

POLICY BRIEF

Segregation of Romani Schoolchildren in the Czech Republic

Since the late 1950s, Romani children have been systematically segregated into separate schools or classes in the Czech Republic. In recent decades, this has been implemented by streaming Romani children from marginalised backgrounds into educational programmes for children with mental and learning disabilities. Varied and superficial educational reforms, relabelling of special schools, and inadequate legislative changes over the decades have failed to address the fundamental rights violation of ethnic segregation policies.

This situation persists today despite a landmark European Court judgment in 2007 and a European Commission infringement procedure against the Czech Republic in 2014. According to the Czech Ombudsman, for the 2022-2023 school year over a quarter of all pupils in schools for children with mental and learning disabilities were Roma.

Progress on meaningful desegregation at a local level has been virtually absent in the country over the last 20 years.

A TIMELINE OF CZECH INTRANSIGENCE TO DEMANDS FOR DESEGREGATION

2007

D.H. v the Czech Republic

The European Roma Rights Centre won a **grand chamber judgment from the European Court of Human Rights** against the Czech Republic for segregation of Romani children in schools. D.H. v the Czech Republic was seen as Europe's *Brown v the Board*, and naively many imagined this would have a domino effect and tear down educational segregation across the continent. Over a decade later, this has not been the case. Not least in the Czech Republic, where the decision remains largely unimplemented in terms of the numbers of Romani children who are still abandoned to segregated and poor-quality education.

2014

European Commission Infringement Proceedings

In 2014, the European Commission opened an infringement procedure against the Czech Republic for violation of the Race Equality Directive through systemic segregation of Romani children in education. Slovakia and Hungary were the subject of similar EU legal actions in 2015 and 2016 respectively. Whilst the infringement procedure against Slovakia were escalated to the European Court of Justice in 2023, **no such action has been taken against the Czech Republic** despite similar failures to implement successful desegregation.



2018

Czech Ombudsman's Recommendations for Desegregation

The Ombudsman's "Recommendations for Desegregation" from 2012 and 2017 contained a set of clearly articulated measures to be taken at a local, national, and legislative level to fundamentally improve the situation for Romani schoolchildren.

March 2023

Czech Senator Jana Zwyrtk Hamplová on integrated schooling:

"It's a beautiful idea. In reality, it cannot be implemented, because we would be harming those children who are unaccustomed to a certain ethnicity. On the contrary, maybe if separate classes were made for the Romani children we would be building their equal opportunities for the future. It's not discrimination, on the contrary, it's a simply totally rational step."

October 2023

European Parliament Resolution on Desegregation

In October 2023, the European Parliament passed a resolution calling on member states to eradicate practices of continued segregation of Romani children, as well as implement comprehensive desegregation strategies with clear targets, sufficient resources, and clear and ambitious timetables. The resolution made specific reference to segregation in the Czech Republic and the ongoing infringement procedure which it noted had not resulted in the causes of discrimination being effectively eliminated and had not remedied the situation as **the measures undertaken by the Czech Government are "neither comprehensive nor have they been effectively implemented."**

December 2022

European Commission against Racism and Intolerance Reporting

In its 2023 Conclusions on the Czech Republic, the European Commission against Racism and Intolerance (ECRI) found **"no tangible results"** from the actions of the government towards improving the situation of school segregation. ECRI noted that at a policy level, the authorities had failed to implement the previous recommendations and that the existing piecemeal and inadequate activities had not yet resulted in any substantial changes on the ground.

May 2023

Report for the Czech Ministry of Education

A 2023 analysis prepared for the Ministry of Education, Youth, and Sports (MŠMT) by PAQ Research and STEM Institute of Empirical Research found **no reduction in the share of Roma pupils in segregated classes and zero progress on desegregation** within ordinary classes and schools. The study recommended a wide range of detailed actions at local level to prevent the segregation of Romani children.



Every year the Czech Government prevaricates on its desegregation promises is another lost generation of Romani school children. Segregated education (based on either ethnicity or ability) is not only an affront to the principals of equality and non-discrimination, but also a violation of the right to education. Romani pupils are condemned to an unequal education where many will finish school barely able to read and write, let alone access the labour market and participate as active citizens of the Czech Republic.

TO PREVENT FURTHER LOST GENERATIONS OF ROMANI CHILDREN:

1

The European Commission should escalate its ongoing legal action against the Czech Republic to the European Court of Justice. Lack of meaningful progress on desegregation since infringement proceedings began in 2014 demonstrates a lack of serious intent on the part of the member state to take the necessary measures to end its systemic violation of the Race Equality Directive and the rights of Romani children.

2

The Czech Ministry of Education should end the practice of segregating anyone, regardless of ethnicity or ability, into so-called “special schools.” All children have a right to integrated schooling where they can access adequate education for each according to their needs.

3

The Czech Government should, alongside educational reforms, implement the recommendations aimed at improving coordination between state institutions, civil society, and Romani communities. In particular, to address the weak monitoring of resources and inefficient public spending without meaningful involvement of Roma in decision-making processes.