



Graduate School of Development Studies

**Privileged in Inequality:  
Barriers in achieving the right to education  
for the Roma children in Croatia**

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## **Dedication**

To my parents Branka Majdanac and Stephen Nogle,

for teaching me that anything is possible  
with persistence of mind and kindness of heart.

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## List of Acronyms

AI	Amnesty International
AP	Action Plan
CDE	Convention against Discrimination in Education
CEDAW	Convention on the Elimination of Discrimination against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CoE	The Council of Europe
CRC	Convention on the Rights of the Child
EST	Bronfenbrenner's Ecological Systems Theory
EU	European Union
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant for Economic, Social and Cultural Rights
KN	Kuna (Croatian currency)
NOHR	National Office for Human Rights
NPR-2003	National Programme for the Roma, 2003
ONM	Office for National Minorities
OPE	Office for Primary Education
OSI	Open Society Institute
OSW	Office of Social Welfare
OŠ Pehlin	Osnovna škola Pehlin (Elementary School Pehlin)
PGC	Primorsko-Goranska County
RBA	Rights-based approach
RoC	Republic of Croatia
SFRY	Socialistic Federative Republic of Yugoslavia
UNDP	United Nations Development Programme
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Educational Scientific and Cultural Organization



## Abstract

Characterized with a distinctive cultural identity, lifestyle and language, the Roma in Croatia are historically tormented with rejection, intolerance, discrimination and social exclusion. The focus of this study is to unpack the term ‘social exclusion’ and contextualize it in examining the Croatian education system to investigate the right to education for the Roma children in Croatia. Using a combination of Farrell’s **Model** of Inequality Education, Bronfenbrenner’s Ecological Systems **Theory** and the Rights-Based **Approach** the study reveals the symbiotic relationship that exists between access to and quality of education. Attaining the right to equality of education is not only having equal opportunity to access and complete education, but also having equal opportunities to receive equal quality of education, which ensures opportunities for every pupil to maximize their educational potential. The study argues that the current education system in Croatia produces barriers in achieving the right to equality education for the Roma children because it is failing to incorporate learning programs on diversity, intercultural values and respect for human rights for all pupils. This system acts to institutionalize widely established discrimination and social exclusion against the Roma in Croatia. In order to combat social exclusion inside and outside the education system, the study advocates for the implementation of equality and inclusive education. This alternate system of education aims to promote programs that encourage intercultural values and incorporate diversity of children’s backgrounds in such way that responds to the needs of each child to attain equality of education, including the Roma children.

## Relevance to Development Studies

Education is a fundamental human right. Attaining equal opportunities and equal quality of education is important for the Roma children because it gives them the tools and capacity for employment to overcome years of deprivation and poverty. Moreover, equality and inclusive education for all ingrains values of tolerance, peace and respect for human rights among the Roma and non-Roma children which are necessary for the development of a functioning democratic society.

## Keywords

*social exclusion, exclusive education, equality, inclusive education, rights-based approach*

*Theories and goals of education don't matter a whit  
if you don't consider your students to be human beings.*

Lou Ann Walker

# Chapter 1

## Welcome to the Roma World

### 1.1 Contextualizing the problem: Who are the Roma in Croatia?



With a population of 4.4 million, today Croatia is a democratic country that gained independence from the former Socialistic Federative Republic of Yugoslavia<sup>1</sup> (hereinafter SFRY) in 1991 after years of ethnic bloodshed (World Bank, 2004). Before the split of SFRY, the Roma inhabited all six states throughout SFRY with Yugoslav citizenship. Many Roma who managed to escape from the war-torn areas of Bosnia and Kosovo and find safety in Croatia still today have old citizenship documents as Yugoslavs (Papa, 2006). This creates complications because such citizenship no longer exists which makes them illegal and “unable to enjoy their rights and have minimal protection as other citizens” (Šućur, 2000: 222).

It is difficult to establish the exact number of illegal Roma because even those Roma who are now permanently settled in Croatia and possess Croatian citizenship often declare themselves as the non-Roma (Croatian, Bosniaks, Albanians ...). According to the 2001 census, there are officially 9,543 Roma in the country, making up 0.21 per cent of population in Croatia, although several sources estimate that the actual number of Roma is three to four times higher than reported (Amnesty International, 2006; Papa, 2006; UNDP, 2005; UNDP, 2006a). This significant discrepancy in numbers could be explained by the persistent “persecution, discrimination, segregation and exclusion that the Roma have been subject to for centuries” (UNDP, 2006a: 23).

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<sup>1</sup> During the reign of SFRY, citizens in all six states (Slovenia, Croatia, Bosnia & Herzegovina, Serbia, Montenegro and Macedonia) had one citizenship – Yugoslav – which as a federal citizenship overruled state residency (ex. Croatian, Slovenian, etc.).

The 0.21 per cent of total population who *do* declare themselves as the Roma are recognized as a national minority by the Constitution of the Republic of Croatia (hereinafter RoC) which mirrors the principles of ratified international and regional legally binding treaties on national minorities (see Annex I). In addition, the Constitutional Act on the Rights of National Minorities, Article 5 (2002: n.d.) of the RoC also recognizes the Roma as national minority<sup>2</sup> because they are characterized as:

“[...] a group of Croatian citizens whose members traditionally inhabit the territory of the Republic of Croatia, its members having ethnic, linguistic, cultural and/or religious characteristics different from other citizens and are lead by the wish to preserve these characteristics.”

The same Act emphasizes “key elements [that] include protection against direct and indirect discrimination, and promotion of following minority rights: the use of minorities language and script, privately and in public and official use; education in the minority language and script; cultural autonomy to preserve, develop and express one’s own culture, and the preservation and protection of one’s cultural assets and traditions; representation at the state and local level, and in administrative and judicial bodies; participation in public life; protection from any activity which endangers or may endanger minorities’ existence and the exercise of rights and freedoms [...]” (Minority Rights Group International, 2003: 20).

Immediate application of these legal regulations means that the Roma are equal members of society, and as such entitled to enjoy all rights. However, the concept of minority goes beyond defining what constitutes minorities and their human rights in legally binding documents at the national, regional and international levels. Protection and claiming of the rights of legally declared ‘minority’ is still ambiguous<sup>3</sup> in a sense that minority is seen as *members* (or individuals) of the group, not collectively through their group identity. This could be problematic for the protection of human rights because certain groups like the Roma are discriminated based on their group identity.

Despite the constitutional guarantee on their protection, “of all the ethnic minorities and groups in Croatia, the Roma unequivocally have the hardest social position, conditioned by a high level of social exclusion” (UNDP, 2006b: 68). Their social status and identity in Croatian society is historical and deeply-rooted within formal and informal structures. Their previous nomadic lifestyle originating from India manifested by a distinctive culture, history and language that have been transmitted across generations without a writing system generates just a few social factors which distinguish the transnational identity of Roma from a widely-accepted identity of the majority, the non-Roma

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<sup>2</sup> There are 16 officially recognized minorities in Croatia (see Obuljen, 2007).

<sup>3</sup> Implications of the minority term in relation to the Roma will be further elaborated in chapter 3.

population (Novak, 2004; Posavec, 2000). Additionally, a part of Roma's unfitting cultural identity upon their arrival to Croatia during the 14<sup>th</sup> Century was ascended by their uncommon areas of work as dancers and singers, fortune tellers, basket-weavers and blacksmiths<sup>4</sup> (Hrvatić, 2004; Šučur, 2000).

Without legal resident documents and being characterized with a distinctive cultural identity that is historically tormented with rejection and intolerance by the majority, poverty among the Roma in Croatia has increased rapidly over the recent years (Papa, 2004). Indecent living conditions (settlements without running water, electricity, and sewage), low educational attainment, the highest unemployment rate (escalating up to 70%), political under-representation (only one elected Roma to the Parliament), and historically-rooted discrimination manifest themselves in a vicious circle of linked deprivations suffered by the Roma (Novak, 2004; Štambuk, 2000). The UNDP report (2006a: 24) encapsulates the situation of Croatian Roma: "For the Roma, being poor does not just mean having no money; it also means having a disadvantaged position in the labor market and education, inappropriate housing conditions, a poorer state of health and a shorter lifespan, not to mention a long history of problematic relations with the majority population".

The excluded and discriminated position of the Roma is also reflected in the education system where the Roma children face barriers in achieving their educational potential which is their fundamental human right. This will be discussed in the next section.

## **1.2 The Roma children excluded in the Croatian education system: Statement of the problem**

Although there is no universal definition of social exclusion, being excluded is often referred to the individuals or groups who suffer from multiple forms of social deprivations in economic, political, social and cultural aspects of their society, which prevent them enjoying equal distribution of various resources such as inter alia healthcare, education, employment, forming social relationships (Silver, 1995; UNDP, 2006a). Consequently, excluded groups like the Roma in Croatia are prone to poverty and isolation from the rest of society. Moreover, social exclusion acclimatizes individual prejudice and discrimination against the excluded group, which contributes to institutionalized discrimination by public structures in the society.

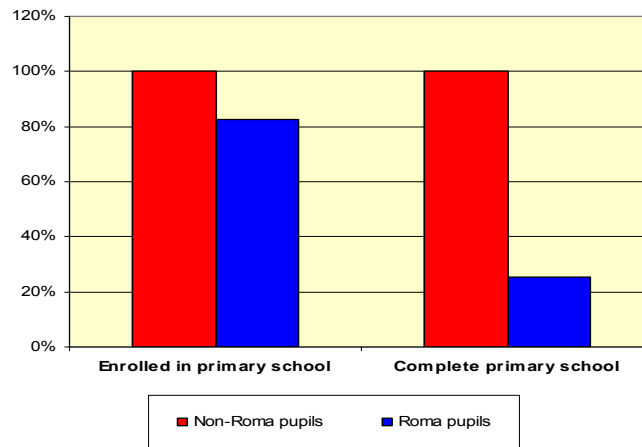
A low rate of educational attainment among the Roma compared to the rest of pupil population (Figure 1) is conditioned by individual and

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<sup>4</sup> During that time, the Roma who were blacksmith and basket-wavers were perceived as peculiar to the majority because of the predominately agricultural society. Following industrialization, the need for these occupations diminished putting the majority of employable Roma in a vulnerable position in the labor market.

institutionalized exclusion and discrimination against the Roma in Croatian society:

**Figure 1**  
**Primary School Attainment in Croatia**  
**Percentage of Roma and Non-Roma pupils**



Source: Own elaboration, data from Open Society Institute (2007: 97)

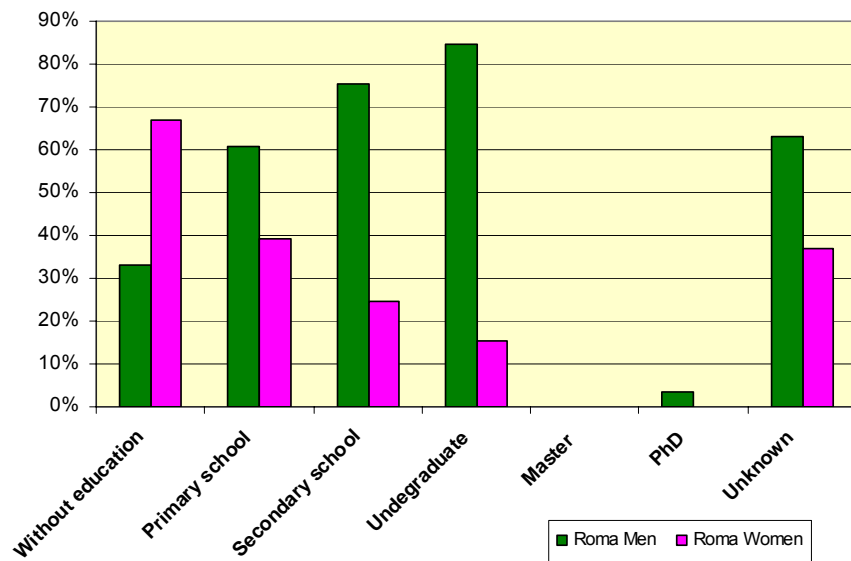
A report from Amnesty International (2006a: n.d.) shows that “only 27 percent of Roma pupils enrolled in elementary schools go on to complete their elementary education, [and] in some schools, 90-100 percent of Roma children do not complete elementary education.” Investigating this social condition is important in understanding the vicious circle of multidimensional deprivations of the Roma, since “as a consequence of this marginalization and low educational attainment, the Roma are for the most part excluded from formal types of employment” (UNDP, 2006a: 24).

The situation is even more devastating for the Roma women<sup>5</sup> in Croatia because they carry a double burden of social deprivations. Firstly, they are discriminated by the majority because of their origin, and secondly, they suffer even lower rate of educational attainment than the Roma men (as shown in Figure 2) due to “the practice of marrying Romani girls at an early age, before their completion of primary school” (OSI, 2006: 2).

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<sup>5</sup> Influence of traditions on gender dynamics among the Roma is a very complex topic of discussion that needs special attention on its own. Unfortunately, the scope of this study does not allow an in-depth and specific analysis of Roma gender relations, particularly on the educational attainment. However, it was important to briefly address this matter in hope to trigger additional research.

**Figure 2**  
**Gender Inequality in Educational Attainment**  
**Between Roma Women and Roma Men**



Source: Own elaboration, data from the World Bank (2004: Annex I, Table 9)

The social exclusion paradigm perceives education as an important key in breaking social exclusion because “education contributes not only to the acquisition of knowledge and skills but also influences the socialization, inclusion and empowerment of individuals” (UNDP, 2006a: 13). However, education is not a neutral arena, isolated from outside factors of exclusion and discrimination. Schools as educational institutions replicate structural relationships which are enforced through formal factors like educational provisioning (law and regulations, curriculum, textbooks, teaching methods, etc.) and informal factors like individual values, perceptions and beliefs brought into the education system by school officials, children and parents. Thus, besides transforming knowledge and skills, education can also serve as a reinforcement of exclusion and discrimination from an early stage of child’s schooling.

As it mirrors the negative values of the Roma promoted by the society, the education system in Croatia is unprepared to respond to the needs of the Roma children. Absence of the Romani history, language and culture from the curriculum, as well as intercultural education based on human rights and tolerance for all the pupils corroborate “[...] inability [of the education system] to overcome barriers and to provide an adequate quality of education” (UNDP, 2006a.: 24). Furthermore, subliminal messages expressed via hidden curriculum through personal prejudices and negative attitudes of school officials, parents and children against the Roma strengthen the presence of social exclusion in the education system. In such exclusive education system the Roma children are deprived of their right because they are not able to receive equal quality of education, which consequently sustains the circle of multidimensional deprivations, including their inability to access formal

employment and break the circle of poverty. Exclusive education system reinforces exclusion of the Roma children during their childhood, but also later in life because “marginalized children later create marginalized groups, since inclusion in childhood is a prerequisite for inclusion in future life” (Trbić, 2006: 50).

As a primary duty bearer, the State has legal obligations to ensure the right to education for the Roma children by following implementation of the constitutional principles, and ratified international and regional documents (see Annex I):

“International agreements concluded and ratified in accordance with the Constitution and made public, and which are in force, shall be part of the internal legal order of the Republic of Croatia and shall be above law in terms of legal effects. Their provisions may be changed or repealed only under conditions and in the way specified in them or in accordance with the general rules of international law.” (The Constitution of the RoC, Article 140: n.d.).

In preparation for the EU accession, a pressure on the State of RoC to implement measures in national legislation to ensure the rights of the Roma in Croatia has resulted in establishment of the National Programme for the Roma (hereinafter NPR-2003) and the Action Plan 2005 (hereinafter AP) as a result of declaring participation in the Decade<sup>6</sup> for the Roma 2005-2015. The NPR-2003 is a national legal document targeted specifically at the Roma population and their marginalized status in all aspects of their life in Croatia, including education. It is “based on the provisions of various international instruments related to human rights and national minority rights to which the Republic of Croatia is a party, [with] the intention to provide systematic assistance to Roma to improve their living conditions and to include them in social life and decision-making processes in their local and wider community, while at the same time preserving their identity, culture and traditions” (NPR, 2003: 3). AP “mirrors the NPR-2003 in four areas: education, health care, employment and housing/infrastructure” (OSI, 2007: 107).

Despite existing national, regional and international legal frameworks, ensuring the right to equality of education for the Roma children seemingly remains a daunting task for the State of RoC. NPR-2003 and AP are unclear when it comes to mechanisms for implementing their goals (AI, 2006; OSI, 2007). Some experts and international organizations say that the government has not worked on developing sufficient mechanisms for monitoring, and that it lacks a body of experts to collect accurate data, as well as programs that would make the majority sensitive about accepting the Roma culture (Novak, 2004; OSI, 2007; UNDP, 2006a). A lack of political will in implementing

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<sup>6</sup> “...a regional intergovernmental initiative... implementing policy reforms and programs designed to break the vicious cycle of poverty and inclusion [among Roma].” (AI, 2006: 39).



programs became transparent in a few projects. The Open Society Institute (hereinafter OSI) educational pilot-program to stop segregation of Roma children ended with a letter from the Minister of Education promising only to cooperate. Additionally, the national program to combat social exclusion in 2002 started with a body to report on the results of goal implementation which so far have not reproduced a single report (UNDP, 2006a). In addition to a lack of will, inconsistency and inadequacy in implementation of legislative acts to tackle the Roma issue, the problem is also an absence of consequences for non-implementation (Novak, 2004).

