee stresses that educational institutions have a specific duty to react with vigour to such phenomena. Further action should be taken by the authorities to improve the position of these communities in the education system, drawing on the principles contained in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe. More generally, the Advisory Committee finds that while there are valuable sectoral and local initiatives, a Kosovo-wide comprehensive strategy covering the education of these communities needs to be designed in order to assist them in successfully integrating and staying in schools while maintaining their specific identities.

Access to higher education

With regard to access to higher education, the Advisory Committee notes that UNMIK Regulation No. 2003/14 on the Promulgation of a Law adopted by the Assembly of Kosovo on Higher Education in Kosovo provides that higher education carried out by licensed providers in Kosovo “shall be accessible to all persons in the territory of Kosovo (...) without direct or indirect discrimination on any actual or presumed ground such as national, ethnic (...) origin, association with a national community”. The Advisory Committee notes that while a system of quotas for minority communities is now in place in the University of Prishtinë/Priština since 2004 in order to increase their participation in higher education, education in this university is delivered only in Albanian with the possibility of taking exams in Serbian. This however does not respond to the needs of the Serbian or Bosnian speaking communities. These communities can receive higher education in their language only through parallel structures (see below paragraph 94) or at the Business School in Pejë/Peć or the Faculty of Pedagogy of the University of Prizren, which deliver education in the Bosnian language.

The Advisory Committee notes that access to higher education for members of minority communities is further complicated by the implementation of the educational reforms, adopted by Kosovo in 2002. The reforms pursue the commendable goal of adapting the system to European education standards. However, as a result, the system in Kosovo differs from those educational systems of the region that have not yet undergone similar reforms. This has created additional obstacles for members of the Slavic speaking communities in receiving higher education in the universities outside Kosovo in Serbia and Montenegro and elsewhere in the region. In particular, the Gorani community is under pressure to adapt to this new system, which does not necessarily correspond to the educational needs of all pupils belonging to this community. While annual exemptions from the applicability of the new system have been granted by the MEST up until this year, it appears that the authorities are no longer willing to show such flexibility. The Advisory Committee finds it important that, pending wider implementation of the educational reforms in the region, the MEST shows flexibility regarding this issue and finds a solution, through the possible continuation of the exemption system, so that the education process of those members of the Gorani community who have not yet integrated into the new education system, is not disrupted as is presently the case.

The Advisory Committee notes that, further to UNMIK Regulation No. 2003/14 on the Promulgation of a Law adopted by the Assembly of Kosovo on Higher Education in Kosovo, the University of Northern Mitrovicë/Mitrovica was effectively legalised. This University, which is managed by the Serbian authorities, is the sole University providing higher education in the Serbian language within Kosovo. Pupils from this University include not only Serbs but also Bosniacs,

Gorani and others who are not able to follow university education in Albanian. The Advisory Committee was informed about allegations according to which students graduating from Northern Mitrovicë/ Mitrovica University, whose diplomas are recognised *de jure* (notwithstanding current difficulties), may encounter difficulties in finding employment in mixed areas and/or entering Albanian-run university programmes because the documents issued by parallel structures are not valued in practice. The Advisory Committee considers that while these problems are linked to the general question of the status of Serbian university education in Kosovo, they should be tackled in an appropriate manner pending the resolution of the overall issue.

The Advisory Committee considers that the availability of higher education in one's mother tongue can be a key factor in deciding whether to stay in Kosovo. Together with access to primary and secondary levels of education in one's mother tongue (see also related comments under Article 14), the availability of higher education is influencing the return decisions of IDPs and refugees. This should be reflected in the policies and practices developed in this field. Furthermore, the Advisory Committee wishes to underline that the important role assigned to the Serbian language in official bodies and other contexts in Kosovo, reflected *inter alia* in the Constitutional Framework and in the draft law on languages, implies that there is a need to ensure adequate language skills and capacity within various public sectors. This also needs to be taken into account in the design and implementation of educational legislation and policies, including in higher education.

19. LATVIA

Intercultural education

The Advisory Committee notes that Article 41.2 of the Law on Education (adopted in 1998 and amended on several occasions) provides for including in the curricula contents geared to promoting knowledge of the cultural heritage of minorities by pupils belonging to these groups and facilitating their integration in society. In national minority schools, pupils study not only their own languages but also the history and culture of their communities.

Moreover, as the authorities point out, reflecting the culture of minorities and promoting tolerance are two of the criteria which schoolbooks have to fulfil in order to secure official approval. Similarly, the new educational standards recently introduced particularly emphasise this intercultural dimension, which is now also part of the further training provided for teachers working in both minority and majority schools.

While these efforts are commendable, the Advisory Committee notes that the minorities consider that little mention is made of their cultures and traditions in courses for the majority. According to the persons with whom the Advisory Committee had discussions, such teaching is still marked by prejudices against minorities and their contribution to the diversity of Latvian society. The Advisory Committee encourages the authorities to review the situation and to increase their efforts to ensure that education is an effective means of promoting intercultural dialogue and mutual respect among all the communities living in Latvia.

Equal opportunities in access to education

The Advisory Committee notes that, in accordance with current legislation, persons belonging to national minorities in Latvia have access to education at all levels, and that efforts have been made to meet their specific educational needs. Minorities, for instance, have their own schools or special classes within the public education system, in which pupils can learn their language and acquire knowledge of their own specific identity and culture.

A minimum of 12 pupils is required to open and maintain such classes for minorities in urban areas. According to the authorities, the local authorities, which take the final decisions in this field, adopt a more flexible approach in practice. For example, the Riga Belarusian school has no more than 60 pupils in all. The Advisory Committee welcomes this approach, noting that the minorities concerned are also supported by the Ministry of Education, which has advised the local authorities not to apply the numerical requirements too rigidly.

The Advisory Committee welcomes the fact that the Ministry of Education has set up several bodies to work on education for national minorities, in consultation with those concerned. A Consultative Council for Minority Education was set up in 2001 to facilitate dialogue between the Ministry and the schools in question, minority representatives and the pupils' parents, and four bilingual educational centres have been opened in Daugavpils, Liepaja, Riga and Rezekne. Furthermore, a Working Group was set up in 2004 to communicate with the Association supporting schools that teach classes in Russian. However, the Advisory Committee regrets that the positions and proposals of the representatives of the national minorities relating to the educational reform, and particularly during the discussions on the language components of the curricula, were not taken into account.

The Advisory Committee welcomes the good examples presented to it in this field. It expresses its satisfaction with the information on the availability and quality of education for national minorities in Daugavpils municipality. It notes that most primary schools in this town offer bilingual education and that at the secondary level, in addition to a school teaching in the Latvian language, there are several national minority schools and three schools with classes for national minorities.

The Advisory Committee also took note of the growing concern about teaching quality, noting that this dimension is increasingly determining parents' choice of school, beyond any language considerations. It should be noted that, following the judgment by the Constitutional Court mentioned in paragraph 138, which found that supervision of the quality of bilingual teaching had been inadequate, this matter has become a priority for the authorities. In this connection, a National Agency has been set up to monitor the quality of general education.

The Advisory Committee welcomes the attention which this Agency is paying to the quality of education for minorities and the progress reported in this field over the last few years. It however notes that the opportunities for receiving instruction in minority languages have been reduced and that, according to certain minority representatives, the quality of this teaching could still be improved. According to these sources, the main problems are the inadequate numbers of qualified teaching staff and the shortage of educational resources. Despite the authorities' efforts to train teachers for bilingual education and develop appropriate educational programmes and resources, such efforts are apparently insufficient.

The Advisory Committee therefore considers it essential to identify all possible means of providing such pupils with the requisite schools, teaching staff and educational material to meet their specific needs in the education field (language needs in particular). In this connection, it is important to adopt a flexible and dynamic approach and to consult with minority representatives systematically and effectively.

The Advisory Committee notes that certain national minority schools, especially the German and Polish ones, enjoy substantial support from their "kin-states", reflected not only in subsidies for maintenance of school premises but also provision of teaching staff and educational materials. While welcoming such support and acknowledging the usefulness and importance of bilateral co-operation in this field, the Advisory Committee would like to stress that the aid received from "kin-states" in no way decreases the Latvian State's responsibility to implement effectively the rights of

persons belonging to national minorities in the educational field. It encourages the authorities to make sure that the teaching in minority education establishments is not of lesser quality than that of the teaching provided to the majority population.

Where Roma people are concerned, the Advisory Committee is pleased to note that under the national programme “Roma people in Latvia 2007-2009” the authorities have been prioritising education for, and especially improved integration of, Roma children at school. While welcoming the projects implemented and the particularly active involvement of NGOs in these efforts, the Advisory Committee notes that Roma children still face a difficult situation in the educational field and continue to meet with discrimination and sometimes exclusion. It urges the Government to continue and extend the projects already under way, and calls upon the competent authorities to become more directly and actively involved in these efforts, including at the financial level.

Teaching of and in minority languages

Under its public primary education system, Latvia provides several models for bilingual curricula which are differentiated according to the proportion of subjects that can be taught in a minority language and Latvian. Schools may choose any one of these models or develop their own model, complying with the proportions required by legislation in connection with the teaching language (see paragraph 138 below). The Advisory Committee notes with satisfaction that such programmes are available for several minority languages, including Russian, Estonian, Polish, Ukrainian, Lithuanian, Belarusian, Hebrew and Romani.

In the public education system, eight minority languages are taught in schools/classes for national minorities at the primary and secondary levels. Nevertheless, Russian is in a dominant position among these languages as a teaching language (27.28% of the total number of pupils in general education were taught in the Russian language in the 2005/2006 school year, as compared with 0.303% of pupils for Polish, 0.089% for Ukrainian and 0.033% for Belarusian). Moreover, the Advisory Committee noted that, while current legislation permits the use of minority languages as teaching languages in national minority schools, as a general rule teaching is bilingual and more and more subjects are being taught in Latvian.

The Advisory Committee regrets the fact that, since the reform of the Latvian education system in 2003, and despite strong opposition from the national minorities, more restrictive language conditions have been placed on the education provided for minorities. In particular, a new provision was introduced in the 2004-2005 school year making it compulsory to teach a minimum 60% of the public secondary school curricula for national minorities in Latvian. An application was lodged with the Constitutional Court relating to this issue, and in May 2005 the Court confirmed the constitutionality of the provisions of the Law on Education introducing this requirement. The Advisory Committee notes with interest that in its judgment the Court argued that the past division within the education system had to be replaced by a more unified system, that the aim was social integration and intensified use of the state language, and that the quality of education for all pupils, whatever their ethnic origin, had to be guaranteed and monitored.

The Advisory Committee notes that as far back as 1998, when the Latvian Parliament adopted a new Law on Education, it decided to introduce a transition period towards a mainly Latvian-language curriculum for all state-funded schools. Consequently, the general approach in respect of national minority primary and secondary schools deriving from the aforementioned legislation, as amended, is to prioritise bilingual teaching, observing the predominance of the Latvian language and legislative requirements relating to the proportion of Latvian in school programmes. According to the authorities, this should help the young people in question to acquire language and general knowledge to facilitate their rapid integration in Latvian society, providing them with increased

opportunities for access to the labour market.

