

Combating Discrimination in Education



Education as a fundamental human right must be ensured without discrimination on any ground. It is therefore crucial for every society, including Bosnia and Herzegovina (BiH) and all its levels of government, to recognise and combat discrimination in education. Two decades after the war ended, many children in BiH are still faced with discriminatory practices in education and a subsequent lack of inclusive quality education. This, in essence, challenges their right to education. Education policies and practices in BiH still uphold ethno-national divisions as opposed to promoting mutual understanding, tolerance and respect for diversity. A key objective of the OSCE Mission to Bosnia and Herzegovina (the Mission) is to strengthen and support the efforts of BiH education authorities to ensure non-discriminatory inclusive quality education for all children.

The Mission's long-term co-operation with education authorities at all levels, in addition to its unique field presence, remain invaluable in the fight for a better education for all.

The Mission's assistance is directed at the development of non-discriminatory policies and practices, fostering a welcoming and inclusive learning environment, improving teaching and

learning process, and co-operation/co-ordination between relevant education bodies. To these ends, the Mission works with a wide range of education stakeholders (ministries of education, pedagogical institutes, schools directors, teachers, education inspectors, students and parents) and support their efforts.

The Mission supports education authorities in the adoption of legislation that would allow full enjoyment of the right to education, in accordance with domestic and international legal norms. For instance, the Mission supported authorities to develop the Guidelines for Recognising Discrimination in the Field of Education (the Guidelines) in BiH. The

Mission's advocacy efforts will remain focused on raising awareness and empowering people to recognise, prevent, and combat discrimination through the continuous promotion of the Guidelines and assistance to education authorities in developing effective internal acts and procedures. The most prominent topics for the Mission in this area are 'two schools under one roof', equality of languages in education, religious education and an alternative subject, as well as the fulfilment of educational needs of Roma children.

The Mission's 2018 report [Two Schools under One Roof: The Most Visible Example of Discrimination in Education](#) in Bosnia and

Herzegovina identifies the main practices and challenges, and provides recommendations aimed towards ending this discriminatory practice. Following the publication, advocacy with political party leaders, education authorities, and school directors was conducted to foster the implementation of the report's recommendations.

The Mission also intensified its support to school activities aimed at increasing interaction between students attending such 'two schools under one roof'.

The Mission is advocating for equal respect for the three constituent peoples' languages in the education process across BiH. Each constituent people have the right to use and name their own language¹. However, constituent peoples have no right, under the DPA or anywhere else, to an entire teaching process in only one of the three official languages. The UN's Special Rapporteur in the field of cultural rights has stated that it is a misinterpretation of cultural

rights of constituent peoples to overemphasize linguistic differences in order to enforce segregation of students based on ethno-national affiliation.

Moreover, linguistic differences should not be overemphasized to segregate students based on ethno-national affiliation².

With respect to religious education, the Mission's advocacy is calling that parents' rights to decide about religious education of their children be respected, which should be in conformity with their own religious and philosophical convictions.

This includes both religious education, as well as an alternative subject for students opting out of the former. Recognizing and acting positively on the potential of religious education as a driver for interreligious understanding is important for education authorities in the development of inclusive teaching policies and practices.

The Mission's 2018 analysis on religious education teaching showed that, in practice, many schools do not inform parents that religious education classes are optional. Even if informed, once parents opt for this subject, they cannot opt out until the completion of primary or secondary education.

The Mission also continues to advocate for the establishment of effective systemic mechanisms to ensure fulfilment of the educational needs of Roma children.

These include the development, implementation, assessment, and adjustment of action plans at all levels of authority, aligned with the BiH Action Plan for Social Inclusion of Roma (2021 - 2025). In line with this Action Plan, the Mission also advocates for introduction of an optional school subject on Romani language with elements of culture and history.

The Mission works closely with schools on improving the learning environment and promoting positive examples

where Roma's educational needs are fulfilled.

In order to maximize co-operation among international actors and avoid overlaps in supporting educational authorities to implement their domestic and international commitments in this area, the Mission chairs thematic sessions of the Education Reform Co-ordination Group, gathering representatives of the International Community in BiH.

In addition, the Mission participates in the Co-ordination Forum of the BiH Ministry of Civil Affairs and international partner organizations engaged in education in BiH.

¹ Constitutional Court of BiH, U 7/15, May 2016

² A/HRC/25/49/Add.1, United Nations General Assembly: UN Human Rights Council, 3 March 2014

For more information, scan the QR code.

