

Left Behind: Unpacking the Racialization of Migrant and Minoritized Students in Croatian Education During COVID-19

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ABSTRACT

The COVID-19 pandemic exposed entrenched inequities in education, particularly affecting racialized groups such as refugee and migrant youth. This article examines how emergency measures during the pandemic exacerbated existing exclusionary practices in Croatia's education system, notably through the implementation of remote learning, which was conducted exclusively in Croatian. Drawing on interdisciplinary approaches from educational anthropology, critical race theory, and human rights law, this study unpacks the racialised dynamics of institutional neglect and oppression faced by racialized and minoritized children. Using socio-legal analysis, the authors highlight the systemic barriers to equitable education, including language exclusion, socioeconomic disparities, and lack of institutional accountability. The article also reflects on advocacy efforts, including a formal complaint against Croatia for violating the International Convention on the Rights of the Child. By situating these issues within broader societal contexts, this analysis advances understanding of the racialization of education and underscores the need for transformative, inclusive educational policy, pedagogies, and research.

KEYWORDS: COVID-19, racialized and minoritized students, education, rights

INTRODUCTION

The COVID-19 pandemic has brought to light the contagious nature of social issues that have persistently fostered a sense of separation from and discrimination against individuals from different racial, ethnic, and transnational backgrounds, especially in the context of education. When schools

had to close their physical doors and transition to distance learning during the initial surge of the COVID-19 pandemic, certain vulnerable groups, such as refugee youth and other marginalized students, found themselves left behind (Bužinkić, 2023; GOOD, 2020a; Cerna, 2020). Research by the European Network of Ombudspersons for Children (ENOC) (2021: 12) revealed that children belonging to specific and vulnerable groups, including asylum-seeking and refugee children, were more likely to be adversely affected by emergency measures implemented in response to COVID-19. Since remote schooling was exclusively offered in Croatian, educational authorities inadvertently excluded refugee youth who were not proficient in the language (Kuća ljudskih prava, 2021).

This exclusion highlighted an ongoing political trend of creating a divide between refugee youth and the language of the dominant culture (Bužinkić, 2023 and 2017; Čuća, 2021). Despite efforts by civil society and pressure from the parents of refugee youth, these students could only effectively rejoin schooling at the start of the new school year in September 2020. In response to the unjust exclusion of youth from education during the COVID-19 pandemic, the two authors of this text actively participated in collaborative efforts to promote the comprehensive inclusion of migrant, refugee and other minoritized youth within the Croatian education system and society. Initially, these endeavours involved dedicated work with the Workgroup UnEqual, established shortly after the onset of the COVID-19 pandemic and the implementation of exclusively distant schooling. UnEqual functioned as a vital component of the GOOD Initiative, a national informal platform committed to advocating for equal educational opportunities and the democratization of the education system in Croatia. Nine weeks after the introduction of distance learning exclusively in Croatian, GOOD's UnEqual issued a statement titled "Why are certain children left behind?" (GOOD, 2020a).

The statement contended that several weeks after the beginning of remote learning, the most vulnerable groups of children were entirely or partially excluded from the educational process, thereby violating their human right to education. The Ministry of Science and Education did not respond to inquiries from the GOOD Initiative and other organizations and initiatives that had been raising awareness about discrimination against Roma, Serbian, and refugee children, as well as children of non-dominant ethnic origin whose native language is not Croatian. Additionally, students and families living in poverty or at risk of poverty, as well as other children from mar-

ginalized and disadvantaged groups, lost various forms of assistance and support they had previously received.

The GOOD Initiative's statement (2020a), in the crafting of which we collaborated, sheds light on the racialized status of refugee and migrant children, as well as other minoritized youth, who have been historically subjected to oppressive and discriminatory treatment. We, therefore, argued that "children of non-dominant ethnic origin, with different skin colours, languages, and cultural characteristics, as well as those with lower socio-economic status, children with disabilities, and children with learning and/or developmental difficulties, who have already been exposed to various forms of discrimination, are now in an even more unfavourable position over the past two months due to their completely or partially hindered access to education. The fact that responsible institutions have forgotten about them, as they tend to do even in usual circumstances, indicates that this is a case of institutionalised neglect and oppression."

As a result of joint conversations among the GOOD Initiative, teachers, pedagogues, and affected children and their families about the racialized "institutionalized neglect and oppression" – followed by numerous attempts to impact educational authorities' decisions on how to re-integrate refugee and migrant students into distance learning efficiently and with care – we decided to submit a formal complaint against the Republic of Croatia. The complaint alleged violations of Articles 28, 29, and 30 of the International Convention on the Rights of the Child and was submitted in accordance with the provisions of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.

In this article, we employ an interdisciplinary approach that combines insights from educational anthropology, critical sociology and race theories, and human rights law to examine the social phenomena of racialization, discrimination, and exclusion of refugee, migrant and other minoritized children and youth in Croatia within a broader social context. By applying a socio-legal analysis, we discuss how the COVID-19 regime – introduced through lockdowns and social distancing – ill-painted education and brought to the fore racialised inequalities and contradictions within inclusive and just education, tenets underpinning segregated and exclusionary schooling for refugee, migrant and other minoritized children and youth in Croatia. This critical analysis helps fill gaps in the production of knowledge about the racialization and discrimination of migrant, refugee and other minoritized youth within Croatia's education system.

THE RIGHTS-BASED APPROACH VS. EDUCATION AS A CRITICAL SITE OF SOCIAL CHANGE

The individual right to education is considered a fundamental human right that empowers people to fully realise their potential, participate in society, and contribute to the progress of their communities and nations. It is recognized as a key element in the promotion and protection of other human rights. Education should be universally accessible to all children as it is an essential human right recognized and protected by several international human rights treaties, such as the Universal Declaration of Human Rights (Article 26), the International Covenant on Economic, Social and Cultural Rights (Article 13), the Convention on the Rights of the Child (Article 28), the Convention on the Elimination of All Forms of Discrimination Against Women (Article 10), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Article 30), and the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 2 of Protocol No. 1). These treaties establish the legal framework requiring countries to guarantee access to education for all children, and obligating governments to take concrete steps to ensure the realization of this right. It is essential for governments to prioritize education, allocate adequate resources, and remove barriers to access to ensure that every child can enjoy their right to education.

