

Execution of Judgment of the European Court of Human Rights

no. 57325/00 – *D.H. and Others v. the Czech Republic*

Progress Report

31 December 2025

1. INTRODUCTION

This Report on the Execution of the Judgment of the European Court of Human Rights in *D.H. and Others v. the Czech Republic*, concerning discrimination against Roma pupils in access to education, is submitted in pursuance of point 9 of the decision of the Committee of Ministers of the Council of Europe of 14 March 2024.¹

Its purpose is to provide information on:

- (i) the progress made by the Czech Republic in implementing the Action Plan for the Execution of the Judgment in *D.H. and Others* of 21 December 2023;
- (ii) the adoption of a new Action Plan focused on promoting the participation of Roma and socially disadvantaged children in preschool education;
- (iii) current data concerning the education of Roma children and pupils;
- (iv) cooperation on the execution of the judgment with the Council of Europe; and, lastly,
- (v) the further steps planned in the execution of the judgment in *D.H. and Others*, with a view to ensuring equal access to education for Roma.

2. IMPLEMENTATION OF THE ACTION PLAN FOR THE EXECUTION OF THE JUDGMENT IN *D.H. AND OTHERS* OF DECEMBER 2023

A. ACTION PLAN

At the end of December 2023, the Czech Republic submitted to the Committee of Ministers of the Council of Europe its **Action Plan for the Execution of the Judgment in *D.H. and Others*, outlining measures aimed at the desegregation of Roma pupils in education** (available in Czech [here](#) and in English [here](#)). The Action Plan, drawn up in close cooperation with the Ministry of Education, Youth and Sports (MEYS), reflects the country's current approach to securing equal access to education for Roma pupils. It contains a schedule of measures that were to be implemented in 2024 and 2025.

The measures were grouped thematically into three project fiches, which are described in detail in individual annexes to the Action Plan: **(1) Reform of the counselling system**, aimed at increasing the quality and efficiency of the activities of school counselling facilities, with a view to approximating the proportion of Roma pupils diagnosed with mild mental disability (now referred to as "mild intellectual developmental disorder") to the level of the general population and thereby reducing the number of Roma pupils educated under the modified educational programme for children with mild mental disability, who are consequently more frequently placed in special schools or classes established under section 16(9) of the Education Act ; **(2) Ethnic desegregation**, targeting a reduction in the number of Roma children attending ethnically segregated schools, which include both special

¹ Decision no. CM/Del/Dec(2024)1492/H46-10 of the Committee of Ministers of the Council of Europe, dated 14 March 2024.

and mainstream schools; and **(3) Support for schools**, aimed at reducing the dependence of Roma pupils' educational outcomes on the socio-economic status of their families and at increasing the readiness of mainstream schools to admit them. The measures draw heavily on an analysis of the causes underlying the higher proportion of Roma pupils receiving education in classes set up under section 16(9) of the Education Act, conducted by PAQ Research and STEM (available [here](#)). The way in which these measures were formulated was discussed by the Expert Forum on the Execution of the Judgment in *D.H. and Others*, an advisory body of the Agent of the Czech Government before the European Court of Human Rights. Forum members continued to be consulted during the implementation process.

B. SUMMARY OF THE IMPLEMENTATION OF THE ACTION PLAN

The Action Plan was implemented as timetabled in 2024 and 2025. A meeting of the Expert Forum on the Execution of the Judgment in *D.H. and Others* was held on 22 October 2025 to evaluate the implementation of the Action Plan. It was attended by relevant partners, including representatives of the competent ministries, expert non-governmental organisations, and representatives of the Roma community. The Action Plan is currently being evaluated in detail, and necessary follow-up measures are being identified, with a view to ensuring equal access to education for Roma children and preventing their segregation.

I. Reform of the counselling system

As part of the **reform of the counselling system**, particular emphasis has been placed on strengthening the oversight, management, and methodological guidance of school counselling facilities, which carry out the diagnosis of mild intellectual developmental disorder. Newly, data will be collected on their diagnostic activities and used to identify those school counselling facilities whose diagnoses of mild intellectual developmental disorders deviate from expected values. These facilities will then be subject to targeted oversight and methodological support.

The MEYS has strengthened its management role by introducing a statutory obligation to hold competitive selection procedures for the post of school counselling facilities director every six years, with MEYS represented directly on the selection panel.

The quality and standardisation of school counselling facilities' activities have also been enhanced. The obligation for school counselling facilities to apply procedures, tools, and methods appropriate to the purpose of the service provided and based on the current state of scientific knowledge, including standardised diagnostic procedures, has been enshrined in law. Updated methodological guidance and diagnostic tools have been developed, with a stronger focus on distinguishing mild intellectual developmental disorders from the impact of social disadvantage on pupils' test results.

The quality of school counselling facilities' activities has also been supported by improvements in their funding arrangements and by measures to increase the number of psychologists and remedial teachers.

The introduction of catchment areas for school counselling facilities covering specific primary schools will strengthen links between counselling centres and schools and improve the methodological guidance provided to expert staff delivering counselling services directly in schools.

All these measures should contribute to more accurate diagnoses and the timely provision of support to pupils with special educational needs within mainstream schools. In the forthcoming period, it will be essential to evaluate the newly collected data and determine whether the current level of State oversight of school counselling facilities is sufficient or whether further strengthening is required.

II. Ethnic desegregation

On the need to address ethnic segregation in education, the Government notes that Roma pupils account for approximately 3.5% of all pupils in primary schools; however, in 2022 there were 129 schools (out of more than 4,300 primary schools) where Roma pupils represented more than one third of the student body. These segregated schools include not only special schools established under section 16(9) of the Education Act, but also mainstream schools. The reasons for the persistence of segregation vary by locality and are not limited to the overdiagnosis of mild intellectual development disorder and the placement of children with this diagnosis in special schools. For this reason, the **outputs of the project fiche on ethnic desegregation** are of particular importance.

Noteworthy is the launch of inter-institutional cooperation under the Memorandum of Cooperation for the Elimination of Ethnic Segregation in Schools between MEYS, the National Pedagogy Institute (NPI), and the research organisation PAQ Research. This cooperation resulted in the compilation of a list of school founders ranked by the degree of suspected segregation and the selection of the first ten municipalities for the pilot project “Desegregation through Case Management”. Each municipality was assigned a trained methodologist who established cooperation with the founder and focused on communicating desegregation in the locality. In these municipalities the local situation was mapped and the needs for further steps towards desegregation were identified. A methodological tool for all relevant stakeholders, enabling the sharing of effective desegregation instruments, was also developed and made available at www.desegregace.cz.

In practice it has been shown that the key driver of change at local level is the founder, most commonly the municipality. However, the State lacks direct instruments to motivate or influence founders who are unwilling to address segregation in education. For this reason, discussions are under way on the appropriateness of enshrining in the Education Act the responsibility of founders for the quality of education in their territory, including a prohibition of ethnic segregation, accompanied by methodological and financial support and oversight by MEYS and the Czech School Inspectorate.

The Ministry of Regional Development has also joined the Memorandum and launched similar cooperation on desegregation in other municipalities.

The continuation and focus of activities under the Desegregation project are currently under discussion. Follow-up measures will draw on a newly prepared situational report by the NPI mapping in detail the state and causes of segregation in 76 selected mainstream and special primary schools with a high proportion of Roma pupils.

