

FEDERAL UNION OF EUROPEAN NATIONALITIES
FEDERATION OF EUROPEAN NATIONALITIES
Федералистский Союз Европы



The
RIGHT TO EDUCATION
for the autochthonous, national
minorities in Europe

Tallinn
2007





Federal Union of European Nationalities

The right to education for the autochthonous, national minorities in Europe

52nd FUEN-Congress of Nationalities from 16th-20th May 2007 in Tallinn / Estonia

The right to education for the autochthonous, national minorities was adopted at the 52nd FUEN-Congress from 16th-20th May 2007 in Tallinn.

responsible: Heinrich Schultz (FUEN vice-president), Judith Walde (project management)

Federal Union of European Nationalities (FUEN)

The FUEN is the biggest European umbrella organisation of the autochthonous, national minorities in Europe.

President: Hans Heinrich Hansen

Contact

FUEV-Generalsekretariat
FUEN Secretariat
Schiffbrücke 41
D- 24939 Flensburg
Germany

www.fuen.org
info@fuen.org

1st edition May 2007

The right to education for the autochthonous, national minorities in Europe can be used free of charge, provided the source is quoted.

INTRODUCTION

In 2006 the Federal Union of European Nationalities (FUEN) adopted the **“Charter for the autochthonous national minorities in Europe”**.

The Charter comprises the self-image, the fundamental principles and the fundamental rights of the European minorities as well as political demands and guidance for minority protection.

As a follow-up to the adoption of the Charter FUEN decided that it will **each year select and elaborate one of the fundamental rights**.

The purpose is to work out a useable compendium of minority protection in Europe, complementary to the Charter. The leading idea behind this is that only knowledge of the rights of persons belonging to the autochthonous national minorities makes it possible for them to use these rights and apply and develop them in an appropriate way. This is a condition for maintaining and development of the autochthonous national minorities, their identity, their languages that are often threatened to become extinct, their culture and traditions – as irretrievable heritage and intrinsic value of a diverse and multilingual Europe.

In view of the social challenges of the 21st century the first right to be selected was the fundamental right to education, which was adopted at the 52nd annual congress of FUEN in Tallinn in 2007.

With this publication at hand the “right to education” is published in the English and German languages and the delivery of a compendium about minority protection is started at the same time.

The Minister for Education and Scientific Research of the German-speaking Community in Belgium, Mr. Oliver Paasch, has been willing to assume the patronage for the elaboration of the right to education. Mr. Paasch also represents Belgium in the EU Council for Education and Science in the year 2007.

The elaboration of the fundamental right to education summarises the fundamental demands and requirements for the European minorities in the field of education.

Apart from being based on international standards of education and the definition of the right to education in relevant international law and political documents, the elaboration is based upon the 4-A-scheme that is used for the monitoring on the International Covenant on Economic, Social and Cultural Rights of the United Nations and was adapted by the Advisory Committee of the Framework Convention of the Council of Europe. This scheme can be used as a means to analyse the education systems of the minorities in a transparent way and according to international standards.

In this way the European minorities will be provided with a means to shape their education system in the 21st century based on their own particular situation and to start a constructive and critical dialogue about the implementation of the right to education.

For a more profound explication an explanatory report has been released.

We record our grateful thanks to all scientists, professionals and experts that have helped and supported us during the elaboration of the fundamental right to education.

Tallinn, May 2007

THE RIGHT TO EDUCATION FOR THE AUTOCHTHONOUS, NATIONAL MINORITIES IN EUROPE

Referring to

the **Charter for the autochthonous, national minorities in Europe** and the self-conception of the European minorities, the fundamental principles and fundamental rights as well as the political demands that have been defined in this document that was adopted by the FUEN and YEN in 2006,

Referring to

the **universal human rights and fundamental freedoms** as defined in international law and in political documents,

and referring to

the following explicit **international legislation and political documents concerning the right to education and concerning the European minorities**,