Another measure confirming the official approach is the obligation, which was imposed on all pupils in 2007, including on those having received their secondary education in a minority language, to sit the secondary school leaving examination in Latvian. While this measure has raised concerns within the minorities, the authorities point out that, in practice, there is a fair degree of flexibility, and candidates can, if necessary, opt for using their minority language in answering the examination questions. According to the authorities, the results obtained in these examinations over the last few years are generally similar in both Latvian and minority-language schools, and the language chosen for the examination apparently has no particular effect on the results obtained. Official statistics show that only 39% of pupils having studied in national minority schools choose a minority language for the school leaving examination, usually Russian or Polish. This choice is probably influenced by the fact that proper knowledge of Latvian is a prerequisite for both rapid occupational integration and higher education in the public system, where courses are given in Latvian. It is important to mention also that those pupils without Latvian citizenship who choose a minority language for the school leaving examination are not exempted from the written Latvian language test for naturalisation.

More broadly, the Advisory Committee notes a downwards trend in the number of classes or schools providing teaching in/of minority languages. According to the authorities, this downwards trend reflects a more general trend in Latvia towards reducing school numbers, following the overall drop in pupil numbers. They also consider that the trend is in line with the reduced demand for teaching in minority languages, with a concurrent increase in demand for education in Latvian.

The Advisory Committee has also noted that, due to the lack of resources, the number of “Sunday schools” had gradually decreased (from 33 in 2001 to 14 in January 2006) and that these schools receive very little or no support from the authorities. Representatives of minorities such as the Ukrainians, informed the Advisory Committee that it is impossible to maintain these schools for lack of the requisite resources for premises and the recruitment of teachers.

While taking note of the merits of the Government’s explanations, the Advisory Committee notes the concern felt by the minorities at these developments, which all tend towards reinforcing the dominance of Latvian in minority education and decreasing the opportunities for studying in a minority language. While the Advisory Committee sees the legitimacy of the aim of promoting the state language and its teaching as an instrument for integration in society, it considers that the measures taken in this context should be more balanced and take better account of the needs and rights of persons belonging to national minorities. In addition, the authorities should ensure that effective consultations are held with the national minorities when such measures are adopted. The Advisory Committee would like to point out that, following the ratification of the Framework Convention by Latvia, it is essential that the interpretation of the legal framework pertaining to minority education takes due account of the principles set out in this Convention (see also comments under Article 15 below).

Teaching the state language

The Advisory Committee took note of the National Programme for the teaching of Latvian which was launched in 1995 and of the many measures adopted since, including the setting up in 2004 of a National Agency for the Learning of the Latvian language, in order to increase the level of knowledge and use of Latvian. It notes that this Agency has developed specific methods for learning Latvian, aimed at both children and adults. Particular efforts have been expended in this

field under campaigns designed to expedite the naturalisation process (see also comments under Article 10 above).

The Advisory Committee has also taken note of the discontent expressed by minority representatives regarding the methodology and quality of Latvian language teaching for pupils belonging to minorities. It notes, in addition, that the funding provided for Latvian teaching programmes for adults has reduced in recent years and appears to be inadequate, especially when compared to the extent of the language requirements imposed in various sectors of public and private life and the resources earmarked for monitoring compliance with these requirements. Similarly, it should be noted that according to many in the community at large, the ways chosen by the authorities to promote the learning of the state language are not always the most suitable and therefore not effective, and some even deem them counterproductive (see also the comments on Articles 4, 6 and 10).

The Advisory Committee considers it important that the need for improving the teaching of Latvian receives all due attention. In particular, it finds it essential to adopt a flexible methodology that can be tailored to the various categories of individuals concerned, in accordance with their age and specific socio-cultural situation.

In respect of Articles 12 and 14

The Advisory Committee *finds* that educational material and contents could better reflect the diversity of the Latvian society and *considers* that the authorities should strengthen their efforts in this regard.

While welcoming positive examples of steps taken to provide national minorities with adequate opportunities for quality education, the Advisory Committee *finds* that the availability of teaching in minority languages is diminishing and that there is a shortage of qualified teaching staff for bilingual education and adequate educational resources. It *considers* that the authorities should review the situation in co-operation with the representatives of the national minorities, and identify ways to ensure that the educational offer corresponds to the actual needs.

The Advisory Committee *finds* that the developments recorded in recent years have resulted in predominance of the Latvian language (with a requirement of minimum 60% of the secondary public school curricula for national minorities in Latvian) and more restrictive conditions placed on the use of minority languages in education. It also *finds* that the compulsory use of Latvian for the secondary school leaving examination raises problems for persons belonging to national minorities. The Advisory Committee *considers* that the authorities should take better account of the language-related needs and rights of persons belonging to national minorities through consultation and effective participation of minority representatives in the decision-making in this sphere.

The Advisory Committee *considers* that, although they are legitimate, the measures taken to reinforce the status and the use of the Latvian language should not result in depriving persons belonging to national minorities of the exercise of linguistic rights protected by the Framework Convention. It *considers*, at the same time, that the authorities should pay increased attention to the quality of teaching of Latvian for persons belonging to national minorities and adopt a flexible methodology, more adapted to the various categories of individuals concerned and their specific needs.

20. LIECHTENSTEIN

See Article 7

21. LITHUANIA

The Advisory Committee notes the existence in Lithuania of a number of documents, of varying legal status, governing access to education by persons belonging to national minorities and the measures taken in that sphere to promote knowledge of their culture and identity and those of the majority. For example, the Advisory Committee notes the existence, in addition to the law on education in force, of a document adopted by the Ministry of Education and Science in January 2002 which contains “Guidelines for the education of national minorities”. The Advisory Committee also takes note of another, even more recent, document proposing guidelines for the entire Lithuanian education system for the period 2003-2012, which contains, *inter alia*, new proposals for the education of national minorities. At the same time, the Advisory Committee notes that a draft for a new law on education reforming the entire education system is currently being debated in Parliament.

On the basis of the information made available to it, the Advisory Committee concludes that at the moment these documents do not reflect a sufficiently clear and consistent approach to Government policy on the protection of national minorities in the sphere of education. It expresses the hope that this situation is only a transitional stage in the process of the global reform of the Lithuanian education system. In the Advisory Committee’s view, the authorities should define more precisely the scope and relationship between the various documents on which this policy is based and ensure that the future legislation adopted clearly reflects a unified and coherent approach in this sphere.

As regards the draft law on education, the Advisory Committee observes that the articles of relevance to the education of national minorities have been the subject of heated debate within the special parliamentary committee and of vehement reaction on the part of certain national minorities. This reaction concerns, in particular, the Government’s approach to the teaching of/in minority languages (see in this regard the comments under Article 14 below), the new system of education financing and its consequences for the opportunities for national minorities to receive instruction of or in their languages as well as the question of the taking of decisions on setting up schools or classes providing such instruction. A great majority of representatives of national minorities consider that the draft does not have sufficient regard to the specific needs of persons belonging to national minorities in the field of education and does not enable them to be involved in decision-making in that sphere. The Advisory Committee considers it essential that the authorities take into consideration, in the legislative process, the wishes expressed by the representatives of national minorities and ensure that the new law on education does not result in limitations of their opportunities in this sphere.

The Advisory Committee welcomes the various measures taken by the Government to foster, through education, knowledge of the culture, history, language and religion of national minorities and of the majority. It notes with interest certain more recent initiatives, such as the publication of anthologies of the history and life of certain communities, the organisation, planned for 2003, of a conference on preparing history textbooks and the reinforcement of support for Sunday schools. The Advisory Committee urges the Lithuanian authorities to continue and increase these efforts and to involve the representatives of the national minorities more systematically.

At the same time, the Advisory Committee notes the difficulties described by the representatives of the minorities as regards the lack of sufficient textbooks in minority languages (especially in subjects other than the language and literature) and teacher training. The Advisory Committee encourages the authorities to seek solutions to improve this situation, including by providing increased State funding and also by means of bilateral inter-state co-operation.

The situation of the Roma in the sphere of education is a matter of concern. The Advisory Committee is aware that the Roma are faced with socio-economic difficulties which have considerable influence on their access to education and that improvements in this situation require determined and coordinated action, with measures taken at various levels (economic, social, linguistic and cultural). The Advisory Committee welcomes the initiatives recently launched by the Government in different spheres (under the programme for the integration of the Roma) and encourages it to continue and develop them. As regards the more specific measures in the sphere of education, the Advisory Committee notes with interest the educational activities held at the Roma Community Centre in Vilnius, aimed at both children (in the context of a preparatory class for access to primary school) and adults. It urges the authorities to continue these activities and to grant further resources so that they can be developed and extended to a larger number of persons. The Advisory Committee wishes to stress in this context that when Roma children are integrated into the school system, the authorities should ensure that the choice of those parents who wish to enrol their children in schools with instruction in the Lithuanian language rather than in Russian (the latter option allegedly favoured by the authorities) is fully respected, given the desire of these parents that their children are able to acquire a good knowledge of Lithuanian as well as their own language and culture. It refers in that regard to the principles set out in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe and urges the authorities to ensure that they are fully observed.

The Advisory Committee welcomes the measures aimed at fostering knowledge of the culture of the Roma minority, such as the publication, planned for 2003, of the results of a scientific study of the history and traditions of the Roma. The Advisory Committee further considers that the Government should make additional efforts to make the population, particularly in schools (both pupils and teachers), aware of the culture and identity of the Roma, and also of the difficulties they face.

In respect of Article 12

The Advisory Committee *finds* that the rights of persons belonging to national minorities in respect of education are governed by several texts having different legal status and which do not reflect a unified approach of the authorities in this area. In particular, the Advisory Committee *notes* that there is legal uncertainty regarding the criteria which govern decisions to open or maintain classes or schools which provide teaching of or in minority languages, and regarding the authorities empowered to take such decisions. The Advisory Committee *considers* that the authorities should take the action needed to solve this problem.

The Advisory Committee *finds* that, according to the representatives of the national minorities, the draft law on education does not meet the expectations of the national minorities. The Advisory Committee *considers* it essential that the authorities take into account the concerns expressed by the minorities and ensure that the new law does not reduce their educational opportunities. The Advisory Committee *considers* that special attention should be paid to improving the situation of Roma in this area.

22. MALTA

See Article 7

23. MOLDOVA

The Advisory Committee notes with satisfaction that the Moldovan authorities have made considerable efforts in schools, libraries, research institutes and museums, to foster knowledge of the values, culture, traditions, history, language and religion that make up the identity of national minorities and of the majority population. It also notes that the Government is permanently concerned with creating the right conditions for interaction between the various ethnic groups making up Moldovan society.

The Advisory Committee welcomes the steps taken to give legislative backing to such measures (see Article 35 of the Constitution, enshrining the right to education, and Articles 5 and 6 of the National Minorities Act, on the state's obligations regarding education and research). Concerning the institutional support, the Advisory Committee notes that, in the early 1990s, a special division responsible for national minority issues was set up in the Ministry of Education. Its priorities include training teachers for schools for persons belonging to national minorities, preparing curricula that are consistent with those followed by the majority population, drawing up appropriate textbooks and student exchanges.

The Advisory Committee considers that, despite the lack of resources, the Moldovan authorities have made substantial efforts in most of the areas referred to above. For example, the number of schools attended mainly by children belonging to national minorities and providing an education in or of a minority language represent a third of the Moldovan schools. Turning to higher education, according to the State Report, the breakdown of students by their ethnic origin is not far from the respective proportion of persons belonging to national minorities within the population of the country. While recognising that certain Roma are undertaking university level education, the Advisory Committee remains concerned about the access of persons belonging to this minority to higher education.

The Advisory Committee notes that quotas have been established in recent years to ensure that students from national minorities gain admission to higher education and for the allocation of scholarships abroad.

In general, the Advisory Committee welcomes the Moldovan authorities' commitment to the continuing modernisation and improvement of the quality of education, including education for persons belonging to national minorities.