The future use of the instrument for abolishing school catchment areas is also relevant, as the situational report identified eight schools where catchment arrangements negatively affected segregation. In this context, the creation of the online tool “Catchment Area Map” by the NPI, which currently maps catchment areas in the 300 largest municipalities in the Czech Republic, is also noteworthy.

III. Support for schools

Among the most important **measures adopted in the area of support for schools** is the introduction of an index-based funding system, which enables targeted support for mainstream schools with a higher proportion of socially disadvantaged pupils.² These schools will thus be better

² Roma origin is not synonymous with socio-economic disadvantage; however, the Roma minority population as a whole differs significantly from the general population in its socio-economic situation. This finding is confirmed by a report of the Research Institute for Labour and Social Affairs, which states that disadvantage is markedly evident in the field of education. Šimíková, I., Katrňák, T., Rákoczyová, M., and Fondová, L. (2024). Report on the Socio-Economic Situation of the Roma Population in the Czech Republic 2023/2024. RILSA.

prepared to educate pupils facing social disadvantage, including Roma pupils, as they will be able to finance tutoring, excursions, teaching aids, higher remuneration for teachers, and specialist positions. To prevent this measure from deepening segregation at certain schools, the maximum financial advantage for a single school is capped so as not to incentivise the accumulation of socially disadvantaged pupils.

Stable funding for school psychologists and remedial teachers directly from the State budget has also been introduced. These positions are key to working with children facing social exclusion or specific educational needs.

The position of social pedagogue has likewise been enshrined in law; in practice, social pedagogues link schools with families and social services, help identify children at risk of school failure, address absenteeism, communicate with parents, assist teachers in managing pupils' risk behaviour, and handle necessary administration vis-à-vis counselling centres. In the forthcoming period, it will be crucial to secure sufficient financial resources to ensure the intended impact of index-based funding.

The systemic framework for covering school meals for socially disadvantaged pupils remains unresolved and is currently addressed through subsidy schemes.

C. DETAILED DESCRIPTION OF THE IMPLEMENTATION OF THE ACTION PLAN

Set out below is a detailed account of the implementation of the Action Plan's individual project fiches, broken down by planned outputs, as provided by the MEYS. At this stage, we are submitting only a description of the individual measures. **More detailed evaluation of their effectiveness and the resulting formulation of a plan for further steps is currently under way. We expect both to be completed by 31 October 2026, at which point we intend to submit to the Committee of Ministers a new action plan on the next steps in the execution of the judgment in *D.H. and Others*.**

I. Reform of the counselling system

School counselling facilities play a central role in placing the children outside the mainstream education system. Compliance with professional standards, together with effective oversight of diagnostic practice, should lead to more accurate, ethnicity-neutral diagnosis and, consequently, to a reduction in the proportion of Roma children educated outside the mainstream system.

The primary objective of the reform was to increase the effectiveness of school counselling facilities' activities, in particular in the areas of prevention and inclusive education, as well as in the management and methodological support of diagnostic practices at individual facilities. The second objective was to increase the quality of school counselling facilities' activities and make them more standardised in relation to diagnoses of mild mental disability, now referred to as mild intellectual developmental disorder, and their current overuse for Roma pupils.

Output 1 – Workable system for the registration and management of data on the activities of all school counselling facilities

TASKS UNDER THE ACTION PLAN:

The introduction of a workable system for the registration and management of data on the diagnostic and intervention work of all school counselling facilities. This was to include machine-processable records of recommendations, together with a system for the management and periodic evaluation of the data.

IMPLEMENTATION OF THE ACTION PLAN

An amendment to the Education Act approved in 2025 (Act no. 267/2025) introduced a statutory obligation to transmit data contained in recommendations, reports, advisory assessments relating to deferrals of compulsory school attendance, and opinions on the individual education of pupils issued by school counselling facilities. The data will be collected by the MEYS, which did not have access to the information so far. The data obtained will be evaluated and, where appropriate, measures will be adopted on that basis. The amendment will take effect on 1 January 2026.

In 2025, implementing legislation was amended in a follow-up to Act no. 267/2025. In particular, Decree no. 306/2025 also amended Decree no. 364/2005 on the Documentation of Schools and School Counselling Facilities which specifies the categories of data to be transmitted by school counselling facilities. Work is currently under way on the technical arrangements for data collection, with a view to ensuring that it does not result in a significant increase in the administrative burden on school counselling facilities. The method of data collection was tested at the beginning of 2025 by the Czech School Inspectorate, which is currently finalising a thematic report on the findings of this exercise.

In the future, it is envisaged that a bill will be submitted to provide for the further establishment of education registers, comprising in particular a register of children, pupils, and students. At this stage, data on children, pupils, and students is expected to be entered solely by schools, with the possible involvement of school counselling facilities at a later stage. The register of children, pupils, and students should nevertheless allow for the straightforward collection of detailed data on the progression of children and pupils through the education system. The information provided should include data on any disadvantage affecting a child, pupil, or student within the meaning of section 16 of the Education Act, data on aptitude, data on support measures provided to the child, pupil, or student by the school in accordance with section 16 of the Education Act, and data on the findings of assessments set out in recommendations issued by school counselling facilities. Each child, pupil, and student will be assigned a unique, non-descriptive identifier to identify them in the register of children, pupils, and students in the provision of education or school services.

Data on the structure and frequency of diagnoses will be used to analyse the diagnosis of mild intellectual development disorders across individual school counselling facilities, with a view to identifying those facilities that statistically deviate from expected values. Attention will then be directed towards oversight and methodological support of the activities of those facilities, with the aim of reducing inaccurate diagnoses of mild intellectual development disorders.

Output 2 – More detailed legislative definition of school counselling facilities’ activities

TASKS UNDER THE ACTION PLAN:

More detailed legislative definition of school counselling facilities’ activities:

- (a) the legislative anchoring of the provision of counselling services in primary and secondary schools (reform of school counselling units and specialist positions);*
- (b) the institutionalisation of support pedagogical positions at primary schools, and a link between these positions and school counselling facilities;*
- (c) the establishment of catchment areas for educational psychology counselling centres to cover specific primary schools, including their methodological support.*

IMPLEMENTATION OF THE ACTION PLAN

In 2025, the above-mentioned amendments to the Education Act (Act No 267/2025) were approved; they relate, *inter alia*, to inclusive education and educational counselling. As noted above, their adoption was followed by amendments to selected implementing legislation. Of particular relevance to the more detailed legislative definition of the activities of school counselling facilities and the institutionalisation of support pedagogical positions are the amendments to Decree no. 72/2005 on the provision of counselling services in schools and school counselling facilities (Decree no. 72/2005), and to Decree no. 27/2016 on the education of pupils with special educational needs and gifted pupils.

A further amendment to Decree no. 72/2005 is envisaged in 2026 in connection with changes to the financing of school counselling facilities introduced by Act No 267/2025 (see Output 3 below).