- Universal Declaration of Human Rights; UN; 1948; Article 26
- International Covenant on Economic, Social and Cultural Rights; UN; 1966, Article 13
- Convention on the Rights of the Child; UN; 1989,
 - o Article 28: Right to education; school; vocational education;
 - o Article 29: Education objectives; education institutions
 - o Article 30: Minority protection
- Convention against Discrimination in Education; UN; 1960, Article 5
- International Convention on the Elimination of All Forms of Racial Discrimination; UN; 1966, Article 5 and 7
- Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990, Part IV, Article 32 and 34
- Convention for the Protection of Human Rights and Fundamental Freedoms; Council of Europe; 1953, Protocol Nr. 1, Article 2
- European Social Charter, revised; Council of Europe; 1996, Article 17
- Framework Convention for the Protection of National Minorities; Council of Europe; 1995
- European Charter for Regional or Minority Languages; Council of Europe; 1992
- The Hague Recommendations Regarding Education Rights of National Minorities; OSCE; 1996

the Federal Union of European Nationalities (FUEN) defines the right to education and the way it has to be implemented for persons belonging to autochthonous national minorities in Europe, taking into consideration the particular context of the minorities and the different traditions in education, in the following manner:

RIGHT TO EDUCATION

The right to education is an inalienable and universal human right. Every person has the right to education.

UNIVERSAL EDUCATION OBJECTIVES

Education is a condition for

- full development of the human personality, of talent, of intellectual and physical abilities and of the sense of a person's individual dignity,
- respect for human rights and fundamental freedoms,
- the preparation of the child for a responsible life in a free, open and democratic society, in the spirit of understanding, peace, tolerance, equality and friendship among all peoples and different ethnic linguistic and religious groups,
- transferring respect for his or her own identity, his or her own language and cultural values, the values of the country in which the individual is living and for civilisations different from his or her own.

APPLICATION OF THE RIGHT TO EDUCATION

For the application of the right to education, on the principle of equal opportunity, education must be organised so that it is available, accessible, acceptable and adaptable for all.

The right of parents to choose the education of their child according to their own convictions must be regarded as guiding therein.

EDUCATION IN THE 21ST CENTURY / INTERNATIONAL EDUCATION STANDARDS

Education – as a challenge for the 21st century – is regarded as the essential condition for the development of a personality, for an extensive preparation for the responsibilities of life as well as for active participation in society and in creating social changes.

Education must be regarded as a holistic, lifelong process and includes the complete life-cycle of the individual person. Based on the principle of lifelong learning this includes the following fields: Early child-care and pre-school, primary, secondary and tertiary education, vocational education, advanced training and education, adult education and non-formal education.

Education must ensure the acquisition of knowledge combined with competences, which create the skills for self-determined education and learning processes.

EDUCATION AND MINORITIES

Education is an important part of the protection and support for minorities.

Education contributes to strengthen the identity of persons belonging to autochthonous national minorities and to stimulate this identity through a critical analysis of the values and traditions of the minorities. Education creates the premise which allows persons belonging to autochthonous national minorities to maintain, foster and develop their identity, culture, language, history, traditions and cultural heritage.

Education for minorities includes as an essential element minority language education.

In order to ensure real equality between minority and majority populations in the application of the right to education, the state must take all required measures to make education available, accessible, acceptable and adaptable, integrating the minority and giving them equal prospects.

To be able to apply the right to education and fulfil the related education objectives in an appropriate way based on international legislation and modern standards of education, against the background of the specific requirements and realities, and suited to the education traditions and regional characteristics of every individual autochthonous national minority, FUEN underlines:

RATIFICATION AND IMPLEMENTATION OF LEGAL OBLIGATIONS

Essential for the application of the right to education is

- the ratification and adequate and full implementation, suited to the needs of the minority, of the international legislation, in particular the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages by the individual states.

