

## Bosnia and Herzegovina: National Minorities and the Right to Education

By Gordana Čićak and Danijela Hamzić

In Bosnia and Herzegovina (BiH), the principles<sup>1</sup> of accessibility, availability, acceptability, non-discrimination and the absence of segregation are integral to the Education Reform Strategy<sup>2</sup> (ERS). BiH – with the support of the international community – aims to implement the ERS goals, to ensure its education<sup>3</sup> system benefits the whole population. In February 2004, as part of the ERS, ‘The Action Plan on the Education Needs of Roma and Members of Other National Minorities in BiH’ (Action Plan) was adopted. This micro study assesses to what extent the Action Plan reflects the educational needs of Roma and other minorities.<sup>4</sup>

### BiH’s education system

BiH’s<sup>5</sup> education system is highly fragmented, with education having been devolved to the entities.<sup>6</sup> In the Republika Srpska (RS) education is the responsibility of the entity,<sup>7</sup> whereas in the Federation of BiH (FBiH), education has been further devolved from the entity level to the 10 cantons.<sup>8</sup> Education also falls under the responsibility of the Brčko district.<sup>9</sup> At the state level, education is under the remit of the Ministry for Civil Affairs, yet the power is devolved. There are 13 additional Ministries of Education (MoEs),<sup>10</sup> with varying remits. However, only the state can commit BiH to international undertakings, and has the responsibility to ensure the implementation of ratified international treaties.

Although a recent review of the implementation of the ERS by the international community points to some progress, it also highlights that the ERS standards of quality and access have not been systematically applied across the country, and that local authorities have still not assumed sufficient ownership over the reform process.<sup>11</sup> Recent reports<sup>12</sup> echo these concerns, especially over instances of segregation and discrimination in education.

BiH’s National Law on the Protection of Rights of Persons Belonging to National Minorities, recognizes 17 national minorities: Albanians, Czechs, Germans, Hungarians, Italians, Jews, Macedonians, Montenegrins, Poles, Roma, Romanians, Russians, Ruthenians, Slovaks, Slovenians, Turks, and Ukrainians. It also states that:



Gazmend Januzi visiting Roma schoolchildren. NGO *Be my friend*

*‘regardless of their number, [national minorities] shall receive teaching of their language, literature, history, and culture in the language of the minority to which they belong, as additional training.’*

Further, Article 8 of the BiH Framework Law on Primary and Secondary Education states that:

*‘the language and culture of any significant minority [...] shall be respected and accommodated within the school to the greatest extent practicable, in accordance with the Framework Convention for the Protection of National Minorities.’*

### Reforms in education: the Action Plan and new education policies

The Action Plan proposed steps to ensure that BiH schools respect the language and culture of all national minorities. It calls for the incorporation of aspects of national minorities’ culture, history and literature into the curricula; systematic action to ensure equal access to education for all; and action to ensure national minorities’ educational needs are met.

The Action Plan has objectives and required actions<sup>13</sup> to accommodate the needs of Roma and other national minorities. Its aims for the Roma are: to improve their

### Promoting Roma education – 1

Gazmend Januzi is a young Roma who has decided to continue with his education and wants to study at university. He wants to be a role model for Roma children, so they understand the importance of education. Some years ago, he took part in workshops for Roma children to promote education. Later, he was invited to assist a local NGO as Roma assistant/mediator between schools and the Roma community, to improve Roma children's integration in schools. Twice a week, he meets with staff at the Osman Nakaš primary school to discuss Roma pupils' issues, and visits the Roma community to discuss issues related to school. He is encouraging Roma to apply for an accelerated learning programme (catching up classes) which the Dzemeludin Caušević primary school is running.

access to the mainstream education system; and to address the obstacles they face (including financial and administrative barriers to their school enrolment and completion), while enhancing Roma communities' participation in, and commitment to, their children's school enrolment and completion. As with other national minorities, the focus is on inclusion of their history, culture and literature within the mainstream curricula, and the preservation of their identity, culture and language.<sup>14</sup>

Some of the MoEs<sup>15</sup> have recently adopted regulations/by-laws on national minority children's education. Regarding the Roma, by-laws deal with regular and systematic data collection on enrolment and school completion rates; accelerated learning programmes; provision of school books, supplies and transport; additional teachers' help for learning; provision of scholarships, etc. Regulations again emphasize the importance of pupils' education in their native languages. Further, these affirmative measures state that if requested by an interested member of minority group (e.g. a parent), a school is obliged to provide native language instruction in a class, group or individually. To provide appropriate educational standards, teachers need to have the necessary qualifications, both professional and linguistic, to also teach in minority languages. Curricula and selection of textbooks are to be made in consultation with children's parents. MoEs are obliged to inform members of national minorities on their rights regarding education. These policies are in the line with the Action Plan's objectives.