Changes relevant to the delivery of the Action Plan outputs include:

- enshrining in law the provision of counselling services and specifying how such services are provided in schools, including nursery schools;
- enshrining in law the position of social pedagogues as pedagogical positions;
- the introduction of parameter-based financing from the State budget for support pedagogical positions (remedial teachers, psychologists, and social pedagogues) in mainstream primary schools with an average of at least 180 pupils over the preceding three years;
- the establishment of catchment areas for educational psychology counselling centres in order to provide methodological guidance to nursery, primary, and secondary schools related to positions delivering counselling services in schools;
- the obligation for regions to foster conditions conducive to the provision of counselling services by school counselling centres.

In connection with the establishment of catchment areas for educational psychology counselling centres, a multi-year call for the pilot testing of the establishment and financing of the methodological guidance of staff involved in the delivery of counselling services in schools by educational psychology counselling centres was published in spring 2025 under the EU-funded Johannes Amos Comenius Operational Programme (JAC OP).

The measures adopted are intended to increase the availability and quality of counselling services delivered directly in schools. This is particularly important for the accurate and timely diagnosis of children and pupils from marginalised groups, who are generally underdiagnosed.

The amendment to the Education Act has enshrined in law the obligation on nursery, primary, and secondary schools to arrange the provision of counselling services. This includes, in particular, ensuring the quality and organisation of educational support for children and pupils, including those with special educational needs; ensuring the prevention of risk behaviour; coordinating career guidance (in the case of primary and secondary schools); cooperating with school counselling facilities and other entities in supporting children and pupils in their education; and providing methodological support to teaching staff in the identification and education of children and pupils with special educational needs.

To enable schools to meet these obligations, a parameter-based system has been introduced for remedial teachers, psychologists, and social pedagogues, ensuring the stable financing of these positions from the State budget. Funding these positions from the State budget will allow for the gradual development of professional capacity directly within primary schools. In addition, the establishment of catchment areas for educational psychology counselling centres to provide

methodological guidance, together with subsidies supporting such guidance, will strengthen the professional and methodological role of school counselling facilities. Methodological guidance is intended to ensure greater coherence in the counselling system, improve the quality of cooperation between schools and educational psychology counselling centres, and provide methodological guidance to expert staff involved in the delivery of counselling services in schools.

Output 3 – Organisation of the management of school counselling facilities’ activities by the MEYS

TASKS UNDER THE ACTION PLAN:

The establishment of MEYS guidance of school counselling facilities’ work, consisting of the following:

- (a) the strengthening of the MEYS’s role in the selection and removal of school counselling facilities’ directors;*
- (b) the establishment of how school counselling facilities’ work is managed in light of standards set by the MEYS, including:*
 - (i) the setting of specific values for the volume of their various activities and a multi-tier process for possible overruns, e.g. in relation to diagnoses of mild mental disabilities;*
 - (ii) the obligation to collect data and transmit it to the MEYS;*
- (c) the standardisation of school counselling facilities’ activities:*
 - (i) standardisation of the activities carried out by expert staff, procedural and intervention practices in the diagnosis of special educational needs;*
 - (ii) comprehensive support for professional development – training of the staff of school counselling facilities;*
- (d) ongoing targeted support of school counselling facilities in response to identified needs – implementation of the “Pilot 14” project:*
 - (i) strengthening of the capacities of the Czech School Inspectorate and the NPI;*
 - (ii) preparation for a system where the funding of school counselling facilities differs depending on the complexity of their activities, including the enshrinement of this in legislation (e.g. dynamic diagnoses of mild mental disabilities).*

IMPLEMENTATION OF THE ACTION PLAN

Other approved legislative changes stemming from Act no. 267/2025 concern the framework for the oversight of school counselling facilities. These include an obligation on the part of the founder, after six years, to launch a competitive selection procedure for the post of director of a school counselling facility. This will lead to more frequent assessments of the performance of directors of such facilities and will allow for their replacement where a facility fails to function properly. A representative of the MEYS will participate in the selection procedure for directors of school counselling facilities.

The MEYS has submitted a project to the Technology Agency of the Czech Republic aimed at analysing the procedures applied by school counselling facilities and at developing a unified system for the assessment of special educational needs and for determining the types and levels of support measures. There are plans to follow up with pedagogical research to determine specific procedures in the diagnosis of, and establishment of support measures for, all disadvantages, including social ones and those related to health. This research will be due for completion in 2028.

Following the explicit statutory requirement for school counselling facilities to apply procedures, tools, and methods that are appropriate to the purpose of the service provided and based on the current state of knowledge of the relevant scientific discipline, including available standardised diagnostic procedures, tools, and methods (that is, to proceed *lege artis*), these procedures have also been explicitly set out by the State. Since 2024, a working group led by the NPI has prepared an update of the methodological guidance on the diagnosis of mild intellectual development disorder, previously referred to as mild mental disability. The updated guidance places a particular emphasis on taking social disadvantage into account in the diagnostic process and on the consistent use of multiple diagnostic tools. The purpose of the diagnosis under this update is to recommend support in education and in the educative context of the family setting that will work best for the pupil's education. School counselling facilities' counsellors will form their own reasoned and reviewable conclusion as to the most appropriate recommendation for a pupil's education. The NPI has also developed new diagnostic tools for the diagnosis of socially disadvantaged children, pupils, and students. These tools have been disseminated, and the NPI is currently providing training to staff of school counselling facilities on how to use them.

In terms of financing, the amendment to the Education Act, taking effect on 1 January 2027, provides that, for school counselling facilities founded by a region, municipality, or an association of municipalities, the Ministry will set funding norms. These will include an annual amount of State budget expenditure for salaries and other personnel costs of teaching staff, as well as mandatory contributions payable per child, pupil, or student to whom counselling services are provided on an individual basis, differentiated according to the complexity of the services provided. This measure is intended to ensure that school counselling facilities are not financially disincentivised from properly diagnosing mild intellectual development disorder, as the complexity of such diagnoses should be reflected in the level of the funding norm under which the facilities are financed.

Output 4 – Supplementing missing capacities at municipalities with extended powers

TASKS UNDER THE ACTION PLAN:

The supplementation of capacities lacking in municipalities with extended powers where there is no school counselling facility within easy reach. This includes:

- (a) the publication of an analysis of the availability of school counselling facility services at regional level;*
- (b) consultations with regional representatives on how to level out interregional disparities; incorporation into the regional Long-term Plans for Education and the Development of the Education System.*

IMPLEMENTATION OF THE ACTION PLAN

The introduction of nationwide funding norms for the financing of the pedagogical work of school counselling facilities, set at the level of the MEYS and referred to above, will make it possible to take several different factors into account when financing these facilities, such as the complexity of the counselling services and activities provided, including activities for which no client is reported, even though the reporting of a client was central to the previous funding model. At the same time, the measure will remedy the current situation, in which funding through regional norms has resulted in divergent approaches across regions, reflected in the differing capacities of school counselling facilities from one region to another.

The MEYS will also continue to work on increasing capacity in undergraduate degree programmes in psychology and remedial teaching, and to monitor trends in the numbers of psychologists and remedial teachers both in schools and in school counselling facilities.

To increase the number of psychologists and remedial teachers, an additional route to obtaining the professional qualification of remedial teacher has also been established.

Furthermore, in September 2025, the Government approved a programme to increase the number of students and graduates in the fields of teacher training, remedial-teacher training, and psychology over the period from 2026 to 2037. The programme will provide funding to faculties training psychologists and remedial teachers and lays down that student numbers are to increase by 20% in special teaching and by 50% in psychology.

