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Working document

Compilation of Opinions of the Advisory Committee relating to Article 12  
of the Framework Convention for the Protection of National Minorities (3<sup>rd</sup> 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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As of 13 May 2016, the Advisory Committee on the Framework Convention for the Protection of National Minorities had adopted a total of 36 opinions, of which 33 opinions on Article 12.

\* 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.

#### NOTE

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

This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. On the contrary, the nature of the obligations of the Framework Convention requires a sustained and continued effort by the authorities to respect the principles and achieve the goals of the Framework Convention. Furthermore, a certain state of affairs may be considered acceptable at one stage but that need not necessarily be so in further cycles of monitoring. It may also be the case that issues that appear at one stage of the monitoring to be of relatively minor concern prove over time to have been underestimated.

1. Albania

*Opinion adopted on 23 November 2011*

Article 12 of the Framework Convention

Access to education for Roma

*Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee urged the authorities to tackle vigorously the issue of schooling for Roma children. It asked the authorities in particular to ensure that children without birth certificates were not prevented from enrolling in schools. The Albanian authorities were also asked to collect figures on the rate of school enrolment among Roma children.

The Advisory Committee also asked the authorities to allocate appropriate resources to pre-school education.

Finally, the Advisory Committee invited the authorities to take measures to combat illiteracy among Roma, including Roma adults.

*Present situation*

The Advisory Committee notes that in recent years the authorities have taken significant steps in the schooling of Roma children, in particular within the framework of the National Strategy for Improving the Living Conditions of the Roma Community. National and local authorities, international donors and local civil society organisations have combined their efforts to open and support pre-school education facilities in neighbourhoods inhabited by substantial numbers of the Roma. These initiatives to establish pre-school education for Roma children followed an earlier scheme, implemented in 2004 – 2006, to build and rehabilitate schools throughout the country, including in Roma neighbourhoods.

The Advisory Committee welcomes the fact that the Ministry of Education and Science has been engaged since 2008 in developing a database on school enrolment among Roma children in order to assess the progress achieved thus far and to direct future policies aimed at increasing enrolment.

The Advisory Committee also notes that, for a number of years, the Ministry of Education and Science has been implementing projects aimed at assisting vulnerable groups, including the Roma, by providing textbooks free of charge to children whose parents were unemployed. The Advisory Committee notes also that, in 2006, the Ministry of Education and Science issued a circular which permitted school enrolment of Roma children without birth certificates. This measure has already yielded some positive results by increasing the number of Roma children attending classes (see related comment under Article 4 above).

The Advisory Committee also welcomes information provided by the Ministry of Education and Science on the "Second Chance" school project, launched in 2004, to assist children, who have already dropped out, to re-enter the school system. According to official figures, over 50% of the 469 pupils participating in this scheme belong to the Roma community.

The Advisory Committee welcomes the introduction of scholarships specifically earmarked for Roma children, which have been granted to 560 Roma children attending pre-schools and to 2,888 Roma children attending primary and secondary schools in 2010/11, as well as the creation of 20 scholarships for Roma students at universities.

Against this background, the Advisory Committee is concerned about studies indicating that the number of Roma children remaining outside of the education system is still alarmingly high, with only 13.5% of Roma children between the ages of three and five attending pre-school education and less than 50% of Roma children between the ages of 6 and 16 attending primary and secondary schools. In addition, 43% of Roma teenagers between the ages of 15 and 16 are illiterate. Beyond the minimum school leaving age, only 12% of Roma between the ages of 16 and 19 attend upper secondary school, compared with a figure of 78% for the rest of the population, and only 2% of Roma go on to higher education. The Advisory Committee further notes with concern that, according to the data collected in 2004, only 58% of Roma women were literate, compared to 66 percent of Roma men.

The Advisory Committee considers that data disaggregated by age, gender and geographical distribution, collected during the census of 2011, might assist the authorities by providing the necessary information for developing further their policies to combat illiteracy and taking additional measures to tackle vigorously the issue of schooling for Roma children.

### *Recommendations*

The Advisory Committee encourages the authorities to increase their efforts to tackle the difficulties facing Roma pupils in the education system at all levels and to offer additional support for programmes in this regard. Systematic monitoring and evaluation of these programmes is essential. Representatives of Roma communities should be involved effectively at all stages in education programmes, including their design, monitoring and evaluation.

The Advisory Committee urges the authorities, as a matter of priority, to make more sustained efforts to ensure access to pre-school facilities for all Roma children and guarantee that the curriculum in pre-school education corresponds to the diverse needs and multi-lingual composition of the groups involved.

The Advisory Committee calls on the authorities to take urgent measures to tackle the problem of adult illiteracy among the Roma.

2. Armenia

*Opinion adopted on 14 October 2010*

Article 12 of the Framework Convention

Equal access to education for persons belonging to national minorities

*Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee considered that the authorities should ensure that persons belonging to national minorities could enjoy equal access to education and that they could be aware of their culture, history, languages and traditions as well as of those of the majority population. In particular, the Advisory Committee encouraged the authorities to place special emphasis on the preparation and dissemination of quality textbooks and urged the authorities to take steps to reintroduce pre-school education in communities where children do not speak the language of instruction (Armenian or Russian) at home.

*Present situation*

The Advisory Committee notes that in 39 Armenian schools there are classes in which all subjects are taught in the Russian language. These schools, which serve primarily citizens of the Russian Federation residing in Armenia, also admit children belonging to the Russian and other national minorities. The Advisory Committee further notes that, in accordance with the agreement between Armenia and the Russian Federation, textbooks produced in Russia are used in such schools.

The Advisory Committee notes with interest the efforts of the authorities to elaborate curricula for teaching Russian, Assyrian, Yezidi and Kurdish as minority languages in all grades of public schools. It also welcomes the publication of textbooks for teaching Russian, Assyrian, Yezidi and Kurdish as minority languages. It notes however that the current efforts do not fully meet the needs of children belonging to national minorities.

The Advisory Committee welcomes the introduction in the curriculum of a social science course which teaches the basic principles on the "rights of national minorities" and "tolerance". These lessons aim to raise pupil awareness of the historical, social and cultural aspects of national minorities and their contribution to Armenian society.

The Advisory Committee further welcomes the approach taken by the Republican Admission Commission to give priority in admitting candidates belonging to national minorities, who have passed the university entrance exams to the relevant higher educational establishments.

The Advisory Committee is concerned by the low number of children belonging to the Yezidi and Kurdish minorities attending pre-school education. This lack of attendance puts these children at a distinct disadvantage when beginning primary school education due to

their insufficient command of the Armenian language. The Advisory Committee welcomes the initiatives of the State authorities aimed at assisting local authorities to establish kindergartens in the localities inhabited by persons belonging to these minorities.

#### *Recommendations*

The Advisory Committee is of the opinion that the authorities should pursue their dialogue with national minority representatives in order to analyse the demand which exists amongst national minorities to receive instruction in or of their minority languages and to take appropriate follow-up measures.

The Advisory Committee calls on the authorities to review the existing needs to ensure an adequate supply of school manuals and textbooks in minority languages.

The Advisory Committee calls on the authorities, as a matter of priority, to make more sustained efforts to ensure access to kindergartens for all Yezidi and Kurdish children and guarantee that the curriculum in such kindergartens corresponds to the diverse needs and multi-lingual composition of these groups.

### 3. Austria

*Opinion adopted on 28 June 2011*

#### Article 12 of the Framework Convention

Intercultural education and dissemination of knowledge on national minorities

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee welcomed the fact that bilingual primary schools in Burgenland and Carinthia were increasingly popular. It invited the authorities to make further efforts to ensure an adequate offer of minority language textbooks and to pursue their efforts to develop intercultural contents in textbooks and curricula and to disseminate knowledge on national minorities' culture, history and language in schools, including outside the traditional settlement areas.

#### *Present situation*

The Advisory Committee is pleased to note the continuously increasing interest among parents of minority and majority background to send their children to bilingual kindergartens and schools. It further commends the successful efforts by pedagogical and academic institutions to develop modern bilingual and intercultural teaching concepts. These have resulted in particularly high academic achievements which, in turn, further raises the attractiveness of bilingual schooling for parents.

The Advisory Committee notes, however, that representatives of all national minorities consider that their history and culture continue to be under-represented in textbooks as well as mainstream curricula, reveal little information about the positive contribution of national minorities to Austrian cultural development and appear often based on

stereotypes. The Advisory Committee is in particular concerned about the fact that the painful periods of history including exclusion and deportation of persons belonging to national minorities between 1938 and 1945 appear not sufficiently addressed in history textbooks. In this regard, the Advisory Committee refers to a compilation of historical data and statements of survivors gathered by Roma representatives, which should be distributed broadly to increase awareness of the past and of the challenges still faced today by the Roma population within society. It finds that objective information accommodating multiple perspectives on all aspects surrounding Austria's history as a multi-ethnic state must be included in all history textbooks and curricula to ensure that the propagation of stereotypes of persons belonging to national minorities is reduced and social cohesion promoted.

The Advisory Committee further notes that the availability of textbooks for the teaching of and in minority languages is still insufficient for all national minority groups. Particular shortage is reported with regard to the teaching of Romani and Roma culture.

#### *Recommendations*

The Advisory Committee strongly encourages the Austrian authorities to redouble their efforts to develop intercultural content in textbooks and curricula and, in particular, to ensure that history teaching contains adequate coverage of Austria's history as a multi-ethnic state, including the positive contributions made by national minorities as well as the challenging periods during the war years.

The Advisory Committee further encourages the authorities to make additional efforts to ensure adequate availability of textbooks for the teaching in and of minority languages and culture, including as regards Romani, and Roma history and culture.

#### Teacher training

##### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to pursue further their efforts to increase the possibilities for teachers in bilingual schools and teachers of minority languages to receive adequate training.

##### *Present situation*

The Advisory Committee welcomes the continued efforts of the universities and pedagogical institutions to offer adequate training for teaching in bilingual schools and kindergartens. It is further pleased to note the continued functioning of the college for multilingual education and intercultural learning as part of the teacher training section of the University of Klagenfurt. The Advisory Committee regrets, however, that the staff at bilingual kindergartens in Carinthia is not required to possess any specific bilingual education or qualification, despite the fact that since 2009 one kindergarten year forms part of compulsory basic education. In Burgenland by contrast, the requirement for special training and qualification of bilingual kindergarten staff and other childcare facilities is provided for by the 2009 Burgenland Child Education and Childcare Act with



regard to the Croat and Hungarian language. There are, however, still no formal teacher training possibilities with regard to Romani.

Despite the increasing demand for bilingual education throughout, the Advisory Committee notes with concern that representatives of all minority groups still consider the availability of adequately-trained teachers for bilingual education and teaching of and in the minority language insufficient. The increased demand has also led to children speaking with broadly varying degrees of language proficiency in the classroom which can not always be adequately managed by qualified teachers. In addition, shortages are particularly still reported with regard to secondary education. The introduction of specific quality standards for minority language education and its regular monitoring is, according to minority representatives in Burgenland, indispensable to improve the currently unsatisfactory results of bilingual education in terms of minority language proficiency. Finally, the Advisory Committee regrets that no progress has been made concerning the criteria for headmasters of bilingual schools in Carinthia. School principals of bilingual schools are still not required to possess a bilingual qualification which, according to minority representatives, reduces their ability to adequately promote the appropriate bilingual teaching concepts.

#### *Recommendation*

The Advisory Committee strongly encourages the authorities to increase further the opportunities to receive adequate training to teach bilingually and in minority languages, and to extend the legal requirements for such training to nursery schools. The quality of education in minority languages should be monitored regularly and effectively, in close consultation with minority representatives.

### Equal access to education

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee urged the authorities to pay increased attention to the educational situation of the Roma, particularly in Vienna, and to take more resolute measures to promote equal opportunities for them in education at all levels.

#### *Present situation*

The Advisory Committee welcomes the continued efforts of the authorities to promote equal access to education for the Roma community at all levels and notes, in particular, the encouraging initiatives in schools in Vienna aimed at countering the specific challenges faced by the Roma such as high drop-out rates and under-achievement. However, it notes with concern that the number of Roma children in special remedial classes is still disproportionately high and that their representation in higher-level education is still disproportionately low. In addition, there is still a marked tendency to under-achieve among the Roma pupils. Comprehensive measures aiming also at integration in the classroom and the fostering of extra-curricular contacts with pupils of a majority

background could be instrumental to further promote effective equality of opportunities in access to education for Roma at all levels.

*Recommendation*

The Advisory Committee urges the Austrian authorities to further expand their efforts to promote equal opportunities for Roma children in education and to seek, in close consultation with Roma representatives, comprehensive approaches to the remaining challenges.

4. Azerbaijan

*Opinion adopted on 10 October 2012*

Article 12 of the Framework Convention

Fostering knowledge of the culture, languages,  
history and religions of national minorities

*Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee called on the authorities to develop history textbooks and other educational material that provided broad information on national minorities and their identity and culture without fostering negative stereotypes. It further encouraged the authorities to ensure that the emphasis placed on the state language in the education system should not prevent adequate support being allocated to research on minority languages, history and other aspects of their cultural heritage.

*Present situation*

The Advisory Committee notes the efforts mentioned in the State Report to promote knowledge on national minorities and foster respect and mutual understanding via the organisation of training and roundtable events, as well as the publication of a book on national minorities living in Azerbaijan. While welcoming these steps, it understands that they are ad hoc initiatives, linked to general human rights and tolerance training projects to improve human rights awareness, but have yet to translate into a systematic review of textbooks and school curricula. According to representatives of most minority communities, information on their specific language, traditions or history is either not available or limited to folkloristic stereotypes, partially with negative connotations such as 'mountainers', 'peasants,' or worse in the case of Armenians. The Advisory Committee was further informed by government officials that two hours per week of national minority language and culture are being taught in 'relevant' schools, which seems to imply that only students belonging to national minorities themselves are taught about their culture, but that such teaching is not mainstreamed in general schooling. In addition, no special funds or programmes are available to promote research on or in minority languages and cultures at school or in university (see also below).

The Advisory Committee is further concerned that history textbooks are reportedly still construed narrowly and without possibility to accommodate other perspectives, which is likely to further strengthen and multiply stereotypes and prejudice against some minorities. The organisation of minority language schooling in a few areas of compact settlement only, where students belonging to a given national minority are taught separately in their language and culture, deepen this divide as there are practically no possibilities for students of minority and majority background to meet and jointly discuss the issues of concern to one or several national minorities. Given the level of intolerance and negative public discourse against some groups in particular, the Advisory Committee regrets that no initiatives appear to be in place to foster mutual understanding and respect in the younger generations, thereby promoting sustainable peace in the region.

#### *Recommendation*

The Advisory Committee calls on the authorities to ensure that adequate information on national minority identity and culture is contained in educational materials and that curricula and school administration promote positive exchanges between pupils of different background with a view to foster tolerance and mutual understanding, including through efforts to promote the understanding of multiple perspectives in the teaching of history.

#### Textbooks and teacher training

##### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to address identified shortcomings in the field of textbooks and teacher training for national minority languages, in close consultation with representatives of the national minorities concerned.

##### *Present situation*

The Advisory Committee welcomes the efforts made by the authorities regarding the development and printing of minority language textbooks. It regrets, however, to have learned that available quantities are still insufficient to meet the needs of minority language pupils and that many schools appear not to have any minority language textbooks past the second grade. The Advisory Committee further understands that bilateral agreements with Georgia and the Russian Federation still exist regarding the exchange of relevant textbooks but that they have recently been limited to apply only to textbooks for minority language and literature classes. Minority representatives confirm, however, that substantial problems concerning the availability of textbooks in minority languages are encountered, in particular as regards other subjects such as mathematics or biology. The experienced lack of suitable textbooks further diminishes the quality of teaching in these subjects.

As to the availability and quality of teacher training, the Advisory Committee understands from its interlocutors, including representatives of the responsible authorities, that the

opportunities for pedagogical training in minority languages are diminishing. The philological department of Lezgin at Baku University, for instance, was closed recently, due among other reasons to limited interest among students and the resulting increase in cost per student for the university. Despite the large number of Talysh living in Lenkoran district and the fact that the language is taught in primary schools in the region, there is no Talysh language department at Lenkoran State University. As a result, teaching in minority languages is often provided by teachers who lack the proper training. According to representatives of a number of minority communities, minority language classes are increasingly cancelled, as teachers are no longer available. While acknowledging the operating costs of suitable minority language teacher training, the Advisory Committee underlines that concerted efforts are indispensable to ensure that a sufficient number of adequately trained teachers are available. Bilateral agreements with neighbouring countries regarding exchanges of students or young professionals in the academic field may also be a means of easing the situation, which appears to be deteriorating rapidly.

#### *Recommendations*

The Advisory Committee calls on the authorities to expand their efforts in the development and distribution of minority language textbooks to ensure that quality teaching is provided in relevant schools.

The Advisory Committee urges the authorities to increase their efforts and consider all available options to provide adequate minority language teacher training to ensure that a sufficient number of suitably trained minority language teachers is available to relevant schools.

### Access to education for national minorities

#### *Present situation*

The Advisory Committee was pleased to learn that persons belonging to national minorities generally face no obstacles in accessing education. One year of pre-schooling is offered to children who are not proficient in the main languages of education, Azerbaijani, Russian or Georgian. Significant numbers of early drop-outs from school are, however, reported from rural and mountainous areas of Azerbaijan, where many minority communities reside. The situation in the south appears to be worse, with girls disproportionately affected due to early marriages as well as to a possible preference among low-income families to support the education of boys. In addition, the Advisory Committee was made aware of concerns of some minority communities that the scholarship programme 'Young Azerbaijanis abroad', which opens opportunities for young graduates to study abroad, may be disfavours students with a minority background and accepting mainly those of Azeri origin.

### *Recommendation*

The Advisory Committee invites the authorities to strengthen their efforts to ensure that equal access to education is provided to all persons belonging to national minorities, including those residing in remote areas of the country.

#### 5. Bosnia and Herzegovina *Opinion adopted on 7 March 2013*

##### Article 12 of the Framework Convention

#### Segregation in the school system

##### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee has urged the authorities of the Entities and cantons to take far more determined measures to end segregation of pupils according to their national or ethnic origin, to promote multi-ethnic education and to impose more widespread application of the common core curricula.

##### *Present situation*

The Advisory Committee notes with interest that on 27 April 2012 the Mostar Municipal Court found that the “two schools under one roof” system constituted segregation on ethnic lines and was in breach of the antidiscrimination law. However, it has been reported that a similar case filed in Travnik was dismissed, on the grounds that there had been no complaints from parents and that no child had ever been refused enrolment on a discriminatory basis. Both cases are now being appealed. These cases illustrate the profound divisions that still exist around the issue of educating together children belonging to different constituent peoples.

The Advisory Committee is deeply concerned at the slow pace of progress in eliminating the “two schools under one roof” system. It is also concerned at reports that the number of mono-ethnic schools is increasing, even in areas where the population has remained more mixed. It welcomes the news that in August 2012 the coordinating body of Ministers of Education of the Federation (involving several, although unfortunately not all, of the cantonal Ministers of Education) adopted a set of Recommendations for the Elimination of Segregating and Parallel Structures in Educational Institutions in the Federation of Bosnia and Herzegovina. It hopes that the adoption of these recommendations will accelerate the process of eliminating segregation in education in Bosnia and Herzegovina (both in the form of “two schools under one roof” and in the form of mono-ethnic schools) and stresses the importance of moving ahead with this process rapidly.

The Advisory Committee emphasises in this context that work also needs to continue on the further development of the common core curriculum in Bosnia and Herzegovina: not only does the existing common core curriculum need to be applied throughout the

country, but the continued existence of separate “national” subjects of history and geography and religion, which are taught differently to pupils according to whether they follow the Bosniac, Croat or Serb “national” group of subjects, is detrimental to the dialogue and interaction of all children. An inclusive approach to the teaching of history and geography – taking a multi-dimensional perspective that also takes account of the history of national minorities in Bosnia and Herzegovina – would be far preferable as a means to facilitate contacts between students of different communities, as required by Article 12, paragraph 2 of the Framework Convention.

The Advisory Committee observes that segregation in education is as a matter of principle unacceptable. Although the reasons for the introduction of the “two schools under one roof” system are well known and understandable in the immediate post-war context of Bosnia and Herzegovina, the maintenance of this practice in the long term is indefensible. The Advisory Committee stresses that ethnic segregation in education is a breach of the human rights of the children concerned by it, that it runs counter to the development of the spirit of tolerance, mutual understanding and co-operation that is central to the Framework Convention (see also above, under Article 6) and that concerns about preserving language and culture can very well be met within the framework of integrated education. Practice in the Brčko District has moreover shown that integrated teaching is absolutely possible in Bosnia and Herzegovina, provided that the political will exists to make it work.

#### *Recommendations*

The Advisory Committee strongly urges the authorities at all levels to take as a matter of priority all necessary steps to eliminate segregation in education. This means in particular accelerating the work to abolish all remaining cases of “two schools under one roof” and replace them with integrated education, as well as working to avoid the development of mono-ethnic schools in areas inhabited by a mixed population. It emphasises in this context that the existence of separate “national” groups of subjects does not justify maintaining separate schools and encourages the authorities to draw on the experiences of the Brčko District and other areas where integrated education is in place to help develop successful models in the schools under their jurisdiction.

The Advisory Committee also strongly recommends that the authorities take more resolute measures to ensure that the existing common core curriculum is applied in every school in Bosnia and Herzegovina, and to introduce inclusive and multi-perspective teaching of history, geography and religion. The subjects covered by the common core curriculum should be extended to include history, geography and religion.

## Teacher training and teaching about national minorities in schools

### *Recommendations from the two previous cycles of monitoring*

In previous monitoring cycles, the Advisory Committee called on the authorities to make the history, culture and languages of the national minorities a component part of school syllabuses and to train teachers to impart knowledge of these subjects. It also pointed to the need to give greater support to developing the necessary textbooks and teaching materials.

### *Present situation*

The Advisory Committee notes with interest that a manual on national minorities for use in schools, "Let's get to know each other", has been developed in recent years with the support of the OSCE and the participation of representatives of national minorities' associations, the Ministry for Human Rights and Refugees and Pedagogical Institutes from various levels of government in Bosnia and Herzegovina. At the same time, it notes that uptake of the manual in schools has so far been relatively limited and that some representatives of national minorities consider that the manual does not go far enough beyond clichés about folklore, costumes or cooking. The OSCE also sponsored the "Kaleidoscope" programme, a country-wide project to assist both teachers and pupils in learning about the culture, heritage, origins and traditions of the national minorities in Bosnia and Herzegovina and promote cross-cultural understanding, which was positively received by representatives of national minorities.