In this context FUEN demands

- *from all states to work towards the implementation of the principles, obligations and provisions of these documents for all minorities in the country,*
- *from the organisations representing the autochthonous national minorities to continuously use the existing opportunities to participate in monitoring processes and to contribute to a transparent system of reporting.*

HOLISTIC ORGANISATION OF THE EDUCATION SYSTEM

According to the current international standards of education the education systems of the autochthonous national minorities must be based on a holistic approach and be aligned with the principle of lifelong learning.

Education includes thus the following education fields:

- i. Early child-care and pre-school
- ii. School (primary and secondary)
- iii. Higher education/university (tertiary education)
- iv. Vocational education
- v. Advanced training and education
- vi. Adult education
- vii. Non-formal education.

Of particular interest are early child care, preschool and primary and secondary education. Apart from formal education also non-formal education plays an essential role for minorities.

Education systems have to be organised according to the requirements of the particular minority based on following criteria:

- **Availability:**
Education institutes / schools must be available in sufficient number.
- **Accessibility:**
The same access to education institutes / schools for all, based on full equality. Non-discrimination of minorities must be guaranteed.
- **Acceptability:**
Education must be relevant, culturally suited and of high-quality. Through adequate education content it must stimulate the development of the individual personality.
- **Adaptability:**
Education must adapt to the requirements of a changing society and community and be organised in a modern way. This must be reflected in the curricula and education content.

In organising education systems the direct involvement of the autochthonous national minorities that are concerned and the organisations that represent their interests must be ensured. The education system must be monitored, adjusted and evaluated according to the criteria given.

In order to reach the universal and specific education objectives a number of conditions must be ensured:

- Preservation of education institutes
- Co- and self-determination in education issues
- Language education for minorities
- Integration of the majority population
- Teaching and learning materials
- Qualified personnel and adapted learning methods
- Education content, curriculum, education structures.

EDUCATION INSTITUTES

Adequate high-quality education institutions (e.g. kindergartens, (pre-) schools, university, education and research centres) must be preserved and guaranteed.

It is therefore necessary:

1. to ensure that the availability and the accessibility of education institutes is in accordance with the requirements of the minorities and the convictions of the parents,
2. to have the right to public and / or private education institutes,
3. to have primary and secondary education for persons belonging to minorities free of charge,
4. to organise the education institutions, taking into consideration the specific needs of the minorities, e.g. also in their function as public areas where the language is used and as social and intercultural centres
 - i. smaller education institutions dependent on the socio-economic and demographic situation
 - ii. higher costs because of longer distances from home to school as a result of a larger catchment areas of the education facilities
5. to equip the education institutes with the required materials and financial resources and to guarantee necessary additional support, in order to ensure real equality of availability and accessibility in the sense of non-discrimination.

CO- AND SELF-DETERMINATION IN ISSUES OF EDUCATION

In order to fulfil the objectives of education and to ensure the right to education for minorities, the involvement of minorities and the right to co- and self-determination in education issues is crucial.

The *Right to adapted forms of self-administration and cultural autonomy* is one of the fundamental rights of the autochthonous national minorities.

Co- and self-determination in education issues is a condition for the holistic organisation that corresponds to the requirements of the individual minority. The essential education issues are co- and self-determination of education content and objectives, the basic conditions (learning materials, personnel, and education institutions), language education, equipment and support.

LANGUAGE EDUCATION FOR MINORITIES / RIGHT TO LANGUAGE

One of the most essential aspects of education for minorities is minority language education.

The minority language should be available and accessible in the education system.

1. The acquisition of the minority language is an essential condition for maintaining and stimulating the own identity of persons belonging to a minority.
2. In accordance with the wishes of the individual minority, the minority language should be:
 - i. the language of instruction in pre-school and in primary education. The majority language is taught as a subject.
 - ii. used in secondary education for a substantial part of the education.
3. The learning of the minority language takes place in at least the same quality as the learning of the majority language.
4. The parallel learning of minority and majority language(s) as natural bi- and multilingualism is the European standard and supports in a natural way the preservation of the European linguistic diversity.
5. Condition for successful language education is positive language policy.
6. The specific conditions for the learning of the minority language should be discussed and coordinated with representatives of minorities, taking into account real equality between minority and majority.
7. For the learning of the minority language additional support is required in order to ensure equality.