II. Ethnic desegregation

In 2022, there were 129 primary schools (out of a total of more than 4,300) in which Roma pupils accounted for more than one third of the student body. According to informed estimates, Roma pupils represent approximately 3.5% of all pupils in primary education. Since 2017, there has been no significant change in how the concentration of Roma pupils is distributed across primary schools. These segregated schools consist not only of special schools established under section 16(9) of the Education Act, but also mainstream schools. Where the ethnic mix of pupils in a given school does not match the ethnic mix in a given locality, this is clearly a case of ethnic segregation, which is unacceptable under domestic law and must be addressed.

The goal of the measures on ethnic desegregation was to reduce the number of Roma pupils in ethnically segregated primary schools.

Output 1 – Definition and identification of ethnic segregation in schools

TASKS UNDER THE ACTION PLAN:

- (a) publication of definitions of segregated and segregating schools, with consideration for the local context;*
- (b) methodology for the initial identification and characterisation of areas with segregated schools;*
- (c) list of school founders identified as potentially associated with school segregation*

IMPLEMENTATION OF THE ACTION PLAN

(a) Publication of definitions of segregated and segregating schools, with consideration for the local context

The MEYS and the NPI focused on targeted media communications highlighting the need to address the ethnic segregation of Roma children and pupils in education. They communicate with the public via an MEYS newsletter aimed at education professionals and journalists. In addition, press releases and social media posts were issued on specific sub-topics, and, in November 2025, the NPI organised a press conference marking the anniversary of the *D.H. and Others* judgment. Besides representatives of the MEYS and the NPI, the press conference was attended by the Government Agent for Roma Affairs, a representative of the Roma organisation *Awen Amenca*, and a representative of the Office of the Agent of the Czech Government before the European Court of Human Rights.

The Action Plan for the Execution of the Judgment in *D.H. and Others* of December 2023, including its annexes, as well as the Memorandum of Cooperation for the Elimination of Ethnic Segregation in Schools, are publicly available on the MEYS website. Both documents set out measures

aimed at ending ethnic segregation in education. The NPI also adopted a methodological tool for ending segregation, available at www.desegregace.cz. Through these steps, the MEYS and the organisation it oversees have publicly and unequivocally committed to the objective of eliminating ethnic segregation in education.

In 2024 and 2025, internal discussions took place on the possibility of explicitly enshrining the unacceptability of ethnic segregation in education in the Education Act. In this context, the Czech Republic requested assistance from the Council of Europe in the form of a legal analysis of legislative practice in other States. The study, entitled *International standards, legal and policy obligations, and compliance monitoring models of school segregation in Council of Europe member states*, authored by Lilla Farkas, was received in September 2025. It will be used when considering possible future legislative amendments in a Czech context, the preparation of which is currently being coordinated by the Office of the Agent of the Czech Government before the European Court of Human Rights.

(b) Methodology for the initial identification of areas with segregated schools

In order to select several sites for a pilot case-management project on desegregation (described further below), an internal analysis of available data and informed estimates concerning the numbers of Roma pupils in primary schools was conducted in 2024. The analysis covered only the schools of founders who have more than one primary school. This decision was made in light of the plan to use the analysis as a basis for a pilot case-management project focusing on founders whose education systems have an over-concentration of Roma pupils in only some of the schools they operate.

A more detailed description of the analysis was presented by the Czech Republic in the Interim Report on the Execution of the Judgment submitted to the Committee of Ministers of the Council of Europe on 17 January 2025 (available [here](#)). For the ten sites selected for inclusion in the pilot case-management project, initial background materials were prepared on the basis of available data describing the state of the local education system.

In 2025, minor adjustments were made to the methodological guidance for the collection of informed estimates of the numbers of Roma children and pupils in schools, with a view to improving the methodological quality of data collection. At the same time, under the leadership of the Office of the Agent of the Czech Government before the European Court of Human Rights and the Government Agent for Roma Affairs, an initiative was launched to develop a unified methodology for the collection of ethnic data by State administrative bodies. This work is being carried out through interdepartmental cooperation.

(c) List of school founders identified as potentially associated with school segregation

On the basis of the internal analysis described in the preceding section, public founders of primary schools were ranked by the degree of suspected segregation within local school systems. This list was used to select founders for inclusion in the pilot desegregation case-management project.

Separately, in 2025, a situational report entitled *Segregation of Roma Pupils in Primary Education in the Czech Republic* was prepared for the NPI by Zbyněk Němec.³ The report sets out the situation and causes of segregation in primary schools with a high proportion of Roma pupils. The selection criteria were the estimated absolute number of Roma pupils, the proportion of estimated Roma pupils within the total student body of the school, and the size of the school. In all, 76 primary schools, both mainstream and special, were analysed. The schools concerned are located in 46 municipalities across the Czech Republic. The main findings of the study are set out below in the description of Output 2(b).

³ The full text of the situational report is available in Czech [here](#).

Output 2 – Case management

TASKS UNDER THE ACTION PLAN:

- (a) measures offered to address segregation (including MEYS methodological guidance on desegregation) and map available staffing and financial capacity;*
- (b) the establishment of communication with founders, examination of the situation in areas identified as potentially affected by segregation, and determination of the positions of key local stakeholders;*
- (c) local desegregation plan and implementation*
- (d) submission of proposals seeking the abolition of school districts where segregation is detected*

IMPLEMENTATION OF THE ACTION PLAN

(a) MEYS measures to address segregation and map available staffing and financial capacity

In spring 2024, a Memorandum of Cooperation for the Elimination of Ethnic Segregation in Schools was signed between the MEYS, the NPI, and PAQ Research (the Memorandum). In autumn 2024, the Memorandum was supplemented with an addendum extending the cooperation to include the Department (Agency) for Social Inclusion of the Ministry of Regional Development.

The cooperation thereunder resulted in the transfer, from PAQ Research to the NPI, of the existing methodological tool available at www.desegregace.cz. The website hosting the tool was substantially revised and expanded. It draws on fieldwork carried out by the NPI's methodological team and is based on an ethnically sensitive approach that takes account of the needs of Roma children. The tool is addressed to school founders (regions and municipalities), the management of schools (whether segregated or non-segregated), legal guardians, and representatives of non-governmental organisations and social services. It is conceived as a living document and is to be further developed in light of future fieldwork so that emerging good practice can be incorporated. The tool was unveiled on 13 November 2025 at a press conference. Representatives of Roma and other non-governmental organisations were also involved in its development.

The Desegregation pilot project was launched in June 2024. In September 2024, the project's methodologists commenced work in the first six selected towns, followed by a further four towns in January 2025. During the initial stage of the project, the methodologists underwent comprehensive training in order to sharpen the skills needed to carry out project activities.

Cooperation was also initiated with several pro-Roma non-profit organisations which, under the PRO-ROMA call of the Johannes Amos Comenius Operational Programme, are planning activities to support efforts aimed at ending the segregation of Roma pupils in schools.

The pilot project has generated valuable findings and experience. In particular, it has shown that:

- the local driver of change is the founder, most commonly the municipality;
- Roma (pro-Roma) organisations play a crucial role in local engagement with parents' representatives;
- there is a lack of instruments enabling the State to motivate or influence the decision-making of founders (meaning that founders address segregation in education only where they choose to do so);

- effective desegregation requires cooperation with all schools and support for inclusive environments and heterogeneous classrooms (so that every child feels accepted at school and can experience educational success in a safe and respectful environment).