The Advisory Committee notes that initiatives such as these are sorely needed to overcome the current situation, in which national minorities in Bosnia and Herzegovina are virtually invisible. It regrets that stimulation from the international community has been necessary to get them off the ground and stresses that the authorities at all levels should be taking a proactive approach in raising awareness through school curricula about the history, culture and identity of national minorities.

It moreover notes with concern the lack of appropriate textbooks, teaching materials, qualified teachers and available premises, which hampers the efforts of national minorities to promote the teaching of national minority languages and leaves them largely dependent on the support of their kin-States in this field (see further below, Articles 14 and 17). Such efforts should be institutionalised in the education system at all levels of education, including teacher training.

### *Recommendations*

The Advisory Committee urges the authorities to further develop measures and programmes designed to foster a better awareness of national minorities among pupils and the general public, building on the initiatives already taken towards strengthening teaching about national minorities in schools. These long-term efforts should in particular

serve to make the history, culture and languages of national minorities a component part of school syllabuses and to train teachers to teach these subjects.

The Advisory Committee also invites the authorities to provide increased and more active support to the development of school textbooks and other materials designed specifically for the teaching of minority languages.

#### Roma in the education system

##### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee invited the authorities to ensure the systematic implementation of the Action Plan on the Educational Needs of Roma and Other National Minorities, notably through allocating adequate funding and regularly monitoring and evaluating the measures taken. It also emphasised that the state authorities should assume in full their role as coordinator of the implementation of this Action Plan.

##### *Present situation*

Roma children continue to experience considerable marginalisation and social exclusion, which limit their effective enjoyment of the right to education. The Advisory Committee observes that specific measures are needed to break this cycle and achieve equality in practice. It welcomes the authorities' recognition of the need to take such measures and notes in this context that the Action Plan on the Educational Needs of Roma and Other National Minorities was revised when Bosnia and Herzegovina joined the Roma Decade in 2010. An expert team was set up under the auspices of the Ministry for Human Rights and Refugees to monitor the implementation of the Action Plan. As of May 2012 this team was reported to have developed its data collection methodology and to be finalising its first monitoring report. The Advisory Committee welcomes these steps to introduce improved monitoring and evaluation of the implementation of the Action Plan.

The Advisory Committee notes with interest that many positive measures are already in place to improve Roma children's access to school, such as the grant of free textbooks and facilitated access to school buses. However, these measures are not in place throughout the territory of Bosnia and Herzegovina and the Advisory Committee has received numerous reports that where they are in place, these measures do not always reach Roma children in practice. Moreover, for families living in extreme poverty, the cost of other school materials such as exercise books, pens and pencils and of adequate clothing remains prohibitive. These expenses are not covered by the measures in place, which therefore are of little benefit to their intended beneficiaries.

Some welcome examples of the involvement of Roma mediators and assistants in work to improve Roma children's access to education were described to the Advisory Committee during its visit, notably in Sarajevo, Tuzla and the Brčko District. However, such measures



remain scattered and insufficient. The Advisory Committee notes that where such measures have proved successful, it is thanks to the development of strong links with Roma parents and schools and to taking a holistic approach that includes, for example, reaching out to children at pre-school age to prepare them for school and providing a suitable space for children to study; much also depends on the individual dedication and engagement of the persons working as mediators and assistants and the extent to which they are trusted by the Roma communities with which they work.

The Advisory Committee is deeply concerned that, despite the efforts described above, Roma continue to face persistent inequalities with regard to access to education throughout the country. Attendance rates of Roma children in schools remain low and dropout rates high, with few Roma pursuing their education through secondary school and even fewer to higher education. Adolescent Roma girls have particularly high dropout rates and the level of illiteracy amongst Roma adults remains high, especially among older women. Poverty, geographical isolation, social exclusion, discrimination, prejudice and hostility in schools all fuel these phenomena, and the fact that many Roma parents have not completed primary education themselves and have low levels of literacy makes it all the more difficult to engage them in overcoming these problems when it comes to their children's schooling. Furthermore, children who lack identity documents (see above, comments under Article 4) may reportedly be prevented from enrolling for school because, in the eyes of the relevant laws, they have no legal existence. The Advisory Committee stresses the importance of overcoming such problems rapidly in order to ensure that a lack of identity documents does not deprive children of access to education.

### *Recommendations*

The Advisory Committee urges the authorities at all levels to ensure that the Action Plan on the Educational Needs of Roma and Other National Minorities is adequately funded and fully implemented. It encourages the authorities in their efforts to improve the monitoring and evaluation of the implementation of the Action Plan. It also encourages them to feed the results of this monitoring and evaluation into the development and strengthening of good practices in this field.

The Advisory Committee strongly recommends that, as part of the measures taken to ensure equal access to education for Roma children, the authorities ensure that Roma children are not prevented from enrolling for school because they lack identity papers; in such cases the authorities should rather facilitate access to the necessary documents and assist parents to enrol their children in school.

The Advisory Committee encourages the authorities to develop further the practice of employing Roma mediators or assistants to help strengthen the links between Roma families and schools and ensure that Roma children not only enrol in school but are also able to follow their schooling through to completion. It emphasises the importance of

learning from both successful and unsuccessful experiences in this field in order to build trust and create sustainable results.

The Advisory Committee further recommends that the authorities take measures to tackle the problem of adult illiteracy among the Roma, notably by facilitating the access of Roma to adult education.

## 6. Bulgaria

*Opinion adopted on 11 February 2014*

### Article 12 of the Framework Convention

#### Intercultural dimension of education

##### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee recommended that the authorities review the existing textbooks and compulsory curriculum in consultation with representatives of minorities, with a view to ensuring a better reflection of the history, culture and traditions of national minorities as part of the curriculum for all students in Bulgaria, and underlined the need for more sustained efforts to promote intercultural teaching methods at school.

##### *Present situation*

The authorities have referred to programmes conducted in 2010 and 2011 aimed at developing communication and understanding between children from different social, ethnic and cultural communities. They have also indicated that teaching about national minorities is mainstreamed in the school curriculum for all students, and that elements of minority cultures, such as traditional songs and stories, are taught to all pupils. However, representatives of minorities report that the images of minorities conveyed in the textbooks used as part of the general curriculum remain largely confined to (negative) stereotypes. They have also informed the Advisory Committee that in southern Bulgaria, even schools where the vast majority of pupils belong to the Turkish minority are only very rarely given Turkish names, and there are no school principals who belong to the Turkish minority.

##### *Recommendation*

The Advisory Committee recommends that the authorities intensify their efforts to ensure that the history, culture and traditions of national minorities are better reflected in schools and in the curriculum for all students in Bulgaria and that teachers are fully trained to incorporate the intercultural dimension in the classroom.

## Equal access to education

### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee urged the Bulgarian authorities to put an end to practices of placing Roma pupils in separate classes or schools and to take measures to promote the integration of Roma pupils in mainstream schools and classes. It called for more sustained efforts to ensure access to kindergartens for all Roma children and guarantee that the curriculum in such kindergartens corresponded to the needs of the groups concerned, and to monitor, develop and mainstream good practices in these fields.

### *Present situation*

The authorities have referred to a scheme entitled “Creating a favourable multicultural environment for practical implementation of intercultural education and training”, which allowed for the funding (to a total of BGN 5 million, i.e. approximately EUR 2.5 million) and implementation of 62 projects in 2008-2009, with 20 schools, 24 NGOs, 14 municipalities and four other organisations as beneficiaries. The activities funded were directed towards supporting the integration of children and pupils belonging to ethnic minorities, reducing the number of school drop-outs and the number of students at risk of becoming early school-leavers, and reducing the number of children not covered by the educational system. Around 23 000 persons – just over half of those covered by the scheme – reportedly belonged to ethnic minorities, and most of these were Roma children and parents.

The Advisory Committee also takes note that according to information provided to ECRI in 2011, over 10 000 Roma children participated in intercultural education programmes in 2009 and over 11 000 in 2010. More than 5 600 children began attending general schools and kindergartens outside their areas of residence, with free transport, in 2010, and 3 000 attended integration courses. As regards access to kindergarten education more generally, the authorities have indicated that they are considering making pre-school compulsory from the age of four years (the current requirement is five). This measure could help increase the proficiency in Bulgarian of children who have a different mother tongue. However, at the time of drafting the present Opinion, it was not clear whether this measure would indeed be introduced.

The Advisory Committee welcomes the above initiatives. It notes with satisfaction that Roma representatives confirm that the number of Roma children who attend and complete school successfully is increasing and that a number of successful desegregation projects have also been carried out. It welcomes this progress as well as information that increasing numbers of Roma are successfully completing university education. However, it notes that the proportions of both Turkish and Roma pupils who do not complete secondary school remains significantly higher than the overall figure for the Bulgarian population, as do the proportions of Turkish and Roma children who never complete any level of education. Against this background, it emphasises the need to continue efforts to

ensure Roma children's integration in mainstream schools. It also underlines that the lack of activities designed to protect and preserve Romani culture and teach the Romani language may contribute to the difficulties experienced by Roma children in the school system, and these considerations also need to be addressed in taking measures to improve their access to education.

### *Recommendation*

The Advisory Committee calls on the authorities to pursue and intensify their efforts to eliminate segregation in schooling and to promote the full integration of Roma children in mainstream schools and classes, including through measures targeted specifically at improving the access of Roma children to kindergarten, at encouraging them to remain in school until they complete their secondary education and at helping parents to support their children in this respect.

## 7. Croatia

*Opinion adopted on 27 May 2010*

### Article 12 of the Framework Convention

#### Availability of textbooks in minority languages

##### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee requested the authorities to address the problem of textbooks as a matter of priority to ensure equal treatment of persons belonging to national minorities in the educational system. It further requested them to consider approving to a greater extent, where appropriate, the use of books produced in the "kin-State" of the minority concerned in accordance with Article 15 of the Law on Education and Schooling in a National Minority Language and Script.

##### *Present situation*

The Advisory Committee notes that according to the information contained in the State Report, the Ministry of Science, Education and Sports approved textbooks for mother tongue learning developed in the "kin-States" for the following minority languages: Czech, Hungarian, Italian, Serbian and Slovak. In addition, 96 textbooks used for teaching other subjects at primary school level were translated from Croatian into minority languages. The Advisory Committee also notes that all the textbooks used in primary schools are distributed to children free of charge.

The Advisory Committee regrets that, according to the information provided by minority representatives, similar efforts have not been undertaken as regards textbooks used in secondary education, where only the textbooks for mother tongue learning developed in the "kin-States" are available in minority languages. While recognising the high cost of producing small print runs, the Advisory Committee considers that the availability of textbooks in minority languages is a prerequisite for raising interest among students and

parents in attending minority schools and an indispensable element of providing quality education for students belonging to national minorities.

#### *Recommendation*

The Advisory Committee urges the authorities to increase their efforts, including financial, to ensure that an adequate supply of textbooks in minority languages is available at all levels of education and to make specific efforts in relation to the minority languages for which no textbooks are available so far.

#### Education of Roma children and contacts amongst pupils from different communities

#### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee expressed concern over the placing of Roma children in separate classes and their stigmatisation in certain schools and called on the authorities to take further measures to improve the status of Roma in schools.

The Advisory Committee also called on the authorities to promote increased attendance of Roma children in pre-schools and to encourage improved contacts between pupils of different communities.

#### *Present situation*

The Advisory Committee welcomes the initiatives taken by the authorities to address the concerns of the Roma regarding equal access to education within the framework of the Action Plan for the Decade of Roma Inclusion 2005-2015 and the National Programme for Roma. The introduction of Roma educational assistants and scholarships specifically earmarked for Roma secondary school students are to be encouraged.

The Advisory Committee notes, however, with deep concern that Roma children still face serious difficulties in the educational system. According to figures provided by the authorities, the number of Roma children attending secondary schools, in spite of the recent commendable increase, remains very low. The figures indicate that in the school year 2009/10 there were 550 Roma children in pre-school education, 4,186 Roma students in primary schools and only 304 students in secondary schools. These figures conclusively demonstrate that the vast majority of Roma children do not continue their education beyond the primary level.

The Advisory Committee notes also with deep concern that, according to information obtained from a number of interlocutors, some Roma children are unable to attend school because of lack of identity documents.

The Advisory Committee notes with concern that insufficient knowledge of the Croatian language by Roma children at the time of entrance into the first grade of primary school was used to justify creation of separate Roma classes. In some communities, this policy

resulted with over 80% of all Roma children being placed in such classes. In addition, the curriculum in such classes was significantly reduced in scope and volume as compared to the officially prescribed teaching plan which led to lower quality education.

In this context, the Advisory Committee welcomes and shares the conclusions of the judgement of the European Court of Human Rights in the case *Oršuš* against Croatia delivered on 16 March 2010, which held that language-based segregation of Roma children into separate classes constitutes discrimination and violates the European Convention on Human Rights.

The Advisory Committee further notes that various sources, including Roma minority representatives, indicated that the knowledge of Roma history, culture and traditions among teachers remains low and no efforts are made to teach students belonging to the majority population about the Roma and their contribution to Croatian society. This lack of awareness of the presence and contribution of Roma to society as a whole reinforces prejudice and stereotyping of its members and consequently hinders the successful integration of Roma into mainstream society.

#### *Recommendations*

The Advisory Committee urges the authorities to eliminate, without further delay, the continued segregation of Roma children at school and to redouble their efforts to remedy other shortcomings faced by Roma children in the field of education.

The authorities should investigate all reports of exclusion of Roma children from school due to the lack of identity documents, and take resolute action to tackle the problem.

The Advisory Committee calls on the authorities, as a matter of priority, to make more sustained efforts to ensure access to kindergartens for all Roma children and guarantee that the curriculum in such kindergartens corresponds to the diverse needs and multi-lingual composition of the groups concerned.

The Advisory Committee calls on the authorities to make more sustained efforts to promote the Romani language, culture and traditions, and to portray a more positive image of the Roma identity among other children, families and teachers.

#### 8. Czech Republic *Opinion adopted on 1 July 2011*

## Article 12 of the Framework Convention

### Intercultural dimension of education

#### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee called on the authorities to reinforce the intercultural element in education, with a view to fostering mutual knowledge and dialogue between the majority and the various minorities.

#### *Present situation*

The Advisory Committee notes with interest that within the Framework Grammar School Education Programme, approved in 2007 by the Ministry of Education and implemented since 2009, a new cross-curricular subject *A Citizen in a Democratic Society* became a compulsory part of the curriculum. It covers issues such as political radicalism and extremism, current Czech extremist movements and their symbols.

The Advisory Committee commends further that within the Framework Elementary School Education Programme, a cross-curricular subject *Multicultural Education* aims at teaching children about diversity of cultures, traditions and values and raises children's awareness of their own cultural identity and traditions. The Advisory Committee welcomes the Ministry of Education's resolve to include in the curricula a range of topics addressing national minority issues such as the Holocaust, post-war expulsion of ethnic Sudeten Germans, as well as information on languages and cultures of different national minorities living in the Czech Republic.

Finally, the Advisory Committee welcomes the information on the ongoing review of history textbooks with a view to examining the treatment of Jewish and Roma themes in history textbooks and identifying aspects of their history which should be discussed in greater detail.

#### *Recommendation*

The Advisory Committee encourages the Czech authorities to continue their efforts to develop civic and intercultural contents in textbooks and curricula and to ensure that history teaching contains adequate coverage of the 20th century.

### Equal access to education; the situation of the Roma

#### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee called on the authorities to make their support measures for Roma children in the field of education more effective. It urged the authorities to combat isolation of Roma children in both ordinary and "special schools" and that preparatory classes for children be supported and promoted.

#### *Present situation*

The Advisory Committee recalls that the European Court of Human Rights in its Grand Chamber judgment of 13 November 2007 in the case of D.H. and others v. the Czech

Republic (application no. 57325/00) found that the Czech Republic violated the European Convention on Human Rights by placing a disproportionate number of Roma children into "special schools" in which they were subjected to a limited curriculum and segregated from the mainstream student population. The Court held that such differential treatment had a indirect discriminatory effect, thus confirming earlier findings of the ECRI, the Commissioner for Human Rights and of this Advisory Committee. The Advisory Committee notes that the supervision of the execution of this ruling by the Committee of Ministers of the Council of Europe is continuing, indicating that the general measures called for, remain to be introduced.

The Advisory Committee notes that the authorities adopted in March 2010 a National Action Plan for Inclusive Education with the stated aim of designing the plan for including children with difficulties into mainstream education. The Advisory Committee regrets to note that more than fifty experts from an Education Ministry Working Group which was supposed to design a plan to improve disadvantaged children's education resigned in June 2011, alleging in their resignation letter that the Ministry had paid insufficient attention to taking concrete steps to support disabled pupils and Roma pupils.

The Advisory Committee further notes with deep concern that "practical schools", attended by a disproportionately large number of Roma children, have replaced "special schools" without any substantive change to their composition, curriculum and position within the education system of the country. These schools have not been integrated into the mainstream education system and continue to teach on the basis of a reduced curriculum which prevents these pupils from accessing higher educational levels. This practice is incompatible with Article 12, paragraph 3 of the Framework Convention.

Moreover, it is worrying that the authorities have as yet not adopted measures which would prevent children from being inappropriately placed in the "practical schools", nor have they taken steps to require informed parental consent as a condition for placement into special education. According to non-official, but widely circulating figures, about 30% of Roma children continue to be taught in "special" or "practical" schools, as compared to 2% of non-Roma children.

Against this background, the Advisory Committee welcomes the initiatives taken by the civic associations such as the Jekhetani Luma NGO in the town of Mladá Boleslav to counsel Roma parents on the available pre-school opportunities and to raise their awareness about the necessity for enrolling their children in pre-school establishments in order to facilitate children's Czech language acquisition and subsequent integration into the ordinary primary schools.

The Advisory Committee also notes with interest the growing awareness on the part of local authorities of the need for a greater partnership between the municipalities and the Roma, in particular as regards setting up pre-school and elementary school facilities, as demonstrated recently by statements made at the convention of the Movement of Mayors and Independents.



### *Recommendations*

The Advisory Committee urges the authorities to eliminate, without further delay, practices that lead to the continued segregation of Roma children at school and to redouble their efforts to remedy other shortcomings faced by Roma children in the field of education, and to ensure to Roma children equal opportunities for access to all levels of quality education. In particular, steps should be taken to prevent children from being inappropriately placed in “practical schools”, and to ensure that fully-informed consent is given as a condition for placement into special education.

The Advisory Committee urges the authorities, as a matter of priority, to make more sustained efforts to ensure access to pre-school facilities for all Roma children and guarantee that the curriculum in such kindergartens correspond to the diverse needs and multi-lingual composition of the groups concerned.

## 9. Cyprus

*Opinion adopted on 19 March 2010*

Article 12 of the Framework Convention

Intercultural education. Equal opportunities for access to education.

### *Recommendations from the two previous monitoring cycles*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to examine more closely the specific educational needs of the “religious groups” and identify, in consultation with their representatives, the most appropriate ways and means of satisfying their needs. The Advisory Committee stressed that the concerns of the Maronites should be addressed as a matter of priority in view of their particularly vulnerable position.

The authorities were encouraged to pay increased attention to the availability of appropriate teaching material and the training of qualified teachers for schools serving the “religious groups” as well as to the teaching of the history and culture of these groups.

### *Present situation*

The Advisory Committee notes with interest the continuing reform of the Cypriot education system, already begun in 2005. It observes that, as well as modernising the system as a whole, one of the main objectives of the reform is to prepare the system to be more responsive to the needs of pupils and specific groups.

The Advisory Committee welcomes the fact that the multicultural aspect of education has been the focus of special attention in the reform process. A multicultural education strategy has been developed, providing for revision of textbooks and syllabuses and putting the accent on teacher training and awareness-raising. Despite consultations with the various parties concerned (teachers, parents’ associations, political parties, etc.), when the Advisory Committee visited there was nonetheless little information available

on their outcome and the solutions identified by the Government. As for the “religious groups”, their representatives only partly confirmed that they had been consulted about the new syllabuses.

The Advisory Committee notes with interest the history teaching plans under this reform. It welcomes the fact that the three “religious groups” have been offered the option of providing written contributions summarising the main elements of their history, culture and traditions to be included in the future curriculum and new textbooks. It is unclear at this stage to what extent these contributions have been taken up by the Ministry of Education and whether this information is going to be incorporated in the curriculum and textbooks for all pupils or just in those for the three “religious groups”. Meanwhile, in the absence of appropriate textbooks and training, teaching the history of their own communities remains a challenge for the Armenians, Latins and Maronites.

The Advisory Committee notes that the authorities continue to support the Armenians, Latins and Maronites in the field of education through special arrangements to respond to each group’s specific needs - the school Nareg for the Armenians, the school St. Maron for the Maronites and, in the private system, the school Terra Santa, for the Latins (and others) (see also comments under Article 13).

The Advisory Committee notes, as regards Armenians, that the Nareg schools (whether in Nicosia, Larnaca, or Limassol, where a new primary school has been built with Government funding) continue to play a key role in the education of young Armenians. It took note with interest of the efforts made by these schools to meet families’ expectations in a situation where these families are finding it increasingly difficult to maintain a proper balance between their children’s need to learn and preserve their Armenian language and culture and their need to achieve proficiency in Greek and English.

The Advisory Committee notes that the Nareg schools, which offer education in three languages - Armenian (at primary level), Greek (government-funded) and English - are still facing serious problems in obtaining appropriate teaching material and qualified teachers. These problems mainly concern Armenian-language teaching and are due not only to inadequate funding but also to the impossibility at present of training Armenian-language teachers in Cyprus and producing appropriate teaching materials there. Use of imported textbooks paid for from private sources can only be a temporary solution, since the content and language used are not tailored to the specific needs of Cypriot Armenians. The Advisory Committee is pleased to learn that a plan to develop in Cyprus textbooks in Armenian is to be funded by the authorities and implemented over the next few years.

The Advisory Committee has taken note of the efforts by the authorities, in co-operation with the Maronite community, to offer children from this community equal opportunities for education, through the St Maron school. The great majority of its pupils (approximately a hundred) come from the Maronite community, including from one family living in villages in territories outside the government’s control. The Advisory Committee welcomes the Government’s support for these children and their families

which enables them to travel and receive an education in common with other members of their community.

It notes, however, that while the Maronites have some influence on the everyday running of the school, the latter remains a public school, fully funded by the Government, and follows the public schools' curriculum, which is taught in Greek. The teaching of the Maronites' language, culture and religion, currently offered as optional classes, is adversely affected by the lack of appropriate textbooks, such as those needed to teach history and religion, and the lack of qualified teachers. The Maronite community believes that, to be more effective, this teaching should form part of the mandatory curriculum.

