

### Ending Segregation: International Commitments and Recommendations

BiH has assumed a number of obligations which require the state to de-segregate its schools and ensure they are welcoming to all children. Since education is devolved to the entities and cantons, however, which largely fail to respect these principles, the state remains unable or unwilling to demonstrate fulfilment of its international commitments. Yet the latter themselves suggest an educational model appropriate for all BiH citizens.

BiH's Post-Accession commitments to the Council of Europe (2002) include ending segregation in schools; this was reiterated by the European Partnership Document (2007) signed with the European Union. The commitment is rooted in international conventions to which BiH is a signatory, including the Universal Declaration on Cultural Diversity, the International Covenant on Economic, Social and Cultural Rights, and the International Convention on the Elimination of Racial Discrimination.

The **Universal Declaration on Cultural Diversity** commits all states to:

Fostering the exchange of knowledge and best practices in regard to cultural pluralism with a view to facilitating, in diversified societies, the inclusion and participation of persons and groups from different cultural backgrounds. Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education, wherever possible, and fostering the learning of several languages from the earliest age, and promoting through education an awareness of the positive value of cultural diversity and improving to this end both curriculum design and teacher education.

### Practice in BiH

Theoretically, schools in BiH are open to all children. However, as the latest Monitoring Report for the Council of Europe notes (2008), **“The fact is that three distinct curricula exist in BiH, which support and codify ethnic segregation.”**

Segregation exists officially in Cantons 6 and 7, which have two types of curriculum. Here it is justified on the basis of linguistic differences. It is argued that to learn one of the three official languages, fully separate schooling conducted exclusively in that language, is necessary. Ironically, in all other areas, including those controlled by the same political forces as Cantons 6 and 7, linguistic differences are glossed over: it is the norm for schools to offer only a single language. Returnee children (with few exceptions) must study the same ethnically biased curriculum as their peers. Segregation or assimilation have become the only options.

Both practices contradict the principles underlying the state's international commitments and its domestic law. Reviewing the education laws of Canton 6, the Constitutional Court of the Federation of Bosnia and Herzegovina ruled in 2004:

‘A solution which would allow the possibility of teaching exclusively in the Croatian, Bosnian or Serb language, would represent a violation of the constitutional principle of equality of all official languages in the Federation of Bosnia and Herzegovina.’

However, this ruling continues to be ignored, not only in Canton 6 but throughout the Federation, which mirrors practice in the RS. Not only language, but history and even geography are taught with an obvious ethno-national bias in schools which are themselves biased, by symbols, celebrations, monuments, and even displays of artwork, towards one group only.

### **International Recommendations**

The bodies responsible for overseeing BiH's adherence to its international commitments are unanimous. **The United Nations Committee on Economic, Social and Cultural rights** (2005)

“The Committee urges the State party to ensure that the practice of “two schools under one roof”, as well as the construction of separate schools for children belonging to different ethnic groups, be discontinued. The Committee recommends that the State party merge and teach one curriculum to all classes, irrespective of ethnic origins.”

urged for the creation of a single curriculum:

The **United Nations Committee on the Elimination of Racial Discrimination** (2006) agreed, noting the curriculum should be “sensitive to the diverse cultural attributes of the various ethnic groups” and deploring the “ethnic divisions...which reinforce structural discrimination and institutionalised prejudice and intolerance.” The Monitoring Report to the Council of Europe (2008) concurs:

“There is a constitutional right to use the three official languages. However, the curriculum can still be the same and take into consideration the language variants. It is particularly important to introduce elements of multi-language teaching as part of the curriculum, so that students from different ethnic groups can study some subjects in three official languages, which are understood by all the inhabitants of BiH. One possible solution is moving to one core educational curriculum for the whole of BiH complemented by a set of culturally specific subjects. This idea is slowly growing in support, e.g. by the EU Parliament.”

**UN Human Rights Council Special Envoy for Educational Rights** Vernor Munoz adds (2008): “The existence of various curricula enables discrimination in the educational sector and the segregation of students. One of the most important challenges for BiH is the creation of a unified curriculum”.

### **The Brcko Model**

The single-curriculum model comes closest to realization in Brcko District in the form of ‘The National Group of Subjects.’ This requires limited separate teaching for ‘Mother Tongue’, to help students use their own language variant with confidence. Otherwise students mostly attend class together, and hear all languages. This option is widely praised by parents and students in Brcko District (where it was imposed by the international Supervisor in 2001):

“Danica Duric, a parent, would like to tell parents in other parts of the country where 100 percent mother tongue tuition (for all classes and subjects) is demanded that she herself is satisfied with how Mother Tongue education works in Brcko District.”

“Ljubica Blazevic, a Croat student, points out that she speaks the Croat language and her friends speak Serbian, Croatian and Bosnian, but they all understand each other perfectly. She finds having a separate Mother Tongue class ‘normal and natural’.”

“Melisa Alic, a Bosniak student, finds dividing pupils for language classes ‘OK’ but would prefer to have those classes together so that they could, for example, learn Croatian language and literature. She feels that in this way all children would learn more.” (*OSCE Interviews 2007*)

### **Conclusion**

It remains to be seen whether BiH Ministers of Education will consider supporting similar options, as political factors rather than educational quality tend to dominate discussions. Progress may result if Ministers adopt unified curriculum standards, to be developed by the nascent state-level Education Agency - which unfortunately lacks enforcement powers and is subject to the Ministers themselves.

International examples and international pressure remain the only other power. As the Monitoring Report to the Council of Europe (2008) points out, “the country’s European future depends to a large extent on the ability of the authorities and different communities to develop a common educational framework.”