The Desegregation pilot project is funded under the National Recovery Plan, as part of the Promotion of Equal Opportunities project, until 28 February 2026. As at the end of 2025, the funding arrangements for any continuation of desegregation activities beyond that date have not yet been clarified.

(b) Establishment of communication with founders, examination of the situation in areas identified as potentially affected by segregation, and determination of the positions of key local stakeholders

At the ten municipalities selected for the pilot case-management project, contact was established with the founder, specifically with representatives of the education departments or the political leadership of the municipalities. Each municipality was assigned a methodologist responsible for communication and follow-up with the founder.

Engagement proved challenging. At several sites, cooperation was refused immediately by the founder. At local level, there is a lack of opportunity and means to influence the decision-making of founders. Approaches therefore varied between municipalities, reflecting local political circumstances (municipalities were deliberately not selected on the basis of their willingness to pursue desegregation). In most cases, the initial priority was to foster trust between the methodologist and the municipal leadership, which was not always straightforward. Methodologists present clear data highlighting significant disparities between schools, including, for example, the drop-out rate, the extent to which school years are repeated, and numbers of both excused and unexcused absences. This data was used to substantiate the case for intervention. Methodologists subsequently engaged all relevant local partners and worked with them to identify possible responses to the situation.

The situation in primary schools with a high estimated number or proportion of Roma pupils was analysed in the NPI report Segregation of Roma Pupils in Primary Education in the Czech Republic, as referred to above. That report identifies the following principal findings:

“In 53 cases, the schools examined were mainstream primary schools delivering the standard curriculum. In the vast majority of cases (50 schools), the primary cause of the situation was residential segregation, with a higher concentration of socially disadvantaged Roma families living in the area around the school. In a number of cases, however, this primary cause was accompanied by secondary, but still significant, factors. In 22 schools, segregation was significantly reinforced by the fact that Roma pupils attending the school lived outside the school’s designated catchment area. The reasons for this lay both with mainstream schools, which refused Roma pupils or were unable to support them (a push factor), and with segregated schools, which created a friendly and welcoming environment for Roma pupils (a pull factor). In 11 schools, a significant part of the problem was also the outflow of non-Roma pupils who lived within the catchment area of the segregated school, but were enrolled by their parents in other schools in the vicinity (white flight). In 8 schools, catchment arrangements contributed to segregation, either through deliberate design intended to support segregation, or through an obvious failure to use available adjustments to catchment arrangements in order to minimise segregating effects.” (p. 3)

In 2026, the MEYS and the NPI intend to use the findings of this situational report in the formulation of public-education policy, including the preparation of a follow-on action plan for the execution of the judgment in *D.H. and Others*.

(c) Local desegregation plan and implementation

In the ten municipalities selected, work has progressed beyond the establishment of initial contact to include mapping the situation, identifying the resulting needs, and opening discussions on potential desegregation measures. The local desegregation plans originally envisaged have not yet been implemented, as the municipalities concerned remain at an early stage in considering possible desegregation strategies. Progress under the project is being closely monitored, and the findings arising from its implementation will inform the design of subsequent systemic measures. At this stage, however, experience indicates that, compared with initial assumptions, this workstream requires a relatively high level of engagement by suitably qualified staff in order to support founders in eliminating segregation.

Progress made so far in other activities outlined in the Action Plan is the following. In practice, methodologists have focused on the public-facing communication of efforts to eliminate segregation, as described above. Planned cooperation has also been established, under the Memorandum, with the Agency for Social Inclusion, which is addressing the situation in other municipalities.

As the project continues, greater attention will be directed towards the excessive placement of Roma pupils in special schools and classes established under section 16(9) of the Education Act. To date, the project has focused primarily on segregationist tendencies in primary schools with mainstream classes.

Representatives of founders from municipalities and regions will be approached with a new methodological tool, Desegrace.cz, and will be trained in its use.

(d) Submission of proposals seeking the abolition of school districts where segregation is detected

To date, no submission has been made under section 42 of the Code of Administrative Procedure to the Ministry of the Interior (which exercises oversight of the issuance and content of generally binding municipal ordinances pursuant to section 123 of Act municipalities) that could ultimately lead to an application before the Constitutional Court seeking the annulment of a relevant generally binding ordinance governing school catchment areas. In one instance, however, the MEYS drew a municipality's attention to the potential unlawfulness of its catchment-area ordinance, following which the municipality amended the catchment areas of its schools.

The situational report Segregation of Roma Pupils in Primary Education in the Czech Republic, referred to above, nevertheless identified 8 out of the 76 analysed primary schools where the situation is influenced by the designation of school catchment areas. The report notes:

"In a smaller number of segregated schools, catchment areas – namely the designation of school catchment zones by local self-government – also play a role. At best, catchment areas are defined in a seemingly neutral manner, but in practice their configuration preserves the existing situation and does not help to address segregation. At worst, catchment areas are deliberately configured so as to reinforce the segregation of Roma pupils in certain schools, while enabling other schools to refuse Roma pupils.

Within the analysed sample, the configuration of catchment areas played a negative role in eight schools (15.1% of the sample of mainstream schools), and in three of these cases the deliberate pro-segregation configuration of catchment areas constituted a key element of the problem." (p. 11)

The MEYS has access to the full version of the situational report, which identifies by name the primary schools in respect of which the configuration of catchment areas is suspected of contributing

to segregation. In the forthcoming period, the MEYS will examine the report's findings in greater detail and assess whether, in any of these cases, a filing a motion to the Ministry of the Interior would constitute an appropriate next step.

In addition to the measures set out in the Action Plan, several further activities have been undertaken with a view to contributing to ethnic desegregation. PAQ Research is preparing, for the requirements of the NPI and the MEYS, tailored analytical reports for municipalities that establish at least two primary schools. These materials provide information on all primary schools established by a given founder and allow for a comparison of educational outcomes within a municipality's social context. In 2026, training is envisaged for the methodological staff of the MEYS and the NPI working with founders, and the reports will be pilot-tested in practice. The objective is to strengthen public founders' capacity to shape local education policy in a targeted manner so as to uphold the principles of equal access to education, including inclusive education free from segregation.

The NPI has also developed an online tool entitled Mapa spádovosti (Catchment Area Map), which provides an indicative overview of school catchment areas in the 300 largest municipalities in the Czech Republic that establish two or more primary or nursery schools and are required to define catchment areas for them. This tool facilitates the straightforward examination of catchment-area configurations, which may assist in understanding how catchment arrangements contribute to segregation in particular schools. Owing to its user-friendly design, the tool also allows parents to easily identify the catchment school for their child. For Roma families, this may be an initial step towards enrolling their child in the designated catchment school rather than, for example, a school traditionally attended by Roma pupils in the locality. By 2028, municipalities will be required to enter the catchment areas of primary and nursery schools in the Register of Territorial Identification, Addresses, and Immovable Property, which will make it much easier to monitor catchment areas and identify potentially pro-segregation configurations.

In 2025, contact was also established with academic staff from the Department of Social Geography and Regional Development at the Faculty of Science, Charles University. Cooperation with these experts will be developed in 2026, focusing on the spatial analysis of data so that segregation in education can be examined.