The Advisory Committee notes the Maronite community's concern about the quality of teaching provided in the school and the need for more sustained assistance and greater flexibility on the part of the Ministry of Education to draw up an attractive curriculum appealing to a larger number of pupils from this community. It observes that at present, due *inter alia* to the fact that the school is located outside the city centre, many Maronites prefer to enrol their children in other schools, particularly Terra Santa. According to the Maronites, a more varied curriculum would encourage pupils belonging to other communities to enrol in this school and therefore make this school multicultural. This would also gradually help to dispel remaining prejudices against this community in Cypriot society.

Whilst welcoming these measures and the efforts made by the schools in question to provide high-standard education and an environment conducive to intercultural dialogue, the Advisory Committee once again notes its interlocutors' concern as to the difficulty of recruiting and training Cyprus-based teachers qualified to teach minorities. Given the specific needs of minority education, which is bilingual or even trilingual in some cases, the representatives of the three groups emphasised, albeit in different ways, that specific support from the Government was vital for guaranteeing the future of the schools concerned and maintaining educational provision appropriate to their needs. The Advisory Committee takes note with interest of the plans announced by the University of Cyprus to use targeted measures to facilitate admission of students from the "religious groups" and expresses the hope that they will materialise without further delay. Such plans might include the provision of courses in and of the Armenian and Maronite languages and on the Armenian and Maronite cultures.

### *Recommendations*

The Advisory Committee encourages the authorities to review the educational situation of the "religious groups" with the latter's representatives in order to adjust and update Government support according to needs. More resolute efforts should be made to overcome the difficulties faced by the three communities as regards provision of appropriate teaching materials and qualified teachers.

The authorities are also encouraged to take additional measures, in consultation with the Maronites, to enable the St Maron School to meet the needs of this community. In

addition, the Advisory Committee encourages the authorities to engage in dialogue with the Maronite community as well as other persons potentially concerned on ways and means to strengthen this school's multicultural dimension.

10. Denmark

*Opinion adopted on 31 March 2011*

Article 12 of the Framework Convention

Promotion of knowledge of the culture,  
history, language and religion of national minorities

*Recommendations of the two previous monitoring cycles*

In the previous monitoring cycles, the Advisory Committee recommended that the authorities discuss with the persons concerned how better to reflect the culture, history, language and religion of persons belonging to the German minority and other ethnic and religious groups in school curricula and textbooks.

*Present situation*

The Advisory Committee notes with satisfaction that the Ministry of Education reviewed the general framework of the primary and secondary school curricula in 2009 and decided on that occasion to develop the teaching of human rights related subjects. It also notes that, while all pupils receive teaching that acquaints them with Danish culture and other cultures, particular attention is also paid to the culture, traditions and language associated with the specific history of the German minority in the South Jutland region.

Representatives of the German minority stressed that, in their opinion and despite these efforts, the information provided on their history and culture through the curricula is still insufficient.

The Advisory Committee wishes to underline that the cultural heritage of the German national minority should be deemed an integral part of the cultural wealth and diversity of the country as a whole. In this context, it is important for the authorities to continue implementing the measures designed to promote the cultural diversity of Danish society, especially by continuing to support the teaching of the culture and language of the German minority in the schools throughout the country.

*Recommendation*

The Advisory Committee calls on the authorities to increase measures aimed at promoting interest in the German culture and language within the Danish educational system in order to strengthen the visibility of the German minority.

11. Estonia

*Opinion adopted on 1 April 2011*

## Article 12 of the Framework Convention

### School curriculum

#### *Recommendations of the two previous monitoring cycles*

In the previous monitoring cycles, the Advisory Committee underlined that information on the identity of all ethnic groups living in Estonia, as well as adequate multicultural elements, should be included in school curricula. An intercultural perspective should be introduced in history textbooks and Estonia should take further steps also to encourage majority pupils to study minority languages.

#### *Present situation*

The Advisory Committee is pleased to note that the Estonian Integration Strategy appears to acknowledge the significance of education as a tool for integration and also mentions the necessity of emphasizing cultural diversity of Estonian society in the school curricula. At the same time, it notes with concern that the indicators for implementing objectives in the field of education and cultural integration all concentrate on increasing the percentage of students who successfully pass the Estonian Language Examination, but take no regard for the important role that schools could play in creating a common sense of statehood, positive feelings towards diversity, and teaching about the value and contribution of other cultural groups to Estonian society. The Advisory Committee also learned from its discussions with non-governmental interlocutors that the school curricula still contain only few multicultural elements.

The Advisory Committee is pleased to note that there is, apparently, an increasing interest among Estonian-speaking pupils to learn minority languages, particularly Russian, given its importance in the labour market.

The Advisory Committee is pleased to note that there appears to be a growing acceptance that multiple perspectives should be encouraged in historic research and welcomes in this regard the establishment in 2008 of the Estonian Institute of Historical Memory. In this context, it underlines that multiple perspectives must also be reflected in history textbooks used in schools to ensure that different views are adequately reflected without bias or ideological stereotyping. According to information obtained by the Advisory Committee, the independent assessment of 12 history textbooks revealed that certain national minorities were mentioned only very sparingly and with no reference to their past positive contributions to the culture and development of Estonian society over centuries.

#### *Recommendation*

The Advisory Committee calls on the authorities to ensure that school curricula and textbooks reflect adequately the presence of national minorities in Estonia, including their positive contributions to the traditions, culture and development of Estonian society. Multiple perspectives must be introduced in history teaching and appropriately reflected in the textbooks used in both Estonian and Russian-language schools.

## Teacher training

### *Recommendations of the two previous monitoring cycles*

In the previous monitoring cycles, the Advisory Committee called for increased efforts in the field of teacher training and in the production of study materials suitable for a more bilingual school environment with a view to ensuring quality education.

### *Present situation*

The Advisory Committee welcomes the significant efforts of the Estonian authorities to improve the language proficiency of teachers who teach subjects in Estonian in Russian-language schools, as well as the establishment of four regional monitoring and counselling centres for such teachers. While appreciating the initiative in the context of the ongoing transfer of the language of instruction in Russian-language schools to 60% in Estonian, the Advisory Committee would like to caution that these initiatives should not deflect attention from other, general teacher training courses that must be instituted and organised in order to ensure the quality of teaching in all languages and in all schools. Given that approximately 50% of Russian-language schools offer immersion classes and the Estonian Integration Strategy includes the plan to increase the number of these classes, special teacher training introducing immersion methodology, as well as bilingualism and inter-culturalism, must be expanded and be made available to all schools and teachers.

### *Recommendation*

The Advisory Committee strongly encourages the authorities to increase their efforts in the field of teacher training and ensure that the quality of education overall is given first priority before considering the language of instruction. Teacher training courses should also contain elements regarding immersion methodologies, bilingualism and inter-culturalism within the school environment.

## Contacts between pupils Recommendations of the two previous monitoring cycles

In the previous monitoring cycles, the Advisory Committee called for further initiatives to increase contacts between children belonging to the majority and those belonging to a national minority. The importance of such contacts should also be reflected in the design and implementation of various models of education, starting at the pre-school level, as well as in the planning of educational facilities.

### *Present situation*

The Advisory Committee welcomes increased efforts to create opportunities for contacts between pupils from Estonian and Russian-language schools. At the same time, it notes with regret that these efforts are still mainly directed at creating extra-curricular opportunities for children belonging to national minorities to learn about majority culture (such as through participation in a language camp) but fail to encompass more general measures to create common spaces in every-day life. In addition, despite an increase in interest among Estonian-speaking pupils to learn Russian, no initiatives have been made

to offer similar language camps for Estonian pupils to participate in Russian-language camps or spend time in a Russian-language environment. The offer of language camps and family exchange programmes to Estonian-speaking children would promote openness and flexibility on the side of the majority towards persons belonging to national minorities and would thereby multiply the effects of language camps on integration and intercultural dialogue.

The Advisory Committee is pleased to note the continued interest of parents belonging to national minorities to send their children to Estonian-language pre-schools and schools as well as the increased interest among majority pupils to learn Russian. It notes with concern, however, that the Estonian school environment is still divided between Estonian and Russian-language schools and that there has been no encouragement for creating bilingual classes that could bring together pupils from different language backgrounds and enable them to learn both languages while promoting inter-ethnic contacts and networks and thereby contributing to the aim of the Estonian Government to create a more cohesive society.

#### *Recommendations*

The Advisory Committee encourages the authorities to expand the existing opportunities for pupils belonging to national minorities to participate in language camps and family exchange programmes to children belonging to the majority in order to ensure a greater impact of these measures on integration and increased intercultural dialogue in society.

The Advisory Committee strongly encourages the authorities to consider the introduction of bilingual classes and schools for Estonian as well as for Russian-speaking pupils, while ensuring that the specific pedagogical skills and tools are developed and used and that appropriate teacher training is available to all teachers.

#### Access to schooling

##### *Recommendations of the two previous monitoring cycles*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to pursue vigorously their commitment to ensure that children belonging to national minorities had equal opportunities for access to education at all levels. It underlined that the increase of State language instruction in secondary education must be pursued in a manner that does not harm the quality of education in schools attended by persons belonging to national minorities and thereby limit their possibilities to access higher education.

##### *Present situation*

The Advisory Committee welcomes amendments to Decree No. 10 (1994) of the Ministry of Education, ensuring that schools may no longer verify the pupil's proficiency in the language of instruction before granting admission. However, it remains deeply concerned about continued reports that children belonging to national minorities have been refused

entry to Estonian-language schools with the justification that these were meant mainly for Estonian-speaking pupils.

The Advisory Committee is pleased to note that access to higher education for persons belonging to national minorities appears to have increased, notably because of their increased Estonian language proficiency and that the number of graduates of Russian-language schools admitted to a student place financed from the State budget is only slightly lower than among those who graduated from Estonian-language secondary schools. At the same time, the Advisory Committee remains concerned about reports that the transfer in the language of instruction in Russian-language schools to Estonian may have had an impact on the quality of education which, in turn, may affect access of persons belonging to national minorities to higher education and doctoral studies in future years (see comments on Article 14 below).

#### *Recommendation*

The Advisory Committee encourages the Estonian authorities to ensure that persons belonging to national minorities have equal access to education at all levels in both Russian and Estonian-language schools in a way that precludes segregation in education. Particular attention must be paid to ensure that the transfer to Estonian as the language of instruction in Russian-language schools is not detrimental to the academic quality of education in order not to limit access of Russian-language students to higher education.

## 12. Finland

*Opinion adopted on 14 October 2010*

Article 12 of the Framework Convention

### Information on minorities in the educational system

#### *Recommendations from the two previous cycles of monitoring*

In previous monitoring cycles, the Advisory Committee called on the authorities to ensure that local curricula as well as history and other textbooks adequately address national minorities, including their culture and language, and to pay sufficient attention to this issue also in teacher training.

#### *Present situation*

The Advisory Committee notes with interest the creation of an Internet site, in co-operation with the Sami Parliament, providing information to all schoolchildren on the Sami people and their culture, as well as the preparation of a set of teaching materials on the Sami to be used in basic education. However, the Advisory Committee regrets that no significant changes have been introduced into the general content of local curricula and relevant textbooks to ensure that Finland's various minorities, their culture and languages, and the contribution they have made to society are positively and appropriately reflected at all levels of education.



*Recommendation*

The Advisory Committee reiterates its call on the Finnish authorities to ensure that the general school curricula contain adequate references to national minorities' languages and cultures and that efforts to increase attention to minority identity and culture in teacher training are mainstreamed through regular teacher training courses at all levels and not limited to minority language teachers.

## Roma in education

*Recommendations from the two previous cycles of monitoring*

In previous monitoring cycles, the Advisory Committee urged the authorities to increase their efforts to enable Roma children to remain in regular classes rather than in special education and regretted the fact that support of the Roma language and culture was not adequately reflected in day-care institutions. Furthermore, the Advisory Committee called for more efforts in the field of teacher training to address problems in the availability of Romani language classes and encouraged the authorities to follow up on recommendations made in the context of a comprehensive survey on the status of Roma children's basic education published by the National Board of Education in 2004.

*Present situation*

The Advisory Committee notes with appreciation that sustained efforts have been made, in close co-operation with the national and regional Advisory Boards on Roma Affairs, to increase the number of Roma children in regular classes, and to promote contact between parents and schools which has helped to decrease school absences and drop-out rates. In this context, the Advisory Committee notes in particular the constructive approach taken by Roma representatives themselves and the extent of their own engagement to convince parents to send their children to school.

Despite the above efforts, the drop-out ratio among the Roma population remains significantly higher than average and Roma children and young adults continue to face difficulties in their schooling, including as regards higher education or vocational training. The Advisory Committee is pleased to note that 24 municipalities, in which approximately 75 % of Roma children live, have received additional funding to engage in targeted efforts to increase school attendance of Roma children and participate in development training organised by the Board of Education. The Advisory Committee expects that the implementation of the proposed *National Policy on Roma*, which contains important recommendations regarding Roma education, will further address current shortcomings, provided that sufficient funding is allocated.

*Recommendation*

The Advisory Committee encourages the Finnish authorities to adopt the *National Policy on Roma* and to allocate adequate resources to ensure that its proposed actions to redress the continued disadvantages of Roma children in Finnish schools in a

comprehensive manner, including access to higher education and vocational training, are fully implemented.

#### Swedish language teaching for Finnish-speaking pupils

##### *Recommendations from the two previous cycles of monitoring*

In previous monitoring cycles, the Advisory Committee called on the authorities to ensure careful monitoring of the developments concerning Swedish-language teaching and to continue measures to promote the teaching of the Swedish language among the majority population.

##### *Present situation*

The Advisory Committee notes with concern that the study of the Swedish language in Finnish schools appears to have further decreased in the last years. The decision to make the passing of the matriculation exam in Swedish a voluntary matter for school graduates has, unfortunately, had a negative impact on the demand and quality of Swedish language study, resulting in a lack of proficient Swedish speakers in the civil service (see comments on Article 10 above). While Swedish remains a compulsory subject in comprehensive and upper secondary schools, the Advisory Committee notes that municipalities are free to start offering Swedish language classes as late as grade 7, as an additional language after English, which may adversely affect the status of Swedish as an official language of Finland.

##### *Recommendation*

The Advisory Committee urges the Finnish authorities to review the Swedish language teaching system to ensure that Swedish language capacity among the majority population does not further decline. Measures should also be taken in the field of teacher training to ensure that a sufficient number of teachers with adequate Swedish language skills are available at all school levels. The Advisory Committee further invites the authorities to monitor the possible negative effects of introducing English at an early age on the Swedish language capacity of pupils.

#### 13. Germany

*Opinion adopted on 27 May 2010*

#### Article 12 of the Framework Convention

##### Roma and Sinti in the education system

##### *Recommendations of the two previous monitoring cycles*

During the previous monitoring cycles, the Advisory Committee urged the authorities to adopt measures to improve participation of Roma and Sinti children in the education system, on an equal footing with other pupils.

It also encouraged the authorities to support plans for Roma and Sinti assistants and

mediators and to ensure that these persons received high-quality training.

#### *Present situation*

Information available to the Advisory Committee indicates continuing problems with the schooling of Roma and Sinti children. In addition to the problems of absenteeism and drop-out that are still common, the Advisory Committee has learned from various sources that these children continue to be over-represented in “special” schools and classes. Some Roma and Sinti representatives say that frequent assignment to a “special” school is partly due to poor communication between teaching staff and Roma and Sinti parents, and to persistent prejudice against the Roma and Sinti within the education system. The Advisory Committee finds this situation a matter for serious concern and incompatible with the principles of Article 12 of the Framework Convention.

The Advisory Committee notes with satisfaction that a number of *Länder* have taken measures to overcome these difficulties. It notes in particular that in Baden-Württemberg it is planned that, in future, the decision to place a child in a “special” class or school will be a matter for the parents rather than the educational authorities. The Advisory Committee hopes that this reform will lead to better co-operation between Roma and Sinti parents and teaching staff and that parents will be given all the assistance they need in reaching a reasoned and fully informed decision. It also welcomes the fact that a number of local projects involving Roma and Sinti school mediators continue to be implemented. These are designed to improve school attendance by Roma and Sinti children. It is important that these programmes should be sustainable and that the positive experience gained from them should be better known and replicated in other *Länder*.

#### *Recommendation*

The Advisory Committee urges the German authorities to continue and intensify measures aimed at promoting equal opportunities for Roma and Sinti pupils in the educational system. Resolute action should be taken without delay to end unjustified placing of these children in “special” schools.

### Teacher training and school curricula

#### *Recommendations of the two previous monitoring cycles*

During the previous monitoring cycles, the Advisory Committee called on the authorities to continue with the development of training for teachers working with persons belonging to national minorities.

It also took the view that the teaching of Roma and Sinti history and culture should feature more prominently in school curricula and teacher training syllabuses. It encouraged the authorities to continue their efforts to have more information on the history and culture of national minorities included in school curricula, also in areas outside their traditional areas of settlement.

*Present situation*

Several of the representatives of national minorities whom the Advisory Committee met emphasised that in their view there was still not enough information about national minority history and culture in school curricula and textbooks, especially in areas outside the national minorities' traditional areas of settlement. The Advisory Committee believes that the heritage of national minorities should be seen as an integral part of the wealth and cultural diversity of the country as a whole, not just the areas in which minorities are traditionally settled. Moreover, the value of disseminating knowledge of national minorities more widely throughout the country is made all the greater by the fact that persons belonging to minority groups are now migrating away from their traditional areas of settlement (see also remarks in respect of Article 5 and 6 above).

The Advisory Committee is pleased to note that a number of projects that train teachers to work with Roma and Sinti pupils are under way, for example in Marburg (Hessen), Mannheim and Stuttgart, where training specifically for primary school teachers has been organised in close liaison with the Documentation and Cultural Centre of German Sinti and Roma. It also welcomes the fact that in Hessen, Roma and Sinti history and culture are now an integral part of the school curriculum. However, it regrets that, despite these efforts, various sources report that curriculum content about the Roma and Sinti remains sporadic and insufficient in counteracting prejudice against and stereotyping of persons belonging to these communities.

Regarding teacher training in the Sorbian language, the Advisory Committee welcomes the abolition, from 2009-2010, of quota for the number of persons studying Sorbian at the University of Leipzig. This measure, together with the job guarantee offered by the Saxony authorities to students of the Sorbian language at the University of Leipzig, is designed to attract a sufficient number of people to study this subject. It should therefore contribute to increase the availability of teachers qualified to work in Sorbian-language schools or classes.

The Advisory Committee notes, however, that the situation regarding the training of teachers for Sorbian-language nursery schools is far from satisfactory. In fact, access to this training is capped by strict quota that enable only a very limited number of students to take part in such programmes. According to information available to the Advisory Committee, the shortage of trained nursery school teachers poses a very serious threat to the continuation of the *Witaj* project both in Saxony and in Brandenburg.

Regarding the Frisian language, the Committee is pleased to note that teachers are now being trained in Sater Frisian, with support from the *Land* of Lower Saxony, to teach this language in nursery classes. It also welcomes the fact that the Schleswig-Holstein authorities are supporting a similar training project for nursery teacher training in Frisian. Despite these advances, it notes that, in the view of the representatives of the Frisian minority, there are still nowhere near enough teachers in Schleswig-Holstein able to teach in Frisian. These representatives are particularly dissatisfied that, due to the reform of the

higher education system, fewer and fewer students are opting to train as Frisian-language teachers.

*Recommendations*

It is important for the authorities to take further steps to ensure that teachers and pupils generally have a better knowledge of the culture and history of national minorities, including in areas that are not areas of traditional minority settlement. The Advisory Committee especially calls on the authorities to press ahead with and further develop projects designed to impart a better awareness of Roma and Sinti history and culture while, for instance, making use of the Curriculum Framework for Romani as developed by the Council of Europe in co-operation with the European Roma and Travellers Forum.

The Advisory Committee calls on the authorities to pursue and increase measures in order to raise the availability of teachers qualified to teach in minority languages, at all levels of the educational system.

14. Hungary

*Opinion adopted on 18 March 2010*

Article 11 of the Framework Convention

Use of the name and first names in minority languages

*Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee recommended that the authorities continue their efforts to train officials responsible for the registration of surnames and first names in order to raise their awareness of the importance of the registries compiled by the minority self-governments.

*Present situation*

The Advisory Committee is not aware of any particular problems in this area. It is pleased to note that specific training courses have been introduced to enable officials to use the new computerised system for birth and marriage registries which includes translations of all the surnames and first names compiled by the minority self-governments. Furthermore, the Advisory Committee welcomes the fact that, since 2007, the register of official geographical names also includes names in the minority languages.

*Recommendation*

The Advisory Committee recommends that the authorities continue their efforts to ensure the implementation of Article 11 of the Framework Convention as regards the proper use and registration of names and first names.

15. Ireland

*Opinion adopted on 10 October 2012*

## Article 12 of the Framework Convention

### Education of Travellers

#### *Recommendation from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee noted a range of challenges faced by Traveller pupils, and called for rapid implementation of the Traveller Education Strategy. The Advisory Committee also urged the authorities to combat any practices that might have contributed to isolation or separation of Traveller pupils and to make sure that there was no direct or indirect anti-Traveller bias in enrolment processes, in the formation of study groups or in any other aspects of education.

#### *Present situation*

The Advisory Committee welcomes the launching in 2006 of the Report "Towards a Traveller Education Strategy", whose primary objective was to ensure an integrated, quality education for Travellers underpinned by the principles of inclusion and mainstreaming, with an emphasis on equality and diversity and the adoption of an intercultural approach. It further notes the establishment in 2009 of the Traveller Education Advisory and Consultative Forum of Travellers and the Department of Education and Skills representatives which was tasked with identifying impediments to the implementation of recommendations contained in the Report.

The Advisory Committee deplores the fact that, although there have been some minor improvements as regards educational outcomes for Traveller children, the overall situation is still a matter of concern. The school drop-out rate for Traveller children aged 15, according to the 2006 census, stood at that 63.2%, compared to 13.3% nationally. Participation of Travellers in higher education was 0.8% as compared to 30.2% of the national population. For those Traveller children who are in schools, the data collected in the Survey of Traveller Education Provision in Irish Schools (2006) carried out by the Department of Education and Skills Inspectorate indicated that the academic outcomes for Traveller children overall are significantly lower than those of the majority population.

The Advisory Committee welcomes the information on the phasing out of segregated Traveller pre-schools. It notes that in the past 6 years, in accordance with the Traveller Education Strategy forty-one out of the forty-five such pre-schools were merged into inclusive, universal and publically funded pre-school education. It welcomes in particular the fact that the phasing out of segregated pre-schools is progressing faster than the originally established schedule. Finally, it urges the authorities to close down, in consultation with all stake holders, the remaining two special primary schools for Travellers and two Junior Education Centres for Travellers.

The Advisory Committee notes with concern also that admission schemes introduced by some oversubscribed schools, favouring children of past pupils, constitutes discrimination towards Traveller children.