The main shortcomings identified by the Government include: the shortage of teachers and the difficulty of attracting qualified university graduates to the profession because of the low salary, the difficulty of finding teachers qualified in both the state and a minority language (and able to teach subjects other than languages in both state and minority languages), the lack of textbooks, the higher costs for textbooks for pupils belonging to national minorities, the difficulty of ensuring continuity of education in a minority language at different levels and, more generally, the lack of financial resources. The Advisory Committee is aware that all these problems have to be seen in the context of an education system that is being reformed and modernised. It therefore welcomes the competent authorities' determination to find solutions, while seeking to maintain the system's

coherence and avoid dealing with the education of persons belonging to national minorities in isolation.

The Advisory Committee notes that, in view of limited resources, relations with kin-states of national minorities are given great importance. In their meetings with the Advisory Committee, the authorities spoke of fruitful relations with Bulgaria, the Russian Federation, Turkey, Ukraine etc. These countries co-operate in the organisation of training sessions and teacher and student exchanges. They also supply school textbooks in the languages of the minorities concerned based on lists of needs drawn up by the Ministry of Education in accordance with standard national curricula. The Advisory Committee notes that certain difficulties still remain with regard to cooperation with Ukraine in this field, and encourages the Moldovan authorities to strengthen their efforts in this respect.

The Advisory Committee encourages the authorities to ensure that all the national minorities, particularly those that are numerically smaller or do not enjoy the support of a kin-state, benefit equitably from the special government programmes for national minorities in the field of education.

The Advisory Committee also wishes to draw the Government's attention to the high rates of school absenteeism and illiteracy amongst the Roma population, as well as to more specific problems, like the lack of textbooks, the lack of Roma teachers and the absence of nursery schools in certain Roma villages. The Advisory Committee considers that what has been done so far is insufficient and that substantial progress is possible through special education programmes, dialogue with families and direct financing. It believes that the Moldovan authorities should make this a priority, using as a basis the guidelines in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

In respect of Article 12

The Advisory Committee *finds* that in spite of the authorities' efforts to guarantee equality of access to education for persons belonging to national minorities, a number of difficulties remain in this domain. The Advisory Committee *considers* that the authorities should ensure that all the national minorities, particularly those that are numerically smaller or do not enjoy the support of a kin-state, benefit equitably from the special government programmes for national minorities.

The Advisory Committee *finds* that the Roma experience particular education problems and *considers* that improving their situation in this field through special education programmes, dialogue with families and direct financing should be a priority for the Moldovan Government.

24. MONTENEGRO

The Advisory Committee finds that the implementation of the principles of Article 12 of the Framework Convention are giving rise to important challenges in Montenegro. The education sector is currently in need of important reforms, some of which have already been initiated and need to be developed further.

Curricula and textbooks

One of the prime concerns in this area relates to the content of curricula and textbooks where steps have been taken since 2003. In particular, a special commission including national minority representatives started to revise the school curricula and has now completed its work for all levels of teaching. The on-going implementation of the new curricula needs to be coupled with the production of updated textbooks and teaching materials. Efforts are being made to remove all ethnically offensive content in textbooks but these seem to be insufficient as the content of Albanian textbooks is still reported to offer poor translation from Serbian textbooks and to

insufficiently reflect the Albanian culture. Furthermore, the Bosniac/Muslim minority complained that textbooks do not take into account the cultural and religious sensitivity of their community. The Advisory Committee encourages the authorities to complete the revision process in close co-operation with representatives of the national minorities and remedy the reported shortcomings.

The Advisory Committee notes with satisfaction that Montenegrin legislation allows school authorities in co-operation with the local community, to propose up to 20% of the curriculum in order to reflect better the needs and interests of persons belonging to national minorities (General Law on Education). However, this possibility has regrettably, if rarely, been used in practice. Various factors may explain this situation including the novelty of such a provision in a traditionally centralised state, the lack of initiative of the school administration in the absence of instructions by the central authorities as well as the lack of textbooks and teaching materials adapted to such curricula.

The Advisory Committee calls on the authorities to consider ways and means to promote the use of this provision by the local authorities in order to integrate the culture, history, language and religions of national minorities more effectively in the school curricula in accordance with Article 12 of the Framework Convention. In so doing, they should involve the minority councils, which once established, should be given adequate opportunities to give their opinion on the school curricula in accordance with the Minority Law and engage in open consultation with other representatives of national minorities.

Teacher training

Teacher training presents another challenge. The Advisory Committee understands that the shortage of trained teachers is a general problem in Montenegro, but notes that the situation is critical when it comes to minority language teachers. This poses a serious obstacle for the development of minority language education (see also Article 14). According to representatives of national minorities, the training needs are particularly acute for Bosnian and Croatian language teachers. The Advisory Committee welcomes the fact that the Faculty of Philosophy in Niksic now includes a department for Albanian language teachers. In addition, part of these studies may be followed in Podgorica University which further facilitates the accessibility of such studies to the persons belonging to the Albanian minority. Given the situation of teaching in Croatian and Bosnian languages, the Advisory Committee invites the authorities to consider accommodating teacher training needs of these minorities within the existing facilities by relying, as appropriate, on bilateral agreements of co-operation and teacher exchanges.

Roma pupils in schools

The situation of Roma pupils is a source of serious concern. The poverty in which many persons from this community live makes it difficult for Roma parents to send their children to school and pay for their textbooks and other school supplies. Economic obstacles are often coupled with problems generated by the school system itself, which has failed to offer an environment adapted to the specific needs of the Roma. As a result, figures relating to school enrolment are still alarmingly low, drop out rates extremely high, with indicators suggesting that the situation of Roma girls is especially serious. Furthermore, the Advisory Committee notes that a large number of Roma, Ashkali and Egyptian pupils from Kosovo face specific problems in accessing education such as their lack of proficiency in Montenegrin or their lack of documents (see also Article 4). The Advisory Committee considers that the authorities should take the necessary measures to remove these obstacles. Particular attention should be paid to the enrolment of Roma in pre-school education where they could be given language support.

An important concern in the field of education of Roma lies with the existence of classes which are

entirely composed of Roma pupils. This is especially so in geographic areas where there is a concentration of displaced persons from Kosovo. These cases of segregation which were already signalled in the Advisory Committee's first opinion on the then Serbia and Montenegro are the result of a residential segregation of the Roma community. They are also the result of a process whereby parents of non-Roma children tend to withdraw their children from the schools in which a large number of Roma children are enrolled. *De facto* segregation can only contribute to a further stigmatisation of Roma and increase their marginalisation. Although the Ministry of Education has committed itself to address this issue, this commitment has not given rise to tangible results as yet. The Advisory Committee calls for more determined action by the authorities in order to bring the situation in line with Article 12 and the principles of Article 6 on the promotion of intercultural dialogue.

The Advisory Committee, on the other hand, welcomes the fact that the specific problems of the Roma are increasingly addressed by the authorities. Some promising initiatives have been carried out over the last years such as the Roma Education Initiative which has introduced Roma assistants into selected schools, notably in Podgorica, Niksic and Berane. Textbooks have been distributed free of charge. However these projects are limited in scope, they are often *ad hoc*, mainly run by NGOs with the support of the international community and do not enjoy sustainable funding.

The Advisory Committee calls for decisive measures to be taken in the context of the National Strategy on Roma to address this situation (see also under Article 4, paragraph 39). In particular, the Advisory Committee finds it essential that data be collected on school attendance at all levels, while respecting the principle of self-identification and providing guarantees for the protection of personal data, and that particular attention be paid to the situation of Roma girls in this context. It calls for the recruitment of teachers and their continuous training in inclusive pedagogies, close consultation of the Roma community together with resolute commitment from the authorities both at the central and local levels. These measures will be essential for this Strategy to turn into an instrument of concrete change.

Access to higher education

In the field of higher education, the Advisory Committee notes from the State Report that a governmental decision dated 28 September 2001 allows for access of students from national minorities to university under facilitated conditions. Such a positive measure has been consolidated in Article 19 of the Minority Law which provides that the University of Montenegro can, at the proposal of the minority council, enrol a certain number of students belonging to national minorities at the beginning of each academic year in addition to those enrolled through the regular procedure. The Advisory Committee learnt, however, that in practice, such a system has in fact operated until now in an *ad-hoc* and non-transparent way.

Against this background, the Advisory Committee considers that some further reflection needs to be made by the authorities on the issue of improving the access of national minorities to higher education. A regular demand of persons belonging to national minorities, especially among the Albanian minority, concerns the introduction of a quota system at University level. The Advisory Committee finds that while quotas are one form of positive measures, they do not cover the whole spectrum of measures that could be taken in order to redress a situation of inequality. In the field of education, other measures such as additional classes, or exemptions of selected exams taking into account language and other barriers, could be explored in order to increase access of persons belonging to national minorities to higher education.

Recognition of diplomas

The issue of non-recognition and delays in the recognition of certain diplomas from educational institutions abroad, which was highlighted in its first Opinion on the then Serbia and Montenegro, has been further addressed by the authorities in the context of the Bologna process. Additionally, a draft Law on the Validation of Diplomas should be adopted soon. The Advisory Committee encourages the authorities to adopt this draft law and ensure its full implementation in practice.

In respect of Article 12

The Advisory Committee *finds* that the authorities should pursue their efforts to revise textbooks in consultation with representatives of the national minorities.

The Advisory Committee *finds* that additional efforts are needed to address teacher training needs of persons belonging to national minorities.

The Advisory Committee *finds* that the possibility given by Montenegrin Law to schools authorities in co-operation with the local community to propose up to 20% of the curriculum in order to better reflect the needs of persons belonging to national minorities has regrettably, if rarely, been used in practice and *considers* that the authorities should consider the ways and means to promote this possibility and in so doing, ensure the involvement of the minority councils as well as other representatives of national minorities.

The Advisory Committee *finds* that the specific problems encountered by the Roma have been addressed mostly in an *ad hoc* way with no sustainable funding available. The Advisory Committee *considers* that the authorities should take decisive action, including in the context of the Strategy on Roma to address this situation.

The Advisory Committee *finds* that the specific arrangements made in order to facilitate the access of persons belonging to national minorities to higher education have been operating in a non-transparent way so far and *considers* that the authorities should further reflect on the possible ways to improve such access.

The Advisory Committee *finds* that the issue of non-recognition of diplomas from educational institutions abroad has been further addressed by the authorities and that a draft law on the validation of diplomas should be adopted soon.

25. NETHERLANDS

Fostering knowledge of culture and history of minorities

The Advisory Committee notes that Frisian history and culture is, to a large extent, incorporated into the general education programmes in the Netherlands but that there is no specific provision devoted to the teaching of Frisian history and culture in Dutch law. In practice, the Advisory Committee notes that some attention has been paid to strengthening cultural studies in primary education. The Advisory Committee wishes to highlight the positive contribution of Aftûk, an Institution for Frisian language learning, in organising special courses on Frisian history, although it is disappointing to note that the number of students has gradually decreased over years. It further notes that following the recommendations made in 2005 by the Committee for the Development of the Dutch Canon to develop regional canons, the Provincial authorities of Fryslân have taken steps

to develop a canon of Frisian history and culture. This should in the long run allow for more Frisian autonomy in developing curricula (as well as defining attainment targets) and better reflect local needs, which is a positive development.

Frisian education at all levels

The Advisory Committee notes that in accordance with the Acts on Primary School and Secondary education, Frisian language is a compulsory subject in primary schools and in the first level of secondary education. The teaching of Frisian language and culture is available at the University of Groningen.

