

National and Ethnic Minorities and Right to Education. The Roma Case

This month, when we celebrate the adoption of the Universal Declaration of Human Rights by the United Nations we are looking back to see that, despite ups and downs, we can be proud of many important advances that have made our countries a better place to live. But there is still a long way to go, as discrimination, racism, social exclusion, remain a reality in our societies. Protecting human rights is an obligation, not a choice. It is our obligation especially towards those, whose voice cannot be heard in our societies, such as children belonging to ethnic minorities.

Before I share with you the Polish Ombudsman's experience on the minorities' right to education and hopefully contribute to this most interesting discussion within the forum on minority issues, I feel obliged to give you some basic facts about my country. Under Polish law on National and Ethnic Minorities and on Regional Language, adopted in 2005, there are nine national minorities (Belorussian, Czech, Lithuanian, German, Armenian, Russian, Slovak and Jewish) and four ethnic minorities, namely Karaims, Lemkos, Roma and Tatars. They make all about 1.5 per cent of the population of Poland. There are also Kashubians who use their regional language.

As Polish citizens, members of minorities enjoy all rights guaranteed by constitution and statutes. All citizens are equal before law and discrimination on any grounds is prohibited. These obvious democratic principles set the framework for right to access to education, which at the same time constitutes a duty which expires after a person reaches the age of 18 years.

Right to education as far as national and ethnic minorities are concerned, enjoys a very broad interpretation within the constitutional context of guarantees to preserve and develop one's language, customs and traditions, as well as culture. Minority communities also have the right to create their own educational, cultural and religious institutions. I must mention that Polish education system enables both learning the minorities' languages and, what is particularly important, learning in those languages at all levels of schools. The initiative however must come from the pupils' parents or

guardians, and older teenagers are able to choose for themselves. Generally the requirement of having a class of at least seven children in order to have them learn a minority language is followed at public schools. Just to show you the scale of these activities, last year minorities' languages were taught at almost eight-hundred and fifty educational institutions and there were almost fifty thousand students participating.

Both legal and actual states of affairs in this area are satisfactory in my view. Since the new educational mechanisms concerning minorities have entered into force in 2005 I do not receive any complaints about violations of right to education or right to learning in one's own language.

I am not here, however, to present the sunny picture of my country, because definitely some problems do remain. Among these problems I am particularly sensitive to the education of Roma children in Poland.

Even though official statistics estimate the number of Romas in Poland as about 13 thousand, there might actually be up to 50 thousand inhabitants of this origin in Poland, belonging to four different Roma groups. Some of them have settled in Poland in Middle Ages. Now the Polish Roma inhabit the big city areas. This is due to the fact that under Communism the public authorities attempted to assimilate or even polonise members of Roma communities. They were also discriminated against by being forced to settle in one place or to be registered by the police. This policy has begun to change about twenty years ago, with the collapse of Communism. Programmes for Roma communities implemented by both central and local authorities seem to deserve some praise, especially those which in long term aim to make the people more active and independent from external aid.

Diverse Roma groups differ from one another. Generally they have some common features, including significant distrust towards the non-Roma population. Many of them have well adopted to the new economic situation. However the conditions of living of one of the Roma groups, namely of those who belong to the Bergitka Roma are extremely harsh. Most of them live in extreme poverty, under conditions where human dignity is almost denied. I will never forget what I have seen during one of my visits to Roma settlements in the South of Poland.

Extreme poverty results from lacking sources of income. This, however, is a result of poor education, including widespread illiteracy and no professional qualifications, which disables any real competition in the job market. The final outcome is total exclusion of the representatives of Roma community from social life. To overcome this situation takes a lot of time, effort, patience, determination and resources, not to mention the actual involvement of the Roma people themselves.

Let me make this point very clear: the root of the miserable situation of Roma in Poland is lack of education. Therefore I see the problems of effective access to education by Roma children as a top priority in my activity for the rights of minorities. And there are still many barriers, separating us from equal access to education for Roma children.

The most important one is constituted by limited command of Polish language. The solution here is to provide extra time and effort for pre-school activities where they could learn the language. I have always opposed the insane practice of putting some Roma children in special schools only because they do not have a satisfactory level of Polish.

The second barrier in making the access to education for Roma children in Poland an effective right is limited awareness of their parents as far as the importance of education is concerned. This results in poor attendance rate of Roma pupils, and sometimes even in abandoning the school at all. Therefore administration and their partner Roma organizations have an important task to fulfill, which is awareness raising.

I have recently taken steps to close down all remaining Roma classes. Even though in the early nineties they might have seemed a good solution, and sometimes an alternative to the total lack of interest, today the idea has - so to say - burnt out. In fact the only positive aspect of this practice was the improved attendance of Roma pupils from twenty to fifty per cent. But apart from that, those classes never created real opportunities to learn at a level close to the minimum or to pass beyond the level of elementary school education. Recently these classes have become a powerful symbol of inequality and discrimination on the ground of ethnic origin. And so far –

because there are no teachers able to teach in Roma language – the vision of school for Roma children with classes in their language is a very distant perspective.

I might hope that I have been successful. This school year Roma children beginning their education were put in regular classes, and older children have been removed from isolated to integrated classes with somehow lowered requirements. Only five Roma classes have remained.

Separate and discriminatory system of education for Roma children in Poland is finally reaching its end. But it will not be fully accomplished without continuing proactive changes in the awareness of school authorities, Roma communities and all local stakeholders. Without equal access to education most of the Roma community is virtually sentenced to further deterioration of social and economic standards.

Having said this, I can only express my gladness due to the fact that forum on minority issues has been established. I do hope that it will provide a platform for promoting dialogue and cooperation on issues pertaining to national or ethnic, religious and linguistic minorities, which shall eventually lead to the improvement in all areas of human rights for those among us who belong to national and ethnic minorities.