### *Recommendations*

The Advisory Committee urges the authorities to continue with the initiatives already under way to improve the integration and schooling of Traveller children and to devise and implement, as a matter of urgency, in co-operation with those concerned, including Traveller organisations, new measures and solutions to the persisting problems that still exist in this area.

#### Intercultural education

### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to pursue their commitment to provide opportunities to study minority languages as an education subject.

In the previous monitoring cycles, the Advisory Committee also called on the authorities to pursue their commitment to broaden schooling options, including in terms of non-denominational and multi-denominational schools, in a manner that ensured that the school system reflects the growing cultural and religious diversity of the country.

### *Present situation*

In 2006, the Council for Curriculum Assessment adopted guidelines on Intercultural Education in Primary schools and Intercultural Education in Post-primary schools, with the aim of modifying the existing curricula to better reflect cultural diversity, making the curricula as accessible as possible for children from minority groups, enhancing the intercultural experience of all pupils and creating an inclusive school culture.

The Advisory Committee welcomes the information on the existing opportunities to study foreign languages and regarding the National Languages Strategy. It notes that the Royal Irish Academy National Committee for Modern Language, Literary and Cultural Studies, recommended that advanced proficiency in a third language be made a universal requirement in order to integrate plurilingualism into the curriculum. In 2010, including the curricular and non-curricular language subjects, a total of 27 languages were examined in the Leaving Certificate examinations.

As regards the availability of different schooling options, the Advisory Committee notes that, although the majority of primary schools have been established under the patronage (i.e. responsibility and ownership) of the Catholic Church, five new primary schools have been created since 2008 under the direct patronage of the authorities through the Vocational Education Committee. On the initiative of a human rights and equality-based school movement "Educate Together", a further 60 multi-denominational primary schools

have been set-up, widening school options available to parents and pupils. These developments concur with the views of the Advisory Committee, as expressed in the Commentary on Education which states that the education system should allow for interaction between persons of various groups and encourage mutual understanding and tolerance.

#### *Recommendations*

The Advisory Committee invites the authorities to continue to monitor the existing needs for foreign language teaching and to provide children with adequate opportunities to study these languages.

The Advisory Committee encourages the authorities to ensure that the Guidelines on Intercultural Education are properly reflected in the curriculum at primary and especially post-primary levels.

The Advisory Committee invites the authorities to continue to monitor the supply of and demand for schools of all types, in order to meet the needs and ensure the mutual interaction of the increasingly diverse school population.

#### 16. Italy

*Opinion adopted on 15 October 2010*

Article 12 to 14 of the Framework Convention

#### Teacher training and curricula

##### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to take further steps to ensure an adequate standard of teacher training and the publication of textbooks in minority languages. The authorities were encouraged to pay particular attention to minorities without a 'kin state'.

##### *Present situation*

The Advisory Committee notes with satisfaction the positive developments reported with regard to the teaching of and in minority languages. It notes that Italy now has a solid network of schools offering teaching of or in minority languages.

In the Friuli Venezia Giulia region, a large number of projects have been implemented over the past few years, with the support of regional authorities, to strengthen the teaching of the Slovene, Friulian and German languages. According to official sources, financial support has been provided for teacher training and development of specific courses and modules, as well as production of teaching material. For example, a language course and other pedagogical materials have been published for Ladins in the area of Belluno, and grammar and vocabulary handbooks for the German minority. In the Autonomous Region of Aosta Valley, methodology for the teaching of Franco-provençal and an electronic



Franco-provençal dictionary are under preparation. Also, commendable examples of educational projects - bilingual publications and books for children, acquisition of materials and development of specialised libraries devoted to the minority's linguistic and cultural identity - have been reported in respect of other linguistic minorities, such as the Albanian minority, the Croatian minority and the Occitan minority.

The Advisory Committee welcomes the fact that the Italian authorities are continuing to make use of bilateral co-operation (with France, Austria and Slovenia) to strengthen measures to protect minorities in the field of education, whether through teacher training or the preparation or provision of teaching material. It notes with interest a recent co-operative history teaching project with Slovenia, to prepare a history textbook to be approved by a joint committee of historians from both countries.

The Advisory Committee also welcomes the decision to develop, locally, a common history textbook in the Autonomous Province of Bolzano – South Tyrol. It also notes of that recent bilateral agreements in the field of education have enabled, in the Autonomous Region of Aosta Valley region, increased exchanges, joint teacher training and pedagogical projects with the Academy of Grenoble and the Academy of Aix-Marseille. This has also opened the way to a future joint French-Italian diploma of secondary studies.

According to information given to the Advisory Committee, a recent review of the situation regarding education for linguistic minorities showed the following priorities for the next few years: systematic teacher training to address the present shortage of qualified teachers; preparation of a professional list of available language teachers to be provided to interested schools; improvement of textbook quality. The central authorities have informed the Advisory Committee that a number of measures are to be adopted at the national level to remedy the shortcomings noted. These measures include teacher training for the twelve recognized linguistic minorities and the production and supply of suitable textbooks, including through a digital database.

Whilst welcoming the measures announced by the Government, the Advisory Committee notes that the economic crisis, along with other factors, is having a substantial impact on the effective implementation of government policies and measures in this field. It expects the announced measures to remain government priorities and the resources provided for their implementation to be allocated in due course to the various stakeholders.

The Advisory Committee regrets to note that few steps have been taken to increase mutual understanding and intercultural dialogue in education. Teaching materials and curricula, especially for the majority population, still contain very limited information on the languages, history and culture of linguistic minorities. According to minority representatives, this information is not always presented in an appropriate manner.

The Advisory Committee takes note of the concern of minority representatives regarding the impact of the education reform that has been under way since 2008 on persons belonging to minorities. According to these representatives, the introduction of higher

thresholds for keeping schools open might lead to the closure of some minority schools attended by a small number of pupils and/or their merging with schools where Italian is the language of instruction, resulting in fewer opportunities for tuition in the mother tongue. The central authorities nevertheless were more positive in this respect, pointing out that exceptions would be made for minority education, enabling classes to be maintained even attended by a small number of pupils (a threshold of ten pupils has been established as the minimum).

Minority representatives are also concerned by the reform's introduction of the 'single teacher' system, which, according to them, will make it particularly difficult, if not impossible, to maintain the type of education provided by bilingual schools, such as the one in San Pietro al Natisone (bilingual tuition in Italian and Slovene).

The Advisory Committee believes that any measures to reform the education system should take into account the specific needs of persons belonging to minorities, and that the best possible response to these needs should be determined in consultation with the minorities' representatives. In any case, it expects the level of protection currently enjoyed by such persons to remain undiminished. Additional efforts are needed as regards communication between the authorities and the minorities on planned measures, and minority representatives should adequately be involved in the elaboration and adoption of decisions concerning them (see also the comments on Article 15 below).

The Advisory Committee notes with concern that, in a situation characterised by an increasing lack of resources, the teaching of the languages of some of the numerically-smaller linguistic minorities is suffering from a shortage of suitable textbooks and qualified teachers, and also, in some cases, from problems due to the absence of a codified written language and appropriate teaching material.

#### *Recommendations*

The Advisory Committee invites the authorities to take further steps to enable pupils, teachers and the public in general to learn more about the languages, culture and history of linguistic minorities through textbooks and other educational tools.

The Advisory Committee calls on the authorities to continue and expand measures aimed at increasing the availability of teachers and textbooks in minority languages and to ensure that the present financial crisis does not have a disproportionate impact on these measures. In this context, special attention should be paid to the needs of persons belonging to the numerically-smaller minorities.

The authorities are strongly encouraged to pay all necessary attention, in the context of the education reform, to the concerns voiced by representatives of the linguistic minorities and to endeavour, in consultation with these representatives, to identify solutions that take due account of specific needs of persons belonging to national minorities.

### Availability of minority language education

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to ensure that all the schools concerned introduced teaching of minority languages and culture, as required by the legislation, as well as instruction in minority languages at pre-school, primary and lower-secondary levels.

The Advisory Committee encouraged the authorities to improve the Slovene language teaching without delay, as provided for by Law 38/01, especially in the province of Udine.

#### *Present situation*

The Advisory Committee welcomes the increasing number of initiatives to facilitate the introduction of teaching of the Friulian language in schools in the Friuli Venezia Giulia region and a more favourable attitude to this on the part of the authorities. It also notes a strong demand to learn this language. According to official sources, in school year 2008-2009 there were about 48,000 requests for instruction in Friulian, twice as many as in the previous year, affecting about one third of the schools in the whole region.

The Advisory Committee also notes that legislation recently passed by the region has foreseen the setting up of a standing committee for the teaching of Friulian at school and that a project launched in 2009 in co-operation with the University of Udine aims to introduce integrated teaching of Friulian and English at secondary level.

The Advisory Committee regrets, however, that efforts in expanding the teaching of the Friulian language are subject to delay and difficulties. The absence of specific curricula and the fact that teachers trained to teach Friulian in the region are not recognised by the State, also represent serious obstacles to the development of sustainable high-quality education. In addition to these difficulties and inadequate resources, progress in this field has also been affected by the fact that the Constitutional Court has invalidated some provisions of the regional law No. 29/07 on protection of the Friulian language, including the ones relating to teaching of the Friulian language (see comments under Article 5 above).

The Advisory Committee finds commendable that the Slovene minority has a well-developed network for teaching of and in the Slovene language, including a hundred or so primary schools (in the provinces of Trieste and Gorizia) with Slovene as the language of tuition and with textbooks and teaching material in Slovene. In public schools in the province of Udine, Slovene is taught only as a subject.

However, the Advisory Committee is concerned by the worrying information it has received about the private bilingual (Slovene-Italian) pre-school and primary school in San Pietro al Natisone, whose building has been declared unfit for use on safety grounds. At the time of the Advisory Committee's visit to Italy, the school was continuing to operate on an 'emergency' basis.

The Advisory Committee understands that, inasmuch as this is the only school in the province of Udine offering tuition in Slovene (recognised by the State in 2004), it is particularly important for the Slovene community that it should be kept open and given suitable premises. The school could eventually become a secondary school for this community, providing continuity in Slovene tuition and filling existing gaps in this field. The Advisory Committee notes in particular the concerns prompted by the authorities' proposals to distribute the pupils concerned between schools in other municipalities. It believes that steps should be taken immediately to ensure that the pupils and teachers in question can attend the school programme safely. In addition, given the special importance of this school for the Slovene community, the Advisory Committee is of the opinion that a durable solution should be found enabling the school to remain open.

The Advisory Committee also notes with concern that the running of the Office for Slovenian Teaching has been affected by a serious shortage of qualified staff and the very limited support that it receives from the authorities. Consequently, its contribution to maintaining and developing Slovene language teaching is apparently severely restricted.

The representatives of the German-speaking minority of the province of Udine, for their part, expressed their concern about the impact of changes resulting from the education reform on the opportunities to learn German in State schools, and in particular the introduction of English as the main foreign language in Italian schools.

More generally, the Advisory Committee is concerned that efforts to develop and strengthen teaching of and/or in minority languages have been affected by the shortage of financial resources arising out of the current economic crisis and by a lack of investment by the authorities. It has also been informed that significant delays are recorded in the transfer of central-government funds to the regions. Education, which is one of the responsibilities delegated by the central government to the regions, seems to be particularly affected by these problems.

#### *Recommendations*

The Advisory Committee strongly encourages the authorities to continue and step up measures to develop sustainable quality education in the Friulian language as well as, in the regions concerned, in the languages of numerically-smaller minorities, and, more generally, to show a stronger commitment in this field, including as regards financial support.

The authorities are also encouraged to do their utmost to provide more support for teaching of and in the Slovene language and find an appropriate solution to the problems facing the school in San Pietro al Natisone as a matter of urgency, taking due account of the expectations of the pupils and parents concerned.

## Education of Roma and Sinti children

### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to step up their efforts to ensure that Roma and Sinti pupils attended school on a regular basis and to reflect more of their culture in school curricula as part of a comprehensive strategy of integration.

### *Present situation*

The Advisory Committee welcomes the efforts made by the authorities in the last few years to promote and ensure access to education for all Roma and Sinti children regardless of their legal status and that of their parents. It commends the projects implemented by the local authorities and by NGOs in municipalities such as Rome, Milan, Naples, Bologna and Florence to assist children in this field, reduce their rate of absenteeism and integrate them better into the school system. Efforts have also been made to involve the families in these activities, raise awareness in schools and among teachers and prevent discriminatory attitudes.

Under Italian legislation, all children, regardless of their legal status, have the right to education, which is compulsory up to the age of 16. Despite this guarantee, access to school is often difficult for children living in camps, given the isolated location of these camps and the lack of transport between them (particularly the “unauthorised” ones) and schools. According to the Italian authorities, however, public transport between the authorised camps and schools is free for Roma pupils and every Roma child holding a valid residence permit receives around 130 Euros each year to help purchase school supplies.

While welcoming these efforts, the Advisory Committee remains concerned about the situation of children belonging to these communities. It warns that school attendance rates vary considerably and observes that the problems reported in terms of housing and employment and parents’ lack of resources have a negative impact on their children’s access to education and educational achievement. By way of an example, out of the 5,000 to 7,000 Roma children living in the Rome area in April 2008, only 1,500 were attending school according to figures provided by the Prefecture, which means that approximately 75% of Roma children in the Rome area did not receive an education.

The Advisory Committee was informed that, following help from the local authorities towards transport, school supplies and meals, the children concerned have a good attendance rate (as much as 70% in some cases) in some authorised camps. On the other hand, the situation is particularly serious in some “unauthorised” camps. The deplorable living conditions and extreme poverty, the lack of identity papers and of any assistance from the authorities, and repeated forced evictions make it particularly difficult, if not impossible, for children to have access to education and exposes them sometimes to economic and sexual exploitation.

The situation in terms of educational achievement remains problematical. The Advisory Committee notes with concern the particularly high school drop-out rate among children from the Roma and Sinti communities after primary school. It also observes that, for various reasons, including marriage at an early age, which still occurs frequently in these communities, young Roma girls are more affected by this phenomenon. The Advisory Committee also believes, more generally, that the climate of hostility towards the Roma population, as well as the "security package" and the "nomad" emergency-related measures have also contributed to de-motivating Roma children and their parents with regard to education and to increased absenteeism and school drop-out within the Roma and Sinti communities.

As regards efforts to raise awareness of the Roma and Sinti culture among pupils belonging to the majority and other population groups, the Advisory Committee notes with interest that, in the 2009-2010 academic year, the Ministry of Education produced fact-sheets on Roma history for distribution in schools.

#### *Recommendations*

The Advisory Committee calls on the authorities to continue and step up their efforts to support the effective integration of all children from the Roma and Sinti communities into the education system, regardless of their origins and legal status.

Specific measures should be taken without delay to support the families concerned in this field and to reduce as far as possible the drop-out rate among these children. Representatives of the Roma and Sinti should be consulted and involved in seeking the most appropriate solutions to the difficulties observed. In this context, particular attention should be paid to Recommendation CM/Rec(2009)4 of the Committee of Ministers to member States on the education of Roma and Travellers in Europe.

The Advisory Committee strongly encourages the authorities to take more effective measures to raise awareness among teachers and all school staff, and among the parents of children belonging to the majority, of the difficulties encountered by Roma children, their culture and their specific needs. In this context, more attention should be paid to the training and recruitment of teachers and auxiliary staff of Roma and Sinti origin.

#### 17. Kosovo\*

*Opinion adopted on 6 March 2013*

Article 12 of the Framework Convention

#### Intercultural content of curricula and teaching materials

##### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee urged the authorities to increase their efforts to promote the interaction between pupils from different communities, in particular the Serbian and Albanian communities. It called for a

comprehensive strategy to be designed in consultation with all relevant communities to remove barriers between the different groups, while underlining the relevance of bilingual education models. It considered that objective and balanced curricula and history textbooks should be developed in consultation with community representatives. It further underlined that teaching staff should receive training adapted to the goals of multicultural and intercultural education.

#### *Present situation*

The Advisory Committee regrets the continued presence of two parallel education systems. Based on the Constitution and the Comprehensive Proposal for the Status Settlement, members of minority communities have the right to receive public education in one of the official languages of their choice. As the Ministry of Education, Science and Technology (MEST) still has no Serbian-language curriculum or textbooks available for use, public primary and secondary schools teaching in the Serbian language continue to make use of the curriculum and textbooks produced by the Ministry of Education of the Republic of Serbia. Curricula are entirely separate and pupils have very limited contact with children attending schools following the Kosovo\* curriculum, even in municipalities where the two systems are using the same school premises. The Advisory Committee is deeply concerned by this continued policy of separation, which prevents the development of tolerance and interaction among young people and has resulted in a generation growing up learning and using only one of the two official languages of Kosovo\*.

The MEST has engaged in a comprehensive reform process in order to modernise its Curriculum Framework and education methodology towards skills-based learning, which has an impact also on language learning (see below comments on Article 14). According to information received by the Advisory Committee, it has, in addition, completed its design of a revised Curriculum Framework and is currently involved in the drafting of individual subject curricula, paying attention to the views of minority communities and involving representatives in the discussion of especially sensitive topics. The Advisory Committee regrets, however, that the necessity of introducing bilingual and multilingual teaching methodologies to make Kosovo\* viable as a diverse society continues to be insufficiently appreciated. The continued practice of separating children according to their language with no systematic effort of promoting interaction and communication exacerbates the language divide experienced today and risks becoming irreversible if not addressed urgently.

The Advisory Committee further notes with concern that a large number of teaching materials and textbooks in use still contain elements of nationalism and convey stereotypes or prejudices that are harmful towards other communities, with too little attention paid to civic education and respect for diversity. Serbian language textbooks, for instance, refer to Illyrians as “robbers” or to Albanians as “looters”, describing history in terms that are not conducive to promoting harmony between the people of Kosovo\*. Textbooks used on the basis of the Kosovo\* curriculum are not always in line with the

Constitution and do not sufficiently pay attention to the specific cultures and identities of the different, particularly numerically smaller, groups, as community representatives are not sufficiently involved in their development. Persons belonging to the Roma, Egyptian and Ashkali communities report that there have been no efforts to adequately portray their respective specificities in relevant textbooks, despite repeated requests. In addition, the overall number of materials available is still insufficient, despite efforts to produce textbooks for use in Bosnian and Turkish language schools. Reportedly only 10% of students in Turkish-language secondary schools have appropriate textbooks, for instance. In addition, the number of teachers able to teach in community languages remains insufficient. Representatives of minority communities report that teachers at minority language schools have often not been adequately trained to teach subjects such as mathematics or biology in non-official languages.

The Advisory Committee further notes that efforts have been made to review history teaching in schools and provide teachers and curriculum developers with methodology to introduce critical thinking based on the appreciation of multiple perspectives and modern pedagogical approaches. The Advisory Committee reiterates the importance of such efforts to promote understanding and mutual respect among youth, which is essential to break the ethnic divide that characterises society today. In addition, there have been some training initiatives to build capacity among primary and secondary school teachers to promote intercultural tolerance and dialogue. The Advisory Committee considers that these efforts should be expanded and attention paid also to the organisation of extracurricular activities that promote inter-ethnic contacts and friendship. It welcomes in this context the development of a civic and intercultural education textbook with the support of the OSCE High Commissioner on National Minorities, which is to be used as of 2013.

### *Recommendations*

The Advisory Committee urges the authorities to prioritise the development of a common Curriculum Framework that offers quality education in each of the recognised languages of instruction to members of all communities. All relevant textbooks must be developed in close consultation with community representatives to ensure that they do not contain stereotypes or other harmful images of minority communities and promote intercultural understanding and respect in line with international standards.

The Advisory Committee further urges the authorities to take all necessary measures to introduce bi- and multilingual education methodologies to offer young people the opportunity to learn both official and other relevant languages in an integrated environment that reflects appreciation and respect for diversity.

The Advisory Committee also calls on the authorities to intensify their efforts to ensure that a sufficient number of suitably trained teachers are available to teach in relevant minority languages as well as in line with integrated and multicultural teaching



methodologies. In addition, targeted measures must be taken in close consultation with community representatives to provide schools offering education in the languages of minority communities with teaching materials and textbooks in the adequate quantity and quality.

### Equal access to education

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee called on the authorities to take resolute steps to facilitate the access to education at all levels of pupils belonging to the Roma, Ashkali and Egyptian communities, and to allocate sufficient financial and other resources for the implementation of strategies developed in this field, particularly as regards the continued low enrolment and high drop-out rates. It further recommended that specific training be provided to teachers of pupils belonging to the Ashkali, Roma and Egyptian communities, and that efforts be made to ensure the integration of children of forced and voluntary returnees into the educational system. The Advisory Committee also called on the authorities to provide equal access to quality higher education for all, including persons belonging to minority communities, and take measures to tackle the brain-drain of young people among minority communities.

#### *Present situation*

The overall situation regarding access to education for members of the Roma, Ashkali and Egyptian communities remains of concern to the Advisory Committee, despite determined efforts made by non-governmental organisations, the MEST as well as some municipalities. The communities still experience high drop-out rates and generally late and low school enrolment, particularly among girls. The recently adopted Law on Pre-University Education affirms obligatory school attendance and underlines the role of parents in supervising this. Visits of educators and teachers to families and neighbourhoods inhabited by Roma, Ashkali and Egyptian communities are foreseen in the Strategy and Action Plan for their integration and should be intensified. Where efforts have been made, in particular with the support of school mediators who help establish trust and awareness among parents of the importance of schooling, good results have been achieved. The Advisory Committee acknowledges the essential contribution of school mediators in promoting school enrolment and achievement and preventing early drop-out, and considers that their status and role should be institutionalised through the MEST to ensure the sustainability and roll-out of progress made so far.

It is of deep concern to the Advisory Committee that segregation of Roma, Ashkali and Egyptian children continues to exist in both school systems. Following the intervention of non-governmental organisations, some schools have closed or merged such classes, which violate not only international standards but also the Constitution. However, overall awareness of the effects of this exclusion on children is still limited among institutions as well as many parents. The Advisory Committee was informed that the view that separate

classes are more successful in adapting to the particular requirements and learning difficulties of Roma, Ashkali or Egyptian children is still widespread. While agreeing with the need of some children, particularly those of forced returnees with insufficient proficiency in languages of instruction, for catch-up language classes prior to or in addition to enrolment, the Advisory Committee underlines the importance and benefits of inclusive education for all children, academically as well as from an overall integration point of view. The Advisory Committee regrets that the MEST has not, thus far, issued a general instruction to all schools to immediately discontinue any form of separate classes for children of Roma, Ashkali and Egyptian origin.

