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Higher Education Internationalisation and Mobility: Inclusion, Equalities and Innovation Supporting Roma Students to Access Higher Education

Roma, Education, and Higher Education policies: The International Context and the Case of Sweden

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Report

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Recommendations

(1) Use of disaggregate data and enforcement capacity

Lack of statistical data on Roma children that are in and out of school has been identified by the UN and Civil Society organisations as a major problem since it impedes policy action. This is even more problematic for Roma citizens moving across the EU.

Most countries in Europe do not register populations by ethnicity and Roma organisations have an ambiguous or negative position towards registration by ethnicity. But, there are good examples of countries registering people by ethnicity in biannual or quarterly Labour Force surveys – this should be encouraged as a more generalized practice.

To overcome the implementation challenges of national action plans for Education the EU has the capacity to steer reform through the use of the European Social Fund and the European Regional Development Funds.

National and local authorities across the EU should be made aware of the rights of migrant Roma (and other ethnic minority) populations in terms of access to education. 1 76catheducationgcl63 BT1 0 omg

monitoring such practices – and making attendance at mainstream schools for Roma children a condition for ESF funding.

Residential and hence socio-economic and ethnicity-based segregation cannot be addressed in the same way. Our recommendation is that the European Commission takes a critical position to the widespread practice of *free parental choice of school* that is exercised increasingly throughout Europ

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Across Europe and in particular through the expansion and deepening of the European Union integration project, political and economic rights of citizens have taken precedence over social rights. There is no European welfare state as such. Still, the creation and strengthening of European citizenship has been important to the EU. In 2013, the EU initiated the European Year of Citizens, in celebration of the achievements of citizenship and to highlight the positive progress since.

Rights and Fundamental Freedoms - including prohibition of discrimination (1950), and more recently the European Charter of Regional and Minority Languages (1992), and the Framework Convention for the Protection of National Minorities (1995).

2) The Council of Europe has also paid particular and more specific attention to the Roma in Europe, through the publication of numerous Recommendations of the Committee of Ministers on issues of national and regional development policies, but also on the education of Roma children (see for example, Recommendation DM/Rec(2009)4).

3) In 2010 the CoE introduced a major policy framework for dealing with Roma issues in Europe, launching the so called *Strasbourg Declaration on Roma* (CoE, 2010). The aim of the Declaration was to focus the attention of European societies and governments on dealing with neglected issues of (a) discrimination, citizenship and the rights of children and women within Roma communities, (b) social inclusion as related to employment, healthcare, housing and education, and (c) issues of empowerment and access to justice. The Declaration was followed by initiatives to train Roma mediators and lawyers[4] to facilitate Roma community accessing their legal and human rights in their countries.

4) The Framework Convention for the Protection of National Minorities makes a link between ‘integration’ and ‘education’ referring to ‘integration in diversity’, arguing for balance between

None of these 3 reports addresses Higher Education. Instead, they focus on identifying and discussing solutions to the problem of Roma children access to Basic Education, issues of segregation, racial and institutional discrimination, and higher than average levels of drop-out from school (both compulsory and upper secondary) for Roma pupils. These pre- Higher Education stages are of course fundamental if accessing HE is to become a possibility for Roma young people.

Problems of implementation and enforcement - Even though the CoE Conventions are part of international law, the voluntary nature of membership means that states decide which Conventions to sign and ratify (in some cases just sign and not ratify), or entirely opt-out of. Also, the European Court of Human Rights has been criticised for failing to take action against member states that do not fulfil their legal obligations. In 2007 there was for the first time a

of Racial Discrimination (CERD) has insisted on Roma self-identification and active participation in policy making in relation to the Czech Republic. Also, since 2005 the UN has established the Commission on Human Rights (2005/79), and set up the position of a Special Rapporteur on minority issues. CERD has argued for affirmative action for Roma people through the taking of 'Special Measures' for Roma but some States seem to have interpreted this as permission to do, but not a requirement.