### **1.3 Why the Roma children? Relevance and justification**

Taking into account a relatively small number of Roma in Croatia, one could ask why the State of RoC should bother to address the right of Roma children to equality of education instead of concentrating on solving more important issues like widespread corruption in the judiciary system, ineffective state administration, high unemployment rate and rapidly increasing external debt as Croatia prepares for accession into the European Union (hereinafter EU) (SIDA, 2006).

Firstly, achieving equality of education for the Roma is important in giving them the tools for employment to overcome years of deprivation and poverty. “Education influences social inclusion through educational achievement, lifelong learning, and easier access to paid work” (UNDP, 2006a: 13).

Secondly, the problem of Roma’s indecent living standards, high unemployment rate and poverty is not only their problem, but the problem of society as a whole because it affects wider formal and informal structures. Inability to achieve equality of education creates an increased public burden and increased potential for crimes associated with the Roma citizens. Consequently, crimes are on the rise putting all members of Croatian society at risk. Moreover, all formally employed members are obligated to pay taxes for the State welfare assistance to the poor Roma population who are unable to qualify for the labor market, hence unable to be productive members of society. Instead of targeting the root of this social problem that is affecting all, the majority blame Roma for their own depriving situation and their bold exploitation of State welfare (UNDP, 2006a).

Such discriminatory attitudes do not contribute to the solution of this multidimensional problem. On the contrary, the society is embracing intolerance, prejudice and discrimination against other members based on their language and cultural background. Even the small seed of intolerance that is passed onto generations can create enduring conditions where rights and freedoms are jeopardized, creating a potentially volatile living environment for all people in the society. This is particularly important to address in the educational structure because schools as institutions mirror exclusion and discrimination from the wider society. An education system that fails to incorporate learning programs on diversity, multiculturalism, human rights and equality for all students (including the Roma) only encourages a continuation of exclusion and discrimination. Discriminatory attitudes of school officials,

non-Roma children and their parents, absence of Romani language, history and culture in school curriculum, and no programs on multicultural and human rights education are the result of exclusive education that is engraving a subliminal message into young minds of students: intolerance and discrimination are legitimate. How do we transform the view of wider society that validates exclusion and discrimination against those who do not share the same norms and beliefs as the majority if education from an early age entrenches such values? Thus, addressing social exclusion and discrimination against the Roma children in the education system is relevant in the process of tackling the cause of exclusion at the wider institutional levels.

Finally, importance in addressing the relevance of the right to equality of education for the Roma also lies in legal obligation of the State of RoC. As a member of the United Nations and the Council of Europe (hereinafter CoE), the State must oblige by virtue of its ratified conventions that have become a part of the Constitution and national legislation to ensure the rights of *every* Roma child in Croatia.

#### **1.4 Targeting equality of education and exclusion: Objective, analytical framework and methodology**

##### ***Objective and questions***

Looking from the perspective of various stakeholders who are directly and indirectly involved in the Croatian education system – teachers, the State Social Welfare officials, local and national government representatives on education, national minorities and human rights, a Roma NGO director, the Roma children and their parents – the objective is to analyze how the current Croatian education system affects achieving the right to equality of education for the Roma children in relation to their socially excluded status in Croatian society.

At the heart of this study are the voices of the Roma children and parents in how they experience their birth-given right to education. How do they see school? Is the education system in Croatia able to teach them what is important for their current economic, social, political and cultural status in Croatian society? Similar questions were directed to the officials in the education system, the State institutions and non-governmental bodies (see Annex II). With the Roma children and parents as the central focus of the study, a foundation will be laid on which insights from other stakeholders of the wider system (school and government officials) will be built in order to analyze the gaps in the current education system. Additionally, analysis of international, regional and national legal obligations of the State of RoC will serve as the essence in ensuring the right to equality of education for the Roma children. Hence, the first main question: **What are the barriers in realizing the right to equality in education for the Roma children in Croatia?**

Secondly, I will challenge the approach of the current education system that is reinforcing wider institutional exclusion of the Roma by not incorporating Roma history, culture and language in curriculum, textbooks and

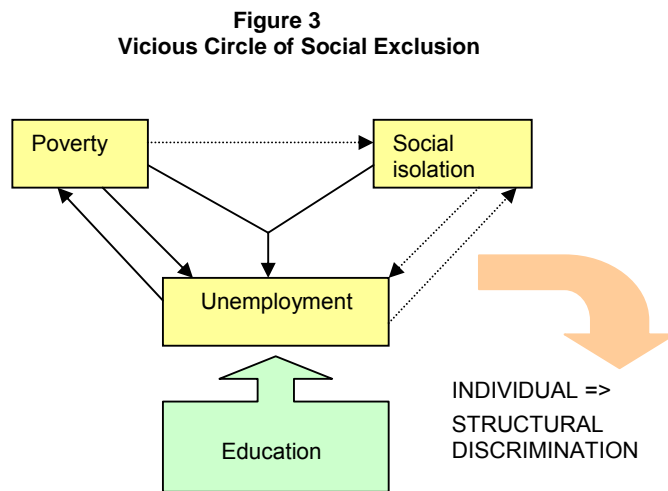
other educational programs. Personal values and attitudes of the school officials also play a role in sustaining the exclusive educational approach. The education system in Croatia allows little room for inclusive methods of education where all children, including the Roma, can raise awareness of their own cultural backgrounds and respect of other lifestyles and lay the foundation for learning about human rights. Furthermore, participation of the children and accountability of the State requires implementation of the rights-based approach to education. Hence, the second main question: **How can the education system be transformed to adapt to the needs of the Roma children in attaining equality of education?**

***Analytical framework: concepts and theories***

The aim of this section is to familiarize the reader with the concepts used throughout this paper which is essential in understanding the contextual analysis on social exclusion and the education system in Croatia presented throughout this paper.

**a. Social exclusion and exclusive education**

The term social exclusion appears for the first time in France during the 1960s, when “politicians, activists, officials, journalists and academics made vague and ideological references to the poor as the excluded” (Silver, 1995: 63). Despite that to this date the concept remains difficult to define as an universal term, the paradigm of social exclusion in social sciences sees this recent phenomenon as “a vicious circle with three [reciprocal] components” (UNDP, 2006a: 12) as shown in Figure 3:



Source: UNDP (2006a: 12)

“Note: Arrows with solid lines indicate a relationship in a tighter nature, while arrow wit dashed lines indicate weaker and variable relationships” (ibid.). Element of discrimination is my personal addition to this illustration

A risk of poverty is increased with a loss of employment, which creates a poor living standard and isolation from social relationships. Social isolation is further linked to entrenched long-term unemployment and inaccessibility to resources needed in obtaining employment opportunities. Consequently, those individuals who are socially excluded suffer from discrimination in the formal and informal institutions which in a reciprocal form mirrors individual prejudices and discriminatory attitudes towards the excluded groups; hence, discrimination becomes institutionalized (UNDP, 2006a).

Social exclusion in education is reflected through promotion of an **exclusive education system** in its provisioning, curriculum, programs and attitudes of teachers, parents and children. Exclusive education systems fail to incorporate learning about multicultural values and diversity of pupil population, as well as respect for human rights, peace and tolerance. Excluded students, like the Roma, are viewed as the problem children who are unable and unwilling to learn, and hence meet the requirements of the education system. As a consequence, excluded children do not gain the same quality of education which they need later in life in order to compete in the labor market, and break the circle of poverty, exclusion and discrimination.

#### **b. Inclusive education**

By contrast to exclusive education, inclusive education refers to a “dynamic approach of responding positively to pupil diversity and of seeing individual differences not as problems, but as opportunities for enriching learning” (in UNESCO, 2005: 12). Specifically, inclusive education means developing educational provisioning, curriculum and programs that incorporate learning about child’s culture, traditions, origins, minority language, etc. while promoting respect for human rights, tolerance and peace. Additionally, such an education system aims to create conditions where *all* children are free to express their opinions and beliefs without being discriminated and excluded from reaching their educational potential. Nevertheless, inclusive education requires commitment and continuous input of all actors involved in the educational process – children, parents, school officials, educational policymakers and the State (Trbić, 2006). Developing an inclusive education system that is built on the respect for diversity, non-discrimination and human rights also has long-term benefits for the society as a whole because “[...] enhanced inclusion implies identifying strategies for overcoming or eliminating the barriers to full participation for individuals and groups which experience discrimination, marginalization and exclusion or which are particularly vulnerable“ (UNESCO, 2005a: 17).

#### **c. Equality education**

The concept of equality of education is explained through Farrell’s Model of Educational Inequality (1999). It encompasses the notion of equal opportunities to access and complete education, equal quality of education, equal opportunities to gain results in reflection of individually obtained knowledge and skills, as well as to have equal opportunities to attain employment based on achieved knowledge and skills. Initially this notion originated as equal opportunities, but over the past several decades “the task of

the state has been extended to include ensuring that all children, whatever their social origin, have an equal ability to benefit from the educational opportunity provided, in terms of what they learn and how they can use that learning in later life, particularly in the labor market” (Farrell, 1999: 153-4). Thus, equality of education is not only having equal opportunity to access and complete education, but also having equal opportunities to receive equal quality of education, which ensure opportunities for every pupil to maximize their educational potential.

#### **d. Concepts in Bronfenbrenner’s Ecological Systems Theory (EST)**

As implied, this paper investigates the current education system in Croatia in the context of the socially excluded status of the Roma children and their right to equality education. In order to substantiate statements about the education system, it is necessary to present the perspectives of stakeholders who are directly or indirectly impinging on the process of equality education for the Roma children. This will be illustrated with Bronfenbrenner’s Ecological Systems Theory<sup>7</sup> (hereinafter EST) because its underpinning encapsulates a child in “the system or relationships that forms his or her environment” (in Paquette & Ryan, 2001: 1). Each system has an affect on a child’s development starting from a) the child’s cognitive and emotional biology (what Bronfenbrenner calls microsystem), b) his/her family or guardians and school officials (mesosystem), c) culture and society by which a child is surrounded (exosystem), and d) legal rules and regulations at the regional and national levels (macrosystem), such as educational provisioning (ibid.).

In combination with Farrell’s concept of equality, this model is particularly useful in investigating the inclusiveness of an education system which will be elaborated in chapter 3.

#### **e. Rights-based approach to education**

The rights-based approach (hereinafter RBA), is a holistic development model that is based on the principles of equality and non-discrimination, empowerment, participation, link to human rights, accountability and transparency, carries a significant weight in favor of an inclusive education system: “... to promote personal development, strengthen respect for human rights and freedoms, enable individual to participate effectively in a free society, and promote understanding, friendship and tolerance” (UNICEF & UNESCO, 2007: 7). What is different about this approach vis-à-vis previous needs-based approaches is a firmer responsibility and accountability of the duty-bearers (starting from the State as the primary duty-bearer) to ensure

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<sup>7</sup> Due to the direction of my topic, I chose to modify this multifaceted model of child development in order to fit it in within the Roma context (in chapter 4). For this reason, not all dimensions of Bronfenbrenner’s model will be discussed in depth or at all (for instance, a microsystem that talks about biological factors such as behaviors, cognitive and emotional systems will not be addressed, although I believe they play an important part in constructing child’s development).

realization of the rights to education based on the abovementioned principles. Moreover, added value of the RBA to education lies in that interconnectivity of legislation, policy, practice and the Convention on the Rights of the Child<sup>8</sup> (1989).

### ***Methodology***

A large part of this study was conducted in the field; hence, it is important to reflect on the reasons and types of methods used to collect the data. Since the fieldwork took place in the months of July and August when schools are closed and most government officials on vacation, I used the ‘snowball’<sup>9</sup> technique in determining a sample size of participants (see Annex III). Thus, it is important to emphasize that my sample size does not represent a general view of the Roma or any other participants in this study. In the same sense, the study is not preoccupied with developing specific policy recommendation. It is rather aimed at teachers, parents and policymakers to provide understanding of the education system in Croatia, its effects and importance of attaining the right to education for the Roma children.

#### **a. Self-reflection**

My first encounter with the Roma children was fifteen years ago during my primary school which was located close to the Roma settlement where I collected my field data in July of 2008.

I still vividly remember three Roma boys in their ragged and dirty clothing sitting in the back of the classroom, at the desks designated for misbehaved children. Nobody wanted to sit with them fearing they would be infected by their strong body odor. Those Roma boys were different than ‘us’, the non-Roma kids. Their physical appearance, poor hygiene, visually darker skin and a mix of broken Croatian and Romani language were all motives for our aversion towards them. Other children often made fun of them, called them names or simply gave them looks that disapproved of their presence. Provoked by our unwelcomed gestures, the Roma boys would respond by sticking together which gave them courage to defend themselves from other children’s bullying, even if that meant getting into physical confrontations. Teachers also often called on them because of such behavior, uncompleted or untidy assignments, lack of school materials and whenever something went missing. They were definitely outcasts that nobody wanted around. I personally avoided making eye contact with them and always kept a distance because I feared those boys would steal my things, or worse, I would get some disease by being touched by them.

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<sup>8</sup> Ratified by the State of Croatia on October 8, 1991.

<sup>9</sup> “...that is where a first subject is asked to refer the researcher to others to approach, and as sample is built through this networking of the community” (Jacobsen & Landau, 2003: 189).

Many years after primary school, I still quite often observe widely accepted public repugnance toward the Roma in my hometown Rijeka. Last year on a few occasions, I noticed when the Roma children entered the public bus, the non-Roma people moved away from them, keeping an eye on their personal belongings, and sometimes even loudly commenting about their body odor, physical appearance and lack of manners. Many of them also criticize the Roma's indecent and odd lifestyle in their settlements, although the majority of non-Roma people like myself have never set their foot into a Roma settlement. This repugnance coming out of judging the unknown and different spreads biases and prejudice against the Roma in our society, which admittedly I had also fallen prey to.

My primary motive for doing this study about Croatian Roma children was to depict their excluded and discriminated status in our society, as reflected in the school setting. Going into the field, however, and for the first time stepping into the Roma settlement and entered their homes, was a challenge and an opportunity for personal growth not only as a researcher but also as a human being. Admittedly, I had to come up front with my own biases and assumptions about the Roma. This decision also helped in gaining the respect of the participants because as an outsider, I did not want to intrude or make them feel threatened by my presence as a researcher. I started with contacts via email and/or telephone, and slowly climbed the ladder of networks to reach usually unreachable government officials (especially in the capital) and finally, the Roma. The time I put in the fieldwork was definitely worth the effort because in the end I managed to get the needed data while making my participants (including the Roma) comfortable and trusting to share their world with me.

#### **b. Primary and secondary data**

Primary data was collected during the month of July 2008, from different stakeholders (Annex III) directly or indirectly involved in the education system: the Roma children and their parents, teachers of the primary school "OŠ Pehlin" (hereinafter "OŠ Pehlin"), the State social workers, and government officials for national minorities, education and human rights.

Due to the time period of school summer vacations, I opted for a questionnaire as a method to get insights, opinions and beliefs from the teachers who are working with the Roma children in the "OŠ Pehlin". After getting approval from the principal "OŠ Pehlin" in May of 2008, I constructed and mailed a survey of 20 questions, mostly open-ended, except five questions (used for demographic information) that were quantitative in nature. In June I received back 22 (100%) surveys in the mail from the teachers of "OŠ Pehlin". In addition to the practical reason of time-constraint, I used questionnaires because they are "a relatively cheap way of collecting information from large number of people, removing any 'interviewer effect' from the picture" (Laws, et al, 2003: 309). On the other hand, by using this method I am aware that in my absence I could not receive feedback that would double-check the truthfulness of responses from the teachers.

Upon arriving to Croatia I contacted local and national government offices (Office for National Minorities, Regional Office for Education,

Ministry of Education, Social Welfare Office, and Office for Human Rights), but the process involved talking to one person who then introduced me to the next participant ('snowball' technique). Before constructing questions (Annex II), I learned a little bit about each office from their website. The semi-structured interview method seemed appropriate for these types of participants because I had some direction about what I needed to ask. However, I also allowed space for additional questions to come up during the interview since I did not have all information about their role in the Roma issues.

With the Roma parents and their NGO director I had to be more spontaneous and engage in the conversation without looking at my notes. I used non-structured interviews<sup>10</sup> to create a comfortable, non-intrusive environment because being in that settlement inside their homes, I was in their world, about which I knew little. I wanted to show respect, maintain eye-contact and stay focused on my participants. Another important aspect of choosing the non-structured interviews was my aim to go beyond their spoken word. "...[P]aying attention to the crucial non-verbal data – of posture, gesture, voice information, facial expression, eye contact, and so on - ... can communicate, for example, interest, encouragement, warmth and caring, on the one hand, or boredom, disapproval, coldness and indifference on the other" (Seale, 2004: 260). Such reactions can produce 'opportunities' to elaborate on questions and encourage responses to flow naturally (ibid.).

At the end of July, a focus group was chosen as a research method to hear the voice of the Roma children. "Mauthner (1997) argues that focus groups create a safe peer environment, [and at the same time] may also help to redress the power imbalance between adult and child that exists in one-to-one interviews" (in Greene & Hogan, 2005: 237). The focus group consisted of five Roma girls: A (12) – family #1, F (13) & Z (14) – family #5, H (12) & J (14) – family #7; and four Roma boys: S (11) & D (10) – family #1, E (11) & G (13) – family #7. A short ice-breaker was introduced at the beginning when we all sat on the floor around the circle and each of us asked the person next to us two general questions, free of choice (i.e. What is your favorite music? What games do you like to play?). In the end, the response from children was very positive, and unexpected in the sense that they expressed interest in having more of such discussions.