The Advisory Committee further notes with deep concern that there are also practical difficulties regarding access to quality education. Children belonging to minority communities but residing in majority-populated areas have experienced obstacles and security concerns during their transport to school. Physical access to school buildings in Dragash/Dragaš municipality for teachers and pupils following the Serbian curriculum and sharing premises with Kosovo\* curriculum schools continues to be denied during Kosovo\* school holidays. Problems are also reported concerning the provision of electricity, heating and textbooks in some schools, which has a negative impact on the quality of education offered. It is regrettable that the municipal authorities do not appear to have attempted adequately to mediate between the divided communities and resolve outstanding issues. Gorani students attending Serbian-administered secondary schools in Dragash/Dragaš municipality have also faced problems with the authentication of their diplomas. The Advisory Committee considers this situation to be incompatible with Articles 12 and 4 of the Framework Convention as well as contrary to the best interests of the child, and reminds the authorities of their obligation to offer access to quality education to children belonging to all communities, irrespective of the language they choose to be instructed in.

The Advisory Committee further regrets that there appear to be no comprehensive programs to promote adult literacy among Roma, Ashkali and Egyptian communities, despite the fact that Article 1 of the 2012 Law on Adult Education and Training confirms this to be an integral part of education. A significant part of the Roma, Ashkali and Egyptian population missed out on education as a result of being displaced during compulsory school age, with illiteracy among Roma women reported to be particularly high. The Advisory Committee welcomes in this context that access to university for members of minority communities continues to be promoted through a quota system at the University of Prishtinë/Priština but regrets reports of corruption and abuse in the application of the quota. Overall, access to quality higher education and prospects of employment continue to be of concern to many persons belonging to minority communities and play an important role in the choice of education system by parents, often taking precedent over language considerations. The established language division therefore continues to promote a brain-drain of young, qualified people.

### *Recommendations*

The Advisory Committee urges the authorities to intensify their efforts to promote the enrolment and attainment of Roma, Ashkali and Egyptian children, and particularly girls, in school. Local achievements in this regard must be supported through enhanced central coordination and direction, such as related to institutionalisation of school mediators. Any form of segregation must be discontinued immediately.

The Advisory Committee further urges the authorities to increase their efforts to ensure that all children, irrespective of the language of instruction they choose, have equal and unhindered access to quality education throughout Kosovo\*, including higher education.

The disadvantages resulting from illiteracy, especially among Roma women, must be addressed through specific literacy and vocational training as part of the general education system.

### 18. Lithuania

*Opinion adopted on 28 November 2013*

Article 12 of the Framework Convention

Equal opportunities in access to education for persons belonging  
to national minorities and intercultural dialogue

### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to make particular efforts to address the lack of available textbooks and suitably trained teachers. In addition, it encouraged the authorities to ensure that the educational content fostered mutual knowledge by pupils belonging to minorities and the majority of their respective cultures, and contributed to strengthening intercultural dialogue and respect for diversity. The Advisory Committee further urged the authorities to step up their efforts to enhance the integration of Roma children in school.

### *Present situation*

The Advisory Committee welcomes commitments contained in the national strategy on education to advance equal access to quality education for all and to promote intercultural awareness and respect for diversity in all classes. It notes with concern, however, reports from representatives of a number of national minorities, including the Jewish and Roma communities, that their cultures and history remain insufficiently recognised among the majority population. References to the Jewish community in history textbooks, for instance, are reported to be mainly associated with the Holocaust, while its significant contributions to the Lithuanian culture and history, such as in the city of Vilnius are largely not discussed in schools. According to officials of the Ministry of Education, there has

been no comprehensive review of textbooks to ensure that minority communities are adequately represented and their role in Lithuanian history acknowledged. In some cases, in particular with regard to the Roma communities, their portrayal in school continues to often be based on negative stereotypes and prejudice. The Advisory Committee welcomes in this regard plans by the Ministry of Culture to engage with the Ministry of Education to review relevant textbooks as well as applicable methodologies regarding the teaching of history to ensure that schools promote respect for all groups in society and that multiple perspectives are encouraged in historic research.

The Advisory Committee notes that the adequate training of minority language teachers continues to be problematic, particularly in subjects of natural science, as the University of Educational Sciences only offers philological training in minority languages. According to Russian minority representatives, the corps of available teachers for Russian language schools, for instance, is aging and there is little interest among students in the profession. While acknowledging the difficulties in training minority language teachers, the Advisory Committee underlines the importance of quality education in and of minority languages at all levels, which may often take place in bilingual or trilingual contexts. In this regard, it encourages the development of modern and interactive methodologies that are suited to multilingual and inter-cultural teaching environments. The promotion of more bilingual classes may not only broaden the pool of possible minority language teachers by making minority language schools more attractive education establishments, but will also bring together pupils from different language backgrounds and promote inter-ethnic contacts in line with Article 12.

The Advisory Committee further notes with concern that access to education is still challenging for Roma children who continue to experience high drop-out rates and generally lower academic achievement, particularly in Kirtimai settlement in Vilnius. Despite a slight improvement, the percentage of Roma pupils attending secondary education is still very low. Two Roma teaching assistants are employed as mediators to assist in Vilnius schools and one school, attended by 53 Roma children, most of whom require some assistance, is supported by one social worker from Vilnius Municipality. According to community representatives, teachers remain often unwilling or unable to adequately involve Roma children in school assignments, frequently give no homework to Roma children and don't encourage them to engage in class. In addition, transport to school remains problematic, particularly in winter, as buses are reportedly leaving irregularly and their schedule is not timed to coincide with the usual school hours, despite repeated requests directed at Vilnius Municipality. The Advisory Committee further notes with deep concern reports of a group of Roma children taught separately in the special school of Žagarė, while instances of separate education in special classes could still be found in Vilnius in 2011.

*Recommendations*

The Advisory Committee calls on the authorities to pay increased attention to the content of textbooks in schools, in particular regarding history, and to ensure that the portrayal of national minorities is objective and appreciative of their positive contributions to the history and culture of Lithuania. It further calls on the authorities to increase their efforts to promote inter-cultural exchanges and contact, including through the promotion of bilingual and trilingual schooling.

The Advisory Committee urges the authorities to ensure that Roma children are effectively granted equal access to quality education and that they are adequately assisted to attend mainstream schooling, such as through the employment of trained Roma mediators. Close co-ordination of all involved actors, including importantly the directly responsible administrative authorities such as Vilnius Municipality, is called for.

## 19. Moldova

*Opinion adopted on 26 June 2009*

Article 10 of the Framework Convention

## Linguistic policy

*Recommendations from the two previous cycles of monitoring*

In previous cycles of monitoring, the Advisory Committee took note of the situation of uncertainty that continued to prevail regarding the language-related policy of the State. It recommended that, should they develop new legislation or policies in this field, the authorities should favour a balanced approach, that duly takes into account the particular features of the linguistic situation in Moldova and the sensitivities of the groups concerned.

*Present situation*

The Advisory Committee notes that the legislation regarding the use of languages has remained unchanged since the adoption of its second Opinion, even though the issue of the linguistic identity of the various groups remains at the heart of intense debates in society (see also remarks in respect of Article 6 above). Additionally, the Advisory Committee is pleased to see that Moldova has engaged in a dialogue on the ratification of the European Charter for Regional or Minority Languages, and it expects that it will result in the ratification of this instrument by Moldova in the near future.

In practice, representatives of some national minorities claim that the possibilities to use minority languages other than Russian in relations with the administrative authorities remain limited. The Advisory Committee is, in particular, concerned by reports from persons belonging to the Gagauz minority, which state that the existing Law on the Gagauz Autonomous Territorial Unit does not seem to meet its objective of contributing to the preservation of the culture and language of the Gagauz people, the Gagauz

language being rarely used in relations with the administrative authorities (see also remarks in respect of Article 5 above).

The Advisory Committee understands that many persons belonging to national minorities use Russian as the language of communication with the authorities and that Russian is still considered as the language of interethnic communication. Nonetheless, it takes the view that the authorities should pay more attention to the preservation and promotion of the distinct linguistic identity of national minorities other than the Russian minority and make it possible, where the conditions of Article 10 paragraph 2 of the Framework Convention are met, to use languages such as Ukrainian, Bulgarian, Gagauz or Romani in relations with the local administrative authorities. In order to do so, support should be provided to civil servants to acquire more skills in the minority languages concerned.

The Advisory Committee welcomes the fact that, following an intervention of the Parliamentary Advocates in 2008, courts have been reminded by the High Magistrates Council that they should fully respect the right for every arrested person to receive information in the language he or she understands and to defend himself or herself in the same language, as protected under Article 10 paragraph 3 of the Framework Convention. This intervention was prompted by reports on various cases in which courts imparted information in the State language only. Subsequently, it appears that no new violations have been reported.

#### *Recommendations*

The Advisory Committee invites the authorities to maintain, when dealing with linguistic issues, a balanced and sensitive approach that takes due account of the linguistic diversity in Moldova. It also encourages them to promote, where the conditions of Article 10 of the Framework Convention are met, the use of all minority languages in relations with the local administrative authorities.

#### 20. Norway

*Opinion adopted on 30 June 2011*

#### Article 12 of the Framework Convention

##### Situation of Roma and Romani/Tatars children in the education system

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee encouraged the authorities to continue to improve the integration and schooling of Roma and Romani/Tatars children. The authorities were also invited to devise and implement initiatives to enhance mutual knowledge and raise teachers' awareness of a multicultural environment.

#### *Present situation*

The Advisory Committee notes with interest the project conducted since 2009 in Oslo by the municipal authority to resolve the difficulties faced by Roma and Romani/Tatars

children, particularly pupil absenteeism (see also comments under Article 4 above). The Advisory Committee highly commends the pragmatic and inclusive approach adopted by the authorities in this case, working in partnership with those parents who have expressed the wish to learn how to read and write and with a "contact person" belonging to the Roma community. Thanks to this interaction, mutual trust now seems firmly established between all actors, and pupil absenteeism has consequently dropped. Furthermore, school support measures are offered to all pupils with specific needs, irrespective of their ethnic origin. The Advisory Committee welcomes the fact that this project is open to children of immigrant origin who have resided in Norway for at least three months. It also notes with satisfaction that the impact of the project is positively assessed by the authorities, who are considering its conversion into a permanent programme. In addition, this project has also helped to make Roma and Romani/Tatars culture known to teachers. The Advisory Committee is pleased to note that teachers are increasingly aware of the multicultural environment, particularly following the curriculum reform "Knowledge Promotion", one of whose goals is to ensure that all pupils have acquired a sound knowledge of the history and culture of the national minorities by the end of the 7<sup>th</sup> grade.

Despite these positive developments, the Advisory Committee is concerned that the schooling of a large number of Roma and Romani/Tatars children seems not to be properly ensured during the summer months when they are travelling with their parents. According to the Advisory Committee's interlocutors, insufficient facilities are provided for the Roma children to be able to continue studying during this period although modern technologies should enable them to study under distance learning programmes.

The Advisory Committee considers that persons belonging to the Roma and the Romani/Tatars communities should be able to preserve their traditional lifestyle which is an integral part of their cultural identity without this having a negative effect on the education of their children (see also the observations under Article 5 above).

#### *Recommendations*

The Advisory Committee invites the authorities to continue and to intensify the measures taken with a view to remedying the difficulties encountered by Roma and Romani/Tatars children in the education system within the framework of an ongoing dialogue with the representatives of these minorities.

The Advisory Committee also urges the authorities to find solutions suited to the particular lifestyle of Roma and Romani/Tatars children in order to grant them equality in access to quality education while preserving their culture by developing adopted educational programmes, including by distance learning.

21. Poland

*Opinion adopted on 28 November 2013*

## Article 12 of the Framework Convention

### Intercultural dimension of education

#### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee urged the authorities to review the existing textbooks and the compulsory curriculum in consultation with minority representatives, with a view to ensuring a better reflection of the history, culture and traditions of national minorities.

#### *Present situation*

The Advisory Committee welcomes the adoption in 2008 of the Regulation of the Minister of Education *On the basis of the pre-school education programme and general education in the individual types of schools* which established a new core curriculum at all levels of schooling and which has been progressively introduced since 2009. In the first three years of primary education the emphasis is placed on teaching children social skills necessary for co-operation and problem solving. In the fourth to sixth years of primary education, children while studying about history and society learn about their region and the diversity of its cultural traditions. Finally in lower-secondary and upper-secondary schools the new curriculum introduces “knowledge of society” and “knowledge of culture” subjects which teach about other religions, cultures and traditions in Europe and beyond.

The Advisory Committee notes with satisfaction that modern languages faculties teaching Belarusian, Czech, German, Hebrew, Kashubian, Lithuanian, Russian, Slovak and Ukrainian train teachers competent in respective languages, literatures and cultures. Information on the setting up at the Pedagogical University in Krakow in 2013 of the undergraduate Armenian, Lemko and Roma studies, in addition to the hitherto existing since 2004 post-graduate Roma studies is particularly welcome. Furthermore, the Advisory Committee notes that a number of universities developed programmes to train teachers to acquire multicultural and intercultural skills necessary to implement the new curricula. In particular, it commends the information contained in the State Report and acquired during its monitoring visit on the programmes developed at the Jagiellonian University and the Pedagogical University in Kraków, the Adam Mickiewicz University in Poznań, Białystok University and the State Higher Professional School in Gorzów Wielkopolski. It notes that proposed Kashubian Ethno-Philology Studies at Gdańsk University failed to start in 2013 due to insufficient interest on the part of students.

The Advisory Committee is concerned, however, that following the adoption in 2008 of the Regulation of the Minister of Education *On the basis of the pre-school education programme and general education in the individual types of schools* the schools teaching minority languages and in minority languages, have found it difficult to find appropriate textbooks in the languages concerned. Although some textbooks and manuals have been developed (12 in the Lithuanian language for teaching of language and history of



Lithuania, seven in Kashubian, six in Ukrainian and two in Belarusian) there is a shortage of textbooks to cover all subject matters for all grades. The problem is particularly significant as regards schools teaching all subject matters (with the exception of the Polish language and history) in minority languages (i.e. in Lithuanian and in Ukrainian languages).

During its visit, the Advisory Committee was pleased to hear from representatives of the Jewish minority in Kraków about the positive attitude and interest demonstrated by the majority of school directors in involving Jewish organisations, such as the Foundation for the Preservation of Jewish Heritage in Poland, and eminent personalities in teaching about the Jewish culture, traditions and the Holocaust. This demonstrates, according to the interlocutors of the Advisory Committees, growing awareness of the Jewish culture in the Polish society generally and its important contribution to the Polish culture and shared history.

The Advisory Committee regrets to note, however, that although teaching of tolerance, respect and openness towards other cultures is compulsory in primary schools, it does not necessarily promote actively the presentation of cultures and traditions of national minorities living in Poland. As a consequence, children may learn about cultures and traditions on other continents but have no knowledge about the culture of other Polish citizens living in the same municipality or another region of the country. The fact that teaching of history since 2012 has ceased to be a compulsory subject after the first year of the upper-secondary school (at the age of sixteen), and given that 88% of children do not choose humanities as the dominant area of study, further undermines, with regard to most children, the possibility of learning about the history of co-existence of different ethnic groups on its territory, development of cultural, social and economic relations within the county and in relations to neighbouring states. The Advisory Committee finds this deeply regrettable.

### *Recommendations*

The Advisory Committee calls on the authorities to increase their efforts to ensure that an adequate supply of textbooks in minority languages is available at all levels of education.

The Advisory Committee urges the authorities to ensure a more comprehensive account of the history, culture and traditions of national minorities in the school curricula at all levels of education, including by increasing the opportunities to learn about the country's history and cultural diversity.

The authorities are also encouraged to increase their efforts aimed at promoting mutual respect and intercultural dialogue in the field of education, including by creating adequate opportunities for involving organisations of minorities in the education process.

### *Access to education for Roma*

### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee urged the authorities to take without delay specific measures to eliminate all separate “Roma classes” and to integrate Roma pupils into mainstream education. The Advisory Committee also called on the authorities to make more sustained efforts to promote the Roma language, culture and traditions, and to portray a more positive image of Roma identity among other children, families and teachers.

The Advisory Committee further asked the authorities to train teaching staff in the Romani language and to develop the necessary teaching materials with a view to creating opportunities for teaching of or in the Romani language, where there was a sufficient demand.

#### *Present situation*

The Advisory Committee notes with satisfaction the initiatives taken by the authorities to address the concerns of the Roma communities regarding equal access to education within the framework of the Programme for the Roma Community in Poland 2004-2013. The closing down of the last remaining separate “Roma classes” in 2011 is particularly welcome. The Advisory Committee, while welcoming the continued existence since 1993 of the Parish Polish-Roma Primary School in Suwałki, attended by 33 children of whom 25 are Roma and which teaches in part in the Romani language, thus maintaining children’s linguistic and cultural identity, asks the authorities to monitor and support its activity to ensure that children attending it receive quality education and interact with children from other schools.

The authorities do not systematically collect information on the number of Roma children in schools. Whereas 17 000 persons declared their ethnicity as Roma according to the preliminary results of the 2011 census, the number of Roma children benefitting from educational support in 2011 was 2 306. Approximately 100 Roma education assistants and a similar number of supporting teachers have been recruited to facilitate the integration of Roma children in schools and their learning process. The Advisory Committee welcomes the information on the 145 dedicated school scholarships awarded under the Programme for the Roma Community and the provision free of charge of textbooks, school accessories, co-financing of bus transportation and school insurance.

Notwithstanding these laudable initiatives and achievements, the Advisory Committee notes that significant challenges in the access of Roma children to education remain. In particular, the fact that 16,8% of Roma children (as compared with 2% for the rest of the population) receive medical certificates attesting to their “disability” or “disorder” (in most cases classified as with “mild mental disability”) is a cause for serious concern. The Advisory Committee is aware of the authorities’ argument that such a certificate does not automatically direct a child to a special school, and that the decision as to the choice of the school establishment remains with the parents. It considers nonetheless, that the high proportion of Roma children issued with such certificates attests to the inadequacy of the pre-school education opportunities for Roma children, who as a result enter primary

school with little or no knowledge of the Polish language, as well as to the deficiencies in the testing methods. The Advisory Committee understands that the reasons leading to the disproportionate enrolment in special schools have not been fully identified and addressed.

The Advisory Committee notes further the precarious position of the Roma education assistants who are employed on temporary contracts which, in addition to not providing them with stable employment, sends a very negative signal to Roma children as regards their prospect for employment, thus undermining the motivation to complete their education. In addition, the continuing absence of any opportunities to learn the Romani language at school (apart from the Parish Primary Polish-Roma School in Suwałki) not only weakens the Roma children's linguistic and cultural identity but also increases the perception of the lesser worth of the Roma culture, language and traditions in the majority and Roma populations alike. The Advisory Committee considers that it is an important factor which contributes to the high drop-out rate, low attainment level and the small number of Roma children continuing education beyond the primary school level. The Advisory Committee deeply regrets, that according to the figures provided in the State Report over 50% of the Roma in Poland have not completed primary education, as compared to 3,6% nationwide.

The Advisory Committee further learned from various sources, including Roma minority representatives, that notwithstanding the commendable undertakings of the Pedagogical University in Kraków, the knowledge of Roma history, culture and traditions among teachers remains low, and little effort is made to teach students belonging to the majority population about the Roma and their contribution to Polish society. This lack of awareness of the presence and contribution of Roma to society as a whole reinforces prejudice and stereotyping of its members and consequently hinders the successful integration of Roma into mainstream society.

### *Recommendations*

The Advisory Committee urges the authorities to redouble their efforts to identify and remedy the shortcomings faced by Roma children in the field of education, and to ensure that Roma children have equal opportunities for access to all levels of quality education. In particular, steps must be taken to prevent children from being inappropriately diagnosed as having "mild mental disability", and to ensure that fully-informed consent is given as a condition for placement in special education.

The authorities are asked to identify causes for high drop-out rate from primary schools for Roma children and devise, in consultation with the Roma, strategies aimed at finding solutions to this issue.

The Advisory Committee calls on the authorities, as a matter of priority, to make more sustained efforts to ensure access to pre-school facilities for all Roma children and to

guarantee that the curriculum in such kindergartens corresponds to the diverse needs and multi-lingual composition of the groups concerned.

The Advisory Committee further calls on the authorities to make more sustained efforts to promote the Romani language, culture and traditions, and to portray a more positive image of the Roma among other children, families and teachers.

22. Portugal

*Opinion adopted on 4 December 2014*

Article 12 of the Framework Convention

Roma in the educational system

*Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee urged the authorities to put an end to practices of placing Roma pupils in separate classes and asked that measures be taken to promote further their integration into mainstream schools. It recommended in this context that the role of school mediators be promoted and their status clarified.

The Advisory Committee further asked that steps be taken to develop intercultural teaching at school.

*Present situation*

The Advisory Committee notes with concern the practice of setting up Roma-only classes, in order to promote the access to education of Roma girls, who would have otherwise dropped out. This remains, according to the authorities, an exceptional measure to be applied only in very specific circumstances. The Advisory Committee took note with concern of a new regulation allowing schools to set up classes comprising pupils "with similar characteristics". Although the authorities underline that this possibility will be used on a case-by-case basis and only as a last resort, the Advisory Committee considers that it offers a legal basis for the segregation of Roma children, which is clearly contrary to the principles of the Framework Convention.

The Advisory Committee underlines that the separation of pupils on the basis of their ethnic origin is incompatible with the principles of the Framework Convention. Roma children should be integrated in schools and classes that are also attended by pupils from the majority population. The Advisory Committee is of the view that alternative solutions should be found to encourage Roma girls to continue education, in co-operation with the Roma community.

The Advisory Committee was also informed that tests carried out before school admission are not adapted to specific situations and a disproportionate number of Roma children are often identified as having cognitive problems.

The Advisory Committee notes with satisfaction that the fourth phase of the *Choices* programme (2010-2013), dedicated to children and young people from disadvantaged backgrounds has enabled the funding of 130 projects involving schools, local authorities and NGOs, with a total amount of 38 million euros. Furthermore, the National Roma Communities Integration Strategy sets as objectives in the field of education guaranteed access to pre-school education, an increased level of completion of compulsory schooling for Roma children and the prevention of school dropout.

Regarding intercultural education, the information available to the Advisory Committee shows that school textbooks offer no information about the Roma history, cultural heritage and language or promote a stereotyped image of Roma.

#### *Recommendations*

The Advisory Committee strongly urges the Portuguese authorities to put an end to practices of placing Roma pupils in separate classes and to identify immediate solutions promoting their integration in mainstream schools, making use of school mediators if necessary. Appropriate solutions should be identified to prevent absenteeism and early dropout from school of Roma children, in particular girls.

The Advisory Committee encourages the authorities, in consultation with representatives of civil society, to take appropriate steps to develop intercultural teaching in schools.

#### 23. Romania

*Opinion adopted on 21 March 2012*

Article 12 of the Framework Convention

##### Multicultural and intercultural dimension of education

##### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee encouraged the authorities to review the school curricula to incorporate aspects that promote the country's ethnic and cultural diversity and ensure that the majority are more aware of the history and cultural identity of minorities. At the legislative level, the authorities were encouraged to promote an integrated and multicultural approach to education when addressing the right to education of persons belonging to national minorities.