III. Support for schools

Even where desegregation measures are effective, there will remain localities in which certain schools operate in socio-economically disadvantaged areas. Therefore, targeted support for these schools needs to be intensified so that they are better able to offset the influence of their surroundings on education. The group of schools concerned overlaps, to a certain extent, with the group of schools with a higher estimated proportion of Roma pupils, reflecting a concentration of ethnic segregation and broader socio-cultural disadvantage. The measures were thus designed, *inter alia*, to support schools with an estimated higher share of Roma pupils.

The objective of the project fiche on support for schools was to reduce the extent to which pupils' educational outcomes depend on the socio-economic status of their families. The principal means of achieving this objective was a revision of the system for financing regional education so that it would take account of pupils' social disadvantages.

Output 1 – Revision of the regional education funding system to reflect the socio-economic status of pupils and schools' needs in working with these pupils

TASKS UNDER THE ACTION PLAN:

Revision of the regional education funding system to reflect the socio-economic status of pupils and schools' needs in working with these pupils. The revision includes:

- (a) the formulation and testing of a procedure for identifying schools that need extra support as a result of an above-average proportion of socially disadvantaged pupils;*
- (b) the creation and piloting of a fixed catalogue of tools to provide comprehensive, individualised support to socially disadvantaged pupils and their families, together with staffing and methodological support for teaching staff involved in the education of socially disadvantaged pupils;*
- (c) following the identification of schools with an above-average proportion of socially disadvantaged pupils (see point (a)), the securing of funding for individual instruments to support these schools.*

IMPLEMENTATION OF THE ACTION PLAN

(a) Identifying schools that need extra support as a result of an above-average proportion of socially disadvantaged pupils

During 2024 and 2025, work was under way to review the school disadvantage index, which will be used to identify schools eligible for index-based funding. The identification methodology builds on the index used to select schools for the Promotion of Equal Opportunities project, funded under the National Recovery Plan with EU financing. The index methodology was reviewed in cooperation with the MEYS, the NPI, the Czech School Inspectorate, and the non-governmental organisation PAQ Research.

Compared to the original index used for the Promotion of Equal Opportunities project, the revised approach also uses data reported by schools under the new methodology, developed under the project, for identifying children and pupils experiencing social disadvantage. Bringing data on the degree of social disadvantage among children and pupils directly into schools' statutory reporting is a significant step forwards in identifying schools with a higher proportion of socially disadvantaged children and pupils because there is a higher risk, within this group, that disadvantage may be under-identified through assessment by school counselling facilities.

Index-based funding is intended to support schools in providing socially disadvantaged pupils with mainstream education, thereby weakening incentives to place such pupils in special schools established under section 16(9) of the Education Act. For this reason, index-based funding will not apply to schools established under section 16(9), i.e. schools established exclusively for pupils with intellectual, physical, visual, or hearing disabilities, severe speech impairments, severe developmental learning disorders, severe developmental behavioural disorders, multiple disabilities, or autism. Index-based funding will apply only to nursery and primary schools that educate at least half of their children or pupils in mainstream classes.

In 2025, there are plans to complete the calculation of the index and integrate it into the system for financing regional education (i.e. the allocation of direct-expenditure budgets for schools and school facilities established by regions, municipalities, or voluntary associations of municipalities).

(b) Creation and piloting of a fixed catalogue of tools to provide comprehensive, individualised support to socially disadvantaged pupils

In 2024, under the Promotion of Equal Opportunities project, financed through the National Recovery Plan, the NPI continued to provide methodological support to teaching staff involved in the project. As part of the project's annual evaluation report, work began in autumn 2024 to assess the tools that schools were using under the project to support socially disadvantaged pupils. These include breakfast clubs, social-pedagogue support, experiential learning, and tutoring. An e-learning course, "How to Work with Social Disadvantage", was created for existing teachers and, in particular, for teacher-training faculties. This course includes an optional module on aspects specific to the culturally sensitive education of Roma pupils.

Partly on the basis of the Promotion of Equal Opportunities project's interim results, the role of social pedagogue was legislated (with effect from September 2025), together with the possibility of funding that role from the State budget (with effect from January 2026) in primary schools with an average of 180 pupils over the previous three years.

From January 2026, support roles will form a stable part of teaching teams in primary schools with an average of 180 pupils over the previous three years. In these schools, school psychologists, remedial teachers, and, where applicable, social pedagogues may be financed through a State budget subsidy. The primary schools concerned will be required to secure the post of either a psychologist or a remedial teacher (save for an exception covering the first three years from 1 January 2026). These changes bring greater predictability, stability, and availability of support services, which help pupils to manage both educational and personal challenges, strengthen mental health, and contribute to a safe and friendly school environment.

(c) Organisation of index-based funding for individual instruments to support schools with a higher proportion of socially disadvantaged pupils

An amendment to the Education Act (Act No 267/2025) introduced the possibility of "index-based funding" for schools. As part of this change, specified funding streams may be differentiated to reflect the level of demand associated with the provision of education. The legislation provides in particular for the following:

- Schools may reduce the number of children or pupils in a class, split classes, or introduce co-teaching, by increasing the maximum number of lessons financed from the State budget. As the baseline, the Government sets the maximum number of lessons by regulation for primary and secondary schools established by regions, municipalities, or associations of municipalities, per class within an educational programme, depending on the number of pupils in the class, or per school, depending on its structure. For nursery schools established by regions, municipalities, or associations of municipalities, the maximum number of lessons of direct pedagogical activity is set by decree, depending on their structure. In each case, the maximum may be increased to reflect the demands of providing education. This form of support is not planned for 2026.
- Schools may receive increased resources for above-scale discretionary components of teaching staff pay to enable headteachers to make greater use of higher personal allowances, bonuses, or target bonuses for teaching staff as a means of motivation. This support will be implemented from 2026.
- The amount of the newly introduced PHPmax (funding for the salaries of school psychologists and remedial teachers) may be differentiated so that funding is increased in line with the degree of social disadvantage. This makes it possible to prioritise schools in their ability to employ support pedagogical positions, i.e. school psychologists, remedial teachers, and,

where applicable, social pedagogues. This form of support requires an amendment to Government Regulation no. 123/2018 *on the determination of the maximum number of teaching hours financed from the State budget for primary schools, secondary schools, and conservatories established by regions, municipalities, or associations of municipalities, as amended*. No such amendment has yet been made.

- In addition to differentiating existing State budget funding arrangements, the amendment to the Education Act introduced the possibility to allocate additional financial resources for expenditure by schools and school facilities necessary to ensure equal access to education (the “ad hoc funding norm for equal access to education”). This enables support to be targeted at individual pupils and their needs (for example, school meals, participation in non-formal learning, or school supplies), including during the course of the school year.

Output 2 – Long-term system of methodological support for schools with an above-average proportion of socially disadvantaged pupils

TASKS UNDER THE ACTION PLAN:

Prepare a long-term system of methodological support for schools with an above average proportion of socially disadvantaged pupils.

IMPLEMENTATION OF THE ACTION PLAN

From 2022 to 2025, support for schools operating in challenging educational environments was financed from the National Recovery Plan, funded by the EU, through delivery of the Promotion of Equal Opportunities project. As part of the methodological work, materials and procedures were developed, training was delivered, and meetings were held. Active cooperation was maintained with 440 primary and secondary schools.