Frisian may also be used as a language of instruction in pre-school, primary schools and secondary schools in the Province of Fryslân. However, the Advisory Committee notes that this is done only to a limited extent, especially in pre-schools and in secondary education. Textbooks in Frisian and for Frisian teaching are available in an increasing number of subjects. The Advisory Committee notes that attainment levels have been set for Frisian language but notes on the other hand that these have been lowered in 2005 as compared to Dutch attainment targets. It expects that the authorities ensure that such a measure does not have a negative impact on the position of Frisian in education.

The Advisory Committee notes that the amount of Frisian teaching is not subject to specific regulations. In primary schools, figures currently available indicate that there are about 30 to 45 minutes of classes of Frisian per week. Although this represents a slight increase as compared to previous years, this amount is still considered insufficient by Frisian associations and provincial authorities. The Advisory Committee was made aware by Frisian associations and Provincial authorities of the lack of common understanding with the national authorities of what constitutes an adequate amount of teaching in Frisian. It considers that the current amount of teaching in Frisian cannot be considered as “providing adequate conditions for receiving instruction in their language” as foreseen in Article 14 paragraph 2 of the Framework Convention. It therefore calls on the authorities to take into account the demands expressed by the Frisian minority in this respect and expects that a mutually acceptable solution that is in line with Article 14 paragraph 2 of the Framework Convention can be found.

The Advisory Committee notes that a model of trilingual education has been introduced in 23 primary schools with Dutch, Frisian and English used as a medium of instruction. The Advisory Committee welcomes the positive results achieved by these schools in terms of language learning. It notes that the Provincial authorities intend to increase the number of these schools to 50 in 2012. It also welcomes their intention to develop a policy on trilinguism with a view to strengthening the role of Frisian as a medium of instruction.

Teacher training

The Advisory Committee welcomes the fact that Frisian as a specific subject is available in the existing teacher training arrangements in order to provide teachers of Frisian with the necessary skills to teach in primary and secondary schools. Besides, additional training opportunities have been made available: these include language coordinators whose tasks include improving language teaching and in-service training and other courses organised by the organisation Atfûk.

However, the Advisory Committee notes from the 2006 Report of the Education Inspectorate quoted in the State Report, that 40% of the teachers of Frisian as a language in primary and secondary schools were not qualified for that subject. This insufficient number of qualified teachers is a recurrent concern among Frisian associations. The Advisory Committee is of the opinion that

the authorities should look at ways to provide further incentives for primary and secondary school teachers to make use of the existing training arrangements in order to obtain qualifications in Frisian language teaching.

The Advisory Committee notes that teacher training in Frisian for pre-school education has not been regulated. The Dutch Government itself recognises that this is a shortcoming and the Covenant makes specific reference to the need to develop quality standards regarding the use of Frisian in playgroups and in childcare. The Advisory Committee has not been informed of any development in this respect. Therefore, like the Committee of Experts of the European Charter for Regional or Minority Languages, the Advisory Committee encourages the Dutch authorities to increase their efforts in order to fill the existing gaps regarding Frisian teacher training for pre-school teachers in Frisian.

Education Inspectorate

The Advisory Committee notes that the Education Inspectorate is responsible for supervising the educational policy throughout the country and advising the Ministry of Education. It notes that there has been fluctuation with regard to the time allocated to the Inspectorate to supervise the teaching of Frisian in primary and secondary schools, which has generated dissatisfaction among Frisian representatives. In this context, the Advisory Committee welcomes the fact that the authorities have recently tackled this issue by allocating 250 hours per year for the Education Inspectorate to fulfill its task *vis-à-vis* the supervision of the teaching of Frisian. At the same time, the Advisory Committee understands from its dialogue with Frisian representatives that greater progress in this area could be made if the Inspectorate was given a specific mandate, which is lacking at present, regarding the teaching of minority languages. The Advisory Committee encourages the authorities to discuss this issue with the relevant organisations working for the promotion of Frisian language and culture with a view to enhancing the supervision made by the Education Inspectorate.

In respect of Articles 12 - 14

The Advisory Committee *finds* that Frisian language is a compulsory subject in primary schools and in the first level of secondary education in Fryslân and *finds* that, in the absence of specific regulation, the definition of what constitutes an adequate amount of teaching in Frisian is subject to disagreement between the authorities and representatives of the Frisian minority. The Advisory Committee *considers* that the authorities should pay due attention to the demands expressed by the Frisian minority.

The Advisory Committee *finds* that a model of trilingual education (Dutch, Frisian and English) has been introduced in a number of primary schools and *considers* that the authorities should continue their support to trilingual schooling.

The Advisory Committee *finds* that arrangements have been made for Frisian language teacher training but that they are not sufficiently used and *considers* that the authorities should envisage further incentives for primary and secondary school teachers to use the arrangements made. It further *finds* that teacher training in Frisian for pre-schools has not been regulated yet and it *considers* that the authorities should address this shortcoming.

26. NORWAY

The Advisory Committee welcomes the commitment of the authorities to support research pertaining to national minorities, including the numerically small ones such as Jews and Skogfinns and encourages the authorities to pursue and expand their plans in this sphere.

The Advisory Committee has received representations from national minorities suggesting that the current history and other relevant text-books do not contain adequate information on the various national minorities of Norway. At the same time, the ministry concerned has stated that it is not in a position to give information on the current situation in this respect because the system of national recognition of textbooks to be used in primary and secondary schools has been abolished. The Advisory Committee considers that there is a need for the authorities concerned to increase vigilance in this area and to improve monitoring of the current situation with a view to addressing any shortcomings that may exist.

The Advisory Committee is concerned about the reports suggesting that the educational system does not take adequately into account the itinerant culture of Romanies and Roma and thereby risks placing the children concerned at a disadvantage. The Advisory Committee is of the opinion that the authorities should pursue further their efforts to accommodate better the itinerant culture and the specific traditions and needs of Romanies and Roma with a view to promoting their equal access to education at all levels, bearing in mind the principles contained in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

As regards teacher training, the Advisory Committee notes that a lack of qualified teachers who can teach Finnish is identified as a problem by both the authorities and representatives of the Kven minority. While acknowledging that some measures have been taken to address these shortcomings, the Advisory Committee encourages the authorities to increase these efforts and to allocate adequate resources for related initiatives.

In respect of Article 12

The Advisory Committee *finds* the authorities are committed to supporting research pertaining to national minorities, including numerically small minorities, such as Jews and Skogfinns, and *considers* that the authorities should pursue and expand their plans in this sphere.

The Advisory Committee *finds* that relevant text-books reportedly do not contain adequate information on the various national minorities of Norway and that the ministry concerned is not in a position to give information on the current situation in this respect. It *considers* that there is a need to improve monitoring of the current situation with a view to addressing any shortcomings that may exist.

The Advisory Committee *finds* that the educational system reportedly does not take adequately into account the itinerant culture of Romanies and Roma and *considers* that the authorities should pursue further their efforts to accommodate better the culture and specific needs of Romanies and Roma.

The Advisory Committee finds that there is a lack of qualified teachers who can teach Finnish and considers that the authorities should increase their efforts in this sphere and allocate adequate resources for related initiatives.

27. POLAND

The Advisory Committee acknowledges that efforts have been made, in the school curriculum, to promote knowledge of the cultures, histories, languages and religions of national minorities living in Poland. Despite this, Poland still too often seems to be presented as an ethnically and linguistically homogeneous country (see related comments under paragraph 48 above). The Advisory Committee therefore expresses the hope that the authorities will take further steps to

increase the multicultural and multiethnic content of the curriculum and that, more generally, efforts to raise both the majority's and minorities' awareness of minority cultures will be intensified.

The Advisory Committee welcomes the efforts by the Ministry of Education and Sport as regards production of textbooks in minority languages and teacher training. A number of bilateral agreements facilitate co-operation in this field and the national minorities concerned benefit from them. However, groups which do not have the benefit of such bilateral agreements still seem to have unmet needs in these matters. Representatives of the Kaszubs, for instance, said that introduction of the Kaszub language into schools, a fairly recent development, was not without its problems, notably a shortage of textbooks and of teachers with the necessary skills. The Advisory Committee therefore encourages the authorities to continue their efforts to assist development of instruction in Kaszub.

The situation regarding education of the Roma gives rise to deep concern and differs significantly from the situation of other minorities and the majority. Even though there are great differences between Roma communities in Poland, the Roma minority is not yet guaranteed equal educational opportunity, and, as the authorities themselves admit, nearly 30% of Roma children fail to complete compulsory schooling.

Although most pupils of Roma origin attend state schools within an integrated system in which there is a mix of Roma and other children, the authorities state that, in isolated cases, there are still what are termed "Roma classes" - 20 or so special classes at primary level which are solely for Roma pupils. These classes were set up as a start-of-school aid to Roma pupils to help them overcome the dual handicap of imperfect command of Polish and lack of a preschool education. Even though the decision to send a pupil to a Roma class is taken by the parents, and no testing seems to be used in that connection, the Advisory Committee notes with concern that there is a great deal of criticism concerning maintenance of such classes, in particular from Roma representatives themselves. Such classes, which are not designed specifically to develop Roma language and culture, appear to perpetuate a form of separation rather than help Roma integrate into the Polish school system.

The Advisory Committee welcomes the fact that, under the Pilot Programme to assist the Małopolskie Roma community in 2001-2003, the authorities offer a new instruction model based on integrating Roma into ordinary classes. This model has already produced positive results: only four schools in Małopolskie continue to have Roma classes, pupils' average standard has improved, the drop-out rate has fallen and programmes for Roma teachers' assistants seem to have been widely welcomed by Roma parents, leaders and school directors. The Advisory Committee considers that similar measures to encourage Roma integration into ordinary schooling, together with increased support for pre-school access, should be extended to the whole of the country without delay. That could be done, in particular, as part of the recently adopted Programme for the Roma community in Poland (see related comments under Article 4). More generally, the Advisory Committee recalls that the system must also take full account of Roma language and culture, in accordance with the principles laid down in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

In respect of Article 12

The Advisory Committee *finds* that while efforts have been made in the school curriculum to promote knowledge of the cultures, histories, languages and religions of national minorities living in Poland, Poland still too often seems to be presented as an ethnically and linguistically homogeneous country. The Advisory Committee *considers* that the authorities should take further

steps to increase the multicultural and multiethnic content of the curriculum and that, more generally, efforts to raise both the majority's and minorities' awareness of national minority cultures should be intensified.

The Advisory Committee finds that the situation regarding education of the Roma gives rise to deep concern and differs significantly from the situation of other national minorities and the majority. The Advisory Committee finds that there is a great deal of criticism concerning maintenance of "Roma classes", in particular from Roma representatives themselves since such classes, which are not designed specifically to develop Roma language and culture, appear to perpetuate a form of separation rather than help Roma integrate into the Polish school system. The Advisory Committee finds that, under the Pilot Programme to assist the Małopolskie Roma community in 2001-2003, the authorities have offered a new instruction model based on integrating Roma into ordinary classes and that this model has already produced positive results. The Advisory Committee considers that similar measures to encourage Roma integration into ordinary schooling, together with increased support for pre-school access, should be extended to the whole of the country without delay as provided for by the Programme for Roma community in Poland recently adopted.

28. PORTUGAL

Based on the information currently at its disposal, the Advisory Committee considers that implementation of these articles does not give rise to any specific observations.

29. ROMANIA

The Advisory Committee takes notes of the considerable efforts made by the Romanian authorities concerning minority education. It welcomes the many improvements - particularly increased possibilities of using minority languages - introduced by Act No. 151/1999, amending Act No. 84/1995 on education, as well as the efforts made by the Ministry of National Education to develop literature, history and traditions of national minorities in the curricula.