The second part of my primary data includes a review of international, regional (CoE) and national legal documents, particularly in the aspect of the right to education and minority.

Secondary data includes literature on human rights, education and minority taken mainly from the previous research and academic debates concerning the right to education, particularly in reference to the Roma. Due to a lack of data on the Roma in general at the national level, this study relies to

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<sup>10</sup> Questions for the Roma parents and focus group were taken and modified from the study done by UNICEF Bosnia and NGO "Budimo Aktivni" Sarajevo, Bosnia. Permission was obtained from NGO Director Mr Ismet Kapetanovic for whose help I am extremely thankful (UNICEF BIH & NGO "Let's be Active, 2005).



a large extent on the project studies conducted in Croatia by UNDP, OSI and Amnesty International (hereinafter AI).

### **c. Confronting ethics in research with children**

Ethical issues (informed consent no harm and confidentiality), especially when working with children are important factor to consider when doing research with children. According to Alderson (2004), “the rules of ethical research are based on three main ways of thinking about what is ‘good’ research:

- (1) The principles of respect and justice concern doing ‘good’ research because it is right, correct thing to do, such as always respecting children as sensitive dignified human beings, trying to be fair, and using resources efficiently;
- (2) Rights based research also involves respect and children’s rights have been listed under 3 Ps: providing for basic needs, protection, and participation ...children well informed... listen to children and their views;
- (3) Best outcomes based ethics means working on how to avoid or reduce harms and costs, and to promote benefits.” (in Fraser, et al., 2004: 98)

In addition to those principles, working with children (especially marginalized ones like the Roma) also requires commitment and patience that is put in time to develop trust between children and the researcher who often belongs to the majority group as in my case. This also implies importance in being aware of the power relation between the excluded Roma and someone like me who comes from the non-Roma middle class group.

To ensure the respect for ethical principles, before interviewing parents and government officials, as well as forming a focus group, I ask for (verbal) informed consent of each participant. A part of informed consent was explaining the purpose and objective of this study, (to the parents) types of questions that children would be asked in what way (focus group), and participants’ right to opt out or stop at any moment during the process as their participation was voluntary. Additionally, confidentiality was also guaranteed as their real names would not appear anywhere in documents (instead I use initials that have no relation with their real names). To avoid doing harm, all participants were free to refuse to answer questions that did not make them feel comfortable.

Information from children was gained at the end of my field work because when I met the families in the settlement at the beginning of July, I felt the need to spend more time just visiting the settlement and talking to children informally before forming a focus group. I had two reasons for this decision; firstly, I had to gain trust from children in a short period of time in order to allow the free flow of information, and secondly having many short and informal talks with children and parents throughout July ensured respect for ethical codes particularly in doing no harm and encouraging participation of children. Prior to engaging in the focus group discussion, each child was asked for participation and given information on respecting their confidentiality and their right to stop participating at any moment.

## Chapter 2

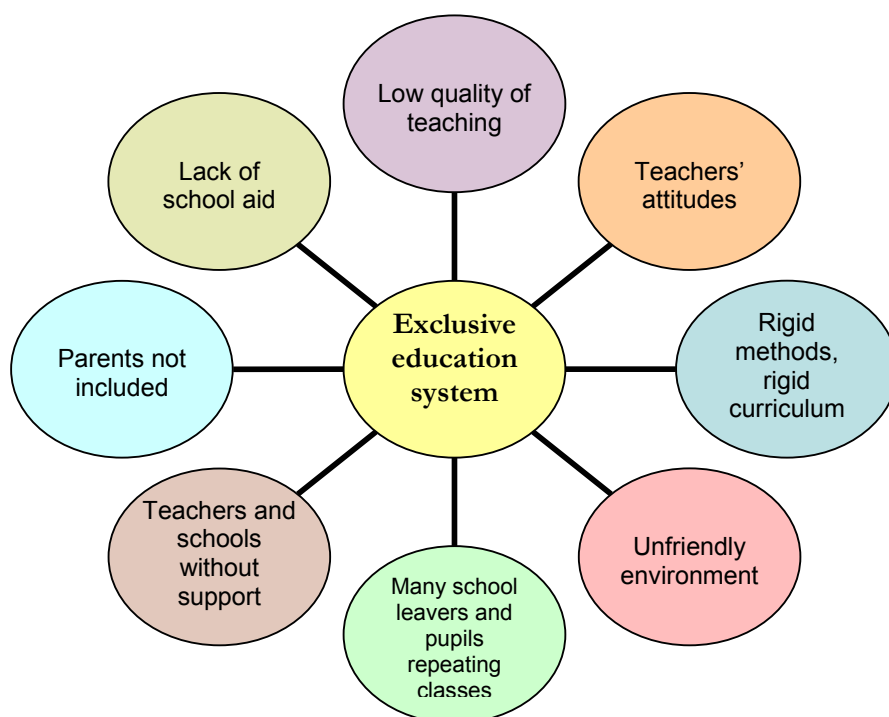
# One Size Does Not Fit All – Achieving Equality and Accommodating Diversity in Education

### 2.1 Exclusive versus inclusive education

“The value[s] promoted by a specific society is reflected through the education system and its structures” (Trbić, 2006: 50). Discrimination against socially excluded groups is conditioned by structural relationships in formal and informal institutions of society, including the schools as educational institutions. Schools mirror structural relationships in a form of educational provisioning, curriculum, textbooks, activities, as well as values, beliefs and attitudes. Consequently, children who belong to excluded groups due to their identity and marginalized status in society experience exclusion and discrimination in schools which is an obstacle in maximizing their educational potential and exercising their fundamental human right to education.

Excluded children are often viewed as the problem children due to discriminatory preconceptions that are based on perceiving excluded children as different from other children, unwilling and unable to learn, participate and come to school, and requiring to be placed in a special environment with a special teacher, particularly if these children have difficulties speaking in their official language (Trbić, 2006). This is significant in the case of Roma children who are sometimes placed in separated classrooms away from other children, and taught on “a basis of reduced curriculum similar to the one used for the children with developmental difficulties.” (UNDP, 2006a: 51). The learning environment exposes excluded children to vulnerable conditions where isolation, bullying and insult of excluded children by others is reinforced and justified in the eyes of those belonging to the majority or favorable group (Trbić, 2006). In such way, cultural differences are not viewed as a quality but as a measure to determine educational potential of children based on the values and perceptions of structural relationships in society (ibid.). Besides its inability to provide equal educational opportunities for all children (including those who belong to the excluded group), exclusive education systems also manifest themselves through other factors as illustrated in Figure 5:

**Figure 5**  
**Characteristics of Exclusive Education System**



Source: Trbić (2006: 67)

However, ensuring equal quality of education that is able to accommodate the diversity of children's needs calls for an establishment of a framework for teaching and learning whereby children can freely express and celebrate their diversity, as well as learn about tolerance and respect for others who may be of a different social origin or different learning ability. Inclusive education is a transforming framework that

“[...] is seen as a process of responding to the diversity of needs of all learners through increased participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children.” (UNESCO, 2005: 13)

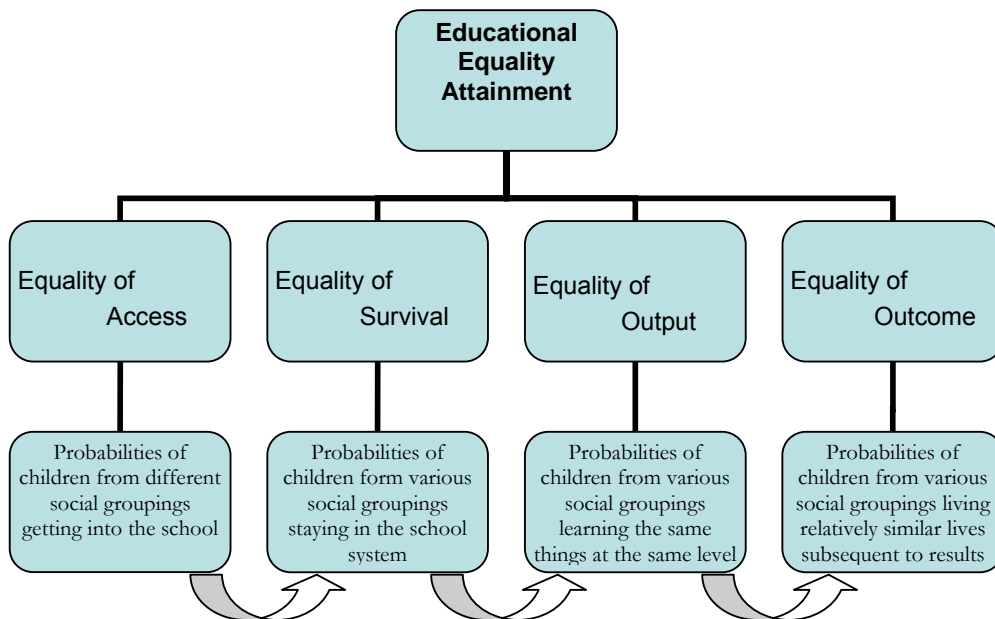
Contrary to exclusive education, this dynamic approach does not see children of diverse (excluded) identity as the problem, but it rather welcomes a pupil's diversity as opportunities to promote tolerance and understanding of diverse cultural (ethnic, religious) identities. Such pro-human rights application in the system of education is the quintessential component in creating equal

conditions for teaching children they are active participants in reaching their educational potential.

## 2.2 Equality of education

The concept of equality of education is explained through Farrell’s Model of Educational Inequality which views “schooling as a long-term process in which children may be sorted at many different points and in several different ways [operating] as a selective social screening mechanism” (Farrell, 1999: 155). The Figure 6 presents a breakdown of Farrell’s model in four dimensions of equality analyzing “to what degree, and how are children of which social groups screened out or kept in” (ibid.):

**Figure 6**  
**Farrell’s Model of Educational Inequality**



Source: Farrell (1999: 155-6); Own illustration

In his study “Equality of Education: A Half-Century of Comparative Evidence Seen from a New Millennium”, Farrell expounds a critical investigation of data available from the 1970s into the 1990s on educational reforms that tried to accommodate the needs of children of different social identities and status to the education systems in the countries across the world (Brazil, Chile, USA, Europe, Soviet Union). Acknowledging implications of categories of social differentiation (race, occupation, ethnicity, gender, income, political power, etc.) that may hinder educational opportunities for some children, Farrell (1999) assigns the failure of those educational reforms to their universalistic “one size fits all” policy goals and strategies because they label children’s social origin as the cause of their failure to attain equal educational opportunities.

According to Farrell (1999: 153-4), the solution lays in extending the task of the state to include not only access to school but also “ensuring that all children, whatever their social origin, have an equal ability to benefit from the educational opportunity provided, in terms of what they learn and how they can use that learning in later life, particularly in the labor market.” This model provides a good starting point for presenting inclusive education systems in which *all* children have opportunities to maximize their educational potential with the short and long-term benefits. Specifically, nourishment of Farrell’s concept of equality in schools is possible only when the education systems include children’s diverse cultural, ethnic and religious identities, and promotes tolerance and non-discrimination and respect for human rights of all children in its curriculum, textbooks, classroom activities and learning environment. Developing such inclusive education system, however, requires a coordinated ‘team’ effort of various structural institutions and stakeholders at the local and national levels who are directly or indirectly involved in the educational process. Commitment and input of parents, children (including the marginalized ones), school officials, educational policy-makers and the State, as a primary duty bearer, is crucial in developing conditions of equality and inclusiveness in education. This partnership is nicely encapsulated in the interaction of concepts used in Bronfenbrenner’s EST, which complements Farrell’s concept of equality.

### **2.3 Bronfenbrenner’s Ecological Systems Theory (EST)**

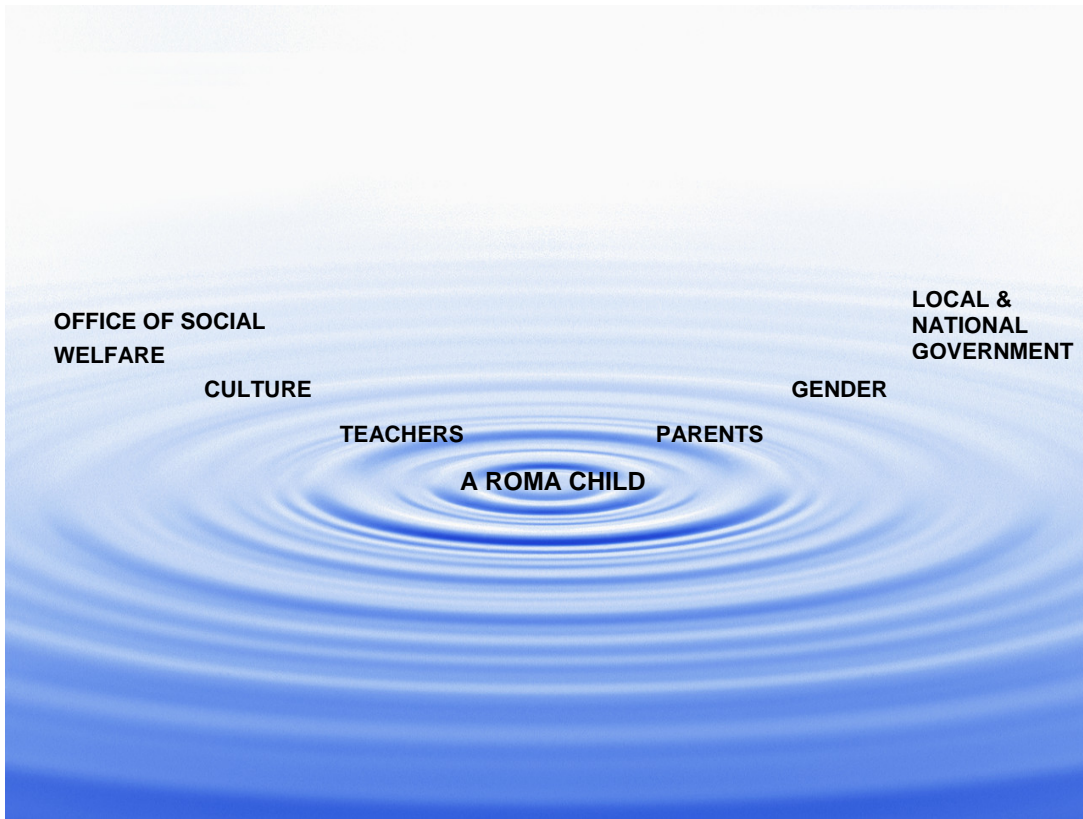
A focal point of Bronfenbrenner’s EST is an effect of interactions between various layers of relationships in society on a child’s development. Each system has an affect on a child’s development starting from a) child’s cognitive and emotional biology (what Bronfenbrenner calls microsystem), b) his/her family or guardians and school officials (mesosystem), c) culture and society by which a child is surrounded (exosystem), and d) legal rules and regulations at the regional and national levels (macrosystem), such as educational provisioning (Paquette & Ryan, 2001)

As implied in the previous section, this model complements Farrell’s concept of equality in investigating inclusiveness of the education system. Foundation of an inclusive education system should be educational provisioning established on contributions of different layers (or systems) in society that intertwine in the process of achieving equality of education for each child in the education system. This means that legal regulations should take into consideration inputs from various actors (children, parents, school officials, and other actors involved in education) on how they view education and its affects in the short and long term (Trbić, 2006). Additionally, educational provisioning should reflect on the structural relationships between those actors in order to develop and implement inclusive strategies. Structural relationships (political, social, cultural, economic and gender) between diverse members of the society are manifested through their personal attitudes, opinions and beliefs. If they are negative and discriminatory, as in the case of the Roma, they will create a negative learning environment that hinders opportunities for the Roma children to maximize their educational potential.

Thus, it is important to analyze the interaction of different systems in society (Figure 7), how they affect Roma's education and then develop educational provisioning that ensures equality and inclusiveness.

**Figure 7**  
**Bronfenbrenner's EST**

In the context of the Roma children



Source: Bronfenbrenner's EST, Own illustration

## **2.4 Rights-based approach as the way ahead to equality and inclusive education**

Transformation from exclusive education to equality and inclusive education starts with an application of principles of the rights-based approach (RBA) to education. This holistic development model mounts itself on equality and non-discrimination, empowerment and participation of people (including the most vulnerable ones). In addition, the State, as a primary duty bearer, needs to ensure conditions where *all* children are able to express their views and participate in their education. Creating such conditions requires the State to show accountability and transparency in establishing and implementing educational provisioning and all other legal regulations that the State is obliged

by in ratified international and regional human rights treaties. That interconnectivity of legislation, policy and practice at the international and national levels is an added value to RBA particularly in its advocacy for implementation of the CRC principles.

There are no blueprints or specific guidelines for implementing the RBA principles, however. This approach is rather context-specific, hence it requires understanding the conditions and factors of structural relationships in the institutions of society, including schools and other educational structures. Thus, a systematic analysis of the education system is a starting point in implementing RBA.