##### *Present situation*

The Advisory Committee welcomes the adoption in 2011, of the new Law on Education that has provided Romania with a more detailed legal framework for education and which includes special guarantees for persons belonging to national minorities. The Advisory Committee regrets, however, that during the process of the adoption of the new law, consultations with national minorities were only held between the authorities and the representatives of the Hungarian minority.

The new law stipulates that persons belonging to national minorities have the right to be educated in their mother tongue at all levels of pre-university education. The Advisory Committee welcomes the extensive examination by the Romanian Constitutional Court of the conformity of the provisions of this law with the international obligations of Romania, including the Framework Convention. The effects of the law, which entered into force in September 2011, require careful monitoring in the coming years.

The Advisory Committee also notes that the law stipulates that the “failure by local authorities to fulfil their obligations related to the organisation and operation of the pre-university education is punishable by law”.

The Advisory Committee notes with satisfaction the adoption of the Ministerial Orders 1528/2007 on promoting diversity in education and 3774/2008 promoting intercultural education in school, which has shown the commitment of the authorities in this regard. The Advisory Committee regrets, however, that the subjects addressing multicultural issues are optional and only offered to students in high school and secondary education.

The Advisory Committee also welcomes the publication of the textbook on the history of national minorities, published in 2008, and notes that minorities were actively involved during this process. The Advisory Committee also notes that the new Law on Education 01/2011 introduces a provision on the teaching of the history and culture of national minorities to all students, in the curriculum for elementary, middle and high school education.

#### *Recommendation*

The Advisory Committee calls on the authorities to ensure that all students, irrespective of the language of education, are provided with quality information on the history and cultural heritage of persons belonging to national minorities. Efforts aiming at promoting mutual respect and intercultural dialogue should be pursued.

#### Access of Roma to Education

##### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee called upon the authorities to ensure necessary socio-economic measures to prevent Roma absenteeism and to promote the education of Roma at all levels.

The Advisory Committee also encouraged the authorities to pay particular attention to the implementation of the measures agreed upon to put an end to the separation and segregation of Roma children in the education system and to ensure ongoing monitoring of the situation in this field.

#### *Present situation*

The Advisory Committee warmly welcomes the Education Minister's Order 1540/2007 on banning segregation of Roma children in schools and approving the methodology for preventing and eliminating this phenomenon.

The Advisory Committee welcomes all the steps that have been taken by the Romanian authorities in the past decade to promote the education of Roma, and their positive results. In particular, it welcomes the significant measures, such as the training of 892 Roma school mediators, between 2005-2008, taken by the authorities for the prevention of school absenteeism and school abandonment amongst Roma pupils. The Advisory Committee notes however with concern that only between 420-510 mediators have been employed annually, even though some local authorities have informed the Advisory Committee that the actual needs are higher.

The Advisory Committee notes that despite the measures taken by the authorities to improve the situation, as attested by increased attendance in school, Roma children continue to face challenges in the education system. It notes with deep concern that, in many cases, Roma children are placed in schools for children with disabilities, in separate schools or in separate classrooms. In recent years, a number of decisions of the National Council for Combating Discrimination have found these practices to be of a discriminatory nature. The Advisory Committee notes however that the impact of these decisions remains limited. It finds that this practice is incompatible with Article 12 of the Framework Convention.

Moreover, it has been pointed out by some authorities and also by many Roma representatives, that there is a lack of follow-up and transparency in the allocation of funds for education, with regard to local authorities, who receive funds for these purposes directly from the budget of the Ministry of Education.

Nevertheless the Advisory Committee notes with concern that, despite the above efforts, a considerable number of Roma children continue to fail at school and drop out at an early stage, or remain outside the education system. According to a study carried out by the Ministry of Education, UNICEF and the Agency Impreună, more than 70% of the students that drop out from school are Roma, and the causes for leaving the educational system are poverty as well as the low quality of education, and the lack of human and material resources in schools.

#### *Recommendations*

The Advisory Committee urges the authorities to take specific measures without delay to eliminate all separate Roma classes and to integrate all Roma pupils fully into mainstream education. The situation at all levels should be closely monitored in order to avoid any segregation based on ethnic affiliation. The authorities should redouble their efforts to combat school absenteeism and early drop outs among Roma children. Such efforts should include the expansion and development of the long-term use of school mediators who can assist Roma children and their families in their contact and inclusion in the educational system.

The Advisory Committee calls on the authorities to examine the allocation of funds for education in order to achieve full transparency and efficiency.

24. Russian Federation

*Opinion adopted on 24 November 2011*

Article 12 of the Framework Convention

Equal access to education

*Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee urged the authorities to step up efforts of all the actors concerned to improve the situation as regards access to school of unregistered children, among them stateless persons and Roma. The authorities were also urged to ensure that socio-economic disadvantages did not affect disproportionately access to school of pupils belonging to some minorities and that segregated solutions were not imposed on pupils belonging to some minority groups, such as the Roma and Meshketian Turks.

*Present situation*

The Advisory Committee welcomes the steps taken by the authorities to put an end to the practice of schools not to enrol children of unregistered families, which included reminding schools of their obligation to enrol all children, irrespective of the legal status of their parents. As a result, the Advisory Committee was pleased to learn that the widespread practice of denying registration to stateless or unregistered children is becoming less frequent. It also welcomes in this context the opening of a 24 hour telephone line by the Ombudsperson's Office of Perm to report rights violations in the field of education, including denials of registration.

However, according to various sources, the practice of denying registration and enrolment of Roma pupils without an identity document, or whose parents are not registered, seems to persist. In fact, testimonies and reports brought to the attention of the Advisory Committee indicate that many Roma children continue to be denied access to mainstream schools and to be placed either in separate schools, or in separate "Gypsy" classes within mainstream schools throughout the country. Many of them are reportedly placed in



remedial classes for mentally-disabled children, based on testing that is allegedly often inappropriate and not culturally sensitive. The Advisory Committee finds this discriminatory practice of deep concern and incompatible with the provisions of Article 12 of the Framework Convention. Additionally, it is informed that adequate monitoring of teaching provided in the special schools or classes is lacking and that both the quality of education and the attainment of pupils enrolled in these schools/classes are very low. Cases of children repeating the same class year after year have been reported. Consequently, very few Roma pupils are enrolled in secondary education. Moreover, they experience a high early drop-out rate in primary education.

The Advisory Committee is aware that a number of Roma parents have indicated preference for their children to be placed in separate classes. This is partly connected to alleged frequent racist bias at school against Roma pupils. Furthermore, schools seem in general to lack guidance and support to deal with integration of Roma pupils, who sometimes do not speak Russian. Moreover, the socio-economic conditions in which many Roma live, together with the geographical isolation of many settlements and lack of transportation, make it difficult for them to access mainstream schools. In this context, interventions of school mediators, possibly from the Roma community, could play a useful role in bridging the gap between the school and Roma parents and pupils, as demonstrated by experiences carried out in other member states of the Council of Europe. Promoting the access of Roma children to pre-school education would significantly contribute to their integration into mainstream education.

The Advisory Committee is also informed of the existence of so-called “tabor (Roma settlements) schools” taking place in private houses in Roma settlements, including in the region of Tyumen. While acknowledging that this form of education can increase the enrolment rates of Roma pupils at school, and help them reach the level of education required to integrate into mainstream schools, the Advisory Committee takes the view that this form of education can reinforce the segregation of Roma in society. Indeed, it learned that very few pupils completing these “tabor schools” continue in mainstream secondary education.

Persons belonging to indigenous peoples also face particular difficulties in accessing education, resulting in higher rates of illiteracy than in the majority population and a generally lower education level. The Advisory Committee understands that geographical isolation and the lack of infrastructure and transportation in regions where persons belonging to these minorities live have prompted the setting up of boarding schools for children belonging to these minorities. However, it shares the view of representatives of the groups concerned that boarding schools result in uprooting children from these minorities from their families and cultural environment. Therefore, it regrets that alternatives to boarding schools are not yet well-developed. Against this background, it welcomes the openness expressed by the authorities in the 2009 Concept Paper related to the sustainable development of indigenous peoples to introducing new education

opportunities for minority pupils, such as distance learning, "itinerant schools", etc. It expects that such projects will be adequately tested and assessed with a view to replicating them in many regions.

#### *Recommendations*

The Advisory Committee invites the authorities to continue monitoring the respect by all schools of the right for all children to attend school, irrespective of the legal status of their parents or their situation regarding registration. Swift and effective action should be taken in cases of violation of the law in this regard.

The Advisory Committee urges the authorities to put an end to undue placement of Roma pupils in remedial schools. Particular attention must be paid to ensure that testing of pupils is carried out in a non-discriminatory manner.

The authorities must take resolute measures to transfer and integrate Roma pupils taught in separate classes or schools into mainstream education. If, however, separate education continues to be temporarily provided, particular attention should be paid to raising educational achievements and the quality of education. Monitoring of the teaching in these schools/classes should also be carried out on a regular basis and additional support and guidance should be provided to the teachers and school management. The authorities should consider introducing a system of Roma school mediators.

The Advisory Committee calls on the authorities to redouble their efforts to design and implement alternatives to boarding schools that adequately meet the educational needs of persons belonging to indigenous peoples.

### Intercultural learning

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to promote the dissemination of knowledge of minority cultures among pupils belonging to the majority population and to improve training of teachers to work in multicultural environments.

#### *Present situation*

The Advisory Committee notes with satisfaction that there is a growing awareness in the Russian educational system of the need to develop multicultural education, as well as education on tolerance and respect for diversity and that material has been developed in this respect. However, several of its interlocutors regretted that these efforts are not sufficient and that more emphasis is put on so-called "patriotic education". The Advisory Committee emphasises that it is essential that "patriotic education" promotes respect for diversity and an inclusive understanding of civic identity. The Advisory Committee is also informed that despite ongoing efforts, many teachers continue to lack training to teach in

an increasingly culturally diverse environment, and that there is a need for further steps to be taken in this sphere.

As far as information on national minorities in schools is concerned, representatives of national minorities have underlined that there is a lack of adequate information on their history and culture in the school curricula. The Advisory Committee notes information focuses on cultural aspects of the life of minorities and that there is limited access to other aspects of their life and to their history, resulting in a general lack of awareness in society of the main concerns of persons belonging to these groups. The Advisory Committee particularly regrets that limited information is available in schoolbooks on the deportation of a number of minority groups in the Soviet Union in the 1940s. It understands that a review of textbooks has been underway for a number of years to analyse how persons belonging to national minorities are portrayed. It expects that such a review will lead to the provision of more accurate and comprehensive information on minorities in school books.

#### *Recommendations*

The Advisory Committee invites the authorities to step up their efforts to promote respect for cultural diversity and education against racism at school. Further efforts should be made to improve the training of teachers working in multicultural contexts.

Additional steps should be taken to disseminate comprehensive and adequate knowledge on national minorities in textbooks and in schools in general. Particular emphasis should be put on the teaching of history of national minorities and work in this respect should be carried out in close co-operation with representatives of the groups concerned.

25. Serbia

*Opinion adopted on 28 November 2013*

Article 12 of the Framework Convention

#### Teacher training and textbooks

##### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee recommended that the Serbian authorities take additional measures to ensure that teacher training and textbooks adequately reflected the needs expressed by national minorities.

##### *Present situation*

The Advisory Committee notes with interest the enactment in 2009 of the Law on Textbooks and Other Teaching Materials, which provides for the publication of textbooks in the Serbian language and Cyrillic script, and in the languages and scripts of national minorities for pupils following instruction in those languages. It also includes a provision

prohibiting the threatening or undermining through textbooks of persons on the grounds inter alia of their racial, national, ethnic, linguistic or religious affiliation. The Advisory Committee notes that in accordance with this Law, the need for textbooks in the languages of national minorities is to be established by the National Education Council upon the proposal of the Institute for the Advancement of Education and the relevant national minority council. Minority language textbooks, including for individual subjects of interest to persons belonging to national minorities, may be produced directly in the minority language, through the translation of Serbian textbooks into the minority language, or through importing textbooks in the minority language from the relevant "kin-State", and the involvement of national minority councils in this process is provided for. According to the information provided by the authorities, national minority councils have full control over the contents of textbooks, in so far as the Ministry of Education verifies only the quality of translations and that the contents of the textbooks do not discriminate against other ethnic groups.

The Advisory Committee notes with interest that an extensive range of textbooks published in Albanian, Bulgarian, Croatian, Czech, Hungarian, Romanian, Ruthenian, Slovakian and Ukrainian have been approved for use in schools in Serbia since 2007; it observes nonetheless that many of these textbooks are for the learning of Serbian as a second language rather than for teaching in or of the minority language. The Albanian national minority council has for example indicated that despite welcome progress over the last year in preparing textbooks in Albanian, at least five more years will be needed to produce the complete range of textbooks needed.

National minority councils indicate more generally that despite the measures put in place by the authorities, a lack of funds, low circulation of minority language textbooks, lack of harmonisation with the school syllabus in Serbia and long delays between the submission of a manuscript and the final distribution of textbooks are still barriers to the publication of new textbooks in minority languages or their use in schools. In consequence, in such cases, no textbooks, or textbooks in Serbian, have to be used instead; in the case of Bulgarian language textbooks, the national minority council has indicated that while progress achieved to date is welcome, the pace of production of textbooks is currently so slow that it is impossible to keep up with developments in the Serbian school curriculum, which has prompted some parents to remove their children from minority education altogether.

Some difficulties in terms of availability of teachers to provide minority language teaching also deserve the attention of the authorities, in particular as regards the implementation of accredited professional teacher training programmes for teaching in and of minority languages and the setting up of language departments for teacher training in universities.

### *Recommendations*

The Advisory Committee recommends that the Serbian authorities step up their efforts to ensure that the availability of textbooks in minority languages adequately reflects the needs expressed by national minorities. It emphasises in particular the importance of ensuring that approval procedures for textbooks are conducted expeditiously, that national minority councils are informed in good time where there is a need to resolve problems of harmonisation with the Serbian school syllabus and that low circulation does not constitute a barrier to the publication of such textbooks.

The authorities should ensure that adequate opportunities for teacher training of teaching in and of minority languages are provided and that the demands of national minorities in this regard are rapidly followed up.

### Situation of the Roma in the educational sphere

#### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee called on the authorities to take all measures necessary to put an end to the practice of placing Roma children in “special schools” designed for children with mental disabilities and to take a series of measures in order to improve the access of Roma children to education.

#### *Present situation*

As part of broader educational reforms and the Strategy for the Improvement of the Status of Roma and accompanying Action Plan, the authorities have taken a number of welcome steps since 2009 to improve the access of Roma children to ordinary schools and reduce dropouts. These include inter alia increasing the duration of the free, compulsory pre-school preparatory programme from six to nine months and providing for additional mechanisms of support to children and teaching staff, including educational assistants in schools. The Advisory Committee welcomes indications that the primary school attendance rate of Roma children has increased over the past five years, a trend which the authorities attribute to facilitated enrolment procedures for children without complete documentation and to the distribution of free textbooks. Outreach projects run by civil society to encourage Roma parents to enrol their children in good time have also helped both to increase attendance rates and to ensure that Roma children are able to participate in ordinary classes. The Advisory Committee has also been informed that over-representation of Roma children in special schools is decreasing thanks to the higher enrolment of Roma children in pre-schools. Overall, however, attendance rates of Roma children in pre-schools and schools still remain lower than that of the general population, in particular for girls and in rural areas.

The Advisory Committee is deeply concerned at reports that segregation of Roma children in schools continues to occur, with some schools being almost exclusively attended by

Roma pupils. Cases have also been reported where Roma pupils from displaced families attend separate classes in a different building from the other pupils, and the Advisory Committee has received reports that Roma children are still over-represented in over twenty special primary schools across Serbia. It remains concerned that poverty and the poor housing situation of Roma also continue to adversely affect the access to education of Roma children.

#### *Recommendations*

The Advisory Committee urges the authorities to take all necessary steps to eliminate segregation of Roma children in education, whether it occurs within individual schools, between schools or through over-representation in special schools.

It encourages the authorities to devise without delay policy measures to effectively increase access to mainstream education as well as to improve education outcomes for Roma children, including through providing facilitated access for pupils who lack complete documentation, promoting pre-school attendance, supporting the presence of educational assistants in schools and providing support such as free textbooks to socio-economically disadvantaged families.

#### Recognition of diplomas and equal opportunities in access to higher education

##### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee encouraged the Serbian authorities to find comprehensive solutions to the issue of recognition of diplomas issued by educational institutions in Kosovo\* and ensure that decisions recognising diplomas delivered by other institutional establishments of the region were issued by the competent Serbian educational authorities within a reasonable time-frame. It also recommended that the Serbian authorities pursue their plans to provide Albanian students with adequate higher educational opportunities in Serbia.

##### *Present situation*

The Advisory Committee welcomes indications received from representatives of the Albanian minority that the situation as regards recognition of diplomas issued by educational institutions in Kosovo\* is improving, although it observes that not all problems appear to have been resolved. Acceleration in the relevant processes was still hoped for, and some optimism was based essentially on developments that were hoped for in the broader context of improving relations between Belgrade and Pristina.

The Advisory Committee notes with interest that new faculty branches have been opened in southern Serbia in order to improve access to higher education in this region. The University of Niš has opened departments of its Faculties of Law and Economics in Medveđa, which have been providing teaching in Serbian with simultaneous interpretation into Albanian since 2009. The signing of a memorandum of understanding

between the University of Tetovo and the Subotica Economics Faculty of the University of Novi Sad has also, since 2011, enabled university education in the field of economics to be provided in Albanian in Bujanovac, with students who wish to do so able to follow just under half of their courses in Albanian and to draft their theses in Albanian.

The Advisory Committee welcomes these developments as the culmination of long-term efforts by the Coordination Body for Preševo, Bujanovac and Medveđa and other involved partners. It notes that some teething problems have been encountered in the first few years of operation of these structures, including difficulties in implementing simultaneous interpretation into Albanian in Medveđa and the lack of adequate premises in Bujanovac, and hopes that these issues can rapidly be resolved. It underlines in this context the importance of making quality higher education available in this region, as a means of ensuring that the local population is able both to acquire high-level competencies and to use them in employment without having to leave the region.

#### *Recommendations*

The Advisory Committee encourages the authorities to pursue their efforts to ensure that diplomas delivered by educational institutions in Kosovo\* and other institutional establishments in the region are duly and rapidly recognised.

It also strongly encourages the authorities to continue to support the provision of higher education in southern Serbia, to take all necessary measures to resolve the remaining difficulties in this context and to monitor and regularly evaluate progress achieved, in consultation with representatives of the national minorities concerned.

## 26. Slovak Republic

*Opinion adopted on 28 May 2010*

### Article 12 of the Framework Convention

#### Segregation of Roma children in schools

##### *Recommendations from the two previous cycles of monitoring*

In previous cycles of monitoring, the Advisory Committee urged the authorities to take resolute action to tackle the over-representation of Roma in the so-called 'special schools' designed for children with learning difficulties.

##### *Present situation*

The Advisory Committee notes that the authorities have pursued their efforts to address the issue of segregation of Roma children in education, as well as over-representation in some schools, including in 'special schools'. Examples of such efforts are the changes in the relevant legislation, the recruitment of teachers' assistants, the establishment of 'zero classes' to support Roma children and the introduction of scholarship schemes. The Advisory Committee welcomes the adoption, in May 2008, of the Law on Education which

has introduced legal provisions prohibiting segregation and all forms of discrimination in education. Regrettably, however, the term 'segregation' has not been clearly defined in this Law.

Despite these efforts, the Advisory Committee notes with concern that a considerable number of Roma children have continued to be unduly placed in "special schools". According to non-governmental sources, Roma children accounted for up to 60% of pupils enrolled in these schools in 2009. Segregation in education does not only occur with respect to "special schools". An increasing number of Roma are enrolled in Roma-only schools or schools with a high percentage of Roma pupils. In addition, Roma pupils are often placed in separate classes in mainstream schools. The Advisory Committee reiterates that practices of discrimination and segregation in education are not compatible with the principles guaranteed by the Framework Convention. In this context, it also draws the authorities' attention to the judgment of the European Court of Human Rights in the case of *D.H. and Others v. the Czech Republic*. Noting the authorities' awareness of the negative impact of segregation of Roma children on their future inclusion into society and effective participation, it urges the authorities to take effective measures to prevent and eliminate such practices within the education system, in particular by offering better opportunities for inclusion of the Roma pupils concerned into mainstream schools (see also remarks in respect of Article 4).

The Advisory Committee notes with satisfaction that tests and methods used to assess children's intellectual abilities were revised to avoid their misuse to the detriment of Roma children. Although many culturally-biased aspects of the tests have been remedied, some shortcomings reportedly still remain. Moreover, the tests have not always been properly used by specialists. There also appears to be a lack of clarity as regards the distribution of competences between special pedagogical and pedagogical-psychological centres entrusted with the assessment process and counselling of parents. Also, there are limited contacts between schools and the assessment centres as well as parents and "special schools". The Advisory Committee has been informed that "special schools" often have an interest in keeping Roma children as they receive financial incentives per student from the government. All of these factors contribute to the fact that the move of Roma children from "special" to mainstream schools is a lengthy and complex process.

Difficulties in ensuring that Roma have equal access to education are also reported in secondary, higher and university education. Only a small number of Roma students is currently enrolled in universities. In addition to the aforementioned obstacles relating to the access of Roma to quality education and their difficult social and economic situation, it appears that their access to higher education is hampered, among other factors, by a lack of transportation services.

The Advisory Committee has been informed of the intention of the Government of the Slovak Republic to introduce elementary boarding schools (*internátne školy*) for Roma children from socially disadvantaged environments. It also notes that the authorities have already some experience in setting up boarding schools for Roma children. While these



initiatives can contribute to improving the educational situation of the Roma and ensuring their effective participation, the Advisory Committee considers that boarding schools should not be the only solution to solve the problems faced by Roma in the field of education. Roma-only boarding schools established on a large scale basis could, on the contrary, further increase segregation and the isolation of Roma children and reduce their chances to become part of society. In this connection, the Advisory Committee also takes notes of concerns about the separation of Roma children from their families, which is not always in the best interest of the child.

In the opinion of the Advisory Committee, the authorities should favour a case-by-case approach, based on the needs of each Roma child and an assessment conducted in consultation with the parents, rather than on the general application of a system to all Roma children. Boarding schools should only be established after thorough preparation of a clear educational plan, elaborated in consultation with all the relevant stakeholders and in particular, with the Roma. In addition, the Advisory Committee considers it essential that the placement of Roma children in boarding schools be made on a voluntary basis and that parents be properly informed of the objectives and consequences that such placement implies so that they can effectively participate in making such a decision.