Without wishing to minimise the results achieved, the Committee points out that it has learned that a shortage of minority-language textbooks and qualified teachers is still the rule for some minorities, in particular Armenians, Croats, Poles, Serbs, Slovaks, Turks and Tatars. This makes it hard for schools attended by children from national minorities to provide full education of the same standard as that provided in Romanian. Although many other factors can affect their choice, this may discourage parents from sending their children to schools where most subjects are taught in the minority language. The Advisory Committee considers that this matter should be reviewed in order to provide the said minorities with the necessary textbooks and teachers.

The Advisory Committee is also concerned at reports from various sources that history teaching does not sufficiently reflect Romania's ethnic diversity, although Article 120(3) of Act No. 151/1999 provides for this. The Advisory Committee considers that the Romanian authorities should explore, in consultation with representatives of the national minorities, approaches to the teaching of history more designed to enhance the intercultural dialogue promoted by the Framework Convention.

In higher education, the Advisory Committee welcomes the existing possibilities for persons belonging to national minorities, as well as the recent positive developments that have led to the possibility, introduced by Article 123 of Act No. 151/1999, of establishing multicultural institutions, where languages other than Romanian can be used in the teaching. Legal obstacles to the establishment of the Petöfi-Schiller multicultural University have thus been removed. The Advisory Committee also notes that there had been a Hungarian-language Bolyai university in the past and that today's Babes-Bolyai University offers instruction in Romanian, Hungarian and German. The Advisory Committee welcomes a continuing dialogue between the Romanian authorities and those concerned that could help to find a solution that would correspond to the aspirations of the Hungarian and German minorities in the matter of higher education.

As concerns Article 12 paragraph 3, the situation of the Roma, who are still not guaranteed equal opportunities for access to education, gives cause for deep concern and differs noticeably from that of other minorities and the majority.

In view of various submissions made during its visit to Romania and in the light of information made available to it, the Advisory Committee is deeply concerned by the fact that a significant percentage of Roma children attend school irregularly or not at all. Since there are various reasons explaining Roma parents' reluctance to send their children to school, only a whole range of long-term measures can remedy this situation. At the same time, the Advisory Committee considers that one of the causes is particularly unacceptable: repeatedly during its visit, it was told that the main reason why many school-age children stayed away was the lack of food. Of course, the Advisory Committee is aware that this applies, not only to Roma children, but also to children belonging to the majority. It is clear, however, that Roma children are proportionally far more affected than others by school absenteeism associated with their parents' inability to pay for their daily meal. It is therefore of central importance that the Romanian authorities tackle this problem and remedy this unsatisfactory situation as a matter of priority. The Advisory Committee is pleased that the Ministry of National Education has recognised the problem of school absenteeism, and taken steps to deal with it, for instance by appointing Roma mediators and school inspectors - even though these appointments have met with some resistance on the part of various authorities. In higher education, the Advisory Committee is pleased to see that places are being reserved for Roma students, and finds it important that the authorities launch information campaigns to help ensure that they are filled.

Given the extent of school absenteeism, however, further measures should be envisaged to strengthen Roma parents' confidence in the school system. Indeed, this confidence is regarded as essential by the Advisory Committee. Simplified school registration formalities might therefore be considered - especially for the children of families with itinerant or semi-itinerant life-styles. Teachers should be encouraged to be more tolerant of the Roma community, its life-style and its traditional trades.

The Advisory Committee notes with satisfaction that in general, Roma pupils are integrated in regular schools in Romania despite isolated cases of improper placement in "special" schools for mentally disabled children. The Advisory Committee notes that the education system should take full account of the Roma minority's language and culture, in accordance with the principles set out in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe. Such an approach would help to increase mutual understanding between Roma parents and schools. The Advisory Committee is of the opinion that the Romanian Government should strengthen its initiatives aimed at improving opportunities for Roma in kindergartens and expresses the hope that they will have a positive impact on the relevant practice at the local level.

In respect of Article 12

The Committee of Ministers *concludes* that the considerable efforts made by the Romanian authorities have brought many improvements, particularly increased possibilities of using minority languages. However, it *concludes* that there is still a shortage of minority-language textbooks and qualified teachers for some minorities, in particular Armenians, Croats, Poles, Serbs, Slovaks, Turks and Tatars. The Committee of Ministers *recommends* that this matter be reviewed in order to provide the said minorities with the necessary textbooks and teachers.

The Committee of Ministers *concludes* that there is reason for concern about allegations that history teaching does not sufficiently reflect Romania's ethnic diversity. It *recommends* that the Romanian authorities explore, with representatives of the national minorities, approaches to the teaching of history more designed to enhance the intercultural dialogue.

The Committee of Ministers *concludes* that, as is recognised by the Ministry of Education, there is an abnormally high school absenteeism rate among Roma pupils due, inter alia, to a lack of food. The Committee of Ministers *recommends* that the Romanian authorities tackle this problem as a matter of urgency. Given the extent of school absenteeism, the Committee of Ministers *recommends* that Romania strengthen Roma parent's confidence in the school system and consider the simplification of school registration formalities, as well as additional measures aimed at ensuring that Roma children have equal opportunities for access to education at all levels, bearing in mind the principles set out in the Committee of Ministers' Recommendation (2000) 4 on the education of Roma/Gypsy children in Europe.

30. RUSSIAN FEDERATION

The Advisory Committee notes that the limited availability of textbooks is an obstacle in the context of the teaching of many of the minority languages of the Russian Federation. For example, concerns have been expressed that the shortcomings with respect to textbooks in Ukrainian have hampered the development of education in this language in the Russian Federation. The Advisory Committee welcomes the fact that the federal authorities, while referring to economic constraints, recognise that shortcomings exist in this sphere. The Advisory Committee encourages the authorities to review the situation and address these shortcomings and to draw in this context on the positive experiences that have been gained in bilateral co-operation, for example, with respect to the German language education and textbooks (see also related comments on tolerance and inter-ethnic dialogue in general under Article 6).

The Advisory Committee understands that there have been improvements with respect to the way in which minorities are portrayed in history and other text-books. At the same time, reports noting that there is scope for improvement for example in the way in which Tatars are portrayed in the history textbooks suggest that continuous vigilance is required to improve the situation further.

The Advisory Committee notes with concern that there are serious problems as concerns equal opportunities for access to education for persons belonging to national minorities in a number of regions. The situation appears particularly acute with respect to the displaced Ingush and Chechen population in Ingushetia, where the lack of adequate educational facilities - such facilities are at times limited to commendable private initiatives - are undermining children's equal opportunities for access to education at various levels beginning from pre-schools. The Advisory Committee considers that this is an issue that merits increased attention by the authorities concerned.

In addition to limited resources, the Advisory Committee is deeply concerned about the measures that have been taken by certain local and regional authorities to restrict the access of persons belonging to national minorities to existing educational facilities of the locality at issue. The Advisory Committee refers in particular to the attempts to link access to education to the residency registration, which when coupled with the problems of the registration regime (see comments under Article 4), would seriously undermine the equal opportunities of persons belonging to national minorities for access to education and would thereby not be compatible with Article 12 of the Framework Convention. It is essential that no such measures are, *de jure* or *de facto*, tolerated by the federal, regional or local authorities.

In respect of Article 12

The Advisory Committee *finds* that the limited availability of textbooks is an obstacle in the context of the teaching of many of the minority languages of the Russian Federation and *considers* that the authorities should review the situation and address these shortcomings.

The Advisory Committee *finds* that there is scope for improvement with respect to the way in which certain minorities are portrayed in history and other text-books and *considers* that continuous vigilance is required from the authorities to improve the situation further.

The Advisory Committee *finds* that there are serious problems as concerns equal opportunities for access to education for persons belonging to national minorities in a number of regions, particularly with respect to certain displaced populations. The Advisory Committee *considers* that this is an issue that merits increased attention by the authorities concerned.

The Advisory Committee *finds* that certain local and regional authorities have taken measures to restrict the access of persons belonging to national minorities to existing educational facilities and *considers* it essential that no such measures are, *de jure* or *de facto*, tolerated by the federal, regional or local authorities.

31. SAN MARINO

See Article 7

32. SERBIA AND MONTENEGRO

The Advisory Committee notes that there have been serious shortcomings in the implementation of the principles of Article 12, paragraph 1, of the Framework Convention in Serbia and Montenegro, but the authorities are at present taking decisive measures to address these problems in line with Article 12 of the federal Law on the Protection of Rights and Freedoms of National Minorities, Article 71 of the Constitution of Montenegro and other pertinent provisions.

In this connection, the Advisory Committee refers in particular to the on-going efforts to improve, in co-operation with the Council of National Minorities, history and other textbooks that have to date contained only limited information on national minorities and their cultures and have in some cases contributed to negative stereotypes as regards Albanians, Germans, Muslims and persons belonging to other national minorities.

The Advisory Committee notes that the production and sales of textbooks is increasingly moving from the public sector to the private sector. The Advisory Committee urges the authorities to monitor this process carefully and, where necessary, take positive measures to ensure that this process does not harm the accessibility or affordability of textbooks in minority languages.

Additional efforts are also needed to address the various shortcomings that remain in terms of availability of qualified teachers (reported by Albanians, Slovaks, Romanians, Ruthenians and a number of other national minorities).

The Advisory Committee is deeply concerned about the access of Roma children to education in Serbia and Montenegro. The Advisory Committee finds it particularly alarming that, according to the research quoted by the authorities, in Serbia, Roma children account for 50 to 80 percent of the total number of pupils in the so-called “special schools” designed for children with mental disabilities. Roma are placed in these schools upon enrolment to elementary school on the basis of verbal tests that do not take into account the specific needs, social and cultural characteristics or language skills of Roma. The Advisory Committee stresses that the resulting situation is not compatible with Article 12, paragraph 3, of the Framework Convention. However, the Advisory Committee welcomes the fact that the authorities openly recognise the serious shortcomings outlined in the preceding paragraph and that the Ministry of Education of Serbia intends to devise, by the 2004-2005 school-year, a new enrolment policy that would, *inter alia*, be adapted to the children’s knowledge of Serbian. The Advisory Committee urges the authorities in Serbia to pursue this issue as a matter of high priority and to introduce also additional measures to integrate in regular schools those Roma children who have been unduly placed in special schools. Furthermore, it urges the authorities in Montenegro to review the situation in this domain and to address any shortcomings identified.

A separate problem, which the authorities are actively seeking to address, is that in some municipalities the measures taken with respect to Roma pupils have led to the establishment of specific classes for Roma. The Advisory Committee considers that specific classes devoted to one national minority as such (rather than, for example, to the teaching in/of their language and of their culture) risk placing the children concerned at a disadvantage and harming the implementation of Article 12 and the principle of intercultural dialogue contained in Article 6 of the Framework Convention. The Advisory Committee finds it important that the authorities pursue their efforts in this sphere, in consultations with the persons concerned, with a view to enabling and encouraging Roma children to stay in the regular classes, also bearing in mind the principles contained in the Committee of Ministers’ Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

The Advisory Committee notes that Roma face other serious problems in terms of their access to education, despite the fact that the authorities have launched some commendable initiatives to improve their situation, including the provision of free textbooks for Roma pupils and the introduction of positive measures to improve access of Roma to secondary education and higher education. One persistent problem is the low school attendance and high drop-out rates amongst Roma children, in particular girls, in elementary schools. The Advisory Committee considers that the draft Strategy for the Integration and Empowerment of Roma contains a number of initiatives that, if properly implemented, could significantly improve the situation. The Advisory Committee refers in particular to the conclusions of the draft Strategy that the educational system should reflect better the Roma culture and language, and that stereotypes regarding Roma should be eliminated and that the authorities should make additional efforts to monitor and support, including amongst Roma parents, the implementation of legal provisions concerning compulsory education and school attendance. Finally, the Advisory Committee believes that specific priority areas should also include

the elimination of language barriers that many internally displaced Roma from Kosovo and Roma repatriated from abroad face in accessing education (see related comments under Article 14 below) and further attention by the authorities to pre-school education of Roma, taking into account results achieved by civil society initiatives in this field.