Another important factor in realizing the principles of the RBA to education is hearing children's voice as they are active participants in the process of their own learning. Thus, the education system needs to be focused on children, primarily on their interest and needs, which if "employed wisely, will lead to knowledge and attitudes that are adequate for personal fulfillment and for citizenship" (Nodding, 2007: 194). Thus, participation of the all children, including the input from their parents and teachers during the process of intercultural knowledge-exchange in the education system is a crucial step in promoting human rights, freedom, tolerance, friendship and understanding of all parties involved.

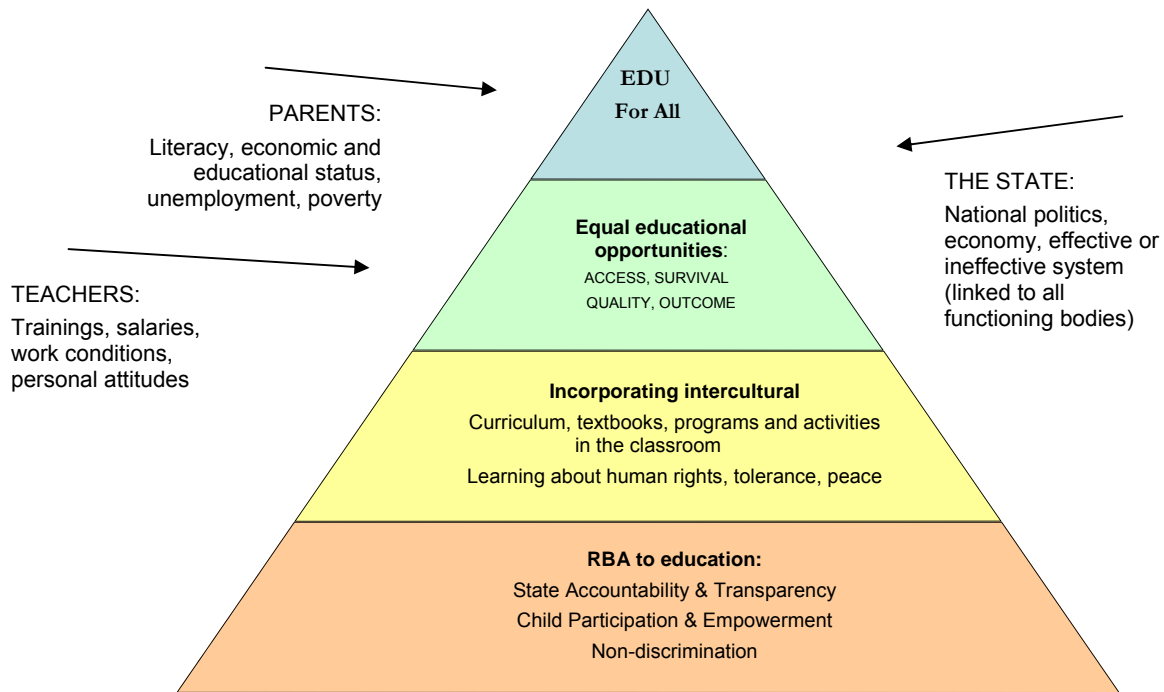
Implementing comprehensive, context-specific rights-based programs that compliment the State's obligations reflected in its ratified international and regional treaties on education, analysis of power relations and interconnectivity of the system, transparency, accountability, non-discrimination and participation of children is a way ahead in achieving an inclusive education system that nourishes diversity and equality. Effective implementation of RBA in education system will also smooth the progress of equality as insinuated by Farrell, which in turn creates harmony in the Bronfenbrenner's system of institutional interaction. Thus, the concept of equality, Bronfenbrenner's EST and RBA together encourage non-discrimination and inclusiveness in education system.

## **2.5 Connecting the dots in achieving education for all**

The pyramid shown below (Figure 8) is an illustrative précis of chapter three, whose central message conveys equal opportunities for diverse pupil groups is possible. A carefully planned multidimensional approach to educational provisioning begins with listening to the voices of children and incorporating their diverse backgrounds into the school curriculum, books, and other regular teaching/learning agenda. The focus has to be on empowering and offering equal opportunities to express, exchange and receive information in an environment that promote non-discrimination and learning about human rights and tolerance of diversity. The state as a main policy-maker and duty bearer has to offer clear and transparent strategies during the whole process, as well as be consistently accountable in accordance with national and international law.

Needless to say, dynamics of structural relationships outside the education system need to be considered in detail, such as the parent’s economic situation, the political and economic situation in the country, and also the status of teachers as immediate purveyors of policies to children. These factors directly or indirectly affect achievement of right to equality of education. When that analysis is complete, constructing policies that carry the principles of the RBA and diversity will bring about equality as insinuated by Farrell, as well as conditions for all children in the education system, including the excluded, to have equal opportunities in maximizing their educational potential.

**Figure 8**  
**Pyramid of Inclusive Education System**  
 Accommodating diversity and achieving equality of education for all children



Source: Own illustration



## Chapter 3

# Education and Minority in a Contested Arena of Human Rights

### 3.1 What constitutes ‘the minority’?

“The numerical size of the group, its economic strength, its homogeneity, territorial location and density, as well as its claims based mostly on historical past ... are all important factors in determining a particular minority situation [which] is to a large degree determined and directed by a state policy towards the minority [...]” (Trifunovska, 1999: 21). Indeed, through the Constitution and ratified international and regional treaties on national minorities (see Annex I), the State of the RoC determines its policy toward the Roma as a recognized national minority.

However, the complexity behind the concept of minority is not solved by just defining what constitutes ‘the minority’ and their human rights in the legally binding documents at the national, regional and international levels. While there is still some ambiguity<sup>11</sup> around designating the concept of minority in the legal regional and international documents (O’Nions, 2007), more challenges arise from determining the protection of minority rights. “[I]nternational law at present ascribes rights to *members* of minority groups rather than the group per se and as a result it appears to be unclear whether a group could demand the necessary resources to improve the situation of their people” (O’Nions, 2007: 21). Clear specification about how to claim rights (whether as individuals or collectively as a group) when constitutionally recognized minority such as the Roma is historically excluded and discriminated against, is of crucial importance. Legal national, regional and international documents on the protection of national minorities in Croatia focus on the protection of (individual) rights as *members* of the Roma group, which does take into account protection of their group identity. The Roma are excluded and discriminated against because they belong to the group (national minority). In turn, their collective (group) identity affects who they are as individuals (a member belonging to the Roma group). “Group rights should not be regarded as alternative but as a supplement to individual rights where it is clear that the latter cannot be adequately protected without some collective protection” (O’Nions, 2007: 65). Consequently, understanding the concept of minority should encompass not only the legal definition of what constitutes ‘the minority’ and their rights, but also a clear comprehension how they can

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<sup>11</sup> For instance, International Covenant on Civil and Political Rights (Article 27) talks about ethnic, religious or linguistic minorities while CoE’s Framework Convention on the Rights of Persons Belonging to National Minorities clearly states ‘national’ rather than ‘ethnic’ minorities (O’Nions, 2007).

protect their rights as a group and also as members belonging to the group.

Implication of the term minority also reflects in the education system. Equality and inclusive education system requires that minority children, like the Roma, have conditions to equal opportunities to maximize their educational potential (as individual right), but also to be able to develop and share a strong sense of their cultural identities (as collective right) in the curriculum, programs and activities (Cullen, 1993).

### **3.2 Education as universal and fundamental human right**

According to Nowak (in Eide, et al., 1995: 193), in international law “there seems to be a growing consensus that education should aim at enabling the human being to freely develop his or her own personality and dignity, to actively participate in a free society and to contribute to tolerance and respect for human rights.” Developing a full human potential and promoting peace, tolerance of interracial and religious understanding is already enshrined in Article 26(2) of the UDHR, along with a proclamation that “everyone has the right to education... free [and compulsory] at least in elementary and fundamental stages” (in Banning, et al., 2004: 3).

This rudimentary proclamation is further maintained in international human rights instruments that formulate legal obligations for the State parties that have ratified them: International Covenant for Economic, Social and Cultural Rights (ICESCR) – Art. 13, International Covenant on Civil and Political Rights (ICCPR) – Art. 18, Convention on the Elimination of All Forms of Racial Discrimination (CERD) – Art. 5 (v)(e), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – Art. 10, and Convention against Discrimination in Education (CDE) (in Banning et al, 2004). However, the Convention on the Rights of the Child (CRC) goes one step further in providing “the most detailed provision on the aims and objectives of the right to education in international law....although only adopted in November 1989 [it] has been ratified by more than 150 States and which, therefore, can be regarded as the most universally accepted standard in this field” (Nowak, in Eide et al., 1995: 194).

The CRC adds a value to the right to education because its principles (the best interest of the child, nondiscrimination, participation, and the right to life, survival and development) are important dimensions in achieving conditions for equal access *and* equal quality of education for *all* children:

“...the key goal of education is the development of the individual child’s personality, talents and abilities, and learning needs...thus, the curriculum must be of direct relevance to the child’s social, cultural, environmental and economic context and to his or her present and future needs and take full account of the child’s evolving capacities...” (CRC, GC/2001/1, Annex IX: 4).

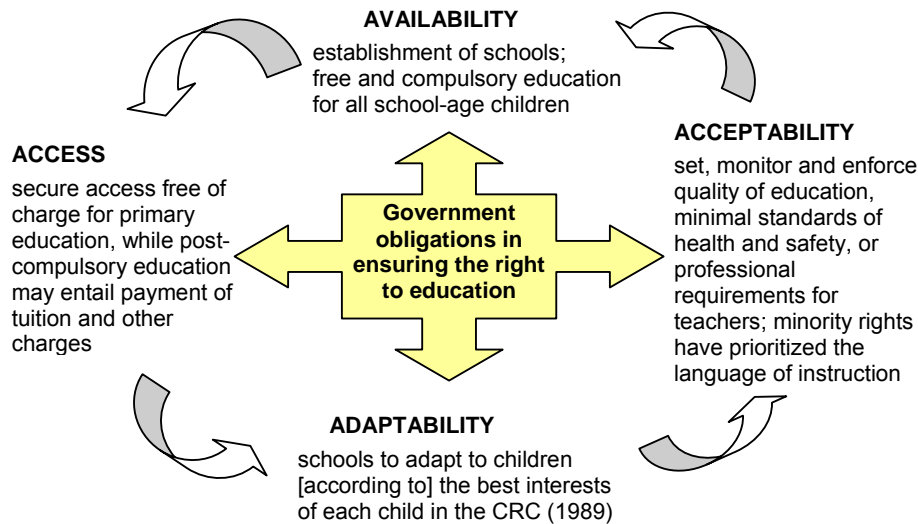
In addition, the CRC in Article 29(1)(c)(e) adds that the State parties need to ensure that education promotes “development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, for civilizations different than his or her own... [and] the respect for the natural environment” (in Banning, et al., 2004: 37). Furthermore, CRC promotes the human rights education that “should provide information on the content of human rights treaties, [but...] start with the reflection of human rights values in daily life and experiences of children” (CRC, GC/2001/1, Annex IX: 6). Implementation of these provisions in the educational curriculum, textbooks and programs create opportunities for children to learn to value and respect differences which is a foundation for development of peace, tolerance and respect for human rights. In the same way, the provisions of CRC closely cooperate with principles of RBA by holding the State party accountable to its obligations and including children as active participants in having equal opportunities to maximize their educational potential.

### ***State obligations to fulfill, protect and respect***

In her dedicated work as a human rights advocate, educator and the first UN Special Rapporteur on the Right to Education, Katarina Tomaševski investigated the commitment of governments to ensure the rights to education spelled out in international binding treaties. The emblematic question “Does the right to education have a future within the UN?” in her report to the UN Commission on Human Rights was nothing new, but Tomaševski was the first one to publicly acknowledge that the right to education for many children is still just a distant dream built on a shaky foundation of unclear international binding treaties proclaiming the right to education, followed by global political and economic trends, and a lack of commitment on the national levels (Byne & Wilson, 2007).

Furthermore, in her book “Education Denied”, Tomaševski (2003: 53) enunciates the contribution of international treaties to the core contents of the right to education: “to ensure that primary education is all-encompassing, free and compulsory; to guarantee parental choice in education of their children; to apply non-discrimination to the right to education and human rights in education; and, most important, to prevent abuse of education by defining what education is for.” In order to ensure obligations set by international treaties that countries around the world have ratified, Tomaševski developed the 4-A Scheme by which the right to education must be fulfilled, respected and protected by the State, as illustrated in Figure 4:

**Figure 4**  
**The 4-A Scheme**



Source: Tomaševski (2003: 51-2)

In order to fulfill this obligation, the State “undertakes to take steps ‘to the maximum of its available resources, with a view to achieving progressively the full realization of the rights’ concerned” (Nowak, in Eide et al., 1995: 199). In terms of fulfilling obligations of international treaties in making education *available*, this implies that the State party needs to “secure compulsory and free primary education, train teachers, make transportation facilities and teaching materials available, combat illiteracy, promote adult education, guarantee quality of education” (UNESCO, 2005: n.d.). Making education *accessible* in terms of creating environment free of discrimination is an additional obligation of the State to fulfill its duty (ibid.).

Obligation of the State to protect the right to education consists of creating educational curriculum and programs that “guarantee all the rights enunciated without discrimination of any kind [...], right to equality before the law, equal protection of the law and protection against discrimination” (Nowak, in Eide, et al., 1995: 201). By protecting this obligation, the State ensures equal *access* to education for all, as well as *adaptability* of the education system to children of diverse backgrounds. In addition, through legislation, policy and implementation of non-discrimination and equal protection before the law, the State is making the education system *acceptable* to a diverse population of children, which sets the conditions for equality, hence inclusive education for all children.

Obligation to respect requires the State to ensure free access to education, as well as promotion of education in minority languages and learning about diverse cultures in the curriculum, which is the essence of education being adaptable to all children (UNESCO, 2005: n.d.). In addition, the State has an

obligation to respect human dignity, rights and freedoms of the child's parents, family origin, identity and values that may come from different nationalities, ethnicities and/or religions. By respecting this obligation, the State creates conditions of non-discrimination, equality and inclusion of education that is *accessible* and *adaptable* to all children, including minority children.

### ***Ensuring the right to education in minority language***

The right to education in minority language is one of the conditions in creating an inclusive education system that is able to adapt to children of diverse cultural (ethnic and religious) backgrounds, as well as the State party obligation to respect the right to one's own cultural identity, language and script in education.

As implied, issues of diversity in education, particularly minority language rights in education as global trends have just recently started to untangle. Some human rights academics such as Fernand de Varennes and Holly Cullen argue that there is still ambiguity in reference to minority education in international treaties, especially to the rights of being educated in one's own language (Byrne & Wilson, 2007; Varennes, 2007; Cullen, 1993).

In his analysis of language rights in education as the cornerstone for minority education rights at the international level, de Varennes (2007) is looking for their presence in the ICCPR, International Labor Organizations' 1989 Convention Concerning Indigenous and Tribal Peoples in Independent Countries, the CRC, and the UNESCO's CDE. The focal point of his argument is stated in an analysis of UNESCO's CDE provision, where he is explicit:

“Article 5 of the treaty has limited usefulness as the basis for a language right in education even if only for national minorities: first, because it only deals with the creation of private schools and does not actually require that state authorities establish publicly-funded schools for national minorities. Secondly, because provision does not clearly guarantee that the language used in these schools actually be the language of the minority.” (Varennes, 2007: 172-3)

This critical and pessimistic view of ambiguity in legal obligations at the international level when it comes to minority language rights in education echoes in Varennes's conclusion in which he affirms a lack of clarity in demonstration of phrases in the documents, as well as missing specific content in strictly legal terms that would enforce implementation of the language rights in minority education. “[...] the right to be educated in one's language should be guaranteed [yet] the fact remains that there is not yet a general, unambiguous and legally binding obligation for such right at the global level” (ibid.: 173).

However, there are some positive advances in regards to ensuring the right to education in minority language. As already discussed in section 2.1, the State parties to CRC, specifically under Article 29(1), have a legal obligation to ensure “... respect for the child's own cultural identity, language and values...”

(in Banning, et al., 2004: 37). On the same note, the UN Declaration on the Rights of Indigenous Peoples (2007: 7) affirms the right of indigenous children to receive “... education in their own language, in a manner appropriate to their cultural methods of teaching and learning.”

### **3.3 The Council of Europe: Promoting equality and inclusive education for all?**

On the regional level, the CoE has addressed diversity in education to some extent. In its two legally binding treaties, of which Croatia is also a State party, the CoE is firm in advocating intercultural education and the right to learn and communicate in the mother tongue. According to Varennes (2007: 173), “article 14 of 1995 Framework Convention for the Protection of National Minorities and Article 8 of the 1992 European Charter for Regional or Minority Languages both indicate that in appropriate circumstances states must make available schools in the teaching of or in a minority language [and] must be sufficient for this purpose.” Additionally, the latter emphasizes the right for the teaching of history and culture which is reflected by the language (Cullen, 1993).

Although, the CoE encourages promotion of minority language and intercultural pedagogy as the cornerstone for the rights to education in multi-ethnic Europe, wording like “in appropriate circumstances” and “sufficient” gives the States freedom not to fulfill their obligations in case they do not have resources, numbers and demand. This brings to mind a question: Does learning about respect and tolerance for diversity require a sufficient number of students? “As impressive as this acknowledgement is, these documents still do not of themselves create a direct or implicit language right in education from a strictly legal point of view, despite suggestions to the contrary” (Varennes, 2007: 174).