3) The United Nations actions move beyond defining citizenship and minority rights in liberal terms as a legal status based on nationality. Their interpretation extends the concept to political participation, but also to issues of identity and belonging that recognise that these are not necessarily contained within national territories. This ties in with the idea that 'a right' is not merely about legal entitlement (often not enjoyed by non-citizens for instance), since to enjoy such rights there needs to be the appropriate "social structures through which power, material resources and meanings are created and articulated" (Nash, 2009:1069).

4) This 'fuller' interpretation of rights in the case of Roma entitlement to education can be found within UN provisions in a way that the EU does not address as comprehensively (Xantaki, 2015). As an example of this wider interpretation of rights, the human-rights approach emphasises the connection between inequality, discrimination and poverty, and links minority peoples' identity to their cultural and linguistic heritage:

> *Human rights-based approaches to development are essential and must give greater attention to the promotion and protection of minority rights, which offers an important path to development for national, ethnic, religious and linguistic minorities* (UN Special Rapporteur on minority issues Rita Izsák, 2014).

5) The United Nations Development Programme (UNDP) has contributed two large and very significant reports on Roma issues that drew on Roma Household Survey data:

In 2003, the United Nations Development Programme (UNDP) report ***Avoiding the dependency trap*** provided statistical evidence showing that a significant number of Roma in the EU face severe challenges in terms of illiteracy, infant mortality and malnutrition.

> In 2009, the Data in focus report on 'The Roma' by the EU Agency for Fundamental Rights (FRA) supplied statistical data showing that a substantial proportion of Roma are affected by what they perceive as very high levels of discrimination.

The second important report, was published in 2012, *The Situation of Roma in 11 EU Member States Survey - Results at a Glance*[5].

The significance of these reports lies in the robust and widespread statistical evidence they provide, but also, politically they provided impetus for international and transnational organisations to focus policy attention to the conditions of Roma people lives[6].

6) The UN (as well as many of the NGOs and Rights organisations working on minority and Roma issues) highlight the need for the collection of data at national level[7]:

> *A major barrier in assessing and tackling disparities is the lack of data disaggregated by ethnicity, religion or language. Data is vitally important for effective poverty reduction and yet, within aid modalities on poverty, the collection of ethno-cultural*

1) The EU is founded on the values of "respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as it follows from Article 2 of the Treaty on the European Union and in particular from Article 21 of the Charter of Fundamental Rights of the European Union". In recognising these legal and human rights, the European Council identifies the issues of social exclusion, discrimination and inequality, and the need for the EU to have an explicit commitment to combat these (drawing on Article 3 of the Treaty on the EU, and Articles 9, 10 of TFEU).

2) The Treaty of the European Union specifies 'equality' as one of the founding values of the union (Art 2), and takes the responsibility to "combat social exclusion and discrimination" and the "protection of the rights of the child" (Art 3). Further provisions in the Treaty on the

- ensure a minimum, primary school completion,
- widen access to quality early childhood education and care,
- ensure that Roma children are not subject to discrimination or segregation,
- reduce the number of early school leavers, and,
- encourage Roma youngsters to participate in secondary and tertiary education.

(iii) Despite the fact that countries are developing the NRIS, there are no specific indicators developed by the Commission. But, the EU delegated to the EU Fundamental Rights Agency (FRA) the task to form an indicator's working group. The participation of Member States (MS) to the working group is voluntary (10 MS were represented in 2012). We have not found any public document where results of the working group work are reported.

(iv) Most of the measures covered by these initiatives refer to citizens of the MS countries, but they are not designed to deal effectively with issues of *migrant populations*, and particularly with migrants without papers, as a large proportion of Roma are. Key issues around migration and recognition of citizenship rights: (a) migration of citizens of one EU country to another (the usual issues that (poor) migrants face), in addition to (b) migration of Roma people from one EU country to another when no formal citizens papers are available. Even though the free movement of persons, as established in the Treaty, is "one of the most tangible and successful achievements of European integration as well as being a fundamental freedom" (see Council Conclusions, 2011:7), in relation to Roma migration, it has been seen as a threat and a problem, with countries reacting in often disproportionate ways against a perceived 'influx' of poor Roma migrants (that usually does not have much correspondence to reality (see ERRC, 2014)).