Future funding for the system of methodological support for disadvantaged schools delivered by the NPI has not yet been secured. In the preparation of the NPI’s budget and its Plan of Key Tasks for 2026, the volume of the NPI’s methodological activity has been reduced in line with the reduction in direct support to schools.

Besides the NPI, methodological support for schools is also provided directly by MEYS, in particular through the project Middle Link (Střední článek). The project’s principal aim is to contribute to improvements in the quality of education through a comprehensive system of support for schools in managerial and non-teaching work. In addition, legislation has expanded the remit of the Czech School Inspectorate to include the provision of methodological support.

Output 3 – Review of the system of financial support available to schools and families for interventions aimed at increasing the academic success of children from socially disadvantaged families

TASKS UNDER THE ACTION PLAN:

Replace the existing subsidy schemes aimed at financing school meals for pupils with low socio-economic status with the direct coverage of education-related costs for all children whose parents receive, or are eligible for, child benefit, by transferring the funds directly to schools.

IMPLEMENTATION OF THE ACTION PLAN

In 2024, several meetings took place between the Ministry of Labour and Social Affairs (MLSA) and the MEYS on the possibility of sharing, with schools, MLSA-held data relating to children whose

parents receive, or are eligible for, child benefit, or the child bonus under the new legal framework for State social assistance benefits. No final conclusions have yet been reached.

Existing MEYS subsidy schemes covering school meals for deprived children and pupils have also been announced for 2026. School meals continue to be supported under the multiannual call Food Aid for Children in Social Need, financed from European Social Fund resources and administered by the MLSA. Discussions on a systemic framework for the coverage of school meals will continue in 2026.

Direct financial support for the education of socially disadvantaged pupils is also enabled in legislation through the financing of regional education, as described above (see index-based funding). At present, however, the precise form of this support remains under discussion as part of wider changes to education funding and will depend on available capacity within the education budget.

For 2026, direct financial support is envisaged through specific subsidy schemes (the call to support children's participation in preschool education and the call to support Roma pupils in secondary schools, conservatories, and students at post-secondary vocational schools).

3. SUBMISSION OF AN ACTION PLAN TO INCREASE THE PARTICIPATION OF ROMA CHILDREN IN PRESCHOOL EDUCATION

On 17 October 2025, the Government submitted the **Action Plan to Support the Participation of Roma and Socially Disadvantaged Children in Preschool Education** (available in Czech [here](#) and in English [here](#)) to the Committee of Ministers of the Council of Europe. The Action Plan was prepared in response to the Committee of Ministers' decision of March 2024, in which the Czech Republic was invited, in light of the persistently low participation of Roma children in preschool education, to submit an analysis of barriers and a plan of measures targeted at increasing their participation in preschool education. The Action Plan therefore constitutes a **new pillar in the execution of the judgment in D.H. and Others**, addressing a key area that had previously not been covered.

Preschool education is one of the most important factors shaping a child's educational trajectory. Early enrolment at nursery school promotes the development of cognitive and social skills, supports children's readiness for compulsory schooling, and helps to prevent educational failure and segregation. Data from PAQ Research, for example, indicates that attending nursery school for at least two years increases, on average, the estimated likelihood that disadvantaged children will attend a mainstream primary school rather than a school or class established under section 16(9) of the Education Act by approximately ten percentage points, from 84% to 94%. This is one of the reasons why the Action Plan focuses on supporting regular attendance by Roma children not only in the compulsory preschool year, but also in earlier years.

The preparation of the Action Plan was coordinated by the Office of the Agent of the Czech Government before the European Court of Human Rights in cooperation with the MEYS, the MLSA, and the Ministry of Health. Its implementation will also actively involve the Department (Agency) for Social Inclusion at the . The draft was consulted with experts, representatives of non-governmental organisations, academic institutions, and the Roma community. In June 2024, the Office of the Government Agent convened a round table which identified the main barriers preventing Roma and socially disadvantaged children from early enrolment and regular attendance at nursery schools.

The Action Plan sets out a **package of measures** aimed at removing barriers to participation in preschool education, including support for early enrolment at nursery school through improved information for parents and simplified enrolment procedures, reducing the financial burden on families and strengthening nursery school capacity, and promoting regular attendance and the quality of preschool education through adequate support for teachers, the prevention of segregation, and the promotion of the balanced distribution of children across nursery schools. The Action Plan also

addresses support for staff roles linking nursery schools with outreach work with families; the further development of these roles will follow from the conclusions of expert discussions.

Implementation of the Action Plan is scheduled for 2026 and 2027. Implementation is based on close cooperation between the relevant ministries, expert bodies, non-governmental organisations, and, where appropriate, other stakeholders, including representatives of the Roma community. Coordination of implementation has been entrusted to the MEYS.

4. CURRENT DATA CONCERNING THE EDUCATION OF ROMA CHILDREN AND PUPILS

From a data perspective, there were no significant changes in the representation of Roma children and pupils in education between 2017 and 2024. Given the length of educational trajectories, it cannot be expected that the measures assessed under the Action Plan of December 2023 would already be reflected in data collected in September 2024. The information set out below is therefore intended solely to provide a brief reminder of the current position; a more detailed interpretation of the available data is provided in the Action Plan submitted by the Czech Republic in December 2023.

More than 35,000 Roma pupils are educated in Czech primary schools. Approximately one third of them – around 12,000 children – attend schools where Roma pupils account for more than one third of all pupils educated there. There are more than 130 such schools nationwide, and in 78 of them Roma children form a majority. This position has remained largely unchanged in recent years.

Estimated absolute numbers of Roma pupils and all pupils in primary schools, and the proportion of Roma pupils among all pupils in primary schools (2017–2024)

	Roma pupils	All pupils	Proportion of Roma pupils (%)
2017	33,663	926,108	3.6
2018	34,767	940,928	3.7
2019	33,768	952,946	3.5
2020	34,267	962,348	3.6
2021	34,955	964,571	3.6
2022	35,266	1,007,778	3.5
2023	36,094	1,000,346	3.6
2024	38,599	1,002,460	3.9

In 2024, Roma pupils accounted for 3.9% of all pupils. On the assumption that all children in the relevant age cohort participate in compulsory primary education, the figure of 3.9% may serve as a reference point for interpreting the proportion of Roma children and pupils in other categories.

Proportion of Roma pupils among all pupils: (a) educated under the Framework Educational Programme for Primary Education with Modified Learning Outcomes (FEP PE UV), including the programme for pupils with mild intellectual disability (FEP PE MMD); (b) educated under the Framework Educational Programme for Special Primary Schools (FEP SPS); and (c) in classes established under section 16(9) of the Education Act (2017–2024)

	under the FEP PE UV (%)	under the FEP SPS (%)	in classes under section 16(9) (%)
2017	24.0	9.4	15.1
2018	21.3	10.3	15.5
2019	19.4	8.8	13.9
2020	20.4	8.8	14.1
2021	22.2	8.2	14.3
2022	21.5	8.1	13.5
2023	23.1	8.7	14.7

2024	23.2	9.5	14.5
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In 2024, Roma pupils accounted for 23.2% of all pupils educated under the Framework Educational Programme for Primary Education with Modified Learning Outcomes (“FEP PE UV”) due to mild intellectual disability, 9.5% of those educated under the Framework Educational Programme for Special Primary Schools (“FEP SPS”), and 14.5% of pupils in classes established under section 16(9) of the Education Act. Put differently, in 2024, 11.1% of Roma pupils in primary schools were educated under the Framework Educational Programme with Modified Learning Outcomes, compared with 2.9% of all pupils. In addition, 12.6% of Roma pupils in primary schools were educated in classes established under section 16(9) of the Education Act, compared with 2.1% of all pupils. These proportions did not change significantly between 2017 and 2024.