INTEGRATION OF THE MAJORITY POPULATION

To comply with one of the education objectives from the legal documents – stimulating tolerance, dialogue and understanding – it is necessary in the education systems not only to teach knowledge about the culture, language, history, religion and traditions amongst the minority, but also amongst the majority population. The application of the right to education thus includes both the minority as well as the majority population.

1. The education system of a state must teach knowledge about the minorities that live in this state also to the majority population, in particular through the subjects of history, economics/politics, art, music and literature.
2. Education systems must comply with the requirements of the society of today. The intercultural perspective in the curricula is required to create interaction between persons belonging to minority and majority and to stimulate the development of the own identity and to ensure understanding for other identities.
3. The learning of the minority language by the majority population living in the area of settlement of a minority must be aimed at, so that the majority also can use the advantages of early bi- and multilingualism.
4. A condition for this is an appropriate language policy, which encourages to learn the minority language.

TEACHING MATERIALS

Teaching and learning materials must be available and accessible; they must be styled and written in a modern way. These include school books, textbooks, and other education materials, also electronic and digital media (e.g. DVDs, CDs, TV, radio and internet).

1. The availability and the accessibility of teaching and learning materials have to be guaranteed:
 - i. in the minority language
 - ii. in the majority language(s) with information about the minorities
 - iii. teaching and learning materials must economically be available for each individual person to the same extent, in primary and secondary education they must be available free of charge
 - iv. teaching and learning materials must be styled and written in a modern way and also be available as modern media (digitally and electronically)
2. Teaching and learning materials must offer relevant, culturally appropriate and high-quality information.
 - i. balanced and up-to-date content
 - ii. learning materials must be regularly screened and updated
3. For this reason required material and financial resources should be made available and necessary additional support should be ensured, e.g. for translation, printing and production.

QUALIFIED TEACHING PERSONNEL AND LEARNING METHODS

1. Bilingual, mother-tongue teachers and other pedagogic personnel must be available sufficiently.
2. Teachers and educators must possess adequate qualifications:
 - i. in regard to language competences (minority and majority language(s))
 - ii. in regard to knowledge about minority and majority (e.g. about culture, history, language, literature, traditions)
 - iii. in regard to intercultural aspects in education
 - iv. in regard to the pedagogic methods for bi- or multilingual regions
3. The state has to take positive measures to ensure the availability of sufficient and qualified teachers and other pedagogic personnel. The lack of personnel is no excuse for not fulfilling the education objectives.
4. Training, advanced education and additional education measures for teaching personnel in regard to minority-specific aspects have to be guaranteed.
5. The teaching methods have to be adapted to the requirements of a changing society.
6. The required material and financial resources must be made available to obtain qualified teaching personnel and teaching methods and necessary additional support must be ensured.

ANALYSING THE IMPLEMENTATION OF THE RIGHT TO EDUCATION

Conditions for the analysis, inspection, evaluation and development of the different education aspects for minorities are:

- knowledge of persons belonging to minorities about the right to education and the implementation of this right,
- definition, assessment and development of specific education objectives for the individual minority
- knowledge about the cultural and political context of the minority
- collecting the following basic data about the individual minority, in accordance with the wishes of the individual minority:
 - o number, needs, aspirations and expectations of the students, parents and teachers within the minority
 - o current language situation and the language skills of the children in both the minority language and the majority language (revitalisation etc.)
 - o evaluation of the performance of the school
 - o type of region; e.g. demographically, rural or urban area
 - o accessibility, availability and quality of teaching personnel, teaching and learning materials
 - o level of provision with material and financial resources and support of the education field.

Adopted by the Assembly of Delegates of FUEN

Tallinn, 18th of May 2007