6) The EU framework was linked to the Europe 2020 Strategy (approved by the Council in

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> *to develop skills and increase employability among young people* (European Commission, 2014:10)

9) There are however, examples of good practice that suggest progress is possible, if there is sustained national commitment to inclusion policies. Romania has been highlighted in the 2014 Commission report for its affirmative action programme for Roma in HE. These are mainstreamed programmes that offer dedicated places for Roma for admission to public universities (in the academic year 2010/11, 555 places have been granted, and in 2012/13, 564 places). There is no doubt this is a positive development with concrete outcomes for individual students. But, in terms of equality of opportunity, there are some areas that can still be improved.

In some countries quota systems are vulnerable to manipulation by individual students (usually of non-minority status) or by University Faculties (see, Idrizi, 2013 in relation to FYROM). In addition, research from the Roma Education Fund suggests that: “Roma students enroll more frequently in humanities and social sciences and less frequently in science, technology, engineering or mathematics, as compared to the mainstream students”, and they “generally come from less privileged socioeconomic background than the mainstream students.” (Garaz, 2015).

The higher concentration on humanities and social sciences is often correlated with weaker

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Such statements marginalise questions of inequalities that draw on any dimension other than that between the perceived link between investments in higher education knowledge, economic growth, and the generation of employment of graduates. In addition, "how employment is distributed" is not addressed (Nicaise, 2012:333), something that research studies specifically on Roma HE graduates have described in relation to which HE specializations are open to Roma students (Garaz, 2014).

In addition to EU and Bologna issues with relevance to Roma inclusion, we shall briefly present a further political framework[11] that is significant especially for education matters.

- This report is very brief on this framework, since it will be addressed more fully in the other HEIM project Reports.

Additional Political Frameworks on Roma Inclusion

In addition to the CoE and EU policy frame for Roma inclusion, there is a third framework that is particularly relevant to Education and Higher Education issues:

(1) *The Decade of Roma Inclusion 2005-2015* that was initiated by the Open Society Foundations and the World Bank. The Decade represents a political commitment of 12 governments[12], and a number of intergovernmental and nongovernmental organizations, as well as Romani civil society[13], to working towards Roma inclusion. Education has been identified as one of the four priority areas for the Decade (together with Health, Employment and Housing). Even though the Decade itself does not provide funding for particular inclusion initiatives, it provides a forum for training and for disseminating knowledge about financing

[11] There are three major political frameworks on Roma inclusion: The EU Framework, the Council of Europe launch of the "Strasbourg Declaration on Roma" (CoE, 2010), and the Decade for Roma Inclusion. In addition to these political frameworks, there is international law and the activities of the United Nations.

[12] Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Former Yugoslav Republic of Macedonia, Hungary, Montenegro, Romania, Serbia, Slovakia, and Spain.

[13] The international partners organizations are: Contact Point for Roma and Sinti Issues - OSCE Office for Democratic Institutions and Human Rights, Council of Europe Development Bank (CEB), Council of Europe (CoE), European Commission (EC), European Network Against Racism (ENAR), European Roma and Travellers Forum (ERTF), European Roma Information Office (ERIO), European Roma Rights Centre (ERRC), Forum of European Roma Young People (FERYP), International Romani Union (I.R.U.), Open Society Foundations (OSF), Roma Education Fund (REF), United Nations Human Settlements Programme (UN-HABITAT), United Nations High Commissioner for Refugees (UNHCR) - The UN Refugee Agency, United Nations Children`s Fund (UNICEF), United Nations Development Programme (UNDP), World Bank (WB), World Health Organization (WHO). (http://www.romadecade.org/faq.php)

(6) An example of a successful initiative in widening participation in post-graduate studies for Roma students, is provided by the Central European University (CEU) that offers the Roma Graduate Preparation Program[16]

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Three folk high schools working on upper secondary level but with older students who want to get more qualifications; Agnesbergs, Sundbybergs and Marieborgs folk high schools, have taken special measures to widen participation for the Roma minority. Agnesberg, founded 2007, has a profile as a Roma folk high school, the other schools have special programmes for Roma who want to study, and they can prepare for entering higher education[20].