In addition to unclear regional provisions on the rights to minority language, the EU talks the talk but does not walk-the-walk when instigating the strategies to tackle discrimination of the minority in education, particularly the Roma children. The most recent report by the European Roma Policy Coalition published on the Child Rights Information Network (hereinafter CRIN) reveals “many gaps and failures in the current approach taken by the EU and member states to foster Roma inclusion...the failure on the part of the European Commission to develop an ambitious strategy, long term planning, or direct commitment for a coordinated EU Roma strategy” (in CRIN, 2008: n.d.). In general, the commission points out a lack of accountability, ineffective mechanisms to measure the impact of policies, and overall unwillingness to be seriously committed to the goals (EU Roma Policy Coalition, 2008). This reflects on the level of dedication of individual State Parties who mirror the EU attitude, which then results in little or no effort being taken at national levels to seriously tackle the issue of discrimination (Novak, 2004).

### 3.4 The national legal obligations on the right to education

The State of the RoC has ratified international and regional human rights documents that directly pertain to education and minority rights (see Annex I). The Constitution also reflects the provisions of ratified treaties, including the principle of free and compulsory primary education (The Constitution of the RoC, Article 65, 1992). Along with the Law on Elementary Schooling, the State has adopted the Law on Education in the Language and Script of National Minorities (2000) that specifically refers to allocating budget “needed for the ordinary activities of state schools, classes and educational groups in the language and script of national minorities... [but] the law fails to define clear conditions and procedures for the implementation of the educational models envisaged, giving rise to disputes over the respective responsibilities of the state, county and municipal authorities for the establishment of schools with education in minority language (in AI, 2006: 37).

In addition to above-mentioned national legislation on education, Croatia’s candidacy for the EU accession prompted the State to develop two policy plans which intertwine in addressing the situation of Roma, including their right to education: the NPR-2003, and the Action Plan 2005 as a part of the Decade of Roma Inclusion. However, there is a downside to these two documents. Firstly, “the main educational program merely refers to these specialized documents in addressing the education of Roma” (OSI, 2007: 85). This indicates insufficient connection between specific educational provisioning specified in the NPR-2003 and AP, and the Law on Elementary Schooling that produces the main educational program: curriculum, textbooks, classroom activities, etc. Consequently, educators who are implementing these policies by working in schools directly with children often fail to create multicultural learning environment because “[...] in practice the curriculum is not sufficiently flexible to allow teachers to meet the needs of a multiethnic classroom...” (OSI, 2007: 127). Additionally, teachers lack adequate training that would address working with children of diverse cultural identities, including the Roma culture. NPR-2003 and AP do not address specific strategies on training the teachers in such a diverse environment. Thus, by law primary education is available as free and compulsory for all children in Croatia, but it is not accessible to a diverse pupil population (AI, 2006; OSI, 2007).

The State is also failing to address its obligations to protect the Roma children from discrimination by other students as well as teachers in the school system. In its research AI (2006: 47) reports that “of the Roma children included in the research, 89 per cent said that they did not feel accepted in the school community and 76 per cent that they were verbally harassed and excluded from social activities...” In the same way, the State is failing to respect “Roma culture and traditions [because they] are not included in a systematic way in school curricula... teaching process... textbooks” (ibid.; 47-8). Such an educational environment is not only exclusive to the Roma children, but it denies their full access to primary education, as the State obligation to fulfill its duties in accordance with ratified international and regional treaties that are enshrined in the Constitution of the RoC. This also goes against the goals and strategies of NPR-2003 and AP. Not surprisingly, in the most recent

concluding observations of the CRC (2004), the committee “remains concerned about the effective implementation of these legal instruments [...and] about the insufficient coordination between the existing and newly created government bodies [in implementation of NPR-2003]” (in AI, 2004: 16, 28).

Another serious discrepancy between the law and practice is manifested by a lack of implementation of the right to education in minority language, particularly the absence of Romani language in the curriculum, textbooks and classroom activities. Given that only 6 per cent of Roma speak Croatian language in their homes, that language barrier presents a serious problem once the Roma children enter the primary school (OSI, 2007). Although by law (on national minorities, as well as in NPR-2003 and AP), the Roma have the right to be educated in their own language; however, absence of teaching materials in Romani language and teachers who know how to speak it make implementation of law impossible (AI, 2004, 2006; OSI, 2007). Government officials at the Croatian Ministry of Education and NPR-2003 give reasons for such situation as “Roma cannot agree on what their language is” (in AI, 2006: 49).

Lastly, the State obligation to fulfill duty in creating conditions for long-term educational effect in developing tolerance, peace and human rights in our society is not clear yet. NPR-2003 in particular talks only about developing “optional activities for Romani children who want to nurture their Romani culture, customs, and traditions” [...] Such activities should instead be open to all children, Roma and non-Roma alike, with a view to introducing in schools a truly inclusive and multicultural curriculum (in OSI, 2007: 115-6).

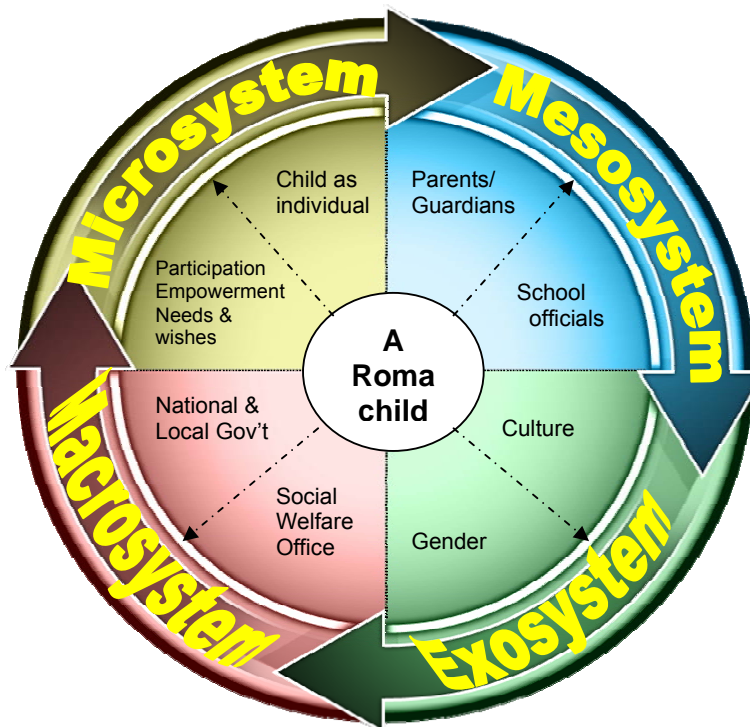


## Chapter 4

### Contextual Discussion: Education of the Roma children in Croatia

Contextualizing the right to equality and inclusive education of the Roma children requires a holistic analysis of involvement of different stakeholders that (ideally should) intertwine in the formation of a Roma child's life, particularly in the aspect of having equal opportunities to maximize their educational potential. For the purpose of the analysis presented in this chapter I use concepts of Bronfenbrenner's EST to illustrate the linkage (or lack thereof) between the Roma children (microsystem), their parents/guardians and teachers (mesosystem), Roma culture and gender traditions (exosystem), and finally the stakeholders at the national and local government offices related to minority, human rights and education. Figure 9 is a visual illustration of the framework for analysis of field data by which interlinked dynamics of each system provide or hinder opportunities for equality and inclusive education:

**Figure 9**  
**Framework for Analysis of Equality and Inclusive Education**  
 In the context of the Roma children in the Pehlin settlement (Primorsko-Goranska County)



Source: Own illustration

## 4.1 Microsystem perspective: Voices of the Roma children

For children living in Pehlin, one of the largest Roma settlements in Rijeka, daily life differs to some extent from their non-Roma peers but they are not complaining. When I asked them during our focus group discussion in July of 2008 to describe their daily routine, a boy D (10) explains: *“We get up early, sometimes four or five in the morning if we need to get the plastic bottles; after that we go to the beach, we like to swim.”*

It is already implied throughout this study that a wider exclusion and discrimination against the Roma in Croatian society mirrors the values of education system, hence discrimination of the Roma children. Contrary to widely accepted presumptions about negative attitudes of the Roma children towards education, these children expressed positive views on schooling. D (10) says: *I failed the 4<sup>th</sup> grade this year so I will have to repeat it.* When I asked why he failed, he replied: *Because I did not go to class... I spend time looking for things to bring home to sell, or just on the street; but I will do better next year; I need school to become a car mechanic.* The others agreed that sometimes they had to help around the house (especially girls with the house chores or babysitting) and therefore skip school. G (13) said his favorite subject was Croatian language and that he hoped to become a language teacher. Girls F (13) and Z (14) from family #5 (see Annex IV) informed me that they felt they were getting little out of their English classes and wished for additional teaching so they could learn better English. All concurred that studying at home was impossible because they get distracted by other siblings, or parents who need help around the house. Girl A (12) said she likes school despite sometimes feeling bad about not having homework or not being able to study at home especially after dark because their house does not have electricity.

When I asked children about their feelings towards teachers and other children, a boy E (11) initiated the discussion by saying that other children don't like to play with them, that sometimes they call them “stinky gypsies”, or tell them to go away. *That's why I play with my friends from Pehlin,* continued E (11). The girls reported having no problems with other children, ... *but sometimes I feel embarrassed because my clothes are not as nice like the other girls* (A, 10). In the children's words, teachers were generally helpful. *Some teachers come to us and want to help us do our homework, they listen to us, other teachers are easy... they never ask us too much and they give us a passing grade,* said J (12).

Our focus group discussion ended with children expressing their expectations, hopes and wishes (I asked three wishes they had if they could catch a goldfish). The answers varied, from simple ones such as *to be happy, to eat ice-cream, to learn English, to play games, not to go to the waste* to those more ambitious (from older children) such as *to become a teacher, to get a job, to help my family..*

Analysis of this focus group discussion shows that the Roma children do show interest in attending and completing education, as well as ambitions to ‘become somebody in life, not a beggar or garbage-digger’. However, it became clear from their conversation that poverty (priority is daily survival by collecting plastic bottles and secondary raw materials, babysitting), negative attitudes from teachers and other children in school, and not getting ‘enough’ knowledge and skills from classes (i.e. teachers *just* giving passing marks, want

to learn more in English class) are significant obstacles attaining equality of education from the perspective of Roma children. Such a situation indicates that those children are not encouraged to be empowered and active participants of their own learning, which goes against the principles of the RBA to education and consequently prevents maximizing educational potential of the Roma children.

## 4.2 Mesosystem perspective: Voices of the Roma parents and teachers

I began my interview with the Roma parents by asking this Roma father X his opinion on education of the Roma children:

*It's hard to believe that education will help the Roma because although I finished primary school, as soon as they [employers] see me they refuse to hire me. Look at me, my skin is darker than yours; I wear ragged clothes; I have no teeth because I have no health insurance. And how do I tell my children that they will have better life if they go to school? What do they get in school that helps them survive later on? We are the Roma; that will never change! (A Roma parent X, Annex IV, family #5)*

In other families, I found similar responses from the Roma parents. They are hopeless in realizing the applicability of what they gain from education. In other words, they are not able to see the connection between successfully completed education and a better life from an economic and social perspective. However, virtually all interviewed Roma parents expressed a desire for their children to complete education, even at the higher level.

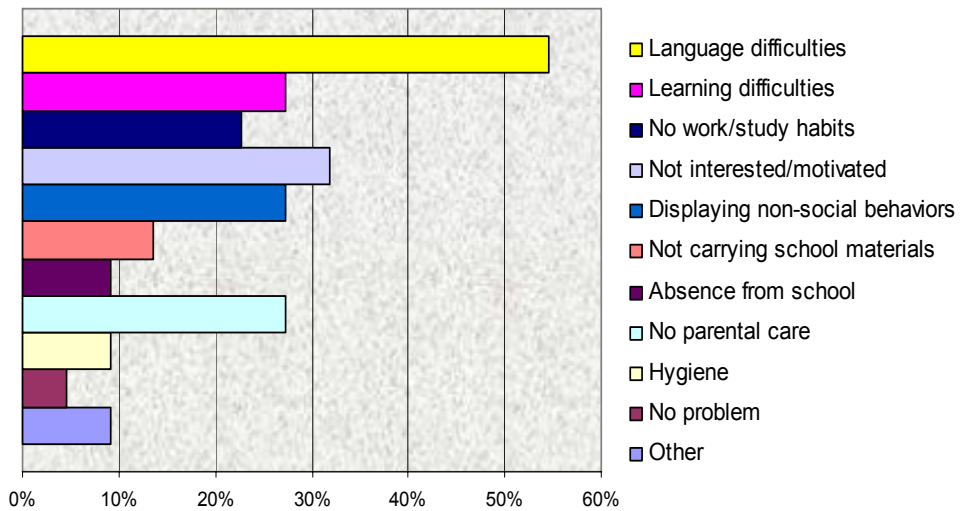
The Roma parents also indicated having a poor relationship with their children's school teachers. In their opinion, the reason is a negative perception by school officials and policymakers about the role of Roma parents in their children's education, as it was expressed in this interview:

*Teachers and those politicians who think they are helping us never come here to ask me and my child about school. Teachers say we don't want to come to school because we think school is bad for our children, but imagine my day: I get up at three or four in the morning just to be the first on the waste disposal; I rummage around tons of garbage looking for worthy things to sell until four or five in the afternoon, or even longer. I come home exhausted, but I don't stop working. There is dinner to be prepared and things around the house. Now you tell me, does this mean I don't care about parents-teachers meetings and that I don't want the best for my children? (A Roma parent, Annex IV, Family #6)*

In the primary school Pehlin, the Roma children consist of 18.1% of the total pupil population (Regional Office for Primary Education, see Annex V Interviewee #7). This is the school with the largest number of the Roma children in the county Primorsko-Goranska (PGC). Teachers surveyed in the "OŠ Pehlin" spoke about their daily frustrations caused by a lack of cooperation from the Roma parents and the education system in general.

According to the responses from teachers, difficulties in educating the Roma children occur due to the various reasons illustrated in Figure 10:

**Figure 10**  
**Difficulties in Educating the Roma Children**  
 According to the teachers of “OŠ Pehlin”



Source: Own survey (22 respondents)

Difficulties in communicating in the Croatian language, lacking parental care (no homework) and a perception of the teachers that the Roma children are not interested or motivated to learn are the most repeated statements by teachers (also shown in Table 2 Annex V).

*My experience in teaching the Roma children is that they face difficulties in communication because of an inadequate knowledge of Croatian. A lack of cooperation and communication from the parents, and it also happens that some of them [Roma children] have lower intellectual abilities, and they are also not interested in doing school work (Teacher #14).*

Others more bluntly point to the challenges brought about with the presence of the Roma children in the school system. *My experiences in working with the Roma children are negative; they are arrogant, and indecent; they cannot absorb the same amount and the same quality of curriculum like other children (Teacher#5).*

When I asked the teachers what should be done in order to provide more efficient and adequate conditions for teaching the Roma children, 14 out of 22 teachers see a solution in making the Roma parents and their community more aware and involved in the school achievements of their children. There needs to be a change in the mentality of the whole population [the Roma] (Teacher

#1)... A change in the attitude towards school, first for the Roma parents, then their children, is needed (Teacher #9). Additionally, the teachers think the Roma children should be required by the State to attend preschool, which so far is only voluntary. During preschool, they [the Roma children] should be taught how to speak the language, and appropriate manners, and hygiene (Teacher #6). The majority of answers (72.7%) given by the teachers indicate that the obstacles in attaining equal opportunities in education of the Roma children come about in negative attitudes of the Roma children and parents towards school and learning, as well as their lifestyle and traditions, not the education system itself:

*Teachers are too overwhelmed; some of them take initiative to learn Romani [...] but all their effort is in vain because the resistance comes from the Roma. I don't see why I would spend my extra energy and will on students who are not interested in working with me; plus they don't care about achieving success in school. (Teacher #5)*

Only two teachers said that additional training of school staff would be a necessary step in conquering the challenges in working with Roma children. *Teachers should be more educated about the Roma” (Teacher #8). One part [of the solution] lies in teachers becoming more familiar with the Roma culture and at least some Romani language (Teacher #12).* Interestingly enough, all 22 teachers indicate that there are absolutely no programs or activities that teach all children about the Roma culture, traditions, language and lifestyle. They all agree on the need to incorporate and implement such classroom activities and learning methods on diversity. However, teachers expressed frustrations with their own workload, poor salaries and disbelief in the education system, which has an effect on their attitudes and opinions on the Roma children as shown in their final remarks:

*I think that the teachers are educated enough, and that a huge burden which belongs to the other part of the system is put on our backs instead. (Teacher # 21)*

*There is no cooperation with other social institutions who deal with the Roma. Plus, the whole education system is in a desperate need of educated professionals who will offer training and new methods in dealing with diversity like the Roma pupils. But the Ministry of Education doesn't do much about that, I think. We, the teachers, are powerless in that. This is the problem of the State. (Teacher #10)*

Received feedback from the Roma parents and teachers on the education of the Roma children demonstrates a number of concerns in the education system. Primarily, it lacks a clear analysis of dynamics that need to involve participation of all parties belonging to the education system: children, parents, teachers, and the policy-makers. In the current education system everyone has their own agenda and there is no dialogue between parties involved, including the absence of the voice from children. Both Roma parents and the teachers are wrapped up in dealing with their personal burdens that indirectly affect the delivery of quality education to the Roma children. The Roma parents are overwhelmed by trying to survive difficult economic, social and political

disadvantages, while teachers feel underappreciated, overworked and powerless in participating in decision-making concerning their chosen profession. Clearly, this environment is not conducive to harmonious and equal participation of all the parties involved.