Universal access to education promotes equality and non-discrimination, and all children, regardless of background, gender, race, ethnicity, nationality, or social status, should have an equal opportunity to develop their talents and potential. The Universal Declaration of Human Rights (1948) and the Convention on the Rights of the Child (CRC, 1989) both affirm education as a fundamental human right for all children, emphasizing the importance of equitable access (United Nations, 1948; 1989). These principles are crucial for protecting the rights of migrant and refugee children, who are often at risk of exclusion. Upholding the principle of non-discrimination, as enshrined in international human rights law, is an essential prerequisite for guaranteeing that these children are treated with equal protection under the law. This includes compliance with the UNESCO Convention against Discrimination in Education (1960), which obligates states to ensure equal access to quality education and eliminate any barriers to enrolment (UNESCO, 1960).

The effective implementation of non-discriminatory educational policies for migrant and refugee children, regardless of their immigration status, is vital for fostering social inclusion. Legal and policy measures should address

specific obstacles, as recommended in UNHCR and OHCHR guidelines on migration and education (UNHCR, 2009; OHCHR, 2018). These measures include removing language and documentation requirements, as well as age-based restrictions that might limit access to education. By guaranteeing equal access, states uphold their commitments to non-discrimination, creating an inclusive environment that supports every child's right to education and equal opportunity.

For migrant and refugee children, as well as national minority children, to effectively exercise their rights in accordance with international human rights law, a comprehensive rights-based approach is required. Huttova et al. (2010) identified four essential policy areas that intersect and influence the inclusion of migrant children in the education system. These areas encompass policies related to: a) fundamental rights, equality, and anti-discrimination; b) migration and integration; c) social inclusion and cohesion; and d) education and training. The first dimension, which requires assurance of anti-discrimination policies, emerged as part of a broader framework aimed at addressing the increasing variety of approaches to diversity management adopted by European societies and various EU Member States, ranging from multicultural integration to assimilationist models. The second dimension, migration and integration, has gained significance and evolved into two distinct policy packages – one for regular or “legitimate” migrants and another for irregular migrants or irregularized migrants, for that matter (Hameršak, M., Pleše, I. and Škokić, T., 2024). The third dimension, social inclusion and cohesion, has also incorporated anti-discrimination mechanisms. Lastly, the fourth policy field – education and training – has become increasingly linked to the other dimensions due to their interconnected nature.

The European Union's commitment to human rights includes ensuring the rights of migrants and refugees, reflecting its key role in promoting democracy and universal rights (Ješe Perković, 2014). This involves ensuring access to essential services such as healthcare and education, protection against discrimination, and the safeguarding of dignity and well-being. Recognizing the significance of addressing “higher-than-average rates of academic underachievement and early dropout” (Huttova et al., 2010:17) among migrant youth, the EU acknowledges that these issues directly contribute to challenges such as social marginalization, integration failure, and future unemployment. There has been a growing interest in the issues of integration, diversity, and equality concerning the education of migrant

children in the European Union, a trend that continues to gain momentum (Huttova et al., 2010:31).

However, human rights frameworks and integration policies often function as mechanisms of assimilation and exclusion rather than genuine inclusion. Critical scholars argue that these approaches universalize Eurocentric norms while marginalizing racialized populations, reinforcing structural inequalities rather than dismantling them (Shilliam, 2018). In education and beyond, so-called integration efforts frequently demand cultural and linguistic conformity from migrant and minority children, positioning them as “deficient” rather than recognizing and valuing their knowledge and lived experiences (Darder, 2012).

From a liberal democratic standpoint, education is presented as an experience that plays a transformative role in the lives of young people, including asylum-seeking minors and refugees, empowering them to realize their potential, pursue successful careers, and seize opportunities. However, Lucie Cerna (2019:4) noted that the needs of refugee students are not always met by education systems, “which can hinder the integration potential of these students. This poses considerable challenges as the integration of refugee students in education systems is important for their academic outcomes as well as their social and emotional well-being. The success (or lack of) integration in schools can also affect the future labour market and social integration potential of these children and youth.” However, from a critical sociology angle, Michael Apple aptly asserts that education produces inequalities reflective of the social power dynamics, as follows,

“Power and culture, then, need to be seen, not as static entities with no connection to each other, but as attributes of existing economic relations in a society. They are dialectically interwoven so that economic power and control is interconnected with cultural power and control ... Two things have been central to this approach, so far. First, it sees schools as caught up in a nexus of other institutions—political, economic, and cultural—that are basically unequal. That is, schools exist through their relations to other more powerful institutions, institutions that are combined in such a way as to generate structural inequalities of power and access to resources. Second, these inequalities are reinforced and reproduced by schools (though not by them alone, of course). Through their curricular, pedagogical, and evaluative activities in day-to-day life in classrooms, schools play a significant role in preserving if not generating these inequalities ...” (1979: 63-64)

Drawing from the works of critical theorists like Althusser (1971), who argued that educational institutions are not neutral but function as sites of ideological control and reproduction, we must reconsider how the education system operates as both a mechanism of integration and exclusion. Althusser (1971) posited that schools serve as ideological state apparatuses that reinforce dominant social and economic structures. In this context, schools represent more than just places of learning; they are spaces where the state asserts its power over vulnerable populations by shaping their identities and opportunities.

However, as Paulo Freire (1970) and Bell Hooks (1994) remind us, education also holds the potential for resistance and transformation. It can be a space where hegemonic ideologies are contested and alternative narratives of social justice and equality are fostered. Freire's notion of "education for liberation" challenges the traditional understanding of education as a process of passive absorption of knowledge, instead proposing that education should empower students to critically engage with and transform the world around them.

The myth of a rights-based approach in Croatia

In the Republic of Croatia, education is considered a fundamental right for all children, enshrined in the Constitution, international documents, notably the Convention on the Rights of the Child, and various state laws. Equality of access to education is a constitutional principle, and specific laws, such as the Constitutional Act on the Rights of National Minorities in the Republic of Croatia, the Act on Education in the Language and Script of National Minorities, the Act on International and Temporary Protection, and the Act on Education in Primary and Secondary Education, mandate that children from minority groups and those seeking international protection be granted all educational rights.

The total number of children from national minority groups or beneficiaries of preschool education programmes offered in the languages and scripts of national minorities in Croatia increased by 34.7% between the 2003/2004 and 2019/2020 school years, rising from 1,762 to 2,373 beneficiaries (Bježančević, 2023). Moreover, the number of students enrolled in primary education programmes conducted in the languages and scripts of national minorities increased by 6.2% from 2006/2007 to 2019/2020. The number of schools

providing these programmes grew by 98.1%, while the number of classes expanded by 47.7% (Bježančević, 2023).

