



Miroslava Kopicová
Minister of Education, Youth and Sports
Ministry of Education, Youth and Sports
Karmelitská 7
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Czech Republic

2 February 2010

MINISTERIAL LETTER TO ELEMENTARY SCHOOL DIRECTORS NUMBER 1084/2010-60

Dear Minister,

Amnesty International, the European Roma Rights Centre and the Open Society Justice Initiative ('the submitting organizations') welcome as a positive step your letter to elementary school directors of 19 January 2010, calling on them to ensure that only pupils with a "genuine mild mental disability are assigned to the practical elementary schools." Indeed, this is an important general message to Czech schools. The submitting organizations, however, are concerned that this letter itself is not sufficient to curb the placement of children without a mild mental disability in practical schools in the absence of additional, concrete guidance on its implementation.

The content of this letter simply reaffirms existing provisions of Czech education law about which types of students should be assigned to practical primary schools, and as your own letter notes,

"26% of Romani children are realising their mandatory school attendance in schools established for pupils with mild mental disabilities and are educated according to education programs adjusted for those with mild mental disability. We can certainly all agree that it is highly unlikely that the number of children of Roma origin with such mental disability is actually this high."

This, as you rightly note, is a "systemic flaw for which both children and society as a whole end up paying."

Minister Kopicová, in order to achieve the stated aims of your letter thereby ensuring equal educational opportunities for Czech Romani children and the desegregation of Czech schools, Amnesty International, the European Roma Rights Centre and the Open Society Justice Initiative call on the Ministry of Education, Youth and Sport to clearly affirm your support for the desegregation of Czech schools by:

1. renewing efforts to transfer Romani children from practical to standard primary schools under a concrete timeline, published transparently including numerical targets and budgetary resources sufficient to accomplish the goal of desegregation;
2. drafting legislation creating a duty to desegregate Czech schools, with particular attention to integrating Romani children into standard schools using a standard curriculum;
3. preventing the wrongful placement of Romani and other children in practical schools through an immediate moratorium on placement in practical schools and

classes for pupils with “mild mental disabilities” for the school year 2010/2011, pending a comprehensive review of the system to assess the need for such a curriculum and this category of school;

4. providing appropriate support to pupils and families who need it to effectively participate in and develop to their fullest potential within standard primary schools;
5. making publicly available the concrete guidelines to be provided to school directors for determining which students have a genuine mild mental disability, beyond that already included in Czech law, and the procedure for the transfer and integration of such children into standard elementary schools;
6. clarifying publicly how the Ministry intends to monitor and evaluate the implementation of its broad school integration goals.

We look forward to receiving your response and urge you to take our comments into consideration.

Yours sincerely

Nicola Duckworth
Director
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The European Roma Rights Centre is an international public interest law organisation engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma. The approach of the ERRC involves strategic litigation, international advocacy, research and policy development, and training of Romani activists.

The Open Society Justice Initiative pursues law reform activities grounded in the protection of human rights, and contributes to the development of legal capacity for open societies worldwide.