In addition, as reported by teachers, there is nothing about the Roma culture, traditions, history and language in the curriculum, textbooks or the classroom activities. Such a situation acknowledges and sustains social exclusion of the Roma in Croatian society, which in turn obstructs development of inclusive education. Discriminatory beliefs and negative attitudes of school officials towards the Roma children and parents are another obstacle in offering the Roma children equal opportunities to maximize their educational potential. The Roma children remain invisible, silenced by an exclusive education system in which stakeholders fail to cooperate.

### **4.3 Exosystem perspective: Influence of the Roma culture and gender on education**

In addition to the previously described obstacles, the distinct Romani culture plays a significant role in attaining equality of education, especially when it comes to gender.

*Tradition is very important to the Roma; I would say that most of my people respect tradition more than the rule of law. But, we have to be real... Some traditional rituals that we follow to the bones are not good anymore; time has changed, my kids live in a different world than what it was when I was growing up. We must adjust our thinking, especially for the sake of our Roma women who silently suffer under some ridiculous and old patriarchal rules. Some families still today pull out their daughters from primary schools; as soon as a girl gets her first menstruation, she leaves school, gets married and starts making children. The girls are too young and they do need education! (A Roma woman, Annex V Interviewee #9).*

In my conversation with other Roma women in the Pehlin settlement, I was told that the Roma girls indeed do enter marriage at early age, usually at the age of 14 when she is traditionally sold-off to the groom's family. The Roma woman is expected to obey her husband and father-in-law, take care of household chores and raise many children. Consequently, the girls are pulled out of school or never even enrolled. In the Pehlin settlement I spoke to a young Roma mother N (26) who was married at age 14 and currently has six children:

*I believe that a Roma woman should follow tradition and be a good wife and a mother. That is important to me. I didn't finish primary school but I don't regret it because I think my life would not be any different if I did. I will send my children to school so that they learn how to write, which is the only thing that the Roma get out of school, even if they finish all 8 grades. (A Roma woman C, Annex IV family #6).*

In other families (#3 and #4) I came across different attitudes about respecting the gender traditions and education. The teenage girls in both families managed to complete primary school and are currently enrolled in vocational high school for hairstylists. A mother of three girls in family #3 says: *“I never finished school but I don’t want my girls to be like me; they will get married as soon as they graduate”* (A Roma woman, Annex IV Family #3).

Nevertheless, there are examples of Roma women who see education more important than sticking to the traditional patriarchal rules. At the end of my fieldwork in July, I spoke to a single mom F who shared her courageous story:

*I was 13 when they sold me to a Roma man that I never met before. Immediately when I was married, I stopped going to school because I was pregnant. He was very abusive and strict. I had to listen to his orders until one day when I decided to tell the social worker who was coming to see the children. With her help, I managed to leave him. He was in jail at that time. I was afraid for my kids because according to our traditions when a wife leaves her husband, she has to leave the children with him and never talk with them again. I managed to escape with my children. People from the social welfare found me this apartment and help me with financial assistance. All of my five children go to primary school and get As and Bs. Teachers are very happy with them; they’ve never reported any problems. I don’t have education but my children will because they will be successful people. (A Roma woman F, Annex IV family #7)*

Interviews conducted from the Roma women in the Pehlin settlement reveal existence of obstacles in attaining education for the Roma girls. These obstacles are the product of traditional gender beliefs and practices in the Roma culture, such as respecting the tradition of marrying at the young age, staying home and raising the family with many children. As shown in statements made during the interviews, while some Roma women value obeying the tradition more than completing education, other Roma women believe that finishing primary school is more important than respecting tradition. However, due to the space and scope of this study, it is impossible to draw general conclusions about the relation between the Roma gender dynamics and educational attainment. Further research on this specific topic is needed.

#### **4.4 Macrosystem perspective: A view from the national and local government**

Input from the local and national policymakers on education, minority and human rights is very important in developing, establishing and implementing legal regulations which must ensure conditions for equality and inclusive education.

Since the Pehlin settlement is under a local jurisdiction of the county Primorsko-Goranska (PGC), interviews with the various government stakeholders began at the local government level, more specifically in the Office for the National Minorities (ONM), the Office of Social Welfare (OSW)

and the Office for the Primary Education (OPE). Feedback received from the conversation with Head of the ONM and her assistants demonstrate negative attitudes of the State employees toward the Roma in general:

*The Roma create problems for themselves. Are other citizens [non-Roma] taken by the hand to get information? No! The Roma should be more engaged in going to get information on citizenship, birth certificates, IDs, etc. just like everyone else. No one is going to come to your door and tell you what you have to do! You do it yourself. But the problem is that the Roma are lazy and they like to live this way, with no responsibility. It will take years for them to live in normal living conditions or maybe never, and that is because they choose to live like that! (A State official at the ONM, Annex VI Interviewee #2).*

*The Roma don't care about education. It is the Roma parents who don't value education as a priority. They teach their children that education is useless for them, so they ingrain such negative values about education onto the children. Thus, their mentality needs to be changed if they want to be successful in school. (A State official at the OPE, Annex VI Interviewee #7)*

Such personal attitudes and biases of the State officials working on the matters of national minorities and education endorse institutionalized discrimination against the Roma. As the creators and enforcers of legal regulations in the society, they have a considerable effect in embedding such negative values onto other members of society, who then see discrimination of the Roma as common and justified. Nevertheless, the system identifies the Roma as irresponsible and lazy because *they are good at playing the system, using whatever social welfare assistance we offer to them, rather than being educated and having formal jobs like other members of our society (A State official at the OSW, Annex VI Interviewee #1)*. The system at the local level fails to see its own pitfalls. Along with institutionalized discrimination against the Roma, they enable Roma's dependence on this social welfare by merely providing them with a number of opportunities for financial assistance (see Annex VI Interviewee #1). Such a system resembles the needs-based approach, which does not allow space for empowering the Roma by teaching them how to use the fish-stick rather than giving them the fish.

Institutionalized discrimination and negative attitudes toward the Roma are also found in the government offices at the national level. Here the Roma are perceived as recipients of financial assistance from the government, rather than people who need to be empowered, given equal opportunities and recognized as equal members of society. An hour of interviewing the assistant to the Head Office for the National Minorities in the capital city of Zagreb consisted of hearing how much progress the State has made with the NPR-2003, and how much money the Vice Prime Minister (also in charge of the NPR-2003 implementation) dedicated to the Roma. When I asked what happened with the planned research study "The Roma in Croatia: Assimilation or Integration" set in the goal of NPR-2003 (chapter IV, section 4 – deadline 2004), I was directed to read the NPR-2003 Annual Reports in which it says that it was "not achieved due to lack of resources" (NPR, 2007: 24). The



interview ended with an excuse of having to attend important meeting when I asked what happened with the budget of 100,000 KN (approx. €14,038.97) assigned for that goal alone.

In the National Office for Human Rights (NOHR), also in the capital city, I was told about successful programs, seminars and campaigns that have been organized to spread awareness about the Roma rights, not only to the Roma, but to all citizens of Croatia. However, I could not get a straight answer as to who actually benefited from them and to what extent.

*Well, that is something that we are still working on. We do lack statistical data, but we believe there is progress and positive effects. The Roma are present in all our programs, including the children. We are following our State obligations according to the law and treaties, including the CRC. (A State official at the NOHR, Annex VI Interviewee #6)*

Empowerment and participation of the Roma is still absent from implementation of policy concerning the rights of the Roma. This was also confirmed by the Head of the Office for Human Rights who told me that *we don't go to the settlements to talk to the Roma but they have their regional representatives who are the voice of Roma and with whom we have regular contacts (A State official at the NOHR, Annex VI Interviewee #6)*. Although in this study it is impossible to substantiate existence of probable political and economic self-interests of all Roma representatives in Croatia, the Roma people in the Pehlin settlement expressed their discontent with their regional representative who *is more interested in getting rich than helping his people to have a better life (A Roma woman, Annex VI, Interviewee #8)*. Additionally, interviews of the Roma people in the Croatian daily newspapers marked the International Day of the Roma who indicated that the celebration was for the Roma representatives working for the government officials, not the ordinary poor Roma (Mrkić-Modrić, 2007; Svirčić, 2008).

Besides absence of the Roma participation and empowerment to act and to make their opinion heard in the matter of implementing legal regulations, another concern is a lack of dialogue-exchange between various governmental departments (i.e. education, national minority) at the local and national levels:

*We don't pay that much attention in following the goals set by the NPR-2003. We have our own agenda at the local level, and we go mostly by that. We do, however, write annual regional reports that are submitted to the NPR committee in the capital and reflect implementation goals set by the NPR-2003. These reports are written based on the feedback that we get from the Roma representative. He informs us how well the goals are implemented in the Roma settlements. (A State official ONM, PGC, Annex V Interviewee #2).*

What happens at the macrosystem level is important for the education system because educational provisioning has a direct impact on the structural relationships and values promoted in education. Negative attitudes and discrimination of the government officials, a lack of will for implementation

and an absence of continuous dialogue between government departments reveal significant obstacles in creating conditions for equality and inclusive education. While the macrosystem prides itself on a high number of enrolled Roma children in primary schools, it falls short in showing who goes to school, who teaches, what is taught, how child-friendly schools are, how well the Roma children are taught as well as what values are being implemented in schools.

*The need is not on emphasizing the number of enrolled Roma children in the school system, or on copying programs done in the neighboring countries. The real concern of the State should be on achieving the equality of opportunities and outcomes, as well as the quality provided to the Roma children in the Croatian context. Where is the promised education on intercultural tolerance and human rights? There is absolutely nothing in the curriculum about Roma history, culture and lifestyle! Moreover, the larger system is constantly passing blames and responsibilities from one system to another. Now add to that the years of discrimination against the Roma and you might have a slight understanding of what it means to be a Roma child in this country! (A social worker, Annex VI Interviewee #3)*

For equality and inclusive education, as implied by this social worker, systems at all levels should be participating and exchange dialogues in providing conditions that nourish the respect for diversity of children's backgrounds, tolerance and human rights. Government officials who are working on educational provisioning need to become role models to other members of society by implementing non-discriminatory and intercultural policies in curriculum, textbooks and educational programs, as well as in their personal attitudes. Nevertheless, the voices of Roma children, parents and teachers are crucial component in interlinking the various system to provide equality and inclusive education.

## Chapter 5

### Final thoughts

#### 5.1 Looking back: Education as the reflection of society

The central focus of this study has been the right to education. In analyzing this fundamental human right, one must go beyond legally binding ‘blueprints’ embedded in international, regional and national regulations and understand how this right is perceived and experienced from different angles. This is important because attaining the right to education entails more than just establishing schools, hiring teachers, developing curriculum and textbooks, and having compulsory enrollment in primary schools. The education system is not a neutral arena where children and teachers simply engage in knowledge and skill distribution. It is rather diffused in a web of structural relationships that happen inside and outside the education system. Interaction of formal factors like educational provisioning (law and regulation, curriculum, textbooks, teaching methods, etc.) and informal factors like individual values, perceptions and beliefs of diverse cultural, ethnic and religious backgrounds brought in by children, parents and teachers mirror the values of society. How formal and informal factors of education system respond to those values has a profound impact on the acquisition of knowledge, skills and social responsibilities ingrained in children. Who goes to school, who teaches, in what kind of environment, what is taught and how well are children taught are important matters to consider when analyzing the fundamental right to education.

On reflection of the need to go beyond legal obligations in understanding the right to education, this study has been engaged in examining how the current Croatian education system responds to ensuring the right to education for the Roma children in relation to their socially excluded status in Croatian society. Characterized with a distinctive cultural identity, lifestyle and language, the Roma in Croatia are historically tormented with rejection, intolerance and discrimination. A high unemployment rate and poverty among this legally recognized national minority have also contributed to their excluded status. Although by legal regulations at the national level and ratified international and regional human rights documents the Roma children have the right to education, they still face many barriers in achieving their educational potential, including the right to education in their own language.

A lack of integration of the Romani history, language and culture, no intercultural education based on human rights for all pupils and subliminal messages expressed through personal prejudices and negative attitudes of school officials, parents and children against the Roma are reflection of widely-accepted discrimination and social exclusion of the Roma in Croatian society. Moreover, an education system that fails to incorporate learning programs on diversity, intercultural respect, human rights and equality of all students only encourages the continuation of exclusion and discrimination against the Roma. As a result of such an exclusive education system, the Roma children are not

able to receive education that can maximize their potential and help them to overcome multidimensional deprivations, including unemployment and poverty. Additionally, other children (non-Roma) are taught that discrimination and intolerance against those who have different cultural, ethnic or religious identities than the majority are legitimate values. Thus, promotion of an exclusive education system has negative consequences for the well-being of Roma children, as well as for the society as whole because it nourishes conditions where rights and freedoms are jeopardized.

## **5.2 Looking ahead: Transforming the education system**

An exclusive education system fails to see beyond legally binding regulations on the right to education. It also disregards potential, talent and cultural backgrounds of each child as an active participant in the making of his or her own world presently and for tomorrow. Instead, an exclusive system acknowledges individual differences as obstacles in upgrading all members of society to turn their diverse knowledge and skills into productive benefits that contribute to peace, tolerance and respect for human rights in society.

Creating conditions that will incorporate and celebrate diversity of all children with no exceptions to their origin and cultural identity is an important part of ensuring the right to education for all. Along with access and availability of education, all children should receive equal quality education which consists of ensuring equal opportunities to maximize his or her educational potential during the course of education and later in life. In such inclusive education, cultural identity of the minority children like the Roma would be embraced as acquisition of social responsibility and respect for tolerance and human rights of all members of society.

For this to happen, the education system in Croatia has to consider a number of factors for transformation. To begin with, the principles of the RBA should be set in stone, ensuring equality and inclusive education: non-discrimination, participation and empowerment of all actors involved in the process (i.e. children, parents, teachers, policymakers), as well as accountability and transparency of the State as the primary duty-bearer. A detailed analysis of power relations among different systems is necessary in creating a holistic and contextual picture based on valid representations not assumptions and biases against the Roma. Curriculum, textbooks and new teaching methods based on human rights and tolerance need to become a central focus of inclusive education system if education is to handle adaptation to diversity. Only in an inclusive education system that is based on the principles of the RBA and exchange of values and cultural backgrounds will it be possible to establish equal opportunities for all children, including the Roma, to maximize their educational potential. In turn, the Roma will see education as possibility of breaking the circle of deprivations and poverty, rather than just another institution that discriminates them and reinforces their excluded status in Croatian society.

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## **Annexes**

# **Annex I: A list of international and regional human rights documents ratified by Croatia**

## **INTERNATIONAL HUMAN RIGHTS TREATIES**

Universal Declaration of Human Rights (1948)

International Covenant on Civil and Political Rights (1966) and the Optional Protocol to the International Covenant on Civil and Political Rights (1966)  
*ratified 08.10.1991*

International Covenant on Economic, Social and Cultural Rights (1966)  
*ratified 08.10.1991*

International Convention on Abolishment of All Forms of Racial Discrimination (1965) *ratified 08.10.1991*

Convention on Elimination of All Forms of Discrimination Against Women (1979) and the Optional Protocol to the Convention on Elimination of All Forms of Discrimination Against Women (1999) *ratified 08.10.1992*

Convention on the Rights of the Child (1989) and the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography (2000) *ratified 08.10.1991*

Declaration on the Rights of Members of National or Ethnic, Religious or Language Minorities (1992)

## **REGIONAL HUMAN RIGHTS TREATIES**

Convention on the Protection of Human Rights and Fundamental Freedoms (the "European Convention on Human Rights") (1951) and the Additional Protocols thereto *ratified 05.11.1997*

Framework Convention for the Protection of National Minorities (1995)  
*ratified 11.10.1997*

European Charter on Regional and Minority Languages (1992)  
*ratified 05.11.1997*

Source: NPR (2003) and UNDP (2006a: 85)

## Annex II: Some indicative questions for interviews

### I. Teachers of the “OŠ Pehlin”, Rijeka, Croatia

#### *A. Statistical information*

01. Name of the primary school: \_\_\_\_\_
02. Circle:    Male        Female
03. Occupation: \_\_\_\_\_
04. Your degree: \_\_\_\_\_
05. Work experience in education (years): \_\_\_\_\_

#### *B. About the Roma students in your classroom*

06. Total number of students in your classroom (if you teach more than one class, write an average number of students per class): \_\_\_\_
07. Total number of the Roma students that you teach: \_\_\_\_
08. What is your experience in teaching the Roma students in your class(es) (difficulties, observations in relation with other non-Roma students)?
09. What are your experiences/opinions/observations about the parents of the Roma students from your class(es) or generally in your school?
10. In your opinion, what is (are) difference(s) between the Roma students and non-Roma students, if any?
11. State at least three reasons why ALL Roma children are not included in the school system.
12. What kind of difficulties/challenges do you face in your work with the Roma students? What do you do to solve those difficulties/challenges?
13. In your opinion and observations, how do the non-Roma students behave towards the Roma students (during and after the class)? What differences in behavior have you noticed?
14. According to your observation, how do the Roma students behave when they are around the non-Roma students?
15. In your opinion, have you noticed differences in male and female Roma students? If so, what are those differences?
16. Are there any students of other national minorities (i.e. Serbs, Italians, Hungarians) in your class or school? If so, have you observed any differences in behavior and competency between them and the Roma students? If so, what differences?
17. What difficulties do the Roma students face during the lecture, completing school assignments and homework, etc. (competency, skills, knowledge, etc.)? Please, be specific.
18. In your opinion, what should be done to minimize or end those difficulties?
19. What is your opinion on the need to implement and conduct more

- intensive training of teachers related to the new and more flexible methods of working with students and parents of the Roma population?
20. Currently, are there any programs or activities in the class or school where the Roma students are able to present their culture, language and tradition to the other non-Roma students? If so, what are those programs and what are the reactions of the Roma and non-Roma students and teachers?