The Advisory Committee notes that one controversial question affecting the implementation of Article 12 of the Framework Convention in particular as regards persons belonging to the Albanian minority has been the non-recognition and delays in the recognition of certain diplomas from educational institutions abroad and from Kosovo. While there have been positive developments in respect of the recognition of diplomas from Kosovo, the Advisory Committee finds that there is a need to make further progress with respect to diplomas obtained in Albania or other foreign countries and it encourages the authorities to find legitimate and balanced solutions that reflect the principles of the Framework Convention.

In respect of Article 12

The Advisory Committee *finds* that the production and sales of textbooks is increasingly moving from the public sector to the private sector and *considers* that the authorities should ensure that this process does not harm the accessibility or affordability of textbooks in minority languages.

The Advisory Committee *finds* that additional efforts are needed to address the various shortcomings that remain in terms of availability of qualified teachers.

The Advisory Committee *finds* that, in Serbia, Roma children are frequently placed in the so-called “special schools” designed for children with mental disabilities, on the basis of tests that do not take into account the needs and culture of Roma. The Advisory Committee *finds* that the resulting situation is not compatible with Article 12, paragraph 3, of the Framework Convention and *considers* that the authorities should pursue as a matter of high priority their plans to address this issue.

The Advisory Committee *finds* that in some municipalities specific classes have been established for Roma and *considers* that the authorities should pursue their efforts in this sphere with a view to enabling and encouraging Roma children to stay in the regular classes.

The Advisory Committee *finds* that low school attendance and high drop-out rates are a problem amongst Roma children, and it *considers* that the draft strategy for the Integration and Empowerment of Roma contains a number of initiatives that could significantly improve the situation.

The Advisory Committee *finds* that the non-recognition and delays in the recognition of certain diplomas from educational institutions abroad and from Kosovo has been controversial, and it *considers* that the authorities should seek legitimate and balanced solutions to these issues.

33. SLOVAK REPUBLIC

The Advisory Committee welcomes the efforts to ensure that textbooks (in particular those on history), and the educational system in general do not foster negative stereotypes of national minorities, and that they provide adequate information on minorities, including on their culture and language. Against this background, it welcomes the fact that the Government prohibited the use, in the school curricula, of a controversial history textbook.

The Advisory Committee is deeply concerned about the reports according to which a high proportion of Roma children are placed in so-called special schools. While these schools are designed for mentally handicapped children, it appears that many Roma children who are not mentally handicapped are placed in these schools due to real or perceived language and cultural differences between Roma and the majority. The Advisory Committee considers that such practice is not compatible with the Framework Convention. The Advisory Committee stresses that placing children in such special schools should take place only when it is absolutely necessary and always on the basis of consistent, objective and comprehensive tests.

The Advisory Committee notes with satisfaction that the above-mentioned problem is recognised by the Government and that it is designing new measures aimed at ensuring that Roma children have equal access to, and opportunities to continue to attend, regular schools. The Advisory Committee considers that a key to reaching this aim is to secure that the education system reflects and also fully takes into account the language and culture of the minority concerned, as provided in the principles contained in the Committee of Ministers' Recommendation No. R (2000) 4 on the education of Roma/Gypsy children in Europe. Such an approach would also help to increase mutual understanding between Roma parents and schools. In this connection, experiences gained by minorities at pre-school level are often of central importance. Considering that the proportion of Roma children attending kindergartens has dropped drastically in recent years in Slovakia, the Advisory Committee welcomes the initiatives aimed at improving opportunities for Roma in kindergartens and expresses the hope that they will have a positive impact on the relevant practice at local level.

The Advisory Committee welcomes the fact that the Ministry of Education is currently considering plans to introduce a multicultural and multiethnic component in the core curriculum of schools. The Advisory Committee expresses the hope that these plans will be pursued further and that adequate resources will be allocated for their implementation. The Advisory Committee is convinced that the implementation of this initiative would be helpful in addressing the concerns raised in the preceding paragraph as well as a number of other issues raised in the present opinion.

In respect of Article 12

The Committee of Ministers *concludes* that the efforts to ensure that the educational system does not foster negative stereotypes of national minorities has led to certain concrete measures and *recommends* that Slovakia continue such efforts by ensuring *inter alia* that books available in schools contribute to the reaching of this aim.

The Committee of Ministers *concludes* that a high proportion of Roma children are placed in so-called special schools. While these schools are designed for mentally handicapped children, it appears that many Roma children who are not mentally handicapped are placed in these schools due to real or perceived language and cultural differences between Roma and the majority. The Committee of Ministers *concludes* that such a practice is not compatible with the Framework Convention. The Committee of Ministers *recommends* that Slovakia design further measures aimed at ensuring that Roma children have equal access to, and opportunities to continue to attend, regular schools, bearing in mind the principles contained in the Committee of Ministers' Recommendation No. R (2000) 4 on the education of Roma/Gypsy children in Europe.

The Committee of Ministers *concludes* that the implementation of the plans to introduce a multicultural and multiethnic component in the core curriculum of schools contributes to the implementation of the Framework Convention and *recommends* that Slovakia pursue these plans and allocate adequate resources for their implementation.

34. SLOVENIA

The Advisory Committee notes that in the “ethnically mixed area” inhabited by the Hungarian minority, the well-developed and effective system of bilingual primary and secondary schools set up as part of the public education system is a means of meeting the requirements of Article 12 of the Framework Convention, which aims *inter alia* to promote contacts between students and teachers of different communities, in particular since it is compulsory for all pupils irrespective of their ethnic origin. In this context, the Advisory Committee welcomes that this system seems to be appreciated by most of those concerned, whether they belong to the majority population or to the Hungarian minority.

With regard to the provision of school textbooks, it appears that the needs of the Hungarian minority are still not fully met and the Advisory Committee can but encourage the authorities to continue to support textbook development and production, including through bilateral action with Hungary.

In the ethnically mixed area inhabited by the Italian minority, there is a different education system with kindergartens, primary schools and public secondary schools providing a full education in Italian. The Advisory Committee notes that this system seems to meet the needs of the persons concerned and welcomes the fact that such schools are attended not only by pupils belonging to the Italian minority but also by pupils from the majority population, thereby also encouraging contacts between students from different communities in accordance with Article 12 of the Framework Convention. According to the Italian minority and as the Government itself acknowledges, one of the main difficulties is finding trained supervisory staff and teachers for these Italian schools, especially to teach a range of subjects in Italian. This is said to be due *inter alia* to the fact that the procedure for recognising qualifications awarded in Italy is particularly lengthy. The Advisory Committee therefore urges the authorities to continue their support for the Italian minority’s efforts to recruit and train qualified staff, where necessary via bilateral action (see related comments under Article 18).

The educational situation of the Roma gives rise to deep concern and differs widely from that of the other minorities and the majority population. Even though the situation of Roma living in the Prekmurje region is significantly better than elsewhere in the country, equality of opportunity in access to education is not yet ensured for this minority in Slovenia. The Advisory Committee is deeply concerned about credible information alleging that a very high percentage of Roma children are still being placed in “special” schools designed for mentally handicapped children. It seems, however, that many of these children are being placed in these institutions because they are less familiar with the Slovene language when they enter school or because of real or perceived cultural differences. The Advisory Committee considers that this practice is not compatible with the Framework Convention. The Advisory Committee stresses that children should only be placed in these institutions when it is absolutely necessary, and always on the basis of consistent, objective and comprehensive tests.

The Advisory Committee welcomes the fact that the Slovene authorities have recognised the existence of the above-mentioned situation and committed themselves to improving the testing methods: a panel of experts rather than the school authorities should be responsible for deciding who is sent to these special schools. The Advisory Committee considers that the Government should closely monitor developments in this sphere so as to ensure that the new measures introduced effectively remedy the situation. It notes in this context that the educational system

should take full account of the language and culture of the minority in question, in accordance with the principles laid down in Committee of Ministers' Recommendation (2000) 4 on the education of Roma/Gypsy children in Europe. Such an approach would also help to promote mutual cooperation between Roma parents and the schools. In this context, the experience minorities acquire during the pre-school period is often of vital importance for them and the Advisory Committee regrets that not enough Roma children are attending kindergartens, a situation which may be partly due to the considerable expense involved for the parents. This being so, the Advisory Committee can but encourage initiatives designed to improve equality of opportunity for Roma at this early age and hopes that such initiatives will have a positive practical impact at the local level.

Another reason for concern comes from information about the introduction of separate classes for Roma in some municipalities, especially at Leskovec near Krsko, where classes are even, in some cases, being housed in separate buildings. Insofar as such practices seem to be left to the discretion of the schools concerned and to be an obstacle to further integration of the Roma, the Advisory Committee urges the Slovene authorities to make a full review of the situation and to take prompt measures to stop this practice.

In respect of Article 12

The Advisory Committee *finds* that the needs of the Hungarian minority are still not fully met as concerns the provision of school textbooks. It *considers* that the authorities should continue to support textbook development and production, including through bilateral action with Hungary.

The Advisory Committee *finds* that one of the main difficulties faced by Italian schools is to find trained supervisory staff and teachers, especially to teach a range of subjects in Italian. The Advisory Committee therefore *considers* that the authorities should continue their support for the Italian minority's efforts to recruit and train qualified staff, where necessary via bilateral action since it appears that the procedure for recognising qualifications awarded in Italy is particularly lengthy.

The Advisory Committee *finds* that there is reason for deep concern about credible information alleging that a very high percentage of Roma children are still being placed in "special" schools designed for mentally handicapped children, although many of them are apparently being placed in these institutions because they are less familiar with the Slovene language when they enter school or because of real or perceived cultural differences. The Advisory Committee *finds* that this practice is not compatible with the Framework Convention. It also *finds* that the authorities have recognised the existence of the above-mentioned situation and committed themselves to improving the testing methods. The Advisory Committee *considers* that the authorities should closely monitor developments in this sphere so as to ensure that the new measures introduced effectively remedy the situation.

35. SPAIN

The Advisory Committee notes with approval that, according to Roma sources, there has been a substantial improvement in the past ten years with regard to access to schooling for Roma children from age 6 and to completion of studies. More recent initiatives designed to include specific training for teachers working with Roma children, the incorporation of human rights education and the teaching of diversity in the teaching syllabus should also be mentioned. Likewise welcomed are the conferences and cultural events recently devoted to Roma by private higher education establishments.

The Advisory Committee observes nonetheless that Roma are still facing difficulties in this sphere. Their situation is markedly different from that of the rest of the population, so that equal opportunities for access to education is not yet secured to them. The Advisory Committee recalls in this context the principles set out in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/gypsy children in Europe, and encourages the authorities to ensure that they are fully complied with in their own action.