The presence of refugee and migrant students in Croatian education is quite low, measuring only a few dozen in larger cities and just a few individuals in a few smaller towns in Croatia. According to Croatian asylum statistics, just over 1000 refugees have been granted asylum, of whom under 5% are children (Ministry of the Interior, 2023), oftentimes not even living in Croatia anymore. Refugee and migrant children enrolling in Croatian schools face numerous challenges, including the lack of documentation to prove their previous education, knowledge, and skills, prolonged school enrolment processes (particularly for secondary schools), limited availability of interpreters, issues with age assessment, and resistance from local communities (Bužinkić, 2023; Čorkalo-Biruški, 2020; Čuća, 2021). Additionally, older children may not be included in the educational system due to illiteracy, absence of formal education in their country of origin or during travel, and the tendency to leave the country shortly after arrival.

As per Croatian legal regulations, discrimination based on race, ethnic origin, and citizenship is strictly prohibited. Restrictions on access to education for children belonging to specific ethnic groups cannot be objectively justified and do not serve legitimate goals or the best interests of the child, rendering such practices inherently discriminatory. The right to education is enshrined as a constitutional right for all children residing within the territory of Croatia. Pursuant to the Act on International and Temporary Protection, this right is extended exclusively to minor applicants, encompassing those below the age of 18, entitling them to primary and secondary education. Notably, applicants who have commenced exercising the right to secondary education are permitted to continue their secondary education even after reaching the age of 18.

The Act on International and Temporary Protection explicitly stipulates that child applicants shall be accorded the right to primary and secondary education under the same conditions as Croatian nationals. As per this legal framework, children can access educational facilities within a time period not exceeding 30 days from the date of lodging their application. The Ministry of the Interior bears responsibility for the enrolment procedure of asylum-seeking children in preschool institutions, as well as in elementary and high schools, a task undertaken by employees of the Reception Centre for Applicants for International Protection. For children under the care of social welfare institutions, their designated guardians handle the enrolment

process. It is imperative to note that children who have not completed primary school and have surpassed the age of 15 forfeit the right to inclusion in the regular education system, as legislation does not provide for the enrolment of children above 15 years of age in primary school. Consequently, the Ministry of Science and Education anticipates the potential inclusion of minors above 15 years of age, who have yet to complete primary school, in adult education programmes.

To ensure equitable opportunities and support, students are entitled to special assistance in learning the Croatian language and addressing any knowledge gaps in specific school subjects. This assistance is furnished in the form of preparatory and supplementary classes, demonstrating the commitment to facilitating their access to a comprehensive and well-rounded education. However, there are ongoing challenges in the implementation of preparatory classes. Due to lengthy approval processes and waiting periods, children often have to wait for months before they can join these classes, leading to disruptions in their education and slowing down their integration process (Bužinkić, 2023; Čorkalo-Biruški, 2022; Čuća, 2021). Additionally, having to attend preparatory classes at different schools can further complicate matters, causing some children to miss portions of their regular classes.

Schools play a crucial role in language acquisition, as the classroom is often the primary setting where migrant and refugee children are required to communicate in their non-native language. For refugee and migrant children in Croatia, the acquisition of the Croatian language is essential for continued educational progress and social integration for several reasons. First, language acquisition is crucial for effective communication and inclusion within the local education system and broader society (Ogbu, 1992). By learning Croatian, these children can better engage with teachers, peers, and the community, thereby enriching their educational experience and fostering a sense of belonging. Research in educational anthropology emphasizes that language proficiency is a fundamental component of cultural adaptation and identity formation in migrant students, helping them navigate both academic and social spaces (Wortham, 2005).

Second, access to preparatory and supplementary language classes – designed specifically for students with limited or no proficiency in Croatian – provides a critical pathway to successful integration into mainstream schools (Cummins, 2001). These classes provide targeted assistance, enabling students to catch up on subject knowledge they may lack due to prior disruptions in their education, and offer structured support to bridge gaps

in understanding, especially in subjects where linguistic proficiency is essential. By providing this support, schools help equip migrant and refugee students with the necessary tools to continue their education successfully, creating a foundation for equal academic opportunity and long-term social inclusion.

Although these classes provide valuable linguistic support, they do not necessarily address the deeper structural inequalities inherent in the education system. As Pierre Bourdieu (1990) argues, the educational experience of marginalized children is shaped not just by language barriers but by differences in cultural capital. Differences in language, behaviour, and cultural knowledge contribute to educational inequalities, and for refugee, migrant, and Roma children, the lack of access to the dominant cultural forms valued in the Croatian educational system places them at a significant disadvantage. Bourdieu's analysis of social reproduction illustrates how the educational system perpetuates inequalities by valuing the cultural capital of dominant groups while marginalizing that of others. Thus, the education system does not merely serve as a neutral transmitter of knowledge; it reproduces social hierarchies, often at the expense of those who are racially, ethnically, or linguistically different.

METHODOLOGICAL CHOICES AND ETHICO-POLITICAL COMMITMENTS

As authors, our commitment to critical socio-legal methodologies arises from a recognition that law and language are integral to the social reproduction of inequality. We approach this research not only to examine how law operates in society but also to challenge the underlying assumptions that allow it to reinforce dominant social structures. From this vantage point, our decision to incorporate critical socio-legal methodologies serves as a tool for interrogating how law – far from being an objective, neutral, or inclusive institution – is intricately embedded in social contexts, often reinforcing existing hierarchies of race, class, gender, and nationality (Lacey, 2009; Bhambra, 2007). From this standpoint, we understand law as a social practice that not only codifies norms but also constructs and normalizes forms of racialization and marginalization (Sarat and Kearns, 1993), even when its language appears supportive of equality and rights.

Critical socio-legal methodologies provide a robust framework for understanding how law and its practices contribute to social stratification. In

migration law, for example, racialized exclusion is often justified through legal structures and discourses. Foucault (1980) offers a foundational lens for this work by illustrating how power relations are both reflected and actively shaped within legal contexts. Our commitment to intersectionality, as articulated by Crenshaw (1991), further informs our methodology by ensuring we account for how overlapping identities – such as race, gender, and class – shape individuals' interactions with law and its institutions.

Our critical perspective emphasizes the importance of recognizing our own positionality in legal research. We understand that our identities and social positions inevitably shape how we engage with legal systems. As researchers with various identities and lived experiences, we acknowledge that our perspectives are not neutral but are influenced by the social structures and experiences we inhabit. This self-awareness is essential for us to critically assess how law operates and how it intersects with power dynamics in society. By reflecting on our positionality, we are better equipped to identify and challenge the biases and inequalities inherent in legal frameworks, and to ensure that our research is both rigorous and responsible in its approach to racialized and minoritized communities.