## **II. The Roma parents**

*The Roma settlement "Pehlin", city of Rijeka, Croatia*

01. Where do you live? Living conditions (water, electricity, sewage)? How big is the space where you live? [This mostly refers to the personal observations since interviews took place in their own space]
02. What is your educational level and your current occupation?
03. Are you able to meet the needs of bringing up your children?
04. Are you receiving any social welfare assistance?
05. What language do you use in your place of living?
06. What are your goals in life?
07. Do you have any concerns about your children's behaviors or development?
08. Is there anything that your children are missing? Do you think this settlement is a good place to raise your children? Why?
09. How many children do you have? Do they all go to school?
10. In your opinion, what is the most important reason why your children go to school? Other reasons?
11. Do you help your children with homework, studying? If so, how?
12. Do you go to the regular parent-teacher conferences? Why?
13. How is your relationship with your children's teachers?
14. What are your expectations of what school should offer to your children?
15. In your opinion, how are school officials treating your children?
16. How are other children (non-Roma) treating your children in school?
17. Do you think that classes should be lectured in the Romani language? Why?
18. In your opinion, what do you think is the reason that only small number of the Roma children are included in the school system?
19. Do you receive help in getting books and other school material for your children?
20. Is your child happy in the school that s/he attends?

## **III. Local and national government**

*City of Rijeka, County PG City of Zagreb, Government of the Republic of Croatia:  
Office for National Minorities, Office for Human Rights*

01. From the perspective of your position and work, what is the current situation of the Roma in Croatia, and particularly the PG County ?

02. In what ways do you work with the Roma population? How are they included in your work?
03. What is the current situation on education for the Roma children in Croatia/PG?
04. With whom do you collaborate in your work about (for) the Roma?
05. How is your work connected with the National Programme for the Roma (2003)?
06. For the Office of Human Rights: What international instruments do you refer to in your work? How do you deal with budgeting? What is your connection with the Roma NGOs? What are the procedures to get financial assistance from your office? What approach do you use in your work?

#### **IV. Local government Senior Social Welfare Officer/the State Social Workers**

*City of Rijeka, County PG*

01. How do you assist the Roma population, and in particularly the Roma children?
02. What is the current situation of the Roma, and their children in the County PG from your professional experience?
03. In what ways are you incorporating the National Programme for the Roma (2003) and other legal measures in your work with the Roma and their children?
04. In what ways do you include the Roma in your work? Approaches?
05. What are the programs/activities for the Roma rights? Do you work with other partners like the Roma NGOs, government, etc?

#### **V. The Roma children – focus group questions**

01. What makes you happy? What makes you sad?
02. What is your worse fear?
03. What do you like to be when you grow up?
04. What do you do in your free time?
05. If you catch the gold fish, what would be your three wishes?
06. Who is your role model? Why?
07. What kind of games do you like to play?
08. Who are your best friends? Do you play with the non-Roma children?
09. Are other children mean do you? When and how?
10. In your opinion, are you different than other children?
11. Describe yourself? Your family?
12. What is the most important thing that you've learned from your family?
13. Do you work? How often and what kind of work?
14. Where do you go to school? What grade? Do you go regularly?
15. Why do you go to school?

16. How did you complete last grade?
17. Is it hard to study? Who helps you? Do you wish you could study in your language?
18. What are your favorite subjects, what are the least favorite ones? Why?
19. Describe your relationship with teachers. Do you like them? Which one do you like the best? Why? Is s/he fair to you? Does s/he help you?
20. How do you get along with your classmates? Do they listen to you? Are they fair to you? Do they tell you bad words? Do they ignore you sometimes?
21. Do they treat you equally as other children?
22. Is it difficult what you are studying? What would you recommend to your teachers to make studying easier?
23. Are you happy that you are going to this school?
24. What do your parents do if you don't study well in school or skip school?
25. Is there anything else you would like to say?

## Annex III: A list of participants and research methods

**Table 1**  
**List of Participants and Research Methods**

INSTITUTIONS	INDIVIDUAL PARTICIPANTS	RESEARCH METHODS
<b>Local government</b> <b>City of Rijeka</b>  County PG-Ri	Senior Social Welfare Officer: Ms AQ. Head of the Office for National Minorities/Regional: Ms WS Head of the Office for Education/Regional: Ms LP Deputy Head: Ms DB	SEMI-STRUCTURED INTERVIEWS  <i>4 total</i>
<b>National government</b> <b>City of Zagreb (capital)</b>  Ministry for National Minorities  Office for Human Rights	Head of the Office for National Minorities: Ms JK Deputy Head: Ms GR  Head of the Office: Mr HP	SEMI-STRUCTURED INTERVIEWS  <i>2 total</i>
<b>State Social Workers</b>  Center for Social Welfare City of Rijeka	Ms RT Ms YN	SEMI-STRUCTURED INTERVIEWS  <i>2 total</i>
<b>Teachers</b>	Primary school "Pehlin"	SURVEY  <i>22 total</i>
<b>Roma NGO</b> <b>"Bolji život"</b>	Ms FR	NON-STRUCTURED INTERVIEW  <i>1 total</i>
<b>Roma parents</b>  The Roma Settlement "Pehlin" City of Rijeka	6 mothers, 1 father 1 grandfather / guardian	NON-STRUCTURED INTERVIEWS  <i>8 total</i>
<b>Roma children</b>	4 boys: age 10, 11, 11, 12 5 girls: age 12, 12, 13, 14, 14	FOCUS GROUP  <i>9 total</i>

Source: Own illustration



## Annex IV: Background information of the Roma children and their parents/guardians

**FAMILY #1** consists of a grandfather who is the head of household, and a guardian of three primary school children, a **girl A. (12)** and two **boys S. (11)** and **D. (10)**. These children are in his custody because their father (and a son of this elderly man) was arrested on the grand theft charges and currently serves his prison sentence. Their mother left them for another man. She resides in the same settlement but has no contact with them. This is due to the Roma custom which says that if a mother leaves the house for another man, the children always stay with their father and have no connection with their mother after she leaves the house. This elderly man had another son who died four days after being sent to the hospital due to sudden illness. Cause of death is still unknown. His third son (24) is sick with cancer and (at this moment) is placed in the medical care at the retirement home (when I asked why he was sent to retirement home at age 24, the social worker said the State had nowhere else to place him due to the seriousness of illness and the need to have medical staff on his side all the time).

D. (11) was in the 4<sup>th</sup> grade (school for children with special needs) but failed all classes, and will have to repeat the same grade this coming school year. He says school comes hard for him, especially reading and writing. Grandfather acknowledges that D. has some sort of disability which enables him to do well, but the boy says he likes the school and will try to pass the 5<sup>th</sup> grade this year.

A. (12) is in the 6<sup>th</sup> grade this coming year. She likes to go to school and passes classes so far with Cs. Grandfather proudly displays an “Award Certificate” earned by the third grandchild S. (11) who will be going to the 5<sup>th</sup> grade in September. The award is shown in the glass cupboard at the entrance, which grandfather says it’s “a proof of my struggle to raise these children well on his own, to be something important in life unlike their parents”.

Grandfather cried during the whole interview. He explained he wanted to give them a good education and prepare them for life but feels powerless and unable to follow their school work, go to school for parent-teacher conferences and be able to offer them a good place to study and pay for additional school materials. He is preoccupied with his recent second son’s death, and illness of his youngest son. This family is receiving social welfare assistance, which amounts to approx. €50 per grandchild per month.

### *Observations*

All three children wearing sandals too small for their size (toes were coming out), pants were unfit and dirty; greeted politely by shaking our hands and naming us by Miss/Mrs – inside the wooden shack – one small room with an old sync, a stove and one bed all appear to be taken from the city garbage disposal, visible line on the ceiling from a leaking roof; unclear path to reach the main door which also appear to be taken from the garbage disposal (an old office door, still has a door tag with director’s

name), in front of the house lots of empty plastic bottles and raw industrial material from the garbage (wires and old metal bed frames).

Electricity and water comes from illegally hooked wires/pipes from their neighbor who according to the grandfather blackmails him by having to pay them half of the utility bill although neighbor's house is much bigger

**FAMILY #2** consists of a father who collects garbage (raw industrial metal, wires and plastic bottles that sells off to the factory in town); mother stays at home with a daughter-in-law that was smuggled over the border (appears to be under 18). All are illiterate. Daughter-in-law used to live in Serbia and never had any identification done in the former Yugoslavia, and now since she is smuggled in Croatia, she has no documentation and is considered to be a 'non-existing person'. She has two small daughters, age 5 and 3, who were playing outside the house; dirty clothes and knotted hair but smiling at us, peaking behind the fence). Since the whole family is illiterate, they do not consider education to be an important factor in having a better life. They lack information, especially daughter-in-law since she is not registered anywhere. Her husband (son) is in prison on drug charges. Children are not in kindergarten because mother stays at home. Additionally, they are facing too many problems with not being registered, which is another barrier to register for a free kindergarten.

*Observations:*

The house is surrounded by the garbage disposal materials like metal wires, old house appliances, there is an old bath tub outside close to the door on the side, and long pipe next to the bathtub seems to be built like a shower outside the house. On the ground, I noticed visible pipes that were illegally and unprofessionally built, lead into the small bush hill 10 meters from the house fence meant for sewage.

**FAMILY #3** consists of father, mother and three daughters who finished primary school and are enrolled in the vocational high school (a hairstylist and a dressmaker); one daughter was married but returned /disowned by ex-husband when the in-laws found out that she was not a virgin. Despite that, both father and mother are involved in girls' lives and are pushing them to finish school. Parents said that they realized education was important especially since they didn't finish school; however the girls would stop as soon as they would get married which is usually around age 14. They strongly believe in girls having to be married off at early age and having children.

**FAMILY #4:** This is a well-off family, three girls; two are married, also in their late teens. Father works for the custodian service in Opatija; the youngest girl is 7<sup>th</sup> grade primary school. Second daughter is pregnant (also in late teens). Mother of the girls said they were passing school with average grades (Ds and Cs) and planning to enroll into vocational high school if not married or expecting a baby. Mother of the girls said one daughter who was married with a child tried to enroll her child into kindergarten but child was not accepted with no explanation. She said she was single mom and needed to have her child in kindergarten so she could go find some work. However, her child's name was not on the list of admitted children. She said that the biggest problem is everyone promising them help but when they go to seek help, they are discriminated and not able to receive what they need.

**FAMILY #5** is a very large family (father + mother as the heads of household with 12 children as young as age 10 up to late 20s) in addition, son's wife (non-Roma) also lives with them. Son says he finished primary school and has been looking for a job ever since. He says there is no point in finishing school because now he cannot find a job. He applied for one position (in the factory), called them on the phone, they said to come to their office, as soon as they saw him, they said position was filled. He said that employers discriminate the Roma; "even when you want to work you cannot because they will not hire you based on your skin color and your physical appearance (dirty, no teeth, etc.)". His wife (non-Roma) and him have a small child (3 years old). Wife finished primary school but cannot find a job either. Son's mother says she cannot take care of them, so they live in a small wooden hut with no water no heat, no electricity. The father (the head of the house) asked me why I was visiting the Roma settlement. He said that people (non-Roma) do not come to their place as they are afraid of what will happen to them. As I started talking about my project, the girls were particularly interested and everyone started asking me questions what I could do to help their children with education. The girls were interested in what I was studying and they begged me to develop programs for them where they could learn English. Their mother (also a younger looking woman, daughter of older man) said that in school they are not treating Roma children equally and that they need to learn English and that she thinks that would help them to progress in life. When we left the house, a girl (7<sup>th</sup> grade) followed me asking me to tell her more about my life outside Croatia. She said she liked going to school but that she wished she was getting more out of it, especially if someone would teach her English not just to get a passing grade but to learn how to write and speak. Two girls from this family (age 13 and 14) participated in the focus group.

**FAMILY #6** lives in extremely horrible living conditions. The road to the house is blocked by the metal, wires, plastic bottles, old furniture, and different garbage parts everywhere. Three families live there with about 10 children (I couldn't count them all at once) all in 3 rooms. I talked to 3 mothers all close to same age; one said she was born in 1982 and already has 6 children. She said there was no sense in finishing school because they didn't have a problem with staying at home and raising children while husbands tried to make the living. According to the mothers, "there was no point in their education because as the Roma women they had to respect the traditions, marry and have children". However, they say they will send their children to school when they turn age 7.

**FAMILY #7** consists of a mother who lives in one small apartment in the city with five children (2 girls and 3 boys, all primary school age). Mother was pulled out from school when she was in the 7<sup>th</sup> grade and married to a man who was later abusive to her, and ended up in jail. While his was in jail, she asked the social workers to be moved from him and placed in the shelter. The Social Welfare Office found her a small apartment in town where she moved with her children. According to the Roma tradition, when wife leaves, she also has to leave her children behind because they belong to the father. She cannot have any contact with children after separation. This mother broke the tradition of the Roma still present in the Pehlin settlement which caused her to be expelled from them. She repeatedly told me that she feels happier being away and being able to raise her children 'free of such strict Roma traditional rules'. Children are achieving success in school; they pass classes with As and Bs, teachers are very happy with them. They are also well behaved (waiting on turns to speak). They report having many non-Roma friends and continuing with high school. The family is on social welfare; mother is not able to work (no education).

## Annex V: Why do the Roma children face difficulties in the education system?

**Table 2**  
**Why do the Roma Children Face Challenges in the Education System**

Perception of the teachers "OŠ Pehlin

	Roma culture, values (refusal to integrate)	Roma parents (literacy and lack of interest)	Discrimination of the Roma by society	State institutions failing in its obligations	Roma parents and children think school is not important	Roma are integrated; there is no problem
T*1	➤	➤				
T 2					➤	
T 3	➤	➤				
T 4		➤		➤		
T 5			➤		➤	
T 6	➤				➤	
T 7					➤	
T 8						
T 9		➤				
T 10						
T 11	➤	➤				
T 12	➤					
T 13	➤					
T 14	➤					
T 15		➤				
T 16		➤			➤	
T 17			➤	➤		
T 18		➤				
T 19						➤
T 20					➤	
T 21	➤	➤				
T 22						➤
	8	9	2	2	6	2

Source: Own survey (22 respondents)

## **Annex VI: Interviews with the government officials and the Roma NGO representative**

### **Interviewee #1: Regional Officer for Social Welfare – County PG-Ri, Republic of Croatia: Ms AQ**

Official number of the Roma in the County Primorsko-goranska is 600, although this number in reality is much higher. They often do not register as residents, or they claim to be of other nationalities such as Croatians, Bosniaks or Albanians. Some say that they feel they would have more rights if claiming nationality other than the Roma.

This regional Office for Social Welfare does not have a registration of beneficiaries who receive social welfare in this County by nationalities; thus, we cannot say how many Roma in total benefit from our social services and programs. This is done to avoid segregation of our beneficiaries. They are all considered to be individuals who need financial assistance due to their disadvantaged economic position in our County. However, in twenty-five years of my work experience in this position, I can say that the Roma population has been represented in all segments of social welfare in receiving numerous forms of social welfare equally with other citizens/beneficiaries:

- The right to receive help in food expenses (“Public Kitchen”) and expenses of public transportation;
- Financial assistance in covering expenses of heating during winter months;
- The right to receive free lunches for the primary school children;
- The right to receive financial assistance in paying for preschools and kindergarten;
- The right to receive free food, clothes and other needs for newborns (plus KN 1,000 for every newborn – approx. €138);
- The right to receive financial help in getting school supplies for the first grade primary school children;
- The right to receive financial assistance in paying for living costs, that is, water, garbage, gas and electricity (due to illegal use of living property – building houses without a valid permit - the Roma often do not benefit from financial assistance in living costs)
- The right to receive information about these rights and social welfare services, help with filling out applications provided by official local government employees (Monday through Friday from 8:00 to 16:00).

In addition to the financial assistance, the County also provides programs such as free parenting skills, psychosocial rehabilitation, swimming/horse riding psychological therapy, etc. To qualify for social services, beneficiaries including the Roma need to submit proper documentation (proof of residency, birth certificates, proof of (un)employment from the Bureau of Labor – RH, and the health insurance if available). Requiring this documentation to obtain social welfare is often a barrier to the Roma population because some Roma are not registered residents; they do not possess birth certificates and/or other documents to qualify. However, they continue to live in three illegal settlements often without electricity, water, and non-hygienic conditions (no garbage disposal, no sewage).