Malmö University College planned a programme at a preparatory level to prepare Roma students to enter teacher education programs, but the initiative was closed down due to not sufficient student interest.[21]

Södertörns University College has been given the responsibility for teacher education in romani chib[22]. Södertörn also has a contract with Skolverket, the national agency of education, to arrange shorter education solutions for the so called ‘bridge builders’ municipalities, who act as medi

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PART III - Report Recommendations

Our recommendations are organised on the basis of ‘themes’. These are not intended to be

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Theme 2: Defining ‘Integration’, ‘Equality’ and ‘Inclusion’

REF and other NGOs seem to have designed their own definition of inclusion /integration that ideologically draws on the human rights discourse rooted in the UN actions, and in practice is operationalised in terms of ‘ between Roma and non-Roma students in the various national contexts.

The current EU definitions draw on legal (and primarily liberal) definitions of equality for all, and on human capital development definitions that are mainly focused on education as investment. However useful these are, they do not go far enough in fully endorsing and operationalising the intercultural dimensions of equality discussions that are needed for debating not just economic futures of the Roma population, but also their integration in their respective societies without the loss of their identity. The balance between issues of preservation of identity and the assumed ‘integration as assimilation’ models implied by an exclusive focus on human capital development needs to be reta-3(a).ET 3>1100044400560056004 9(a)4(0560

Segregation based on residential concentrations of populations can in principle lead to progression within schooling, and even to higher education. But, it has been observed that this practice is usually accompanied by very low quality schooling for the disadvantaged children. As a result, the outcome is still that transition to higher levels of education is de facto unlikely if not impossible.

Recommendation (i): Placement of Roma children in 'special education' establishments is a common practice, and despite the legal challenges to many States that exercise this practice, the practice remains widespread. The European Commission should take stronger action in

(c) The ambition for the future would be that national governments and state administrations (central, regional, local) in the Decade countries adopt the successful education initiatives tried and developed by NGOs, and scale them up at a national level - this would also feed effectively into the EU's National Roma Integration Strategies. This would also allow a gradual withdrawal of NGOs and private funders/donors from dealing with fundamental issues of Roma education (and other) rights, that 'belong' to the jurisdiction and responsibility of States.

(d) Research from NGOs in the region (ERRC and REF) suggests that the political and economic circumstances of many countries in central and eastern Europe mean they are not yet ready for such withdrawal - and this is likely to leave a large gap in provision of legal, financial and wider investment decisions and affirmative policies on addressing inequalities for Roma populations. The danger of substituting the responsibilities of States in this task, should be balanced against the greater danger of leaving large numbers of minority students without adequate basic provisions of education. Drawing on these observations, we put forward 2 recommendation on this theme:

- **Recommendation (i):** NGOs and donors are still fundamental to ensure the access of Roma children and young people to good quality education. Their gradual withdrawal should only be considered when national governments can convince the European Commission, UN related organisations and major NGOs of their political commitment to addressing educational inequalities for Roma children and young people. Such commitments should be evidenced by:

  (a) Statistical data of student outcomes that show a serious closing of the gap in achievement and progression of Roma students in education;

  (b) Statistical data of employment patterns that show a closing of the gap in employment possibilities for young Roma;

  (c) Affirmative actions that aim to operationalise equality legislation and equality policy commitments that the Decade countries have m9(provisGti01l50055>.82 22g R)-o(cthe or4(nd)-59(0(

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