



EUROPEAN ROMA RIGHTS CENTRE

1386 Budapest 62, P.O. Box 906/93, Hungary  
Phone: (36-1) 413-2200; Fax: (36-1) 413-2201

E-mail: [office@errc.org](mailto:office@errc.org)  
<http://errc.org>

1 August 2008

To: Mr Ivan Vakarchiuk,  
Minister of Education and Science  
Ministry of Education and Science of Ukraine  
10 Peremohy Avenue,  
Kiev, 01135, Ukraine  
Telephone: (+380 44) 226-2661  
Fax: + (380 44) 486-7763

CC: Mr Hennadiy Udovenko,  
Chairman of the Council of Ethnic Policy under the President of Ukraine  
10 Desyatynna str., ap. 2  
Kiev, 01025, Ukraine  
Telephone: (+380 44) 279 6508  
Fax: + (380 44) 226 2879

*By fax and by post*

**RE: Denial of equal access to quality education for Roma children in Ukraine**

Honourable Minister Vakarchiuk,

The European Roma Rights Centre (ERRC) is writing to express deep concern regarding denial of equal access to quality education for Roma children in Ukraine. ERRC is an international public interest law organization engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma, in particular strategic litigation, international advocacy, research and policy development.

During research missions to Odessa and Zakarpatia oblast in Ukraine since 2006, ERRC together with Romani organisations “Romani Zbora”, “Romani Yag” and “Chiricli” Romani Women Fund, has identified a variety of forms of racial segregation of Roma in education which can be described as: (a) separate classes for Roma in a separate school building;<sup>1</sup> (b) geographically segregated schools in predominantly Roma neighbourhoods;<sup>2</sup> (c) schools where Roma predominate or where they are only students;<sup>3</sup> (d) classes for children with mental disabilities where Roma are

<sup>1</sup> For example, in the village of Nyerubayskoye, Odessa oblast, the local high school segregated its the Romani students away from other students by placing all of them, irrespective of age, in a single classroom in a building separate from the main school building. The director wants to avoid a conflict with non Roma parents.

<sup>2</sup> For example, 7 schools from Mukachevo, Beregova, Pidvinogradivska, Irshavsk, Seredneanskaja, Rostotsk, Mizhgiriska all in Zakarpatia oblast.

<sup>3</sup> For example, school No 13 and school No 14 from Uzhgorod, Zakarpatia oblast.

overrepresented;<sup>4</sup> and (e) schools at risk to become segregated when non Roma parents decide to take their children to other schools allegedly due to health problems of Roma children who live in very poor conditions.<sup>5</sup>

The quality of education in the above-mentioned schools is lower even in those cases where the official curriculum is supposedly being applied in full. Mainly because many teachers have low expectations of Romani students, they tend to set lower standards for education achievement. As a result, most of the Romani children either graduate illiterate or leave school at early stage. The interviewed Romani parents have been dissatisfied with the level of knowledge and skills achieved by their children in schools where Roma are majority or the only students.<sup>6</sup> In addition, most of the Roma schools are in poor physical condition with no cafeteria or dining hall, no sport facilities, with outside toilets with no running water, with minimal furniture in various states of disrepair and lack the facilities necessary to educate students adequately, such as computers and laboratories. Even the most basic equipment, such as desks, textbooks and teaching materials, is inadequate or altogether lacking.

Frequently, Romani parents are encouraged to send their children to the segregated schools and they are told that children will feel better in a “Roma School”. In 2005 *Romani Yag* identified more reasons why Romani parents from Zakarpattia decided to send their children to segregated Roma schools:<sup>7</sup> (a) because they were where their parents studied;<sup>8</sup> (b) because their parents were worried about their children being discriminated against in integrated schools; (c) because a large number of Roma children cannot comply with the local procedures for enrolment in pre-school and school due to lack of documents or other barriers, while the segregated schools are not as stringent about documentation requirements as other schools are. Another key obstacle, that consistently hinders the educational development of Romani children, occurs when they are regularly refused or because they are unable to access pre-school education.<sup>9</sup> Romani parents expressed their concern about their children's behavioural problems which they consider is a result of segregated environment.

Finally, the research revealed that the vast majority of Romani children in Ukraine who are denied access to mainstream schooling, graduate with minimal reading or writing skills or do not attend school at all.<sup>10</sup> The ERRC is concerned that an entire generation of Romani children are growing up with extremely limited opportunities to have a future that will be free from poverty, social marginalization and great suffering.

---

<sup>4</sup> For example, school no. 5 from Izmail, Odessa oblast.

<sup>5</sup> For example, school in Kontsevo, Zakarpattia oblast.

<sup>6</sup> According to the interviewed Romani parents from Uzgorod, a number of former Roma students of the school No 14, were accepted in other schools in the first grade because they could not read the letters of the alphabet while tested.

<sup>7</sup> See the Country Report by the ERRC “Proceedings Discontinued: the Inertia of Roma Rights Change in Ukraine” December 2006, page 81, available at: <http://www.errc.org/db/01/F5/m000001F5.pdf>

<sup>8</sup> According to Evghnia Navrotskaya, schools for Roma in Ukraine have a long history; one of the first “Roma School” was opened in 1926 in Uzhorod, Zakarpattia oblast and it functions today under the name of school No 14. Another “Roma School” was opened in 1971 in the same town, and it is currently called school no 13. In both schools Romani students form the majority.