In sum, we employ critical socio-legal methodologies with a commitment to scrutinizing the law's role as both an instrument of oppression and a site of potential transformation. Through conscious reflection on our positionality, we strive to ensure that our research does not merely critique but also remains attuned to the needs and voices of marginalized communities (Haraway, 1988). We hope that this critical engagement illuminates the intersections of law and educational practice, and deepens the critique of the intertwined systems of racialization and minoritization. In doing so, we offer a critique that is not only analytical but also accountable to the racialized and minoritized communities from which we come or with whom we work, prioritizing their voices and experiences as central to both the critique and the potential for social change.

LOCKED OUT OF EDUCATION: THE UNRECOGNIZED CASE OF RIGHTS VIOLATIONS

During the COVID-19 pandemic, most daily activities, including education, shifted from physical to digital spaces (Lenarčič and Smrdelj, 2020). The Croatian Ombudsperson for Children report (2022: 4) *Children on Hold: Children's Rights During the Pandemic 2020–2021* maintains that “the transition

to an online form of teaching, as a different learning system, caused difficulties for children, parents and educational workers. Children had to deal with numerous challenges, such as isolation from peers, lack of support and help in learning at home, lack of appropriate technology, uneven ways and methods of working in online classes, and lack of free time. Educational workers needed to master new technologies and ways of encouraging students to participate in the virtual environment. Parents were faced with the challenge of balancing work commitments and providing care for children and help with learning in distance learning.”

While all students experienced disruption, for racialized and minoritized students this disruption translated into a complete disconnection from education: no access to school, isolation from peers, minimal to no interaction with teachers, absence of mental health support, and a lack of regular and healthy meals – all contributing to a profound state of isolation (Bužinkić, 2023). Starting from 16 March 2020, when schools and preschool education institutions suspended in-person teaching and switched to remote learning, migrant, refugee, Roma, Serb and other minoritized children were either partially or entirely excluded from the educational process. This exclusion obstructed their right to education and their equal treatment in education. For these students, Croatian was not their first language and their right to receive education in their mother tongue was violated (GOOD, 2020, a and b). Research shows that linguistic proficiency is the key factor in educational achievement in a diverse classroom and that students’ lack of official language acquisition results in their inability to comprehensively access the curriculum (Strand and Hessel, 2018). Consequently, children from these racialized groups faced developmental and learning delays during this period (Cerna, 2020).

Language barriers severely hinder the ability of racialized and minoritized children to engage in remote learning, as many do not speak the official language fluently. This language gap, combined with limited parental support and reduced peer interaction, significantly impedes their educational progress (OECD, 2020). Critical race theorists emphasize that such structural barriers in education reinforce existing social hierarchies and serve to marginalize already disadvantaged groups, perpetuating racialized disparities in access to learning resources and educational equity (Ladson-Billings and Tate, 1995; Gillborn, 2005). The anthropology of education further highlights how systemic exclusions within school settings not only disrupt learning but also fragment essential support networks for racialized stu-

dents, compounding their alienation from educational opportunities (Levinson and Holland, 1996).

The cumulative effect of these obstacles places racialized and minoritized children at a profound disadvantage, heightening their risk of marginalization and jeopardizing their development and future opportunities. Addressing these disparities and human rights violations is essential to ensuring that these children have equitable access to education and opportunities, even amid global crises like the COVID-19 pandemic. Human rights frameworks underscore the necessity of inclusive and equitable education as a fundamental right, calling for targeted support and resources that accommodate the linguistic and socio-economic realities of minoritized students (UN Committee on the Rights of the Child, 2001; UNESCO, 2017). In line with these frameworks, it is crucial to provide targeted support, resources, and inclusive learning strategies to uphold their rights and promote their overall well-being in these challenging circumstances.

Despite appeals from experts and minority associations to the Ministry of Science, the public broadcaster, Croatian Radio Television, and the Ombudsperson for Children in the weeks following the suspension of regular classes, neither refugee and migrant children nor children from national minorities were provided with appropriate educational content in a form and format comparable to that offered to Croatian-speaking children from the majority ethnic group. This occurred despite their legal entitlement, under minority legislation, to receive education in their national minority scripts (Petričušić and Tatalović, 2018, 104-108). The absence of preparatory or supplementary Croatian language classes through television-mediated educational programs like "School on Channel 3" further marginalized these children. Such governmental practices not only impeded social cohesion but also missed an opportunity to foster integration during the pandemic, especially in a society increasingly marked by xenophobia and intolerance towards national minorities, refugees, and migrants.

Additionally, the form of distance learning implemented by the authorities also discriminated against children from vulnerable groups by failing to consider their deprived socio-economic conditions (Cerna, 2020). Children from Roma, Serbian, Arab, and other ethnic backgrounds, as well as those with refugee or migrant experiences, often live in poverty and unfavourable circumstances. The lack of material provisions, such as electricity, access to a TV or devices, and basic learning conditions like a desk and a quiet environment, hampers their ability to participate in distance learning.

Furthermore, some children, primarily from socio-economically disadvantaged families, lacked essential support from family members to navigate the new education model effectively.

The closure of schools disrupted the lives of racialized students even more when it denied them access to crucial resources like daily meals and a safe environment (You et al., 2020; Bhabha, 2020; GOOD, 2020b; UNICEF (2021). This disruption heightened the risk of dropping out, early marriage, sexual violence, and child labour among migrant and refugee children (IDAC, 2021). The needs of the most marginalized children were not always addressed in distance learning strategies (United Nations, 2020, 8). The lockdown and closure of schools posed significant challenges and led to human rights violations for asylum-seeking minors and refugees, exposing them to extreme marginalization. These children and adolescents, already facing socio-economic disadvantage, were disproportionately affected by the pandemic's impact on education and their overall well-being. Their parents often lacked the resources to assist them with homework, and many children of migrant parents did not speak the language of the new country (OECD, 2020). Migrant and Roma students were less likely to have access to essential tools for remote learning, such as computers and reliable internet connections (OECD, 2019; GOOD Initiative 2020a). This digital divide exacerbated the educational disparities faced by these children during the pandemic. For these reasons, we find it important to analyse these practices from an intersectional perspective, as the juncture of various identity positions and socio-cultural statuses of migrant and refugee children results in intersectional discrimination (Smrdelj et al., 2021; Smrdelj and Pajnik, 2022), and, more broadly, structural oppression.

