



Press release

## **Ground-breaking decision outlawing segregation of Roma children in the Slovak school upheld by the Appeal Court**

**Košice, Slovakia, 2 November 2012: Center for Civil and Human Rights (Center) welcomes the recent decision of the Regional Court in Prešov in the case of segregation of Roma children at the Šarišské Michalany School. This decision is an important landmark in the struggle of the Center to end racial segregation in the Slovak educational system, a widespread practice across the country.**

*„The decision of the Regional Court sends an important signal to all schools engaged in practice that segregation is illegal and must be ended. We appreciate that the decision reflects the relevant international human rights standards in this area. The Court also considered a wider social context and systematic failures of many schools to provide education to Roma children on equal basis,“* commented Vanda Durbakova, attorney for the Center.

The Šarišské Michalany School has been segregating Roma children in separate classes and floors for several years. After unsuccessful attempts of the local community to desegregate the school, in June 2010, the Center initiated a class action against the school, arguing that the practice constituted a serious form of unlawful ethnic discrimination and violated the rights of children to education without discrimination. On 5 December 2011, the first instance court ruled in favour of the Center and ordered the School to desegregate.

The School appealed against the decision. It argued that the separate classes were set up to allow teachers to adopt a more individualized approach when teaching Roma children (as children from socially disadvantaged communities). They also claimed that the segregation should be considered as temporary special measures aiming to reduce deficit based on their social disadvantage.

On 30 October 2012, the Regional Court in Prešov, an appeal court, upheld the first instance ruling and confirmed the order to desegregate the school. The Regional Court rejected the school's arguments that the education of Roma children from socially disadvantaged background in separate classes was the only means how to provide them with equal quality of education. On contrary, it found these measures in violation of the principles of equal treatment guaranteed in the anti-discrimination legislation of Slovakia.

*„With this case, we wanted to signalize our society that segregated education of Roma children, even those with ‘social disadvantage’ is illegal and must stop. It is illegal regardless of the intention of a school as it prevents Roma children to enjoy their right to education fully,“* added Stefan Ivanco from the Center.

*„This final decision exposes a segregation model of education of Roma children that has been tolerated for too long. We believe that the decision is relevant not only for socially disadvantaged Roma children, but for all children excluded from the mainstream educational system in Slovakia because of their own individual learning needs. It confirms that inclusive education in Slovakia should not be a choice but is a pure necessity. The main responsibility for developing such inclusive education system then lies at the state authorities. However, without long-term systemic work of relevant state bodies, municipal authorities and schools the real change will not be possible.“* concluded Ivanco.

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**Notes for editors:**

- CONTACTS: For more information, contact Vanda Durbáková or Stefan Ivanco at tel./fax: +421-55-68 06 180, +421-908-695 531, e-mail: [poradna@poradna-prava.sk](mailto:poradna@poradna-prava.sk)
- The Center for Civil and Human Rights (Poradňa pre občianske a ľudské práva) is a human rights organization, based in Košice, Slovakia, founded in 2001. It conducts advocacy, strategic litigation and educational activities to combat discrimination against Roma in the country.