<sup>9</sup> Information provided by Zemfira Kondur, “Chirikli” Roma Women’s Fund in an interview in June 2008.

<sup>10</sup> According to data from the Ukrainian Institute for Social research (UISR), “some 50% of Roma children do not attend school or regularly skip classes. The situation with education is the worst in Zakarpattia and Kharkiv oblast, regions where dense Roma community lives. According to Romani Yag, a Roma newspaper, 83.7% of Roma children living in Zakarpattia oblast, failed to finish high school, 14.5% have basic high school diploma, 1.4 % have graduated from a technical vocational school, 0.3% have completed a specialized secondary education and only 0.1% have had a higher education.”, Kiev 2005, page 31.

In December 2006, the ERRC's local partners filed two complaints to the Ministry of Education and Science of Ukraine against segregated schooling arrangements in Odessa and Zakarpatia regions. As of 1 August 2008, there is no response from the respective authorities.

Honourable Mr Vakarchiuk,

The ERRC recalls that since November 2007, the European Court of Human Rights (ECHR) has issued two important judgments concerning segregated education for Roma.

In, *D.H. and Others v. the Czech Republic*<sup>11</sup>, the Grand Chamber of the ECHR, ruled that segregation of Roma students into special schools is a form of unlawful discrimination in breach of Article 14 of the European Convention (prohibiting discrimination), taken together with Article 2 of Protocol No. 1 (securing the right to education). The Court further re-affirmed that Roma have become a specific type of disadvantaged and vulnerable minority in Europe who require special protection.

In *Sampanis and Others v. Greece*,<sup>12</sup> the ECHR found a violation of Article 14 (prohibition of discrimination) of the European Convention on Human Rights, in conjunction with Article 2 (right to education) of Protocol 1, regarding the applicants' claims that their children were placed in a segregated school due to the reaction of local non-Romani parents who did not want their children to attend the same school as Romani children and had in fact staged numerous protests.<sup>13</sup>

Further, ERRC recalls that in January 2008, the United Nations Committee on Economic, Social and Cultural Rights (UNCESCR) recommended to the Ukrainian Government:

“to [...] adopt special measures, including subsidies for textbooks and other educational tools, in order to increase school attendance by Roma children at the pre-school, primary and secondary levels, combat discrimination against Roma pupils, promote their admission to mainstream schools and classes, raise awareness among Roma families on the importance of education, including for girls, and provide additional catch-up and Ukrainian and Russian language classes for Roma pupils.”<sup>14</sup>

In February 2007, the Committee on the Elimination of Racial Discrimination (CERD) urged the Ukrainian Government:

---

<sup>11</sup> The full text of the Grand Chamber of the Judgment (in English) is available at: <http://www.errc.org/db/02/D1/m000002D1.pdf>

<sup>12</sup> The full text of the Judgment (in French) is available at: [http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=836273&portal=hbkm&source=extern\\_albydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649](http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=836273&portal=hbkm&source=extern_albydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649)

<sup>13</sup> The ECHR reiterated principles espoused in the *D.H and Others v. the Czech Republic* judgment regarding uninformed consent, and noted that one of the applicants had explicitly stated that he had effectively to choose between sending his children to the local primary school and jeopardizing their physical integrity in the hands of “indignant” non-Romani persons and sending them to the “ghetto school”.

<sup>14</sup> UN Committee on Economic Social and Cultural Rights, Concluding Observations of the Committee on Economic, Social and Cultural Rights, Ukraine, available at: <http://daccessdds.un.org/doc/UNDOC/GEN/G08/400/43/PDF/G0840043.pdf?OpenElement>

“to take immediate steps, e.g. by removing administrative obstacles, to issue all Roma with personal and other relevant identification documents in order to enhance their access to [...] education”.<sup>15</sup>

Honourable Minister Vakarchiuk, the ERRC urge you to exert your power to ensure equal access to quality education for Roma before the academic year 2008/2009 begins. In this regard, we request:

- That steps are taken to ensure that all children attend an integrated school with adequate facilities and appropriate resources.
- That a free pre-school program for Romani children is designed and implemented ensuring equal start in the first class of primary school;
- That preparatory courses and other support for students are offered for taking the exam allowing them to transfer to mainstream schools, and allocate funding to support the implementation of this requirement;
- That steps are taken to issue all Roma with necessary identification and necessary medical documents;
- That policies are designed and implemented to enable all children to study in schools that meet their needs, reflect their identity, and prepare them for participation in the wider society;
- That comprehensive nationwide desegregation program is adopted based on the best practices in desegregation elaborated by Roma NGOs in local projects. Ensure that free transport is provided for children to facilitate their access to integrated schools and that full assistance is provided to the integrating primary schools to accommodate the learning needs of Romani children;
- That the data about the number of Romani children in segregated facilities, types of segregated facilities, and their location is made public.

We respectfully request to be informed of all actions undertaken by your respective offices in this regard, and would welcome the opportunity to personally discuss these important matters.

Yours sincerely,

Savelina Danova/Roussinova  
Acting Executive Director  
European Roma Rights Centre

---

<sup>15</sup> Committee on the Elimination of Racial Discrimination, Concluding Observations of the Committee on the Elimination of Racial Discrimination, Ukraine, available at: [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/5a855cc45d65082dc1257214005d3c77/\\$FILE/G0740377.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/5a855cc45d65082dc1257214005d3c77/$FILE/G0740377.pdf)