According to the GOOD Initiative (2020a), a major concern was the exclusion of deprived children, including those from national minorities and asylum seekers, from quality preschool programmes. Research has shown that inclusion in such programmes significantly benefits these children. For instance, Bredal and Smidt (2016) found that participation in early education programmes for children from immigrant backgrounds in Scandinavia enhanced their academic outcomes and social integration. They argue that early education provides a space where language acquisition, cultural adaptation, and social cohesion can be fostered, which is particularly critical for children from minority backgrounds, who may otherwise struggle in mainstream schooling systems. Vandenbroeck (2011) highlights that access to quality preschool education helps bridge the educational gap for disad-

vantaged children, allowing them to develop language skills and cognitive abilities that are necessary for their future schooling. In contexts where children come from backgrounds with limited exposure to the host country's language and culture, early childhood education serves as a tool for integration, reducing the risk of future academic failure and social isolation. Additionally, European studies on Roma children have shown that quality preschool education significantly reduces early educational setbacks. According to Nash (2014), Roma children in Europe face persistent educational inequalities, and enrolment in quality early childhood programmes is critical for closing the gap. However, due to the pandemic, they were not included in preschool education institutions (kindergartens) as legally required, resulting in potential academic setbacks compared to their peers when they started formal schooling.

Grounded in a comprehensive assessment that exposed both racialization and systemic discrimination against refugee, migrant, and other minoritized children and youth, the GOOD Initiative submitted a formal complaint to the Committee on the Rights of the Child (CRC) (GOOD, 2020c). The complaint sought urgent protective measures to prevent reprisals against victims of these entrenched human rights violations and meticulously outlined the key facts of the case, including dates and details of all relevant administrative authorities approached by the GOOD Initiative in its efforts to address these breaches. Central to the complaint was the fact that during the COVID-19 pandemic, educational authorities restricted distance learning to Croatian-language speakers, thereby systematically excluding racialized groups – including national minorities, asylum seekers, minors under international and subsidiary protection, unaccompanied migrant children, and undocumented foreign nationals – from accessing education. This institutionalized exclusion was not an oversight; rather, it reflected a deliberate denial of educational rights based on racialized and linguistic factors, further entrenching the marginalization of these communities.

At the heart of the complaint was the violation of these children's right to education, framed by an oppressive and discriminatory system that racialized those whose mother tongue was not Croatian. This policy effectively exacerbated the educational inequalities faced by these groups, deepening a cycle of deprivation and disenfranchisement. The complaint explicitly addressed this racialized discrimination, declaring that "in accordance with Croatian legal regulations, race, ethnic origin and citizenship represent the

grounds on which discrimination is prohibited, and restrictions of access to education for children belonging to certain ethnic groups cannot be objectively justified, could not be aimed at a legitimate goal and certainly do not ensure the protection of the best interests of the child, therefore they are essentially discriminatory” (GOOD, 2020c). This language highlights the clear racialization of policy and the detrimental impact on children who were already vulnerable to systemic marginalization.

The complaint further referenced a statement by the United Nations Network on Racial Discrimination and the Protection of Minorities (2020), which, in the wake of the pandemic, underscored the urgent need to combat racism and discrimination, particularly during crises. It called attention to the rise of racial discrimination against ethnic and religious minorities during the COVID-19 pandemic, emphasizing the importance of solidarity and inclusion for marginalized groups. This statement provided a critical framework for understanding the intersection of racialization and the COVID-19 response, particularly in relation to education. The Public Ombudsman (2021) further emphasized the need for inclusive policies, highlighting the disproportionate impact of the pandemic on racialized populations.

Ultimately, the complaint highlighted the egregious violations of the rights of vulnerable children in Croatia, urging the CRC to demand that the Croatian government provide an inclusive, comprehensive, and equitable education system that accounts for the linguistic and racial diversity of migrant, refugee, Roma, Serb, and other minoritized children. This would align with international human rights standards, including the Convention on the Rights of the Child.

Despite the urgency and the serious nature of the violations outlined, the CRC failed to respond to the complaint submitted in the spring of 2020. This lack of response is not merely an oversight but a systemic failure to address human rights violations and racialized discrimination in education. The failure to act promptly and to apply the international standards enshrined in the Convention on the Rights of the Child undermines the credibility of the international human rights complaint mechanism itself. By neglecting timely intervention, the CRC has effectively allowed the continued denial of educational rights to already marginalized children, thereby compounding their vulnerabilities and contributing to their further exclusion from the social, cultural, and educational opportunities necessary for their full development and integration.

UNLOCKING FUTURE POLICY, PEDAGOGY, AND RESEARCH

Children's fundamental right to education is not just a legal obligation but a critical site for examining broader socio-political structures, particularly when it comes to marginalized groups such as migrant, refugee, and minoritized children. International human rights law and Croatian national legislation recognize the right of all children, regardless of their immigration status, to access basic education, healthcare, and child protection services. However, this legal commitment often fails in practice, as legal frameworks collide with entrenched social prejudices and systemic barriers, particularly for children with racial, linguistic, and cultural differences.

From a critical legal and sociological perspective, it becomes apparent that the Croatian legal and policy framework, while theoretically inclusive, fails to fully protect the educational rights of refugee, migrant, Roma, and other minoritized children. These children, often caught in the crosshairs of national identity politics, encounter barriers that extend beyond mere bureaucratic hurdles. The obstacles they face are deeply rooted in the racialized and ethno-nationalist culture that shapes Croatian society and its institutions. For instance, the legacy of discrimination against Roma and other racially and linguistically different children persists within the education system, further exacerbating the exclusion of these vulnerable groups. Moreover, the COVID-19 pandemic and subsequent school closures intensified existing educational inequalities, limiting access to remote learning for children who already struggled with linguistic and cultural integration due to the lack of adequate pedagogical approaches and political frameworks.

To address the disparities faced by racialized and minoritized children in Croatia, it is not sufficient to merely uphold the legal right to education; it is crucial to actively dismantle the structures that perpetuate inequality. This begins with concrete measures, such as the expansion and streamlining of preparatory language classes for all migrant, refugee, Roma, and minoritized children, ensuring that no child is excluded from these resources due to their immigration status or ethnicity (Bužinkić, 2023; Čorkalo-Biruški, 2022; Čuća, 2021). These preparatory classes must be designed not just to teach language but also to support children in navigating the cultural and institutional complexities of the Croatian education system. They should function as bridges – linguistic, cultural, and educational – that prepare children for full participation in the broader school environment.