### The educational needs of minorities – a step towards their fulfilment

Roma children's attendance at schools is sporadic at best. They are generally absent from the upper years of primary and secondary school.<sup>16</sup> The implementation of the MoE's

policies resulted in the provision of free school books, supplies, and meals for Roma children, (with transport also provided in some instances). Further, 60 young Roma have scholarships which are provided by Open Society Fund BiH through the Foundation 'Education Builds BiH'. Of these, fewer than 10 are university students<sup>17</sup> (and none are studying pedagogy, which is essential if the number of Roma teachers is to grow). In terms of increasing the enrolment rate among Roma and the provision of support for accelerated learning some improvements have been made in regions which were included in the comprehensive project 'Promoting Roma children's access to education'.<sup>18</sup> These measures have slightly increased the number of Roma children in schools, but the drop-out rate remains high. This is due to the poverty and marginalization of the Roma community, and Roma parents' lack of awareness of the importance of education for their children.

No attempt has been made to enable the teaching of the Roma language. In research for this study, all 173 Roma respondents said that there are no such optional subjects in schools, or Roma teachers. They said that they mainly learn about Roma culture and history from their families (81.5 per cent) or communities (64.1 per cent); 87.7 per cent cited school as the place where they learned least about these issues. This is the case even in Tuzla canton, where measures were adopted in 2005 to introduce lessons about Roma culture, literature, language, and history within primary school curricula.

Despite this, none of schools in Tuzla canton, which has one of the largest concentration of Roma, apply these measures. Roma holidays are celebrated in some primary schools in Sarajevo and Tuzla, but not in Banja Luka. Over 61 per cent of Roma children aged 10–16 years, feel that the celebration of Roma holidays is important for their sense of identity, among other reasons.

The views of Roma over the age of 16 are more complex. Most of them strongly support these ideas: 'Roma have to know more about their people and customs'. Their statements indicate a wide range of feelings, from a greater stress on the need to develop their identity to experiencing exclusion from society: 'We accept the culture of others, but they do not want to hear about us at all'.

Being numerically small and geographically dispersed, national minorities are facing various challenges to meet their community's educational needs. In 2003 members of national minorities<sup>19</sup> in RS met under the umbrella organization National Minorities Alliance of RS, and suggested concrete measures for minority children's education. However, no progress has been made. There have been no such activities in FBiH.

Out of 63 respondents,<sup>20</sup> only 16 knew that the Action Plan had been adopted. They learned this information either from the media (11) or minority association (five). Out of these 16, only eight are familiar with the document's content (primarily those involved in the

## Promoting Roma education – 2

Five years ago when Ms Albinović was appointed the principal of the Džemaludin Caušević primary school, only 20 per cent of children from the neighbouring Roma community attended the school. She and the school decided to take steps to improve this situation. On a voluntary basis, she and the teachers visit Roma families, organize accelerated learning programmes and assist with enrolment documents. They have had help from various sources including from a local book shop Buy-Book and the NGO Save the Children. During 'Child's week' the school collects second-hand clothes and supplies, and gives these to socially disadvantaged pupils. The school also organizes activities to promote Roma culture among all pupils, such as the celebration of Roma Day and the establishment of a Roma choir. As a result, all the Roma children from the local community regularly attend school.

Ms Albinović was involved in the development of the Action Plan. She says that a good 'climate' among the school staff, Roma children and parents is the key to success. The sensitizing of non-Roma teachers and parents is also extremely important. Her message is that schools should not wait for someone else to implement the Action Plan.

development of the Action Plan). Research shows that there were no wider consultations with national minorities, in particular with parents. Few minority NGOs have the capacity to do more to inform their members about these issues (and some national minorities do not have NGOs).

Survey results show that only three national minority parents requested additional classes for their children in the language, history, literature or culture in their first language. They do not know what decision was made after their request. Twenty-four said they will request such classes in future, and 36 said that they would not. Some said that such teaching 'is already provided by minority associations'. Others were reluctant to ask for more from the school system due to their small numbers. However, others felt that additional or alternative classes, such as language courses and other activities within minority associations, is beneficial to minorities and the wider community, mainly because: 'many people of other national backgrounds are interested to learn our language and about our culture.' Interviewees said that, to the best of their knowledge, there is no information in the general curricula about national minorities' history, culture and literature, and that they had not been consulted on these matters by the authorities. Over 96 per cent of respondents said that it is needed.

## Conclusions

Research findings confirmed that the Action Plan is generally in line with the educational needs of national minorities in BiH. However, there is a lack of participative processes in its development and promotion. BiH's implementation of laws and agreements is generally problematic, which is also the case with education.

The main area of implementation has been in the removal of financial and administrative barriers to Roma children's school enrolment and completion. Yet, even here, improvements are sporadic, rather than systematic. Roma children are not integrated within mainstream schools, and they still lack access to the full range of educational options.