All primary schools by proportion of Roma pupils (2017–2024)

	2024	2023	2022	2021
<i>none</i>	2,267	2,399	2,416	2,368
<i>up to 33%</i>	1,884	1,734	1,719	1,727
<i>33-50%</i>	63	65	53	62
<i>50-90%</i>	60	59	54	60
<i>more than 90%</i>	16	16	16	18

In 2024, there were 139 primary schools in which Roma pupils accounted for more than 33% of all pupils, including 76 schools where the proportion exceeded 50% and 16 schools where it exceeded 90%. The two tables below show how many of these were schools established under section 16(9) of the Education Act and how many were mainstream primary schools (mainstream classes only).

Primary schools established under section 16(9) of the Education Act (2017–2024)

	2024	2023	2022	2021
<i>none</i>	82	96	97	86
<i>up to 33%</i>	202	179	184	189
<i>33-50%</i>	17	23	20	24
<i>50-90%</i>	19	24	21	23
<i>more than 90%</i>	2	2	1	1

Mainstream primary schools (mainstream classes only) (2017–2024)

	2024	2023	2022	2021
<i>none</i>	2,152	2,268	2,280	2,246
<i>up to 33%</i>	1,588	1,455	1,430	1,440
<i>33-50%</i>	33	27	20	24
<i>50-90%</i>	17	16	16	18
<i>more than 90%</i>	8	9	9	8

In nursery and secondary schools, Roma children and pupils account for a significantly lower proportion than in primary schools. In 2024, Roma children accounted for 2% of all children in nursery schools, and Roma pupils accounted for 1.4% of all pupils in secondary schools. Here too, no significant changes were observed over the period under review.

Absolute number of Roma children in nursery schools, and the proportion of Roma children among all children in nursery schools (2017–2024)

	Number of Roma children	Proportion of Roma among all children (%)
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2017	7,070	1.95
2018	7,748	2.13
2019	7,065	1.94
2020	6,950	1.94
2021	6,719	1.86
2022	6,972	1.89
2023	7,010	1.92
2024	7,391	2.05

Absolute number of Roma and all pupils in secondary schools, and the proportion of Roma pupils among all pupils in secondary schools (2017–2024)

	Number of Roma pupils	Proportion of Roma among all pupils (%)
2017	5,451	1.35
2018	5,176	1.28
2019	4,952	1.21
2020	4,906	1.18
2021	5,007	1.16
2022	5,565	1.24
2023	5,514	1.18
2024	6,751	1.38

In summary, despite the steps taken in recent years, the problem of Roma pupils being educated outside mainstream education persists. This issue involves the over-diagnosis of mild intellectual disability, which results in Roma children being educated under the FEP PE UV, their disproportionate placement in schools and classes established under section 16(9) of the Education Act on the basis of a diagnosis of mild intellectual disability, and, at certain sites, the concentration of Roma pupils in mainstream primary schools (without a diagnosis of mild intellectual disability), which are nevertheless ethnically segregated. This does not in itself mean that the measures adopted are insufficient, as their actual impact can be assessed only over a longer timeframe. At the same time, it remains necessary to continue to apply those measures effectively, and to adopt follow-up measures that will further support desegregation in education.

5. COOPERATION WITH THE COUNCIL OF EUROPE

In March 2025, at the request of the MEYS, the Council of Europe organised a two-day seminar in Prague on the inclusive education of Roma children in the context of the execution of the judgment in *D.H. and Others*. International experts spoke on topics including the applicability of the Index for Inclusion to the inclusion of children with special educational needs in a Czech context, and how to translate inclusive education into practice. An important and valuable element was the sharing of experience by foreign public administrations, Roma non-governmental organisations, and, not least, by seminar participants working directly in the Czech field of education for children and pupils with special educational needs. The workshop was judged to be highly beneficial, both in terms of developing knowledge and ways of thinking and in terms of building bridges between key stakeholders.

Following the event, the Council of Europe prepared a set of recommendations for the Czech Republic entitled *Fostering Inclusive Education for Roma Children in the Czech Republic: Aligning*

National Reforms with the Index for Inclusion and the D.H. v. Czech Republic Judgment. The recommendations will be used when planning further steps in this area.

As noted above, internal discussions took place in 2024 and 2025 on the possibility of explicitly enshrining the unacceptability of ethnic segregation in education, together with a corresponding duty on municipalities to ensure quality education for all children and pupils within their territory, regardless of ethnicity, directly in the Education Act. In this context, the Czech Republic requested assistance from the Council of Europe in the form of a legal analysis of legislative practice in other States. The study, entitled *International standards, legal and policy obligations, and compliance monitoring models of school segregation in Council of Europe member states*, authored by Lilla Farkas, was received in September 2025. The paper is currently under analysis and will be used in further debate on the appropriateness and necessity of expressly providing for a prohibition of segregation in education in domestic legislation.

The Czech Republic is ready to continue the cooperation initiated with the bodies of the Council of Europe and to draw on their expertise in supporting desegregation and ensuring equal access to education for Roma pupils.

6. CONCLUSION

The Czech Republic continues to attach great importance to ensuring that Roma children and pupils have equal access to education. Although unequal access to education on grounds of ethnic origin, as reflected in the data set out above, persists, there has been a significant shift in the approach taken to addressing it in the period under review. The continuing discrimination against Roma pupils in education is a systemic problem with multifaceted causes. This complexity was reflected in the Action Plan of December 2023, which focused on three main strands of measures: (1) reform of the counselling system aimed at improving the quality of diagnosis of mild intellectual development disorder; (2) direct support for ethnic desegregation in education, including case management at selected sites; and (3) support for mainstream schools to ensure their readiness to educate socially disadvantaged pupils, with a view to reducing the dependence of Roma pupils' educational outcomes on their family's socio-economic status and increasing opportunities for their education in mainstream schools. In 2024, these strands were complemented by a fourth key pillar in the execution of the judgment in *D.H. and Others*, namely an Action Plan to support Roma and socially disadvantaged pupils.

It is nevertheless necessary to continue the steps successfully initiated to address this systemic problem. The implementation of the Action Plan is currently being evaluated. This includes formulating further steps required in individual areas.

The necessary follow-up steps are currently being discussed with the relevant stakeholders. The objective is to prepare a new Action Plan for the Execution of the Judgment in *D.H. and Others*, which will build on the previous plan and set out the main priorities for the forthcoming period. The Action Plan now under preparation will be subject to approval by the new Government appointed in December 2025. The Czech Republic is ready to submit the follow-up Action Plan for the Execution of the Judgment in *D.H. and Others* by the end of October 2026.