Furthermore, the development of inclusive education policies requires that we prioritize the needs of racially and ethnically diverse students, ensuring their equitable access to quality education. The education system must not merely reinforce the social order but should be recognized as a space for potential resistance to existing inequalities. In practice, this entails allocating additional resources and support to redress the discriminatory impact of historical and ongoing practices that marginalize migrant, refugee, and Roma children. This process of reimagining the education system involves not just legislative and policy reforms but a cultural shift within educational institutions themselves – one that acknowledges and actively works to undo the exclusions built into the system.

This requires the active adoption of anti-racist pedagogies that confront and challenge the systemic barriers and biases that impact marginalized students. Policies must be developed with pedagogical sensitivity, centering the voices of racialized communities, and ensuring that educational spaces are not merely non-discriminatory but actively supportive and empowering. Such pedagogies build an education system that is both linguistically inclusive and responsive to the lived experiences of racialized and minoritized students (de Oliveira, 2021; Pečenković and DeliĆ, 2022). Recommendations from current educational research stress the importance of incorporating culturally relevant curricula that center students' migration experiences and cultural backgrounds, as well as practices that foster inclusion through collaborative and community-based approaches (de Oliveira, 2021; Ladson-Billings, 1994, 2021; Pečenković and DeliĆ, (2022).

Future research must take these considerations into account by engaging in ethically responsible, participatory, and culturally sensitive approaches to studying the educational experiences of racialized and minoritized youth. By adopting such frameworks, the academic community can contribute to dismantling the structures that maintain educational inequity and promote a truly inclusive system.

Research should focus on examining the intersection of race, class, gender, and immigration status within educational contexts, paying particular attention to how these intersections shape the lived experiences of migrant, refugee, Roma, and other minoritized children. Additionally, research must prioritize longitudinal studies to better understand the long-term impact of educational interventions, such as preparatory language classes and inclusive policy reforms, on the academic achievement, social integration, and overall well-being of marginalized students (Gorski, 2010). Furthermore,

addressing the professional development of teachers is crucial, as ongoing training in anti-racist pedagogy, cultural competency, and trauma-informed practices is essential to transforming the education system into a more inclusive environment. Research in this area can provide valuable insights into how best to support educators in adapting their methods to create environments that are welcoming and responsive to the needs and experiences of racially and culturally diverse students.

Ultimately, the goal of ensuring equal educational opportunities for all children, irrespective of their legal status, is not only about upholding legal rights but also about challenging the broader societal forces that perpetuate exclusion and marginalization. It is about creating an education system that not only accommodates but actively values diversity, not merely as a liberal commodity, but as a foundation for fostering spaces where all children can thrive academically and socially. The implementation of preparatory language classes is a crucial step in this direction, providing these children with the tools they need to succeed. However, it must be part of a larger effort to reimagine education as a site of resistance and transformation, one that actively challenges and dismantles inequitable social orders.

REFERENCES

- Althusser, L. (1971). *Lenin and Philosophy and Other Essays*. Monthly Review Press.
- Apple, M. W. (2004). *Ideology and Curriculum* (3rd ed.). Routledge.
- Bredal, A. and Smidt, S. (2016). Early childhood education and immigrant integration: Perspectives from Scandinavia. *Scandinavian Journal of Educational Research*, 60 (6): 646-661.
- Bhambra, G. K. (2007). *Rethinking Modernity: Postcolonialism and the Sociological Imagination*. Palgrave Macmillan.
- Bježančević, S. (2023). Trendovi u obrazovanju nacionalnih manjina u Hrvatskoj. *Zbornik radova Filozofskog fakulteta u Splitu: Sociologija, politologija, filozofija, pravo, sociologija, politologija*, 60 (147): 253–278. <https://doi.org/10.31141/zrpf.2023.60.147.253>
- Bourdieu, P. (1990). *The Logic of Practice*. Stanford University Press.
- Bužinkić, E. (2017). Uključivanje djece izbjeglica u obrazovni sustav (policy brief). Zagreb: Centar za mirovne studije i GOOD inicijativa. http://oz.goo.hr/wp-content/uploads/2017/10/2017-OZ_Obrazovanje-djece-izbjeglica_Policy-brief.pdf (last access: 2023-07-25)
- Bužinkić, E. (2023). *Schooling Aftershocks: Perpetual Displacements of Refugee Youth Amid Multiple Pandemics and Social (B)orders*. Minneapolis: University of Minnesota (PhD thesis).
- Caarls, K., Cebotari, V., Karamperidou, D., Conto, M. C. A., Zapata, J. and Zhou, R. Y. (2021). *Lifting barriers to education during and after COVID-19: Improving education out-*