The attention of the Advisory Committee was also drawn to the high levels of absenteeism and the low school performance among Roma children. For example, around 20% of the enrolled Roma pupils attend the Luník 9 School in Košice on an irregular basis. The Advisory Committee therefore welcomes the fact that measures, such as preparatory classes and the recruitment of teachers' assistants, have been successfully implemented in schools attended by substantial numbers of Roma children. However, the Advisory Committee has been informed of difficulties in recruiting and retaining teachers' assistants despite incentive measures taken in this field by the authorities.

### *Recommendations*

The Advisory Committee urges the authorities to redouble their efforts to eliminate discrimination and segregation of Roma in the field of education. Undue placement of Roma children in 'special schools' should be addressed without delay. Measures taken to integrate Roma children into mainstream education should be better adapted to their needs and systematically implemented by all the actors concerned, including at the local level. The authorities should continuously and effectively monitor developments in this field. In this context, due attention should be paid to the Recommendation of the Committee of Ministers on the Education of Roma and Travellers in Europe.

Successful measures, such as preparatory classes and educational assistance, should be further implemented to promote equal access of Roma to quality education. The authorities should pursue their efforts to recruit teachers and teachers' assistants belonging to the Roma minority.

The role of the assessment and counselling centres should be clarified and only appropriate tests, based on the most recent methods, should be used. Awareness-raising

amongst Roma parents of the critical importance of education as a factor of personal development and social inclusion should be intensified.

Further action, including targeted special measures, should be taken to improve access of the Roma to secondary, higher and university education.

#### Textbooks and teacher training

##### *Present situation*

Efforts have been made by the authorities to provide teachers of minority languages with university training, including of languages of the numerically-smaller national minorities. As indicated in the State Report, possibilities to learn minority languages, such as Bulgarian, Croatian, German, Hungarian, Ruthenian and Ukrainian at university, exist. Despite the aforementioned efforts, there is a lack in some minority schools of well-trained teachers of minority languages, including of teachers with command of the Romani language.

While recognising the efforts made to produce textbooks, in particular in the Romani language, the Advisory Committee has been informed of the lack of quality textbooks in the languages of the numerically-smaller national minorities. The existing textbooks often seem to be outdated and do not correspond to the modern methods of teaching. The Advisory Committee reiterates that the 2009 State Language Law protects the right for persons belonging to national minorities to use textbooks and teaching books in minority languages and it expects that this right will be more effectively implemented in the future.

Information received by the Advisory Committee suggests that textbooks and educational curricula insufficiently reflect the specific features and history of national minorities in the Slovak Republic. Moreover, the Advisory Committee was informed that there is a lack of initiatives to raise awareness about the culture, language and identity of persons belonging to the Hungarian and Roma minorities, as well as to numerically-smaller minorities, such as the Jews.

The Advisory Committee notes that, as stipulated by the 2009 State Language Law, the entire pedagogical documentation and other documentation used in minority schools need to be maintained in Slovak, in addition to the minority language used in these schools. The Government Principles contain a list of the pedagogical documentation to be provided. While it considers legitimate for the authorities to require certain documents in the State language, the Advisory Committee finds that, in order to avoid unnecessary administrative burdens for schools with minority language instruction, the documents required in Slovak should only be those strictly indispensable for legitimate and necessary supervisory purposes.

##### *Recommendations*

The Advisory Committee encourages the authorities to step up their efforts to provide adequate opportunities for minority language teaching staff to acquire specific training in

order to achieve multicultural and intercultural education. The teaching of minority languages should be further promoted through the adequate provision of up-to-date textbooks that are in line with the general State curriculum.

The provisions of the 2009 State Language Law relating to school documentation should be interpreted and applied so that their requirements do not put an excessive burden on minority schools.

The Advisory Committee invites the authorities to take resolute steps to promote a better knowledge and understanding of national minorities through multicultural education. Textbooks and teaching materials for mainstream schools should pay more adequate attention to the cultures and identities of the different minorities, including the numerically-smaller ones, and these materials should be elaborated in close consultation with representatives of the national minorities concerned.

27. Slovenia

*Opinion adopted on 31 March 2011*

Article 12 of the Framework Convention

Situation of Roma in the education system

*Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee called on the authorities to take more decisive measures to combat unjustified isolation of Roma pupils in the education system and to ensure that such isolation practices are not repeated.

It also invited the authorities to recruit more teaching staff among Roma, to develop further the system of Roma school assistants and to make further efforts to promote the Roma language and culture so as to give other children a more positive image of the Roma minority.

*Present situation*

The Advisory Committee welcomes the fact that, following the adoption in 2004 of the strategy for the education of Roma and the subsequent outlawing of school segregation, practices of separation or isolation of Roma children have reportedly mostly disappeared, even in the case of the Bršljin primary school in Novo mesto. The Advisory Committee was pleased to find out during its visit that many representatives of the Roma minority and other non-governmental organisations expressed satisfaction at the impact of the strategy for the education of Roma. It also notes with satisfaction that the strategy has regularly been revised so as to adjust better to the needs of Roma.

However, it is informed that important problems persist in the area of education, particularly in the region of Dolenjska, including a low rate of school attendance and the fact that a majority of Roma pupils do not continue to secondary education. This results in persistently high rates of illiteracy. Additionally, the Advisory Committee was informed that there is a lack of scholarships to train Roma assistants, a lack of specific training of teachers working with Roma pupils, and a general lack of information on Roma culture, language and history in the mainstream curriculum. Against this background, the Advisory Committee welcomes the preparation of a textbook on Roma culture as well as efforts made to introduce elements on Roma culture in schools where a substantial number of pupils are Roma. It is, nonetheless, necessary to raise further awareness on Roma culture and language in all schools, including those with no Roma pupils.

To tackle these problems, important projects are being implemented in co-operation with Roma associations. The Advisory Committee welcomes the fact that these projects focus on three crucial areas to solve the difficulties facing Roma pupils: the training of Roma assistants as mediators between schools and Roma communities/families as well as of learning assistants to provide tutorship to Roma pupils at school; and an outreach programme to improve the enrolment of Roma children in pre-school education. According to the information provided to the Advisory Committee, the practices introduced as part of these projects should become part of the Slovenian educational system hopefully as of 2014-2015.

The Advisory Committee expects that the implementation of these programmes will bring about substantial and lasting changes in the educational situation of Roma pupils and, consequently, in the general socio-economic position of the Roma in society. These projects will, however, not result in tangible results before a few years; it is important, in the meantime, to ensure that Roma pupils currently of school age are not left behind and that temporary measures be taken to ensure that they integrate in the education system. Moreover, the Advisory Committee reiterates that it is crucial to involve effectively Roma representatives and organisations in the planning, implementation and monitoring of these projects and regularly to evaluate their impact, including by collecting relevant disaggregated data (see also remarks under Article 4 above).

#### *Recommendations*

The Advisory Committee encourages the authorities to pursue their efforts to tackle the difficulties facing Roma pupils in the education system and to support further programmes in this regard. Systematic monitoring and evaluation of these projects is crucial, as well as effective involvement of Roma communities in their design, implementation and monitoring.

More steps should be taken to disseminate information in schools on Roma culture, language and history, with a view to providing pupils from the majority population with non-biased information on Roma culture and to improve coexistence and mutual

understanding. Particular efforts should also be made to raise awareness of teachers on Roma culture and provide those working in areas with substantial numbers of Roma with more adapted training.

28. Spain

*Opinion adopted on 22 March 2012*

Article 12 of the Framework Convention

Equal access to education

*Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to take steps to provide appropriate support to pre-school education, school mediators and other initiatives aimed at preventing absenteeism, school drop-out and under-performance in schools.

It also invited the authorities to monitor the implementation of the Law on Education of 2006 as well as the measures taken by school boards to prevent the concentration of children from disadvantaged communities in some schools.

*Present situation*

The Advisory Committee notes that the situation of Roma in the field of education presents positive as well as negative aspects. It welcomes, on the one hand, the fact that the rate of enrolment of Roma pupils in primary education is fairly high, and that it is increasing for pre-school education. Absenteeism also continues to drop considerably. On the other hand, progression into secondary education remains a major problem, and very few Roma pupils reach university education. Drop-out of secondary education is of particular concern, especially as far as girls are concerned, and under-achievement among Roma pupils is still disproportionately high. Illiteracy among Roma adults remains five times higher than within the majority population.

The Advisory Committee notes with satisfaction that the authorities, mainly at the regional level (as education falls within the competences of the Autonomous Communities) have continued to implement important programmes to remedy the gaps identified. The central authorities are also supporting a number of programmes aimed at providing additional resources to schools located in disadvantaged areas, in the form, for instance, of provision of assistant teachers, mediators and extra-curricular support. The emphasis put by the authorities on solving the problem of lack of continuity and drop-out from secondary education is particularly welcome. While understanding that the results of the current efforts will be tangible only within the next few years, the Advisory Committee believes that the current programmes should be maintained and increased if the

achievements of the past years in terms of school enrolment are to be repeated with regard to continuity to secondary and higher education.

According to various reports and studies, mediators' programmes have borne positive results with regard to under-achievement and absenteeism. It is therefore regrettable that trained mediators working with Roma pupils continue to be mainly provided at the initiative of NGOs and following a case-by-case approach. Moreover, the economic crisis has had a negative impact on the possibilities of training, recruitment and employment of mediators. The Advisory Committee is of the opinion that a more systematic approach towards mediation work on behalf of the educational authorities could maximise the impact of the work of mediators. In this respect, it is pleased to note that a new university programme on social intervention in the Roma community started in the University of Navarra in 2009, which offers additional training opportunities and a university diploma to mediators working with Roma. It is important to promote the access of persons undertaking such training, who mostly belong to the Roma community, to mediation jobs so as to support the process of training of mediators on a long-term basis.

The Advisory Committee is deeply concerned by the continued existence of schools with a high concentration of Roma (and immigrant) pupils, located in disadvantaged urban areas. Whereas the Law on Education of 2006 intended to promote equal access of all pupils to schools and a balanced distribution of pupils in need of specific support between schools, the Advisory Committee is concerned that this aim is, reportedly, far from being achieved. It appears that the concentration of pupils in a disadvantaged situation results from various factors, starting from the geographical location of the school, but also the system of distribution of pupils between schools. The authorities informed the Advisory Committee that, in some cases, it is useful to promote a concentration of Roma pupils with specific disadvantages in certain "reference" schools, where they will be provided with adequate additional support and will not feel isolated. However, the Advisory Committee also learnt during its visit that the concentration of Roma pupils in some schools can sometimes result from them being automatically channelled to these schools, even when they do not originate from the surrounding neighbourhood, or from being denied access to publicly-funded private schools (*colegios concertados*) due to alleged lack of places. The academic level in many of these schools is, according to various reports, lower than in other schools. Moreover, the Advisory Committee learnt with concern that in schools imparting additional support to pupils with specific difficulties (*aulas compensatorias*), this support is often provided to Roma pupils in separate classes, thus perpetuating the isolation of Roma pupils from mainstream classes and schools.

The Advisory Committee acknowledges that meeting the needs of pupils in a disadvantaged situation requires flexibility and differentiated solutions adapted to local situations. It also learnt during its visit to Cordoba that some schools with a high concentration of disadvantaged Roma pupils have been able to achieve impressive results, with the support of various NGOs and publicly-funded programmes. Nonetheless, the

Advisory Committee is of the opinion that, in general, the current concentration of disadvantaged Roma pupils in specific schools with lower academic levels puts the educational achievements of the last decade at threat. It therefore welcomes the commitment of the authorities, expressed *inter alia* in the Comprehensive Strategy against Racism, Racial Discrimination, Xenophobia and other Related Forms of Intolerance of 2011, to put an end to the concentration of Roma pupils in certain schools and it expects that this will swiftly lead to tangible results.

#### *Recommendations*

The Advisory Committee calls on the authorities to pursue their efforts to improve the integration and achievements of disadvantaged Roma pupils in school. Continuity beyond primary education as well as successful completion of secondary education should remain key objectives for the authorities at all levels.

The Advisory Committee strongly encourages the authorities to consider effective ways of increasing the use of school mediators in a more systematic manner, drawing on existing good practices.

The Advisory Committee urges the authorities to investigate the reasons for the persisting concentration of Roma pupils in schools located in disadvantaged areas and with lower academic achievement, in order to eliminate such practices. In doing so, the authorities must ensure that the implementation of admission rules in schools do not result in discriminatory practices against Roma pupils.

### Intercultural education

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee urged the authorities to ensure that the culture, history and traditions of Roma had an adequate presence in school curricula and teaching materials and that the intercultural dimension of the Law on Education of 2006 was implemented also to the benefit of the Roma.

#### *Present situation*

While the Law on Education of 2006 has generated an increase in teaching and information on cultural diversity, citizenship and human rights, the Advisory Committee learnt with regret that limited progress has been achieved concerning the introduction of adequate information on Roma in schoolbooks and teaching materials. Information contained in primary school textbooks portrays Roma mainly along the lines of social exclusion and marginalisation and, therefore, reinforces stereotypes. At higher levels of education, and particularly at university level, there seems to be hardly any information on Roma culture, identity and history. Teachers at all levels are, reportedly, also lacking adequate training on these topics.

Therefore, the Advisory Committee praises initiatives such as the publication by the Institute of Roma Culture of textbooks on the Roma (see remarks under Article 5 above) and it expects that the authorities will promote a wide use of this material in schools. It also welcomes the co-operation established between the Institute of Roma Culture and the University of Alcalá de Henares with a view to promote a better knowledge of Roma culture at university level (see remarks under Article 5 above). However, the Advisory Committee takes the view that far more resolute and comprehensive measures should be taken by the educational authorities to remedy this important gap. In this respect, it notes that, as part of the Action Plan for the Roma People 2010-2012, new school material on the Roma should be developed. The Advisory Committee believes that this task should be undertaken urgently, as it is a key element in efforts to combat prejudice and racism in society.

The Advisory Committee is pleased to note that the Institute of Roma Culture published in 2011 a manual for primary schools on Roma culture and identity, with a view to improving knowledge and awareness of all children in primary school and to counteract stereotypes. The Advisory Committee expects that this manual will be widely disseminated in schools.

#### *Recommendation*

The Advisory Committee urges the authorities to undertake a review of school textbooks in order to ensure that sufficient and adequate information on the Roma culture, history and language is provided to all pupils, at all levels of education. It is also important for the authorities to ensure that the results of the work of the Institute of Roma Culture are effectively used and promoted, especially the work regarding the dissemination of adequate information on the Roma identity and culture in the education system.

29. Sweden

*Opinion adopted on 23 May 2012*

Article 12 of the Framework Convention

#### Minority-related content of textbooks

##### *Recommendations from the two previous cycles of monitoring*

In previous monitoring cycles, the Advisory Committee called on the authorities to address shortcomings identified in the minority-related contents of textbooks and find ways to reflect national minorities and their culture adequately in the relevant teaching materials.

##### *Present situation*

The Advisory Committee notes with satisfaction that the revised curricula for the nine years of compulsory schooling in Sweden that entered into force on 1 July 2011 include elements regarding minority languages as part of the core curriculum in grades 7 to 9. In addition, the revised curricula address the position and rights of the Sami as an indigenous



people and of other national minorities in the subject of social science in grades 4 to 6 and 7 to 9. It also notes with interest that the production of educational material about the Roma and other national minorities for the compulsory schooling curriculum is included as part of the government's Strategy for Roma Inclusion.

However, the Advisory Committee remains concerned at the overall lack of information on national minorities in textbooks used in Swedish schools, despite the above requirements of the school curricula and despite the findings of the 2006 review of textbooks by the National Agency for Education. Roma also complain that there is very little information about the Roma Holocaust in school teaching materials. There are also reports of inaccuracies in the facts relating to national minorities that do appear in school textbooks.

Student teachers are moreover not required to learn about national minorities as part of their teacher training studies. This means that the training they receive in this field is insufficient.

### *Recommendations*

The Swedish authorities should step up their efforts to ensure that national minorities and their cultures are adequately represented in school textbooks and computer-based learning materials. Bearing in mind that education is a highly decentralised domain in Sweden and that textbooks are not centrally approved, the Advisory Committee again emphasises the importance of involving closely national minorities and local and school authorities in this work.

The Swedish authorities should also ensure that teacher training programmes equip teachers to fulfil their role in teaching issues related to national minorities, as required by school curricula.

### Roma children in schools

#### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee encouraged the authorities to take measures to enable and encourage Roma children to enjoy quality education free from harassment and to support and develop teaching assistant initiatives.

#### *Present situation*

The Advisory Committee notes with interest that studies continue to draw attention to the situation of Roma children in schools. It also welcomes the authorities' indication that they intend to continue supporting the training of Roma teaching assistants (also referred to as "bridge-builders", mentors or mediators) with the aim, *inter alia* of improving school attendance of Roma children. It welcomes the fact that in some cities where Roma mediators have been employed, this has helped both to build trust between Roma

parents and schools and to create a school environment where Roma children do not feel threatened.

The Advisory Committee welcomes the fact that under the new Discrimination Act, education providers have an obligation to investigate and take measures against harassment once they become aware of it. There is, however, no obligation on education providers to take preventive measures against harassment if no such incident has been reported.

The Advisory Committee is concerned that many of the problems already noted in its previous Opinions persist. These include a lack of awareness or acknowledgement of Roma culture in schools and school curricula, bullying and harassment of Roma children by pupils or teachers, and high levels of absenteeism. The school dropout rate is also high amongst Roma children, with many not following compulsory schooling to completion. All these factors have a negative impact on the education outcomes of Roma. While the Advisory Committee is pleased to note that the Roma folk high-school (an adult education centre) has proved highly successful in providing education and training to adult Roma, demand for its courses far exceeds its capacities and this initiative alone cannot compensate for the discrimination still faced by Roma children in schools.

#### *Recommendations*

The Advisory Committee calls upon the Swedish authorities to adopt additional measures in order to improve the access of Roma children to quality education in an inclusive environment free of harassment. These measures should include acknowledging Roma culture in school curricula and making the adoption of preventive measures against harassment obligatory in all schools.

The Swedish authorities should also step up their efforts to train Roma mediators and place this initiative on a more secure footing, through longer-term funding and a clear commitment to ensuring that Roma teaching assistants are present wherever needed. Such training should be designed and implemented in close consultation with Roma representatives and should be conducted in parallel with initiatives aimed at promoting the training and employment of Roma as teachers.

The Advisory Committee recommends that the Swedish authorities take targeted steps to overcome the high level of school dropouts and absenteeism among Roma children. Furthermore, the authorities should raise parents' awareness of the mechanisms available to them to tackle the problems faced by their children in schools, in view of the importance for their children of completing compulsory schooling. Special training should also be provided to teachers, to increase their awareness of the needs and rights of Roma children.

## Teacher training and teaching materials

### *Recommendations from the two previous cycles of monitoring*

In its previous monitoring cycles, the Advisory Committee recommended that the Swedish authorities take measures to address the lack of minority language teachers and teaching materials, and emphasised the need to take a strategic approach in consultation with national minorities.

### *Present situation*

The lack of suitably trained teachers remains a serious barrier to receiving education in and of minority languages, affecting in particular teaching in and of Romani Chib as well as in and of the various Sami languages – especially South Sami and Lule Sami – and Meänkieli. For South Sami and Lule Sami, particular difficulties arise as many persons who speak these languages as their mother tongue were never taught to read and write it and are not equipped to teach the languages in schools. Moreover, there is a general need to replace a generation of minority language teachers nearing retirement age.

There are also some concerns that, if implemented, a proposal of the National Agency for Higher Education to remove as from 2018 the current exemption of mother tongue teachers from the formal qualifications ordinarily required of teachers – while serving the aim of ensuring high quality education for all – may hamper efforts to ensure continuity in the teaching of minority languages. The Advisory Committee nevertheless notes that, because of these concerns, the time-frame of 2018 that would apply to mother tongue teachers is longer than that proposed for other teachers.

The Advisory Committee further points out that there is also a lack of university courses for minority language teachers and that those that are available have had difficulty in attracting students. This is partly because of the lack of sustainable job opportunities for minority language teachers, due to the relatively small number of schools that offer minority language teaching and the fact that only a few hours of teaching are usually offered in any given school.

The Advisory Committee welcomes the authorities' efforts to address the lack of minority language teachers through a Teacher Training Inquiry (SOU 2008:109) and the subsequent Government Bill *Best in the Class – A New Teacher Education* (2009/10:89), which highlighted the importance of clearly allocating responsibilities for teacher training for all national minority languages at different universities. It also proposed establishing a programme that would enable the validation of non-formal and informal learning and would facilitate access to qualification as a subject teacher. However, the latter proposal did not make any provision with regard to the specific needs of national minorities and minority language teacher training and no formal regulations have yet been adopted to give effect to it.

The Advisory Committee also strongly welcomes the thorough analysis and comprehensive proposals put forward in late 2011 by the National Agency for Higher Education in its study into means by which to increase the number of minority language teachers. The results of this study have now been sent out for consultation. However, in view of the particular difficulties experienced in recruiting minority language teachers, described above, the Advisory Committee is concerned that the authorities have already indicated that they will not give further consideration to one of the study's proposals, namely that of cancelling repayments of student loans for student teachers of minority languages. It also regrets that the new system of teachers' licences (*lärarlegitimation*), which came into force in March 2011, does not include any specific provisions with regard to minority language teachers. On the other hand, it notes that a further study has now been commissioned into the possibility of developing distance learning and that the outcome of this study is expected in November 2012. It also observes that options such as the re-training of teachers and the development of bilingual teaching methodologies could usefully be explored.

The availability of textbooks in minority languages also continues to be a problem, particularly for the Sami languages, Romani Chib and Meänkieli, and little funding is available to support the development and publication of such textbooks. The Advisory Committee welcomes the fact that the "Mother Tongue Theme" website continues to be developed and that it could moreover usefully complement other educational materials.

The Advisory Committee welcomes the fact that the authorities are increasingly aware of the problems posed by the lack of minority language teachers and teaching materials, but is concerned that progress in overcoming this situation remains slow. It emphasises that a strategic approach in this field is now clearly needed. One or two generations of persons belonging to national minorities have already lost to a greater or lesser extent the use of their minority language as a mother tongue, and each year of minority language education lost will make it increasingly difficult to recover the ground lost in this respect. This unsatisfactory situation also has considerable repercussions on the use of minority languages in public life (see Article 10 above).

#### *Recommendations*

The Advisory Committee strongly encourages the Swedish authorities to strengthen their efforts to address the lack of minority language teachers. This continues to require a strategic approach, in consultation with representatives of national minorities, so as to ensure that there is adequate provision of higher education in this field and that minority language teaching becomes a sustainable profession. The Swedish authorities should implement the proposals made in 2011 by the National Agency for Higher Education as regards effective access to teacher training in minority languages, including making all the necessary revisions to the applicable legislation and regulations. The authorities should also consider taking special measures to attract students of minority language teaching.