In concrete terms, the Advisory Committee notes that, despite recent measures taken by the authorities, shortcomings persist with regard to absenteeism and the level of education attained by Roma children. Similarly, difficulties are reported over the integration of Roma children into pre-school education. Families' socio-economic difficulties, poor family support for education and lack of information are among the factors underlying this situation. The Advisory Committee encourages the authorities to make additional efforts to remedy the outstanding problems.

The Advisory Committee notes with concern in this connection reports of a large concentration of Roma children in certain public schools as a result of their rejection, in other schools, by the population and teachers. The Advisory Committee welcomes the measures taken in recent years by the central and territorial authorities to curb this phenomenon, and the introduction of remedial programmes to facilitate the integration of these children into school. Despite these initiatives, the fact remains that the degree of interaction between Roma children and other children remains slight and they continue to run the risk of isolation. The Advisory Committee is of the opinion that the authorities should examine this situation and take all necessary measures to prevent these children being unduly grouped together and isolated.

The Advisory Committee is concerned that in Spain, according to various sources, the school curricula do not reflect to an adequate extent the cultural diversity of the country (see also relevant comments under Article 6 above). In particular, the Advisory Committee notes that, except for certain initiatives taken on an *ad hoc* basis, information about the Roma, their history, culture and traditions, is absent from school textbooks. By contrast, even if these are isolated instances, there are definitions and references which are damaging to the image of Roma in highly regarded Spanish dictionaries such as the one published by the Royal Academy of Languages. The Advisory Committee is pleased to note that these references have already been the subject of criticism at national level (by the Ombudsman, among others) and at international level, and urges the authorities at all levels to ensure that such damaging references are no longer allowed to appear in curricula, dictionaries, textbooks or other teaching materials.

In respect of Article 12

The Advisory Committee *finds* that, in spite of the progress made in this area, equality of opportunity in access to education is not yet secured to Roma. The Advisory Committee *finds* that they continue to encounter difficulties with regard to pre-school education, absenteeism, the level of education attained, and isolation in certain schools. The Advisory Committee *considers* that the authorities should make increased efforts to remedy these shortcomings and, in order to integrate Roma more effectively in schools, pay particular attention to the information given on them through teaching material.

36. SWEDEN

The Advisory Committee welcomes the fact that the curriculum for the compulsory school system (Lpo 94) and that for the non-compulsory school system stipulate that the schools are responsible for ensuring that all pupils completing the school “have knowledge about the national minorities”

cultures, languages, religions and history”. However, the Advisory Committee has received representations from national minorities suggesting that this goal is often not reflected in practice and that the current history and other relevant school text-books do not contain adequate information on the various national minorities of Sweden. At the same time, the ministry concerned has stated that it is not in a position to give information on the content of text-books in this respect because the selection of text-books is the responsibility of the schools and their headmasters. In this respect, the existing high degree of decentralisation appears to have limited the capacity of central authorities to monitor the implementation of the relevant provisions of the Framework Convention. In view of the foregoing, the Advisory Committee considers that there is a clear need for the authorities concerned to increase vigilance in this area and to improve monitoring of the current situation with a view to addressing any shortcomings that may exist.

The Advisory Committee has received reports according to which in some municipalities the measures taken with respect to Roma pupils have led to the establishment of specific classes for Roma, often with support from a number of Roma parents. The Advisory Committee considers that, even when such initiatives are designed as a way to provide additional support for the pupils concerned, specific classes devoted to one national minority as such (rather than, for example, to the teaching in/of their language and of their culture) risk placing the children concerned at a disadvantage and harming the implementation of Article 12 and the principle of intercultural dialogue contained in Article 6 of the Framework Convention. The Advisory Committee finds it important that the authorities analyse the local situations carefully and take additional measures, in consultations with the persons concerned, with a view to enabling and encouraging Roma children to stay in the regular classes, bearing in mind also the principles contained in the Committee of Ministers' Recommendation No (2000) 4 on the education of Roma/Gypsy children in Europe.

The Advisory Committee notes the existing lack of minority language teachers, which is recognised by the Government. It welcomes the Government's intention to allocate funds to address these shortcomings. The Advisory Committee also draws attention to the need to provide adequate teaching materials in minority languages and to the shortcomings that reportedly exist in this respect *inter alia* as regards materials in Meänkieli and in South Sami and Lule Sami.

In respect of Article 12

The Advisory Committee finds that the current school text-books reportedly do not contain adequate information on the various national minorities of Sweden and that the ministry concerned is not in a position to give information on their content in this respect. It considers that there is a need to improve monitoring of the current situation with a view to addressing any shortcomings that may exist.

The Advisory Committee finds that measures taken with respect to Roma pupils have reportedly led in some municipalities to the establishment of specific classes for Roma, often with support from a number of Roma parents. The Advisory Committee considers that the authorities should analyse the local situations carefully and take additional measures, in consultation with the persons concerned, with a view to enabling and encouraging Roma children to stay in the regular classes.

The Advisory Committee *finds* that there is a lack of minority language teachers in Sweden and *considers* that the authorities should pursue their plans to allocate funds to address these shortcomings. The Advisory Committee also *finds* that shortcomings reportedly exist as regards teaching materials *inter alia* in Meänkieli and in South Sami and Lule Sami and *considers* that this issue merits attention.

37. SWITZERLAND

The Advisory Committee welcomes the numerous measures taken to foster knowledge of the culture, history and language of persons belonging to linguistic minorities as well as the majority. It notes that pilot projects for bilingual teaching enable contacts to be facilitated between pupils and teachers of different communities, and encourages the authorities to develop this type of teaching more (see also related comments under Article 14).

It appears that for some years the question of the role of English vis-à-vis the national languages has been the subject of a wide-ranging debate in Switzerland. In several cantons, obligatory teaching of English now begins earlier than the teaching of a second national language. The Advisory Committee notes that a parliamentary initiative under which cantons would be required to teach an official language of the Confederation as a second language is currently being examined. The Advisory Committee notes in this regard the legitimate concern, expressed by a considerable number of persons belonging to the linguistic minorities, that the introduction of English teaching at an early stage should not be to the detriment of the teaching of the national languages. It therefore encourages the authorities to ensure that the reforms underway in the field of language teaching will leave sufficient room for plurilingualism, as moreover the preliminary draft Federal Act on National Languages seems to provide.

The Advisory Committee encourages the competent authorities to make efforts to have teaching programmes reflect more the history and concerns of the Jewish community in Switzerland, and take account of phenomena connected with anti-Semitism.

The Advisory Committee notes with satisfaction that, for some time, the Federal Office of Culture has initiated discussions with representatives of the community of Travellers with a view to securing better knowledge of their linguistic and cultural needs. It encourages the authorities to step up their efforts in this area in particular as regards the production of a glossary and an inventory of the literature. The same applies to works on the origin, history and meaning of their vocabulary. More generally, the Advisory Committee recalls that the educational system should also take account of the language and culture of the Travellers, in accordance with the principles laid down in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

Certain difficulties have been identified with regard to access to education for the children of Travellers with an itinerant or semi-itinerant way of life. The Advisory Committee considers that the authorities should examine, in consultation with the Travellers, whether new measures, in particular of a legislative nature, are necessary to remedy those difficulties.

In respect of Article 12

The Advisory Committee *considers* that the competent authorities should make efforts to have teaching programmes reflect more the history and concerns of the Jewish community in Switzerland, and take account of phenomena connected with anti-Semitism.

The Advisory Committee *finds* that the Federal authorities have initiated discussions with representatives of the community of Travellers with a view to securing better knowledge of their linguistic and cultural needs. It *considers* that the authorities should step up their efforts in this area.

38. “THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA”

The Advisory Committee has already expressed deep concern at the attitudes of intolerance which have led to clashes between Macedonian and Albanian pupils over the introduction of additional classes in Albanian and the functioning of ethnically mixed schools (see Article 6 above). In this context, the Advisory Committee considers that the principles set out in Article 12 paragraph 2 aiming at facilitating contacts between pupils and teachers of various communities should be given a central importance when designing measures in the field of education. These measures should aim at promoting the knowledge of the culture, history, language and religion of the various groups and so contribute to intercultural dialogue. In view of the information it has received according to which there would be an increasing linguistic gap between the various communities, the Advisory Committee considers that special attention should be given to encouraging individuals' knowledge of the languages spoken in their region.

Although mention is made in the State Report of strengthening the integrating capacity of schools as a priority of government action, the Advisory Committee notes that the institutional capacity needed in order to fully accomplish this task is still lacking. The Advisory Committee notes, for example, that the department responsible for education development within the Ministry of Education has neither the staff nor the resources necessary for its efficient operation. The Advisory Committee urges the authorities to review this situation and to create the conditions that would enable this department to deal with the problems observed in relation to school curricula and teaching resources (see under Article 14 below).

The Advisory Committee notes that one of the difficulties encountered when implementing the principles set out in Article 12 paragraph 1 of the Framework Convention is the lack of up-to-date textbooks in languages other than Macedonian. The Advisory Committee believes that measures should be taken to provide persons belonging to minorities with up-to-date teaching materials, making use of bilateral co-operation with neighbouring States if necessary.

The Advisory Committee's attention has been repeatedly drawn to the shortage of qualified teachers for providing instruction of and instruction in minority languages. This shortage is particularly acute in the case of certain minorities such as the Roma and the Vlachs. The Advisory Committee believes that the authorities should give a high level of attention to this problem and take steps not only to develop appropriate, recognised training for the staff teaching these languages but also to monitor this education, in close consultation with the organisations representing the minorities in question (see also Article 14 below).

On the subject of Roma education in particular, the Advisory Committee acknowledges that recent years have seen a flurry of initiatives by the non-governmental sector to facilitate the educational integration of Roma children. In the opinion of the Advisory Committee, however, the situation with regard to the education of Roma children and Roma girls in particular remains worrying. The statistics cited in the State Report indicate low school attendance and high drop-out rates among Roma children after primary school. In this context, the Advisory Committee believes that the national strategy for the Roma currently being developed (see also Article 4 above) has an important role to play in breaking down the barriers with which Roma children are confronted in the education sphere. The Advisory Committee urges the authorities to make sure that any measures taken involve all the parties concerned, including the parents of Roma children, and take due account of these children's needs, their culture and language in keeping with the principles enshrined in the Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

More specifically, the Advisory Committee underlines the need to focus on turning pre-school education for Roma children into a strategy of integration. It notes here that the authorities plan to amend the law on the protection of children and the law on primary education.

Besides the Roma minority, the Advisory Committee has taken note of the data provided in the State Report which point to a significant drop-out in the number of persons belonging to Albanian and Turkish minorities between primary and secondary school levels. The Advisory Committee believes that the authorities should look closely at the reasons for this state of affairs, with due regard for the comments set out in Article 14 below, and take the necessary steps to tackle the problem.

In the field of higher education, the Advisory Committee notes that positive discrimination measures have been taken to make it easier for persons belonging to minorities to enter higher education and in particular, notes the introduction of quotas, the purpose of which since 1996 has been to ensure that student enrolment reflects equitably the composition of the population. In practice, however, it appears that while there have been some improvements in access for minorities at the universities of Skopje and Bitola, the system has not brought the expected results as far as the Roma are concerned. The Advisory Committee considers that the authorities should introduce monitoring of the system to ensure that the various groups have equitable access to higher education.

The Advisory Committee notes that the faculties of Skopje have departments specialising in the study of Albanian and Turkish. It notes, however, that further steps could be taken to extend this provision to include other languages, in order to meet needs which are not currently catered for, in particular the Vlach language.