- comes for migrant and refugee children in Latin America and the Caribbean. UNICEF Office of Research – Innocenti. https://www.unicef-irc.org/publications/pdf/Lifting-Barriers-to-Education-During-and-After-COVID-19-Improving-education-outcomes-for-migrant-and-refugee-children-in_LAC.pdf (last access: 2023-07-25)
- Cerna, L. (2020). The impact of the COVID-19 pandemic on education in Europe: Challenges for vulnerable groups. *OECD Education Working Papers*, No. 244. OECD Publishing.
- Cerna, L. (2019). Refugee education: Integration models and practices in OECD countries. *OECD Education Working Papers*, No. 203, OECD Publishing, Paris, <https://dx.doi.org/10.1787/a3251a00-en> (last access: 2023-07-25)
- Children Ombudswoman. (2022). Report "Children on hold: children's rights during the pandemic 2020-2021. https://dijete.hr/docs/DJECA%20NA%20CEKANJU-DJECA%20PRAVA%20U%20VRIJEME%20PANDEMIJE%202020.-2021_prilog%20Izvjescu%20pravobraniteljice%20za%20djecu.pdf (last access: 2023-07-25)
- Committee on the Rights of the Child. (2022). Concluding observations on Croatia, CRC/C/HRV/CO/5-6. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&CountryID=43 (last access: 2023-07-25)
- Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, 43 (6): 1241-1299.
- Cummins, J. (2001). *Negotiating Identities: Education for Empowerment in a Diverse Society*. California Association for Bilingual Education.
- Čorkalo-Biruški, D. (2022). Održana konferencija „Školska integracija djece izbjeglica: naučene lekcije i budući izazovi“. Zagreb: IRCiS, Odjel za psihologiju Filozofskog fakulteta, u: <http://psihologija.ffzg.unizg.hr/projekti/ircis/novosti> (last access: 2023-07-25)
- Croatian Law Centre. (2022). The Croatian Asylum System in 2022 – National Report. *Croatian-Asylum-System-in-2022-national-report.pdf* (hpc.hr) (last access: 2023-07-25)
- Čuća, A. (2021). Obrazovanje djece tražitelja azila – (ne)spremnost na kvalitetno uključivanje u obrazovni sustav. Zagreb: GOOD Inicijativa i Centar za mirovne studije, u: https://www.cms.hr/system/publication/pdf/152/Obrazovanje_djece_tra_itelja_azila_i_izbjeglica_u_Republici_Hrvatskoj_-_novo.pdf (last access: 2023-07-25)
- Darder, A. (2012). *Culture and power in the classroom: Educational foundations for the schooling of bicultural students* (2nd ed.). Boulder, CO: Paradigm Publishers.
- de Oliveira, L. C. (2021). The intersections of culturally sustaining pedagogies and systemic functional linguistics: Affordances for the education of multilingual learners. *Language and Education*, 35 (3): 1-17. <https://doi.org/10.1080/09500782.2020.1863252>
- European Network of Ombudspersons for Children (ENOC). (2021). ENOC Synthesis Report "Mapping the impact of emergency measures introduced in response to the COVID-19 pandemic on children's rights in ENOC member states", u: <https://enoc.eu/wp-content/uploads/2021/10/Synthesis-Report-COVID-19-learning-for-the-future.pdf> (last access: 2023-07-25)
- Fairclough, N. (1995). *Critical Discourse Analysis: The Critical Study of Language*. Longman.
- Foucault, M. (1977). *Discipline and Punish: The Birth of the Prison*. Pantheon.
- Freire, P. (1970). *Pedagogy of the Oppressed*. Herder and Herder.
- Gillborn, D. (2005). *Racism and Education: Coincidence or Conspiracy?* Routledge.

- GOOD inicijativa. (2020a). Kako da nastava na daljinu ne bude nastava u daljini?, u: <http://oz.goo.hr/wp-content/uploads/2020/06/Tematski-izvje%C5%A1taj-Kako-da-nastava-na-daljinu-ne-bude-nastava-u-daljini.pdf> (last access: 2023-07-25)
- GOOD inicijativa (2020b). Zašto su neka djeca ostavljena na pristojnoj udaljenosti?, u: <http://goo.hr/zasto-su-neka-djeca-ostavljena-na-pristojnoj-udaljenosti/> (last access: 2023-07-25)
- GOOD inicijativa. (2020c). Communication for consideration by the Committee on the Rights of the Child under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OPIC) regarding the violation of the right of access to education and the discrimination against children whose mother tongue is not Croatian in the process of distance learning, based on the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Official Gazette - International agreements, No. 2/2017), u: http://goo.hr/wp-content/uploads/2020/06/GOOD_20200603-UN_Childrens-Committee_Complaint.pdf (last access: 2023-07-25)
- Gorski, P. C. (2019). Reaching and teaching students in poverty: Strategies for erasing the opportunity gap. *Teachers College Press*.
- Hameršak, M., Pleše, I. and Škokić, T. (2024). *Balkanska ruta*. Institut za Etnografiju i Folkloristiku.
- Haraway, D. (1988). Situated knowledges: The science question in feminism and the privilege of partial perspective. *Feminist Studies*, 14 (3): 575-599.
- Hooks, B. (1994). *Teaching to Transgress: Education as the Practice of Freedom*. Routledge.
- Huttova, J., Kalaycioglu, E. and Molokotos-Liederman, L. (2010). *The education of migrant children: An NGO guide to EU policies and actions*. Open Society Foundations, u: <https://www.opensocietyfoundations.org/uploads/c067dfcf-1c50-4304-8168-51173a92c8d0/education-migrant-children-20101130.pdf> (last access: 2023-07-25)
- Ješe Perković, A. (2014). The European Union and the democratization process of the Western Balkans: a critical perspective. *Southeastern Europe*, 38 (1): 112–133.
- Kiralj, J. and Ajduković, D. (2022). Integracija izbjeglica u Hrvatskoj: Kvalitativno istraživanje integracijskog procesa i međugrupnih odnosa izbjeglica iz Sirije. *Društvena istraživanja*, 31 (4): 661–682.
- Kuća ljudskih prava. (2021). *Pregled stanja za 2020: Ljudska prava u Hrvatskoj*, u: https://www.kucaljudskihprava.hr/wp-content/uploads/2021/04/KLJP_GI2020_PRIP_web_26.4..pdf (last access: 2023-07-25)
- Lacey, N. (2009). *The Prisoner's Dilemma: Political Economy and Punishment in Contemporary Society*. Cambridge University Press.
- Ladson-Billings, G. (2021). Culturally relevant pedagogy 2.0: A review of research and future directions. *Educational Researcher*, 50 (1): 1-10, u: <https://doi.org/10.3102/0034654320980510>
- Ladson-Billings, G. (1994). *The dreamkeepers: Successful teachers of African American children*. Jossey-Bass.
- Ladson-Billings, G. and Tate, W. F. (1995). Toward a critical race theory of education. *Teachers College Record*, 97 (1): 47-68.
- Lenarčič, B. and Smrdelj, R. (2020). Družabnost, fizična distanca in informacijsko-komunikacijske tehnologije v obdobju epidemije SARS-COV-2. *Družboslovne razprave*, 36 (94/95): 125–148.

