



INTERNATIONAL LEGAL GUARANTEES FOR THE PROTECTION OF NATIONAL MINORITIES AND PROBLEMS IN THEIR IMPLEMENTATION

WITH SPECIAL FOCUS ON MINORITY EDUCATION

**Equal Access to Education by National Minorities
by Mr Claude Cahn
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Before commenting on the matter at hand, I would say a few words about the esteemed organisers of today's seminar – the Russian chairmanship of the Council of Europe.

The context of my comments is the view that an organiser of a meeting of this kind has a kind of special obligation to facilitate open dialogue including the broadest possible representation of views, including those views not necessarily to the liking of governments. This special obligation is a component of the difficult but necessary requirements of democratic society.

We work extensively at present in Russia and so are keenly aware of matters in that country.

The Russian government deserves praise for its robust and engaged response to a number of recent extreme crimes, among others the racially motivated attack on Roma in Volzhskij which took place in April of this year, an attack in which two people were killed. We are following developments in that case closely, at least to date, the local officials have undertaken an engaged and thorough investigation, including recognition of the fact that the attack was racially motivated. In this case, official response to a serious racially motivated crime has been superior to that of a number of other Council of Europe Member States.

As others, we are aware of other developments in Russia, however. We in civil society are particularly aware of the fragility of our own existence, and so I must express regret that there are no members here today of organisations representing Russia's most threatened minorities, especially Chechens, Georgians and Roma. We heard this morning that Russia is a multi-ethnic country with over 150 ethnic minorities, but it is clear that in light of the current situation in Russia, an approach which does not recognise that certain minorities face particular threats, this is obviously not an adequate approach.

To the matters at issue in this seminar:

The ERRC has been working for over a decade on efforts to secure equality of Roma in education. Securing equal education for Roma and pariah minorities requires proactive efforts by governments to ensure integration and mainstreaming.

I won't detail at length the facts of segregation of Roma in Europe, because these are matters of the public record and information on these issues is widely available, not least of all from our hosts at the Framework Convention secretariate. Segregation of Roma in education is a matter in many if not most Member States of the Council of Europe, East and West.

There are only two governments in the countries where we work that can be said to have attempted to develop seriously integration policies on Roma in education. Those are the governments of Hungary and Romania.

Experience of now four years of integration policy in Hungary has made clear to ourselves and to others working in this area: at local level, meaning at the level of school administrators, teachers and/or non-Romani parents, there are in many areas very powerful forces opposed to mainstreaming Roma in education. These are problems over which even the best efforts of governments have been broken and rendered dysfunctional.

For those governments which have not yet developed real (and by "real" I mean not merely nominal) integration policies on the integration of Roma in the field of education, integrating Roma and other pariah minorities in the field of education requires extensive investments of resources, since all stakeholders in the desegregation process require support and assistance. This includes teachers, school administrators, children and Romani and non-Romani parents. Desegregation needs to be explicitly named as a policy objective, and financial mechanisms need to be made generously available to support these processes.

The Hungarian policy in particular has as its core a financial incentive mechanism encouraging the integration of Roma into mainstream classroom settings through a system of subsidies - what has been described as "the carrot".

However, all states - including countries with existing integration policies such as Hungary and Romania - also need to develop oversight and enforcement for non-compliers. Because integration of Roma and other pariah minorities is not popular. Throughout the Council of Europe space, it is a rule that the braver the integration policy measures are, the more bitterly they will be opposed in some sectors. Without adequately resourced enforcement mechanisms to ensure that government-led desegregation policy is enforced, these policies will fail.

That is, in the field of integration of Roma and other pariah minorities, both carrot and stick are required to make the mule - and in this case the mule is the local educational authority - move.

Finally I would put on record here that we would not agree to a statement emerging from this meeting, something that has been proposed by several speakers here.

Thank you Mr. Chairman.