The Office of Social Welfare offers a variety of services to different types of economically/physically/psychologically disadvantaged beneficiaries (refugees from Bosnia and Kosovo, the Roma, drug addicts on rehabilitation, disabled war combatants, mentally and physically disabled children and adults, homeless [shelters], domestic violence victims [shelters], elderly without family care and low-income retirees). The total number is approximately 14,000 beneficiaries in this County, covering about 4% of the total budget, but only five of us working (out of five staff, two are just office clerks and three social welfare specialists). Although we are very dedicated to our work, we do not have time or energy to dedicate ourselves fully to one population or one project. It often happens that we start one project, and due to the volume of work, we have to give up, leaving a lot of disadvantaged and needy people behind. We are very aware of this problem, but unfortunately there is a lot of internal politics and power relation especially when it comes to sharing work burden among the staff or hiring new ones. We are also overseeing the work of over fifty NGOs dealing with social issues in this area. Citizens outside think that we don't do anything here, but look at the closet full of cases (she goes to open the closet, four big files fall out: personal observation) even in this small room, we barely have a room to move between desks and the temperatures during summertime when it reaches over 35 degrees creates an unbearable working condition (small room, three desks, overcrowded; personal observation).

**Interviewee #2: Regional Head of the Office for National Minorities, County PG, Rijeka, Republic of Croatia: Ms W S**

In the city of Rijeka, there are three bigger illegal settlements of the Roma population, plus a recent flow of unregistered immigrants from Bosnia and Kosovo. All three locations consists of approx. hundred housing objects mostly built of woods, tin or concrete pieces of material. Most of those housing objects possess access to electrical energy and drinking water. However, cables and hook-ups to provide electrical energy and water are inadequately constructed with a rubber cylinder often not deeply enough placed under ground or just on the surface. Furthermore, sanitation and sewage is improperly built which causes overflow of feces and other disposal that sometimes reaches up to the front door. The City has arranged regular cleaning activities that consist of following:

- twice a year (or more as needed), the city cleaning company goes to the settlements to remove such disposal and clean illegal massive disposal of garbage (often other non-Roma residents go there to dump bigger garbage like old furniture, old house accessories [refrigerators, stoves, etc.], or even unused old vehicles)
- twice a year, in all three settlements, the City has launched systematic processes of disinfection, deratification and disinsection of abovementioned areas as preventive measures against diseases and epidemics; often spread by increased number of insects and rats, homeless dogs and cats.
- in two settlements, the City has put big garbage disposals (volume 5 m<sup>3</sup>) to prevent the built-up of 'wild' garbage

Although there are no official data on number of population in the settlements, it is assumed that a half of population on all three locations consists of children (mostly primary school age) who are direct victims of infectious diseases fRoma living in such horrific conditions.

In addition to programs targeted at cleaning/garbage disposal in the settlements, on May 18<sup>th</sup>, 2003, following the implementation of the National Programme for the Roma (2003), we conducted elections for the committee of all national minorities including establishment of the Committee for the Roma National Minority (CfRNM). Mr Surija Mehmeti was chosen for the president for CfRNM; given KN 8,000 (approx. € 1,100), a free office space and furniture together with three Roma NGOs that have been established that same year. Additionally, in 2003 the city of Rijeka dedicated a budget of KN 15,000 (approx. € 2,070) for each Roma NGO; the same followed in 2004.

In 2003, the Roma NGOs initiated project literacy which consisted of extended schooling programs for the Roma youth who did not finish primary school. For this project, the local government (national minority office) put KN 20,000 (approx. €2,765) into books and school materials for about fifty primary school 'returnees'. Furthermore, in 2005 the CfRNM was funded with KN 40,000 (approx. € 5,530) for different cultural and educational activities by the Office for National Minorities – County Primorsko-goranska: workshop on the rights to health for the Roma adults and children, workshop dedicated to children to learn Croatian language, celebration of the Roma national holiday Durdevdan, celebration of the International Women's Day, art exhibition of the young Roma, the Roma theatre shows, and traveling and other expenses for the Miss Europe competition (for the daughter of president of CfRNM Surija Mehmeti).

*\* On July 5<sup>th</sup>, I emailed Ms WS to ask three additional questions: (1) is extended education for the Roma youth who didn't finish primary school still in place?; (2) how and who monitors how the money is spent when it's given to the CfRNM and the Roma NGOs; (3) who monitors the funded programs – their success or failure? ----> answered that it was not the responsibility of her office to monitor how is money spent*

After giving me a brief report on the projects and programs targeted at the Roma minority in this County, Ms WS expressed her personal experiences in working on the Roma issues, directly with their representative Mr Surija Mehmeti. She started saying that the Roma feel that they do not have responsibilities and duties as residents. She said they just want their rights and things to be done for them. For example, she said they have occupied one of the most beautiful parts of our city and made it dirty and unhygienic. Further, she said they claim that land and freely build properties without asking for permission. She said: "you cannot just GET land, apartments and property for free just because you are the Roma! imagine how it would be if every ordinary resident wanted free apartment or just kept building properties without proper permission and documentation. The Roma take things for granted and feel they have to be something special, especially since this whole attention has been given to them by EU, CoE, etc." She continued saying that they do not want to assimilate themselves to the society, but they want to continue living all together in one group, segregated from other residents. She also said that education and school is not something important to them, since they manage to live very well doing side-jobs sometimes illegal activities (selling suspiciously imported goods). She says that most of them live in bad living conditions because they do not want to assimilate. Currently, the City is trying to destroy self-built houses in the settlement of Pehlin and establish apartments. Recently, this area of town has marked an increased number of illegal immigrants especially from Bosnia and Kosovo. Thus, the City is trying to build apartments to 'clean-up' the area and make it nice. The Roma are resisting, saying they do not want this area to be demolished and re-segregated. Ms Lelas-Turak says it

would be better to break the Roma ghettos and place them among ordinary citizens in apartments around town. This way they could assimilate into society quickly. Ms WS says they also refuse to put children in the preschools, although the County has dedicated funds for the Roma preschool inclusion. She said that she raised this question a few times in the meeting with the president of CfRNM Mr Mehmeti, as sending the Roma children to preschool would prepare them well for the primary school and decrease language problems. She also says that they are very difficult and problematic people, that they are liars and do not want to change things for themselves. She says some of them do not have proper documentation because they refuse to be educated and thus are illiterate and unable to know and claim their rights. She also said that they are lazy because nobody will knock on their door to tell them what they have to do to obtain documents or what their rights are – she said they have to be like every other resident who must take initiative to go and ask for things. She ended by saying that they will remain to be a problem to the City and wider, and that would take years for them to live like other citizens.

When I asked her about the National Programme for the Roma, and how much they follow directions/legal measurements from this program and others, she said they don't pay that much attention to that, and that this program is more formality because of the pressure from Europe.

**Interviewees #3: The State Social worker in charge of workshop with the Roma preschool children – National Office for Social Welfare, County PG, Rijeka: Ms RT**

Focus: socialization of the Roma in urban environment (city of Rijeka)

- Roma do not know about law, they live according to their own traditions and culture; each settlement has an elderly person (male) who is 'the chief' of the settlement
- female Roma finish on average 4/5 grades of primary school, they marry at young age (one client is born in 1982, currently has 5 children)
- they live day by day, sleep on the floor (even those who live in the apartments, outside settlement); very connected with nature, they can assimilate anywhere with minimal living conditions or what the majority would consider to be necessary to live
- they get some security and comfort by receiving the state social welfare
- local and regional government (city of Rijeka) are in charge of taking care of the Roma issues like living conditions, education, employment; where the State social welfare takes care of their welfare assistance – however, all power and decision making concerning the Roma life is on the local/regional government (in this case the city of Rijeka)
- big gap in tolerance between the Roma and non-Roma population especially nearby their settlement; neighborhood is called Pehlin (situated on one of the hills in Rijeka – view on the whole town, islands and sea) – they are illegally settled there, have no legal documentation for owning the property or permissions to build
- also gap between culture and assimilating to modern lifestyle of majority population: some Roma families have computer but no water (they want to keep old but also bring in the new)
- question of moving them from the current place in town: the Roma don't want to leave that area, they feel secure safe when together; however do not want to make



a plan on how to buy off the property, land – currently a big debate in the city, locally and nationally – creates even more tension between the Roma and the non-Roma population

- children do not consider school to be a priority, most of them work collecting plastic bottles for which they get refund in the stores; they also collected garbage – metal and non-metal raw materials/dump to sell off to the factories in town for some change – they say they want to earn the living to make it through life; with school they have no opportunities (unemployed)
- Ms RT had an active workshop group with the Roma (pre)school age children (age 6-8) called “Ružice” (trans: Little Roses) – the mission of this workshop was education, support and self-empowerment of the children and their parents (mostly mothers participated) in order to gain a better and more responsible relationship toward oneself and others in their environment (primarily their family); also focus on prevention of unacceptable forms of behavior; goals: adopting social skills and communication, awareness and development of own potentials through building a positive self-image, peaceful conflict resolution, learning about tolerance and improving Croatian language skills, expressing emotions and encouraging creativity (group consisted of 10 children male and female, meeting once a week for 90 min during the school year); funding available from the National Programme for the Roma (2003) – KN 49,000,00 (cca € 6,795) – very positive feedback from both children and parents; some children didn’t even know the name of their city or country – program also involved taking children to the museums, visiting famous historical and cultural monuments in the County PG

#### **Interviewee #4: Ms YN, The State Social Worker**

Ms YN.’s case load consists of the Roma clients who are receiving the social welfare assistance and currently residing in the settlement Pehlin. She talked about a strong Roma tradition that weights as much as respecting the national law. The Roma follow their tradition to the bones (ex. the wedding, placing the bed sheet outside the house for all people to see after the wedding night). Men are in charge of the house, starting from the oldest to the youngest. They are very respectful toward their elderly, helping them as a group, even covering funeral charges all together. They live for a day, not worrying about tomorrow. They are warm, happy people. Big problems come about due to a lack of information and incomplete education. One female client who had 6 children did not know how a woman became pregnant. The girls married young and leave school to obey the tradition. Some are also sent to prostitution especially if money is scare. Work now and today is more important than going to school. They are discriminated in the job market so they start learning skills from parents like collecting garbage and raw industrial materials. Children go to the garbage disposals as soon as they can walk.

The Roma are not the problem, although many people blame them for living in such condition. Society discriminates and the State does not do anything about it. Contrary to general belief, the Roma want to have their children in schools and want to live without digging through the garbage. But, the State is not doing anything, just covering a small number of the Roma (mostly those who become members of their political party), and then they present the success of those children in public. It’s like this: on the surface looks shiny and rich, but if you dig under you will find a rotten and sick tissue. It reminds me on the Grammy show... when an actor wins and gives a speech... that’s how our government works. It is all just for the show, for Europe, for the world, but in reality it is very dysfunctional. Police doesn’t do their job either;

many times when I could not get social welfare assistance for children whose parents are here illegally, I called the police who tell me to call someone else. They know which Roma are illegally in Croatia but they don't care, they don't do anything about it, so these people are stuck here in poverty and cannot do anything because they are not the residents. It will take a long time for the Roma to enjoy their rights, especially to education. Nothing good will happen without a good and systematic organization of our government.

**Interviewee #5: Office for National Minorities of the Croatian Government, Zagreb:**

Ms JK, Head of the Office

Ms GR, Deputy Head of the Office

Ms JK met me for brief and then introduced me to her assistant, Ms S. who gave me a short introduction of the Office and their role as part of government in general. When I asked her specifically about the Roma, she kept saying that a significant progress was made in the last few years since the NPR-2003. She was reading from the report from the Vice President of the Croatian Government who is also the head of the Roma National Committee. This woman also carries numerous roles in the government and has been publicly accused of political corruption but with no consequences, because she is the main assistant to the Prime Minister of Croatia. During the interview, Ms GR repeatedly told me to put this minister's name in my paper because "she is the reason why the Roma live better nowadays". In the end she gave me a copy of a report that followed up as a progress to the NRP-2003.

**Interviewee #6: Office for the Human Rights of the Croatian Government, Zagreb:**

Mr HP, Head of the Office

This is the national office that works on important national programs pertaining human rights in accordance with international and regional binding treaties that Croatia ratified. Mr M. talked about general programs that his office is currently working on: discrimination and trafficking people. The office mostly deals with reporting to the government, but also cooperating with the human rights NGOs in Croatia. This is the major part of their job because they give grants to NGOs, which includes processing requests and also monitoring how NGOs use the funds given to them. He mentioned projects done for the rights of the Roma women and mothers. This included some seminars and workshops, and public campaigns. Crucial importance to realize rights of the Roma is through education but quality education to help them out of poverty, should be done with integration of the Roma children into the educational system. I asked about value of culture which might be lost through integration, on which Mr. M said it could be possible to incorporate integration and keep the culture alive. As the office for human rights, I asked Mr M. what is their approach to human rights and in what ways they get the voices of vulnerable population like the Roma children. He said it was done through the Roma representative but there are no voices from the Roma people themselves, as a group independent of political parties and such influences. There is also a lack of statistical data which makes it hard to work on programs and projects to empower the Roma

people, including the rights to education which the office currently does not get involved with.

**Interviewee #7: Regional Office for Education, County PG, Rijeka**

Ms LP, Head of the Office

Ms DB, Deputy Head of the Office

In the primary school Pehlin, the Roma children consist of 18,1% of the total pupil population. This is the school with the largest number of the Roma children. Observable tendency is that some Roma children drop out of school once they reach grade 6<sup>th</sup>. These are mostly the Roma girls who leave school to get married. Some Roma manage to finish primary school and attend high school (mostly vocational school). The problems of the Roma children in the school system is that they have language difficulties (not knowing Croatian language) and also in some, the hygiene which develops into illnesses due to parental lack of care and information about the healthcare. To help with the language difficulties, the school has hired the Roma teacher's assistant who helps out with school assignments and homework (see interview #8). Another difficulty is lack of statistical data. There is no data on how many Roma children complete primary education, when and how many drop out and why. Preschools are available to the Roma but they do not enroll their children because preschool is not required by the law. Parents often do not cooperate with school, they do not come to the meetings with teachers and do not care about children completing assignments and bringing the school materials. Still, teachers report to have good relationships with parents, even go to their house if parents do not show up for the meetings at school. The Roma parents do not value education as priority, thus the children have no sense of how important education is for them. Mentality needs to be changed. Several times it was repeated that there is no segregation of the Roma or sending them to the schools for children with special needs without a proper psychological testing and diagnosis. All programs are aimed at assimilation of the Roma, with a single goal of not separating them from the others. However, on question about incorporating their culture in the school curriculum, and exposing it to other children, Ms R-S said that was not the job of their regional office but the national government.

**Interviewee #8: OŠ Škurinje: The Roma Teacher's Assistant, Ms Jasmina Mutiši (*via written report*)**

In the beginning of school year 2007/2008, I decided to start employment in the primary school "Škurinje" Rijeka as a Roma teacher's assistant. My role is to (1) help Roma children during lecture, (2) help with homework after school, and (3) going for home visits to talk with parents about their children's behavior, success and hygiene in school as well as their absence from school... There are approximately 50 Roma children in this school. In addition to regular lecturing, these Roma children also attend after-school program ("Croatian language" and "Social science studies") with teacher Ms M.V. My work day starts at 8 am; I work full time. I stay with children after school when I help them with homework but they do not follow up at home; in addition, their parents give little attention to them because they have to work. It also happens that children often forget to take school material which disturbs other children and teachers during class. Majority of Roma children live in the Roma settlement "Mihaceva Draga". Hygiene is very poor over there, mostly due to lack of running water, which caused a widespread of lice and presented a real problem in the

classroom; a few times Roma children had to visit a doctor and pay careful attention to their hygiene, but it is a difficult process and children feel so embarrassed about it. There are a lot of floods in the settlement when it rains, which also serves as a problem of hygiene for the children. I was well accepted as the Roma teacher's assistant. The Roma children show a great interest in the work provided by myself and their teacher Ms M.V. because they accept our help with joy. They are a bit undisciplined, but they are children after all. They show much difficulty with reading and understanding a written text, as well as writing some letters. I had two interesting cases; one was with the pupil T.N. who had to see the doctor but his father was not able to miss work and mother doesn't speak Croatian, so I took him there myself. He was later turn to the Center for education (School for students with special needs) because he was not able to pass regular classes. Another case was also taking the pupil R.K. to the doctor because he also had to follow special program (lower quality of education) and see a psychologist. By the end of school year, we had to call a special parent-teacher meeting with a few parents whose children did not come to the after school program. Although I went personally to the settlement to invite them to the meeting, and followed up on the phone with them as well, nobody came. However, a few parents showed up in the end after all. There is some progress in education of the Roma children, but I hope next year progress will be even greater.

**Interviewee #9: Roma NGO “Bolji život”, Rijeka**

Ms FR, Director

Ms FR. talked about the politics within the Roma, complaining about the corruption of 'wealthier' members who give a lot of promises to their people but once they are elected 'they forget where they come from'. She also said to minimize or stop discrimination of the Roma, the society needs to learn about the culture and traditions, but also the Roma have to learn basic manners, especially children who often lack discipline and stand out among the others with bad behaviors in public (yelling at other people, fighting, etc.). She also said that the Roma should stop living in groups because that encourages group crimes and nowadays more drug problems in the settlement. According to her, the Roma should be placed in different places around the town; parents should break free from some traditions that are damaging to the girls in particular. Education should be more valued over some traditions that are 'out of time and place'. However, the first thing that needs to be done is to solve the corruption of the system that has penetrated deep into the Roma settlement.