- Levinson, B. A. and Holland, D. (1996). The cultural production of the educated person: An introduction. In B. A. Levinson, D. E. Foley and D. C. Holland (Eds.), *The cultural production of the educated person: Critical ethnographies of schooling and local practice* (pp. 1–54). State University of New York Press.
- Nash, R. (2014). Overcoming barriers: The case of Roma children in Europe. *European Journal of Education*, 49 (3): 321–336.
- Ogbu, J. U. (1992). "Understanding Cultural Diversity and Learning." *Educational Researcher*, 21 (8): 5–14.
- OECD. (2020). *What is the impact of the COVID-19 pandemic on immigrants and their children? (Tackling Coronavirus (COVID-19) Contributing to a global effort)*. <https://www.oecd.org/coronavirus/policy-responses/what-is-the-impact-of-theCOVID-19-pandemic-on-immigrants-andtheir-children-e7cbb7de/> (last access: 2023-07-25)
- Paljušaj, A. and Kegalj, N. (2016). Integration of disadvantaged groups into the general education system – Teaching the Croatian language to the children of foreigners and asylum-seekers. *Život i škola*, 58 (2): 238–238.
- Pečenković, V. and Delić, N. (2022). Inclusion of Migrant and Refugee Children in the Education System: Exploring and Overcoming Language and Social Boundaries in the Una-Sana Canton, Bosnia and Herzegovina. *Journal of Borderlands Studies*, 38 (2): 247–264. <https://doi.org/10.1080/08865655.2022.2104339>
- Petričušić, A. and Tatalović, S. (2018). In search of multicultural elements of the Croatian minority policy: Threatening assimilation and cultural segregation. In G. Bašić et al. (Eds.), *Multiculturalism in public policies* (pp. 96–127). Beograd: Academic Network for Cooperation in South East Europe.
- Petričušić, A. (2016). The alteration of discourse towards refugees' and migrants' flow in Croatia: From solidarity, over security and to effective security or flexible solidarity? https://www.bpb.de/system/files/dokument_pdf/Abstract%20for%20Roundtable%20Discussion%20by%20Antonija%20Petricusic.pdf (last access: 2023-07-25)
- Sarat, A. and Kearns, T. (1993). *Law in the Domains of Culture*. University of Michigan Press.
- Shilliam, R. (2018). *Race and the undeserving poor: From abolition to Brexit*. Newcastle upon Tyne, UK: Agenda Publishing.
- Smrdelj, R. and Pajnik, M. (2022). Intersectional representation in online media discourse: Reflecting anti-discrimination position in reporting on same-sex partnerships. *Gender, Technology and Development*, 26 (3): 463–484.
- Smrdelj, R., Učakar, T., & Kuhar, R. (2021). Marginalizacija intersekcijske perspektive: Istospolna partnerstva in tujci na slovenskih novičarskih spletnih portalih. *Javnost*, 28: 122–140.
- Strand, S. and Hessel, A. (2018). *English as an additional language, proficiency in English and pupils' educational achievement: An analysis of local authority data*. Bell Foundation, Cambridge, 1–54.
- Tecilazić Goršić, A. (2017). Social integration of asylees and refugees into Croatian society. *Ljetopis socijalnog rada*, 24 (3): 437–451.
- Teevan, J. (2015). Critical Discourse Analysis in legal research: Understanding the construction of 'victimhood.' *Law & Society Review*, 49 (4): 829–858.
- Van Dijk, T. A. (1993). *Elite Discourse and Racism*. Sage.

- Vandenbroeck, M. (2011). Access to early childhood education and care for children from disadvantaged backgrounds in Europe: Policies and practices. *European Early Childhood Education Research Journal*, 19 (2): 201-212.
- United Nations. (2020). *Policy brief: Education during COVID-19 and beyond*. Retrieved from https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2020/08/sg_policy_brief_COVID-19_and_education_august_2020.pdf (last access: 2023-07-25)
- UN Committee on the Rights of the Child. (2001). *General Comment No. 1: The aims of education (CRC/GC/2001/1)*.
- UNESCO. (2017). *A guide for ensuring inclusion and equity in education*.
- Wodak, R. (2001). The discourse-historical approach. In Wodak, R. and Meyer, M. (Eds.), *Methods of Critical Discourse Analysis* (pp. 63-94). Sage.
- Wortham, S. (2005). *Learning Identity: The Joint Emergence of Social Identification and Academic Learning*. Cambridge University Press. Wortham's research provides insight into the intersections of language learning, identity, and social belonging for migrant students in classroom settings.
- You, D., Lindt, N., Allen, R., Hansen, C., Beise, J. and Blume, S. (2020). Migrant and displaced children in the age of COVID-19: How the pandemic is impacting them and what can we do to help. *Migration Policy Practice*, 10 (2): 32-39.
- Anti-discrimination Law.** (2012). *Official Gazette* 112/2012.
- Constitution of the Republic of Croatia.** (1990). *Official Gazette* Nos 56/90, 135/97, 113/00, 28/01, 76/10, 5/14.
- International Convention on the Rights of the Child.** (1993). *Official Gazette - International Agreements* 12/93.
- Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure.** (2017). *Official Gazette - International Agreements* 2/17.
- Law on Foreigners.** (2020). *Official Gazette* 133/2020.
- Law on International and Temporary Protection.** (2015). *Official Gazette* 70/2015, *Amended: Official Gazette* 127/2017.
- Law on Mandatory Health Insurance and Health Care for Foreigners in the Republic of Croatia.** (2013). *Official Gazette* 80/2013, 15/2018, 26/2021.
- Law on Primary and Secondary School Education.** (2008). *Official Gazette* 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 7/17, 68/18, 98/19.

Ostavljeni po strani: Rasvjetljavanje rasijalizacije migranatskih i manjinskih učenika u hrvatskom obrazovanju tijekom pandemije COVID-19

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SAŽETAK

Pandemija bolesti COVID-19 razotkrila je duboko ukorijenjene nejednakosti u obrazovanju, koje su osobito pogodile rasijalizirane skupine poput mladih izbjeglica i migranata. Ovaj članak istražuje kako su hitne mjere tijekom pandemije dodatno pogoršale postojeće isključujuće prakse u obrazovnom sustavu Hrvatske, osobito kroz politiku nastave na daljinu koja se provodila isključivo na hrvatskom jeziku. Oslanjajući se na interdisciplinarnu pristupe iz antropologije obrazovanja, teorije rasnih odnosa i prava čovjeka, studija razotkriva rasijaliziranu dinamiku institucionalnog zanemarivanja i ugnjetavanja kojoj su izložena rasijalizirana i manjinska djeca. Korištenjem sociopravne analize, autori ističu sustavne prepreke pravednom obrazovanju, uključujući jezičnu isključenost, socioekonomske nejednakosti i izostanak institucionalne odgovornosti. Članak se također osvrće na zagovaračke aktivnosti, uključujući podnošenje službene pritužbe protiv Hrvatske zbog kršenja Međunarodne konvencije o pravima djeteta. Smještajući ta pitanja u širi društveni kontekst, analiza pridonosi razumijevanju procesa rasijalizacije obrazovanja te naglašava potrebu za transformativnom, uključivom obrazovnom politikom, pedagogijom i istraživanjem.

KLJUČNE RIJEČI: COVID-19, rasijalizirani i manjinski učenici, obrazovanje, prava