



NEWS REPORT

Date: 17 June 2010
Expert: Kádár, András
Title: Segregation of Roma pupils in Kaposvár established
Country: Hungary
Context
Issue at stake: Whether the local council's failure to take action against segregated education amounts to a breach of the principle of equal treatment
Ground of discrimination: racial/ethnic origin
Source: national court decision
Field: Education
Legislative provisions: Articles 7, 8, 9, 20 of the Equal Treatment Act (Act 125 of 2003)

Content

Case: In September 2008, the Chance for Children Foundation launched an *actio popularis* claim against the local council of Kaposvár (South West Hungary), claiming that the council had defined the catchment area¹ of a particular elementary school located in the Roma quarter of the city in a way that strengthened the educational segregation of Roma pupils. The first instance court established both the segregation of Roma pupils and their discrimination as well (on the basis that the level of education they received had been worse than that of pupils attending other elementary schools of the city). The local council appealed the decision.

Decision of the Court: In a final and binding decision of 20 May 2010, the Pécs Court of Appeal established that the local council had segregated the Roma pupils of an elementary school by failing to take action against the spontaneous segregation caused by the movement of the population within the city. The Court of Appeal did not however share the first instance court's

¹ Catchment areas are residential areas from which pupils of a given school all come. School segregation is often the result of the segregation of residential areas (and consequently catchment areas).



view on the substandard education of the Roma pupils in the segregated school.

Internet link source and additional information :

http://www.cfcf.hu/kaposvar-itelet-varhato-2_en.html