The Advisory Committee also encourages the Swedish authorities to pursue their efforts to provide web-based teaching materials in minority languages in co-operation with minority language teachers and other stakeholders, and to combine these efforts with an increased domestic production of quality textbooks for national minorities.

30. Switzerland

*Opinion adopted on 5 March 2013*

Article 12 of the Framework Convention

#### Harmonisation of language teaching

##### *Recommendations from the previous two monitoring cycles*

During the previous monitoring cycles, the cantonal authorities were invited to continue their efforts to ensure inter-cantonal harmonisation of language teaching and to intensify awareness campaigns in order to promote multilingualism among teachers and students.

##### *Present situation*

The Advisory Committee welcomes the entry into force in 2009 of the inter-cantonal agreement on harmonisation of compulsory schooling, *HarmoS*, which among other things regulates the teaching of languages, including a second national language. It notes that under the new Law on Languages (LLC) and the *HarmoS* agreement, many cantons have, over the past few years, devised positive measures to promote multilingualism among teachers and students. The Advisory Committee takes note with interest of the various linguistic projects developed by the cantons in order to promote multilingualism in three official languages (German, French and Italian) from nursery school onwards.

##### *Recommendation*

The Advisory Committee invites the authorities to continue their efforts to harmonise language teaching and to promote multilingualism.

#### Education of Travellers

##### *Present situation*

The Advisory Committee was informed that some difficulties subsist for Traveller children, who practise an itinerant lifestyle, to receive education. For instance, access to education during the summer months (generally from April to October) is difficult for such children because schools need a permanent address to which to send educational materials, which is hard to combine with this lifestyle. Alternatively, the parents have to pick up lessons and homework in person from the teachers, which is not always possible owing to the long journeys involved and the parents' workload at this time of the year. Furthermore, teachers claim that the integration of Traveller children in classes would be greatly facilitated if the children were present right from the beginning of the school year (end of August), and attended classes right up to the end of May.

The Advisory Committee is concerned about the fact that schooling for Traveller children who have retained an itinerant lifestyle is apparently not properly guaranteed when they travel with their parents. According to the Advisory Committee's interlocutors, insufficient resources are provided for such children to continue attending classes during this period, even though distance education should be available through to modern technology. The Advisory Committee considers that Travellers ought to be able to preserve their traditional way of life, which is an integral part of their cultural identity, in a manner which does not harm their children's education.

*Recommendations*

The Advisory Committee invites the authorities to continue and intensify the measures taken to remedy within the framework of a permanent dialogue with the representatives of these minorities the difficulties encountered by Traveller children who retain an itinerant lifestyle.

Moreover, the Advisory Committee strongly urges the authorities to find solutions tailored to the specific way of life of these children in order to guarantee their equal access to quality education in tandem with the preservation of their culture, by devising appropriate educational programmes, including distance education.

31. "the former Yugoslav Republic of Macedonia"

*Opinion adopted on 30 March 2011*

Article 12 of the Framework Convention

Multicultural and intercultural education

*Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee urged the authorities to step up their efforts to promote and facilitate intercultural understanding and contact in and through schools.

The Advisory Committee also called upon the authorities to take determined steps to promote mutual knowledge and understanding between pupils, teachers and families belonging to different ethnic communities.

*Present situation*

The Advisory Committee notes with regret that currently the situation, as regards schools, has not changed significantly from the second Opinion. Schoolchildren belonging to the Macedonian majority and the Albanian national minority have few opportunities for contact with each other in the school environment and there are not many joint activities. Moreover, the Advisory Committee received reports that the textbooks used in schools do not show a balanced approach towards the history of national minorities, and sufficient information about all national minorities in "the former Yugoslav Republic of Macedonia".

The Advisory Committee notes with satisfaction the adoption in 2010 of the Government Policy Paper “Steps Towards Integrated Education” elaborated in close co-operation with the OSCE High Commissioner on National Minorities (HCNM). The Policy Paper implements the National Strategy for the Development of Education 2005-2015, and the Concept for a Nine Year Primary School Education adopted in 2007 to promote and facilitate intercultural understanding and contact in the school environment.

The Advisory Committee notes with interest that the proposed policy measures aim at improving the situation of education in several areas. These include democratic school governance in a decentralised environment, joint curricular and extra-curricular activities, language acquisition, teacher training and textbooks.

The implementation of the policy measures has been entrusted to the Ministry of Education and Science and other central and municipal bodies and a timetable for specific actions to be taken has been adopted. The Advisory Committee notes that the success of the implementation of the policy depends on the co-operation of all interested stakeholders and on the allocation of adequate financial resources. In this context, the Advisory Committee notes that, although the budget for education has been raised in recent years, the resources allocated have not been sufficient to implement the National Strategy for the Development of Education 2005-2015 effectively.

#### *Recommendations*

The Advisory Committee encourages the authorities to implement vigorously the Policy Paper “Steps Towards Integrated Education” and to allocate the necessary financial and human resources which will be necessary to ensure effective implementation of the Policy.

The authorities should continue to review the existing textbooks in consultation with minority representatives, with a view to ensuring a better reflection of the history, culture, traditions, and the current situation of national minorities, which should form a part of the curriculum of all students in order to foster mutual respect and understanding.

The Advisory Committee also calls on the authorities to step up their efforts to create opportunities for contact among school children of different ethnic backgrounds in the school context and by organising joint curricular and extra-curricular activities.

#### Situation of the Roma

##### *Recommendations from the two previous cycles of monitoring*

In the previous cycles of monitoring, the Advisory Committee urged the authorities to continue developing the measures provided in the national strategy for the Roma in order to guarantee the Roma equal opportunities for access to education, whether they be children or adults. It also encouraged the authorities to step up efforts to raise awareness in the school environment in order to forestall and eliminate practices leading to

discrimination against and separation of Roma pupils, and to train teachers for work with Roma pupils.

*Present situation*

The Advisory Committee welcomes the initiatives taken by the authorities to address the concerns of the Roma regarding equal access to education within the framework of the Action Plan for the Decade of Roma Inclusion 2005-2015. The introduction of scholarships specifically earmarked for Roma secondary school students, granted to 650 Roma students in 2008/09, the reduction by 10% of the average mark required of Roma children in order to enrol in secondary school of their choice, and the ethnic quota system at universities are all to be welcomed. Other positive measures concern free distribution of textbooks to Roma children attending primary and secondary schools and free school transportation.

The Advisory Committee recognises that efforts have been made to tackle the unsatisfactory situation of Roma children in the education system. Several projects, including those using mediators, implemented by civil society, international organisations and the Directorate for the Development and Promotion of Education in Languages of the Communities within the Ministry of Education have contributed to reduction of the drop out rate. The reduction of the drop-out rate between fifth and sixth grade among girls was particularly noticeable. In the schools covered by the project in 2010, the number of Roma boys is only 3,8% higher than the number of girls which is one indicator of the progress achieved so far.

The introduction of scholarships specifically earmarked for Roma students and arrangements for transport of students from Roma neighbourhoods to schools in the surrounding areas attended by students from different ethnic backgrounds have contributed significantly to a higher attendance, lower drop-out rate and higher performance results of Roma children. More than 300 Roma students currently study at higher-level educational institutions, which is a most welcome development as this figure demonstrates a dramatic increase from three Roma students attending university in 1993 to 150 Roma students in 2005.

Despite the progress achieved generally in the field of education, there are some challenges still requiring serious attention by the authorities. The Advisory Committee was deeply concerned to learn that, in the Suto Orizari Primary School, attended almost exclusively by Roma children, teaching is organised in four shifts to accommodate all the children of school age living in that community. Such overcrowding, impacting on the quality of education, is of deep concern as it is detrimental to the educational process and undermines the prospects for the children concerned. The Advisory Committee considers that urgent additional efforts are required to construct another school in the area and, as a temporary measure, to increase transport options for the students affected by this situation. The Advisory Committee also notes with concern, that in spite of the fact that secondary education is compulsory in "the former Yugoslav Republic of Macedonia" there



is no secondary school in Suto Orizari, a municipality of 17,357 inhabitants, according to the census of 2002.

The Advisory Committee notes with concern that insufficient knowledge of the Macedonian language by Roma children at the time of entrance into the first grade of primary school constitutes a serious handicap and puts them at a serious disadvantage in following tuition in the Macedonian language. In this context, the Advisory Committee is seriously concerned by the lack of opportunities for Roma children to attend pre-schools, which would allow for the Macedonian language acquisition and would prepare them for further education.

The problem is exacerbated by lack of qualified teachers speaking the Romani language and the fact that there is no Romani language department within the existing teacher training institutions. As a result, according to figures for the school year 2008/09 provided by the Directorate for the Development and Promotion of Education, out of 14,189 teachers working in primary schools only 24 were Roma, whereas the number of Roma pupils stood at 10,551. This very low ratio of Roma teachers to Roma students, in addition to sharing the lack of tuition and guidance in the Romani language, does not provide positive role models and is not conducive to increasing self-esteem among Roma children.

The government has been implementing a number of projects in these areas in co-operation with civil society. Twelve Roma Information Centres, the purpose of which is to offer assistance and support to persons belonging to Roma communities, have been opened. The Advisory Committee, while welcoming this development, notes with concern that the funding for the Centres comes primarily from civil society resources.

#### *Recommendations*

The Advisory Committee encourages the authorities to pursue their efforts to tackle the difficulties facing Roma pupils in the education system at all levels and to support further programmes in this regard. Systematic monitoring and evaluation of these programmes is essential. Roma communities should be involved effectively at all stages in education programmes, including their design, monitoring and evaluation.

The Advisory Committee calls on the authorities, as a matter of priority, to make more sustained efforts to ensure access to preschool education for all Roma children and guarantee that the curriculum in such kindergartens corresponds to the diverse needs and multi-lingual composition of the groups.

More steps should be taken to raise awareness of teachers on Roma culture and rights and to provide those working in areas with substantial numbers of Roma with more adapted training. More systematic efforts should be taken to train teachers speaking the Romani language.

The Advisory Committee calls on the authorities to make more sustained efforts to promote the Roma language, culture and traditions, and to portray a more positive image of Roma identity among other children, families and all teachers and educators.

32. Ukraine

*Opinion adopted on 22 March 2012*

Article 12 of the Framework Convention

Textbooks and teacher training

*Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to review the existing textbooks and curricula in consultation with minority representatives to ensure a better reflection of the history, culture and traditions of national minorities. It further recommended providing adequate financing for the development of quality textbooks, and ensuring that efforts to promote the use of the Ukrainian language in higher education did not unduly diminish possibilities to study certain subjects in minority languages or bilingually, particularly in view of the needs of minority language schools.

*Present situation*

The Advisory Committee welcomes the creation of a special council for consultations with national minorities under the Ministry of Education in 2010, which meets on a quarterly basis to discuss issues of concern with representatives of all minority communities. It was further pleased to observe, during its country visit, the acknowledgement by the Ministry of Education that the accurate reflection of national minorities and their history in textbooks constitutes an important contribution to the encouragement of tolerance and mutual respect in society, and that some initiatives for the promotion of inter-ethnic understanding in schools have begun. The Advisory Committee refers, for instance, to the introduction of a course on 'good neighbourhood' given on an optional basis in secondary schools. In addition, activities to ensure awareness and remembrance of the victims of the Holocaust have been extended to schools.

The Advisory Committee notes, however, reports by minority representatives that their portrayal in textbooks continues to be inadequate and frequently reinforces existing stereotypes against some minority groups. No comprehensive review of existing textbooks has been conducted with a view to reflect better the positive contributions of national minorities to Ukrainian history, accommodate multiple perspectives on history, or portray minority traditions and cultures in an objective manner. As regards the quality and quantity of minority language textbooks other than Russian, the Advisory Committee regrets to have received reports that, despite efforts taken by the authorities, provision of textbooks continues to be inadequate at all grades and particularly in secondary schools. This issue is of deep concern to parents when deciding whether to send their children to minority language schools. Textbooks for Crimean Tatar language education, for instance, exist only for grades one to four.

With regard to teacher training, the Advisory Committee welcomes efforts by the authorities to provide better educational training opportunities, particularly in the Transcarpathia region, where, for instance, a Pedagogical Centre for Hungarian language teachers was created in Uzhgorod in 2009. Representatives of the Romanian minority, however, are concerned that opportunities to study in the Romanian language at the University of Chernivtsi are limited to a small Romanian philology department, where teachers of Romanian language and literature are trained. This has resulted in a lack of multilingually trained teachers of mathematics and other subjects in Romanian language schools, which is of great concern to parents. At the same time, the quality of teaching methodology is reportedly still particularly lacking in minority language schools and requires urgent attention. The Advisory Committee welcomes in this regard efforts by the Ministry of Education of the Crimea to introduce modern bi- and multilingual teaching methodologies, including in the few Ukrainian language schools in the Peninsula.

### *Recommendations*

The Advisory Committee calls on the authorities to engage, in close consultation with minority representatives, in a comprehensive review of textbooks and curricula to ensure that national minorities and their culture and history are adequately reflected. Attention should be paid to introduce a multiple perspective into history teaching, including through adequate textbooks.

In addition, the authorities must continue their efforts to ensure that a sufficient number of adequately trained teachers is available to meet the needs of minority language institutions, including for minority language education in subjects other than language or literature.

### Roma children in schools

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee urged the authorities to provide appropriate support, including financial, to pre-school education and other initiatives aimed at preventing absenteeism and drop-out rates among Roma pupils. In addition, it called for resolute steps to eliminate any discriminatory practices in the enrolment of Roma children into mainstream schools.

#### *Present situation*

The Advisory Committee notes with deep concern that the available figures on access to education and level of achievement of Roma pupils have not improved since the second monitoring cycle. Roma pupils, particularly girls, continue to experience high drop-out rates and those who graduate reportedly often do so without having gained literacy. Cases are also reported where Roma children cannot receive their school certificates due to lack of birth certificates (see comments on Article 4 above). The Advisory Committee is further deeply concerned by continued reports of segregation of Roma children in separate classes or schools. These separate Roma schools are, in addition, often reported to be in

very poor condition, without educational or even sanitary facilities, which further impedes effective learning. Moreover, the Advisory Committee observed worrying attitudes among some of its governmental and non-governmental interlocutors implying that the under-achievement of Roma children in schools is due to parental neglect, rather than to poverty and social exclusion.

The Advisory Committee welcomes the efforts by regional authorities in Odessa and the Transcarpathia region to recruit Roma mediators and/or teaching assistants from the community to promote attendance of Roma children in schools. With the support of formal and informal Roma community leaders, particular efforts have reportedly been made to enrol Roma children in pre-school education. This has somewhat alleviated the language problems faced by Roma children in schools in Western Ukraine, who often speak Romani at home. While these efforts are commendable, the Advisory Committee regrets that they appear still to be of an ad hoc nature and lack sustained financial support. There appears to be no comprehensive strategy to address the situation, nor an adequate awareness of the severity of the problems in accessing education faced by Roma children.

#### *Recommendation*

The Advisory Committee urges the authorities to take resolute and prompt measures, in close consultation with community representatives, to ensure that Roma children are offered equal access to quality education. Discriminatory practices must cease without delay and efforts must be made to integrate Roma children into mainstream education, including at higher level.

### 33. United Kingdom

*Opinion adopted on 30 June 2011*

Article 12 of the Framework Convention

#### Promoting equality and diversity at school

##### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee invited the authorities to step up efforts in taking forward the requirements of the Race Relations (Amendment) Act 2000. It also called on the authorities to provide clearer guidance on how schools should teach Citizenship.

##### *Present situation*

The Advisory Committee notes with satisfaction that, according to various sources, the gaps in participation and achievements in education between students from minority ethnic communities and from the majority are slowly narrowing at all levels of education, although there is still a shortage of data in certain areas. However, it is concerned that pupils belonging to some minority ethnic communities continue to have markedly lower achievement rates and higher exclusion rates, notably Black students and Afro-

Caribbeans. Minority ethnic communities continue to be in general under-represented in higher education. The attainment gaps seem to be widening for one particular group, namely the Gypsies and Travellers (see remarks in paragraphs 172 to 176 below), which is a worrying development.

The Advisory Committee takes note of the new approach which has been adopted in England with regard to the promotion of equality and diversity at schools. It understands that, as in other areas, it is now up to local communities and schools to decide on how they want to spend the available funds, including those which were until recently earmarked for pupils from minority ethnic communities (such as the Ethnic Minority Achievement Grant). The Advisory Committee is worried that the lifting of the ring-fencing on a number of the funds previously set aside for students from minority ethnic communities might have a negative impact on progress achieved in recent years in promoting equal opportunities for these students. Additionally, the authorities informed the Advisory Committee that the development of guidelines on how schools should deal with diversity, on teaching of cultural diversity and the promotion of tolerance, or on the launching of pilot-projects in this field, would no longer be centrally-driven but instead would be left to local authorities and schools. While acknowledging that this new approach can allow for a response better suited to local needs, the Advisory Committee is concerned that the lack of central supervision and monitoring of progress, based on systematic data collection, could lead to less attention being paid to the problems faced by students belonging to disadvantaged minority ethnic communities.

In Scotland, the Advisory Committee is informed that although a new "Curriculum for Excellence" was introduced in 2009 which aims at improving the attainments of all pupils, irrespective of their ethnic or social background, there is still a reported lack of education on tolerance and in general, on human rights, and of teacher training on these issues. In Wales, the Advisory Committee notes that guidance is available for schools to promote equality and diversity. While commending these ongoing efforts, the Advisory Committee regrets that in all the regions it visited, there seems still to be a general lack of support for teaching on human rights and respect for diversity, and that the decision to take a proactive attitude in this regard is too often left to the willingness of local authorities and schools. It also finds worrying the information brought to its attention by the authorities on bullying at school, in particular of pupils belonging to minority ethnic communities (see also remarks under Article 6 above).

Most of the problems mentioned above facing pupils from minority ethnic communities, including Travellers, are also to be found in Northern Ireland. Nevertheless, the Advisory Committee notes with satisfaction that more "integrated" schools attended by pupils from both the Catholic and Protestant (and other) communities have been opened. However, they cater only for around 5% of all pupils in Northern Ireland. The Advisory Committee finds that these schools should be strongly supported as they represent an effective way of progressively putting an end to separation between various communities.

### *Recommendations*

The Advisory Committee calls on the authorities to continue and intensify efforts to combat indirect discrimination by bridging the attainment gaps in education between pupils belonging to various minority ethnic communities and the majority population, based on regular data collection and monitoring. More vigorous measures should be taken, including awareness-raising among pupils from the majority population, to prevent and combat bullying of pupils belonging to minority ethnic communities at school.

Additional steps should be taken to develop teaching of respect for diversity, mutual understanding and, in general, human rights at school, including through curricula developments and teacher training.

In Northern Ireland, the authorities should take all the necessary measures to promote the development of integrated schools, where pupils from different communities can study together.

### Gypsies, Travellers and Roma in education

#### *Recommendations from the two previous cycles of monitoring*

In the previous monitoring cycles, the Advisory Committee called on the authorities to step up their efforts to support the educational needs of Gypsies and Travellers, including through the allocation of specific funding. It also urged the authorities to combat firmly bullying and racist intimidation of these pupils in schools.

#### *Present situation*

The Advisory Committee notes with concern that attainment and achievement of Gypsy and Traveller pupils at school have not improved since the adoption of its second Opinion, although attendance rates have reportedly gone up in some regions, for instance in Wales. Despite the launching of various projects, ranging from on-site learning to E-learning and programmes for “interrupted learning” (in Scotland), low attendance, high drop-out, low achievement and a lack of continuation beyond primary level continue to be the main problems facing Gypsy and Traveller children at school. Moreover, the Advisory Committee is deeply concerned by the high levels of racist bullying these children are experiencing. It also regrets that the education system in all regions still lacks cultural sensitivity for the specific background and needs of Gypsies and Travellers and that this “neutral” approach is sometimes still perceived as a way of ensuring equality of all pupils. In practice, it often results in difficult communication between the school and the parents and a lack of guidance for principals and teachers working with Gypsy and Traveller pupils.

As far as Roma pupils are concerned, the Advisory Committee is informed that a number of schools have carried out outreach work and provided specific support to Roma pupils from families who immigrated from Central and Eastern Europe. The Travellers Education Support Services and the Ethnic Minority Achievement Grant have reportedly been instrumental in improving their access to and integration in the education system. However, it seems that there is still a lack of data and information on this group, which

hampers the delivery of more targeted services. Additionally, the Advisory Committee received disconcerting information according to which many Roma pupils do not attend school regularly and that they experience high drop out rates from secondary education, sometimes connected with destitution of their families (see also remarks under Article 4 above).

The Advisory Committee welcomes the availability of specific funds in Northern Ireland (the Travellers Education Fund) and in Wales and the continued backing given in recent years to Travellers Education Support Services, even though this support is considered insufficient in many circumstances. The Advisory Committee is therefore concerned by various reports indicating that ongoing support for Gypsies, Travellers and Roma, notably Travellers Education Support Services is shrinking, and that this is particularly worrying in England. Moreover, in line with the new Government policy on localism, decisions on the allocation of funds are now left to local communities and schools (see also paragraph 165 above). This can, in the opinion of the Advisory Committee, have a very detrimental effect on educational support provided to Gypsies, Travellers and Roma in England and their equal access to education as the allocation of specific support will depend on the willingness of the local authorities and the attitude of the majority population.

Various interlocutors of the Advisory Committee also underlined the lack of overall strategies to deal with all the education-related difficulties facing Gypsies and Travellers and the lack of mainstreaming of successful local projects. Therefore, the Advisory Committee notes with interest the elaboration of a National Strategy for Gypsies and Travellers in Wales (see also paragraph 93 above), which includes a comprehensive chapter on education. Additionally, it notes with satisfaction that a Travellers Education Task Force was set up in Northern Ireland in 2008, including Travellers representatives, with a view to tackling educational problems in a comprehensive manner. Nonetheless, the Advisory Committee considers that more efforts should be made to develop comprehensive strategies and systemic approaches, in close consultation with representatives of the Gypsies and Travellers.

### *Recommendations*

The Advisory Committee urges the authorities to continue to support, including financially, projects and measures addressing difficulties faced by Gypsy, Traveller and Roma pupils at school. It is particularly important to ensure that Travellers Education Support Services are able to continue to carry out their tasks. The possible impact of the shift of responsibilities in this field to local authorities should also be carefully monitored so as to avoid widening existing inequalities (see also remarks in paragraph 12 above).

Additionally, the authorities should develop more comprehensive approaches to the education of Gypsies, Travellers and Roma, in close cooperation with representatives of the groups concerned. It is essential to develop teacher training on the history, culture and specific needs of Gypsies, Travellers and Roma and to ensure that schools are more sensitive to their cultures.

