

INTERPRETATIVE STATEMENT:

THE RIGHTS OF **CHILDREN FROM ETHNIC AND RELIGIOUS MINORITIES** IN SCHOOLS
ARE NEGLECTED BY MUNICIPAL AUTHORITIES AS A RESULT OF **LEGAL AND STRUCTURAL
DISCRIMINATION** IN FINNISH SOCIETY

By the non-governmental organisation *DIVa - Parents for Diversity*

First of all, we would like to express our gratitude for the opportunity to present this issue at the 2019 Human Dimension Implementation Meeting.

The Finnish association DIVa – Parents for Diversity works with families to promote diversity in schools and preschools. Our activity is closely connected to families with members belonging to ethnic or religious minorities. We are in steady contact with families and school children whose rights have been neglected, and who are experiencing harassment and discrimination. Our initiative and statement is also supported by the associations Ad Astra rf, which has been promoting dialogue and inclusiveness in schools since 2009; Ruskeat Tytöt ry, which is an institutionally nonaligned, politically and religiously independent, non-profit organization for Brown People by Brown People; Fem-R, which is a feminist and anti-racist civil society organisation, which aims to increase the voices of racialised people in the Finnish society and build equal and safer Finland for all people; and Finlands svenska socialförbund rf which works for human development of society, especially with social welfare for Swedish-speaking people in Finland.

Research has shown that immigrant, ethnic, and religious minority children and youth experience harassment, discrimination, and physical violence at considerably higher rates than their native-born and ethnic majority peers. Furthermore, children experience discrimination not only at the hands of their peers, but also from their schoolteachers and in the form of culturally uninformed curricula. Through our work, we often meet with children and youth who have suffered discrimination, harassment, hate crimes, and other forms of structural and aversive racism in schools. Because the situation for many minority and immigrant children is alarming, we feel obliged to stand up for children's rights, human rights, and the legal rights of students in schools.

In Finland, civil rights for minorities are formally guaranteed at the state level in the national curriculum for education, but on the level of the municipalities, who are in charge of organising the schools and providing education, they are neglected in practice.

The minority and immigrant families who face discrimination are left alone to fight with municipal authorities in court and to take on the financial burden, as the costs of the lawyer might be huge. The process takes years, during which the children often continue to attend the same school where the discrimination goes on. There is an urgent need to change this situation. **There is a need for a supervising authority for the schools to ensure the implementation of the curriculum, children's rights, human rights, and to guarantee equality, equity, and justice for all children and families at schools in Finland.**

We have been following families standing up for the rights of their children. We have seen families making complaints to a Regional State Administrative Agency in Finland (aluehallintovirasto). It takes about one year before the decision comes, and when it does, it does not include any form of sanctions for the municipal authorities which did not comply with the law. This means that even after a decision in favour of the family has been made by the governing authorities (aluehallintovirasto), we have seen the same violations of law continue in the municipality. We have parents fighting for their childrens' rights for the fourth year, with no result. We have decisions made by an authority, but without any impact on the situation on a municipal level. Although we have the Finnish National Agency for Education (Opetushallitus) and The Finnish Education Evaluation Centre (Kansallinen arviointikeskus), neither have the legal means to supervise schools and intervene when children are suffering, and municipalities choose not to obey the law. Additional authorities include the Non-Discrimination Ombudsman (Yhdenvertaisuusvaltuutettu), the Parliamentary Ombudsman

of Finland, (Oikeusasiamies), the Children's Ombudsman (Lastenvaltuutettu), and the National Non-Discrimination and Equality Tribunal of Finland (Yhdenvertaisuus- ja tasa-arvolautakunta). They are not specially tasked with supervising schools, but have much broader tasks, and to get an advisory statement from them can take more than a year. A family experiencing discrimination or harassment stands alone against municipal authorities. In Sweden, the UK, Poland and many other countries there are supervising authorities for schools. The situation in Finland is endangering trust in democratic values and destroying confidence in society among minorities.

When it comes to children of colour (POC), as well as other minorities, schools' staff members lack basic knowledge about the nature and forms of racism and discrimination, and staff often perpetuate the discrimination without even understanding it. It often happens that the discrimination worsens after it becomes known in the school that a complaint has been made. The complaints are normally sent back to the municipality from the authorities for them to comment. This is also a reason why most families do not make any complaints. Other reasons are that many minority families do not have knowledge about their human rights or strength to stand up for their children.

We are very worried about the situation, because the importance of equitable treatment and making schools a safe place for all children cannot be overestimated. As you probably know

- Finland is topping the chart among 12 EU-countries in terms of perceived racial harassment, described as offensive comments and gestures (the Being Black in the EU/Second European Union Minorities and Discrimination Survey, 2018)
- Finland also leads in Europe when it comes to workplace bullying (Violence and harassment in European workplaces: Extent, impacts and policies, Eurofound 2015)
- Finland has also alarming low results when it comes to integration of pupils and students in higher education. According to a new report from the National Center of Education Evaluation (2019), migrant children are less likely to continue to A-levels or university-studies.

We hope that the OSCE will discuss this important issue, highlighting hate crimes and discrimination. In order to ensure ethnic and religious minorities' rights in schools, we recommend the establishment of a supervisory authority with the right to sanction municipalities.

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Thank you for your attention.



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