The Advisory Committee is aware of the heated debate and tensions surrounding the process that led to Tetovo University being recognised as a state university under the Law of 21 January 2004, and of the fears expressed in some quarters that having a university that provides instruction in Albanian only might lead to further segregation in the education sector. The Advisory Committee hopes that this granting of recognition will make it easier for persons belonging to the Albanian community to obtain a quality higher education, something which is unlikely, in its view, to have an adverse effect on inter-ethnic relations. The Advisory Committee urges the authorities to take all the necessary accreditation measures, including the approval of the curricula and the recognition of diplomas delivered by the University of Tetovo.

On the other hand, the Advisory Committee welcomes the fact that the privately run South East-Europe University, by providing education in Albanian, Macedonian and English, facilitates interaction of students from different ethnic backgrounds.

In respect of Article 12

The Advisory Committee *finds* that there are attitudes of intolerance amongst Macedonian and Albanian pupils towards the issue of mixed schools and *considers* that the authorities should aim at facilitating contacts between pupils when designing measures in the field of education, including through the promotion of individuals' knowledge of the languages spoken in their region.

The Advisory Committee *finds* that the relevant department of the Ministry of Education dealing with minority education does not have the institutional capacity to carry out its tasks adequately and *considers* that the authorities should review the situation.

The Advisory Committee *finds* that efforts are needed to address the various shortcomings in terms of updated textbooks in minority languages and the availability of qualified teachers.

The Advisory Committee *finds* that there is a low school attendance and high drop out rate after primary school among Roma pupils and *considers* that the authorities should address this issue in the national strategy for the Roma that is being developed, in consultation with the parents of Roma children, and taking due account of the childrens' needs.

The Advisory Committee *finds* that there is a significant drop-out in the numbers of pupils belonging to Albanian and Turkish communities between primary and secondary school levels and *considers* that the authorities should examine closely the roots of this situation and take the necessary measures to address this problem.

The Advisory Committee *finds* that the quota system introduced in higher education to ensure that students' enrolment reflects equitably the composition of the population has not increased the enrolment of Roma and *considers* that the authorities should monitor the situation in order to remedy this shortcoming.

39. UKRAINE

The Advisory Committee finds it laudable that the Ukrainian legislation, including Article 3 of the Law on General Secondary Education, identifies multiculturalism and mutual respect among ethnic groups as one of the bases of the educational system and that the Ministry of Education has issued a textbook on human rights with a section devoted to the rights of minorities. The Advisory Committee has however been informed that the above-mentioned principles are still not fully reflected in practice and that *inter alia* the contents of history textbooks do not always portray adequately the role played and the positive contributions made by national minorities. Bearing in mind the importance of the matter, the Advisory Committee considers that this question should be under constant review by the authorities concerned, who should draw on the principles contained in Committee of Ministers' Recommendation No. (2001) 15 on history teaching in twenty-first-century Europe.

The Advisory Committee notes that there have been difficulties in ensuring adequate access to textbooks for persons belonging to national minorities. Recently, however, there have been improvements in this respect with respect to certain textbooks, including in the Romanian and Hungarian languages. It is commendable that a number of text-books in minority languages are issued free-of-charge, which is not always the case for other text-books in Ukraine due to financial constraints. In spite of these improvements, access to textbooks remains an issue of concern *inter alia* for the Crimean Tatars, and the Advisory Committee considers it important that any remaining shortcomings are addressed and that adequate financing is allocated for this purpose.

The Advisory Committee understands that the attendance figures for Roma children remain low at all levels of education. This is an issue that merits increasing attention from the authorities, who should design new initiatives in this sphere in accordance with the principles, contained in Committee of Ministers' Recommendation No. (2000) 4 on the education of Roma/Gypsy children in Europe.

As concerns higher education, the Advisory Committee notes that persons belonging to the Romanian minority have called for a creation of a multicultural university in the Chernivtsy *oblast*. The Advisory Committee is of the opinion that the feasibility of this initiative should be considered in dialogue with those concerned together with other options aimed at promoting equal

opportunities for access to education at all levels for persons belonging to Romanian and other national minorities.

In respect of Article 12

The Advisory Committee *finds* that the principles of multiculturalism and mutual respect among ethnic groups are reportedly not fully reflected in practice in the educational system and *considers* that this question should be under constant review by the authorities concerned.

The Advisory Committee *finds* that, despite recent improvements, access to textbooks remains an issue of concern with respect to some national minorities and *considers* that Ukraine should address any remaining shortcomings in this sphere.

The Advisory Committee *finds* that the attendance figures for Roma children remain low at all levels of education and *considers* that Ukraine should design new initiatives in this sphere.

The Advisory Committee *finds* that persons belonging to the Romanian minority have called for a creation of a multicultural university in the Chernivtsy oblast and *considers* that this initiative should be considered in dialogue with those concerned.

40. UNITED KINGDOM

The Advisory Committee notes the steps taken in the fields of education to foster knowledge of the culture and history of national minorities and of the majority. The Advisory Committee notes in this respect the Citizenship programme of education in primary schools and secondary schools, as well as the wide range of history topics and the teaching of social, cultural, religious and ethnic diversity of societies. In Scotland the Advisory Committee notes the inclusion of citizenship within the five national priorities and the opportunity for teaching culture and history of national minorities in the subject areas of “People in Society” and “People in the Past”.

The Advisory Committee also notes that the teaching of history in schools in Wales provides for specific study on the history of Wales. The Advisory Committee furthermore understands that a working party is being established to look at how issues concerning national minorities could be better incorporated into the curriculum.

The Advisory Committee has received a number of representations from the ethnic minority communities, Roma / Gypsies and Irish Travellers and also from the Ulster-Scots and the Cornish that more should be done to foster knowledge of their culture, history, language and religion. The Advisory Committee therefore encourages the Government to examine this issue further to see how the concerns of the different groups can be reflected both within and outside of the curriculum.

The Advisory Committee notes that data available shows that while certain groups of ethnic minority pupils have higher attainment levels than their peers, a number of groups have significantly lower levels of attainment. African and African Caribbean, especially boys, Pakistani and Bangladeshi pupils are the lowest attaining groups. The Advisory Committee notes that the Government has taken steps to close the attainment gap for Pakistani, Bangladeshi and African and African Caribbean pupils which are linked to recommendations under the Lawrence Inquiry, and that they have published a guidance document “Removing the Barriers: Raising Achievement Levels for Minority Ethnic Pupils”, which has been disseminated widely to schools. The Advisory Committee considers that the Government should continue to give priority to this issue.

The Advisory Committee shares the concern of the United Kingdom Government in relation to school exclusion and the continuing over-representation of African and African Caribbean pupils amongst those excluded. The Advisory Committee notes the various steps being taken by the Government, including additional funding, promoting community mentoring and special inspection of schools with high levels of exclusion. The Advisory Committee while noting that the figures for exclusion are falling, encourages the Government to continue to give priority to this issue.

The Advisory Committee recognises the particular challenges concerning the education of Roma / Gypsy and Irish Traveller children and has received information from various sources concerning the low percentage of children in school. The Advisory Committee notes that as a result of special education programmes and direct funding, the percentage of Roma / Gypsy and Irish Traveller children in school rose at the primary level. The Advisory Committee understands that the attendance figures for Roma / Gypsy and Irish Traveller children at secondary school level and higher education level remains particularly low. The Advisory Committee is also concerned at reports that Roma / Gypsy and Irish Traveller children suffer high incidents of bullying and racism.

The Advisory Committee acknowledges that the Government is actively taking steps in order to deal with the low level of attendance of Roma / Gypsy and Irish Traveller children including through grants and the creation of a Development Fund to meet the needs of the children as well as the provision of Traveller Education Services in some 120 Local Education Authorities. The Advisory Committee also notes that in Scotland the Executive provides funding for the Scottish Travellers Education Programme. The Advisory Committee however considers that the situation calls for further efforts throughout the spectrum of education, including steps to ensure participation and avoid exclusion, giving greater recognition to the travelling culture, history and values of this group and catering for their specific needs. These steps need to dovetail in with measures to provide suitable stopping places for the families in order to avoid them being evicted or forced to move on, which impacts directly on the children's schooling (see also the comments under Article 5). The Advisory Committee considers that the United Kingdom should pay due attention to Recommendation No. R (2000) 4 of the Committee of Ministers to member states on the education of Roma/Gypsy children in Europe.

The Advisory Committee notes that in Belfast the majority of primary age Irish Traveller children are educated separately at a single primary school. The Advisory Committee understands that this education has come about in part as a result of Irish Traveller parent and pupil concerns about the possibility of racist intimidation or bullying at other primary schools in Belfast. The Advisory Committee notes from the Government's replies to its questionnaire that the Department of Education believes that it is in the best long term interests of both Irish Traveller children and settled children to be educated together in an integrated environment and that support and encouragement will be given to Irish Traveller parents who wish to have their children educated in an integrated setting. The Advisory Committee notes, however, that the Government will continue to support the operation of this special primary school mentioned above as long as there is sufficient demand on the side of Irish Traveller parents to justify its existence.

The Advisory Committee is of the opinion that Irish Traveller children share the need for contact with children from different backgrounds and that the placing of Irish Traveller children in a separate school gives rise to concern from the point of view of Article 12. The reluctance of parents to send their children to other primary schools in the area would appear to be an indication of a lack of confidence in the educational system. The Advisory Committee considers that the authorities should take measures to counteract this lack of confidence with a view to ensuring the best long-term interests of both Irish Traveller children and settled children to be educated together in an integrated environment.

Concerning access of ethnic minorities to higher education, the Government has recognised that while certain ethnic groups are well represented in higher education, other groups, such as Bangladeshi women and African and African Caribbean men remain seriously under represented. The Advisory Committee considers that the Government should examine this issue further in order to redress this imbalance.

The Advisory Committee notes that the Government is keen to increase the number of teachers from minority ethnic backgrounds and has set targets to increase the overall proportion of ethnic minority entrants from 7% in 2001 to 9% in 2005/6. The Advisory Committee also notes that the Teacher Training Agency is funding 15 projects to support initial teacher training to attract, train and retain teachers from minority ethnic backgrounds. The Advisory Committee encourages the Government to continue in its efforts to reach these targets.

The Advisory Committee notes the Government's comment that in Scotland there is a need for expanding initial teacher education for Gaelic-medium teaching and encourages the Scottish Executive to pursue ways to increase the supply of Gaelic medium teachers.

In respect of Article 12

The Advisory Committee *finds* that certain groups of ethnic minority pupils have lower attainment levels than their peers and that there is an over-representation of African and African Caribbean pupils amongst those excluded from school and *considers* that the United Kingdom should continue to take steps in order to improve the situation.

The Advisory Committee *finds* that while certain ethnic minority groups are proportionately well represented in higher education, other groups remain seriously under represented and *considers* that the United Kingdom should examine further the measures necessary to increase the level of participation of under represented groups.

The Advisory Committee *finds* that attendance levels of Roma / Gypsy and Irish Traveller children at primary schools and more particularly at secondary schools and higher education are low and *considers* that the United Kingdom should continue to examine how the situation can be improved, in particular at secondary level.

The Advisory Committee *finds* that the majority of primary age Irish Traveller children in Belfast are educated separately in a single school due in part to the Irish Traveller parent's and pupil's concern about the possibility of racist intimidation or bullying at other primary schools in the area. The Advisory Committee also *finds* that, to the extent possible, it is in the best long-term interests of both Irish Traveller children and settled children to be educated together in an integrated environment. The Advisory Committee *considers* that the United Kingdom should explore further how to deal with concerns about bullying and racist intimidation in order to encourage and ensure integrated education of Irish Traveller and settled children in Belfast.