Inclusion of the history, culture and literature of Roma and other national minorities within the mainstream curricula has to be part of education reform, and this has wide community support.<sup>21</sup> Recent developments<sup>22</sup> indicate that efforts need to be made to ensure that curricula taught in schools throughout BiH address the needs of all constituent peoples and national minorities, and provide for an inclusive and non-discriminatory education system.

## Notes

- 1 As stipulated in the International Covenant on Social, Economic and Cultural Rights, which was ratified by BiH on 6 March 1992.
- 2 It was presented by BiH authorities to the Peace Implementation Council (PIC) on 21 November 2002 and is an impetus for many of BiH's education reforms.
- 3 Including primary and secondary schools.
- 4 It draws on research conducted in December 2005, involving 300 survey respondents, three focus groups and 12 interviewees (49 per cent women). It targeted a wide range of stakeholders, parents and children from different minority backgrounds, minority NGOs, international NGOs, schools, and public officials, in three regions: Banja Luka (Republika Srpska – RS), Sarajevo and Tuzla (Federation of BiH – FBiH).
- 5 As per the Dayton Peace Agreement (1995) BiH consists of the two entities, the Federation of BiH (organized in 10 cantons) and the RS. The Brčko district has been established as a single administrative unit with a special status (governed by the International Supervisor).
- 6 See Articles III.1 and III.3(a) of the Constitution of BiH.
- 7 Article 68 of the Constitution of the RS.
- 8 Article III.4 of the Constitution of the FBiH.
- 9 Article 9, Statute of the Brčko district of BiH.
- 10 For the 10 cantons, Brčko district and the two entities.
- 11 OSCE, Raising Debate: Is BiH Respecting its International Commitments in the Field of Education, p. 1., at: <http://www.oscebih.org/public/document>
- 12 Such as the European Commission against Racism and Intolerance (ECRI) report on BiH, At: [http://www.coe.int/t/e/human\\_rights/ecri/1-ecri/2-Country-by-country\\_approach](http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-Country-by-country_approach); International Council of Voluntary Agencies (ICVA) NGO Monitoring Report on the Implementation of the Development Strategy BiH in Education, Social Protection and Environment Sector, March 2004 – December 2004 (PRSP NGO Monitoring Report); the Complementary Report by Non-Governmental Organisations (NGOs) on the State Report on the Convention on the Rights of the Child (CRC, the EC Functional Review of the Education Sector in BiH, March 2005; and The Advisory Committee Opinion on implementation of FCNM, May 2004.
- 13 Such as the provision of qualified teachers; textbooks; and classes for language, literature, history and culture, etc.
- 14 Although this study does not intend to review the Action Plan, we have two general critical remarks on the document. It does not have a timetable for implementation and it lacks a gender perspective.

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## Recommendations

1. Human and minority rights should pervade all aspects of school activity, and not just consist of a booklet with guidelines. Training for teachers, administrators and support staff is needed so that they understand and implement these values.
2. Intercultural education should be a part of the state education strategy, so that cultural differences are understood and respected.
3. Increased cooperation and the development of joint initiatives between governmental bodies, educational institutions and NGOs is needed. Women and men from minority communities should be fully involved in the planning/reviewing and implementation of the Action Plan, and in current educational reform in general.
4. The regular and intensive consultation of policy makers with local stakeholders is needed to identify the best methods and policies to address minorities' educational needs.
5. International actors should prioritize support for programmes to meet minority girls and boys educational needs.
6. Minorities' organizations, parents and community representatives should take a more proactive role and fully participate in formulating the education philosophy on the local level. Responsible governments and international donors should financially help minorities to form NGOs for this purpose.

15 RS on 28 September 2004, Tuzla canton on 20 July 2005.

16 See the Action Plan; the ECRI report and the PRSP NGO monitoring report, all *op. cit.*

17 Interviews by Independent – Zenica.

18 Project implemented by Save the Children UK, in line with AP objectives for Roma. Project Report for period March 2004 – March 2005.

19 Czechs, Italians, Jews, Macedonians, Roma, Slovenians and Ukrainians.

20 Parents from the Italian, Jewish, Macedonian and Slovenian minorities.

21 'Survey on public attitudes toward education reform in BiH', OSCE Mission in BiH, press statement, 17 January 2006.

22 Some national minorities were appointed by the Ministry of Civil Affairs to the history and geography commissions to write the textbook guidelines.

**Minority Rights Group International (MRG)** is an NGO working to secure the rights of ethnic, religious and linguistic minorities worldwide, and to promote cooperation and understanding between communities. MRG has consultative status with the United Nations Economic and Social Council (ECOSOC), and observer status with the African Commission on Human and Peoples' Rights. MRG is registered as a charity, no. 282305, and a company limited by guarantee in the UK, no. 1544957.

**Institution for protection of human rights, Independent**, is a Zenica-based (BiH) NGO, founded in 1995. It aims to build a society where human rights are understood, protected and respected; to promote a human rights culture; and to develop civil society through education and advocacy.

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