

Research articles

‘We can do much more and better’: understanding gatekeepers’ perspectives on students’ linguistic human rights

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Abstract

As a signatory to the UN Convention on the Rights of the Child, which has been incorporated into domestic policy, Iceland has a legal obligation to respond to children’s linguistic human rights in schools. Increasing language diversity is addressed in both policy and practice, informed by the inclusive education principles that underpin the ideology of the Icelandic school system. A thematic analysis of the perspectives of four school principals and four directors of school support services, working in four different municipalities, reveals tensions between stakeholders’ understandings of children’s rights, school responses to diverse languages, and state accountability towards children’s linguistic human rights. Application of Tomaševski’s 4As framework (availability, accessibility, acceptability, adaptability) suggests the need for increased human rights education and funding for local rights-based initiatives and monitoring. The study contributes to policy and practice aimed at addressing language diversity as a human rights concern.

Keywords

Children's linguistic human rights, policy and practices, school-based responses, state accountability

Introduction

Iceland is a multilingual society with a population of 387,758 of whom about 17% are registered as having an immigrant background (Statistics Iceland, 2023). The official national language is Icelandic, but Icelandic sign language is also acknowledged as the first language of its users (Act No. 61/2011). Increasing diversity is visible in schools, where over 100 immigrant languages are spoken by students, with Polish, Lithuanian, and Filipino being the largest minority language groups (Móðurmál, 2023). This context of language diversity calls for new understandings of the relation between language, education, and human rights. In this paper, we refer to this relation as children's linguistic human rights (CLHR), a term that emphasises the concept of equality for all languages enshrined in The Universal Declaration of Linguistic Rights (UDLR), adopted at the World Conference of Linguistic Rights held in Barcelona in 1996 (UNESCO, 1996).

CLHR is a subgroup of other inalienable rights that protect human dignity without violating other rights; it addresses issues of student inclusion, belonging, discrimination, and participation. A human rights frame ensures children's rights are understood in relation to four interrelated cosmopolitan principles: universality; solidarity; reciprocity; and indivisibility. These principles work to promote the human rights values of democracy, participation, freedoms, equality, and security, emphasising holistic approaches to ensure human dignity for all (Osler, 2016; Osler & Starkey, 2010). The UDLR presents linguistic rights as simultaneously personal and collective. On the personal level, a number of rights are ensured: recognition of being a member of a language community; use of one's own language both in private and in public; use of one's own name; association with other members of one's language community of origin; and maintenance and development of one's own culture. On the collective level, the UDLR ensures diverse languages and cultures are part of schooling, that language users have access to cultural services, that there is an equitable presence of languages and cultures in communication, and that attention is paid to minority languages from government bodies and in socio-economic relations (Starkey, 2002, p. 10-11). Although not legally binding, the UDLR provides a framework for legislation supporting other regional and international human rights documents. These include the 1992 European Charter for Regional or Minority Languages (ECRML) (Council of Europe, 1992). The Charter aims to protect language diversity and promote interculturalism and multiculturalism as essential characteristics of a democratic and culturally diverse Europe (Starkey, 2002, p. 10).

CLHR are also guaranteed by the Convention on the Rights of the Child (CRC) (UN General Assembly, 1989). Several articles of the Convention relate to children's linguistic rights. These include article 2, which protects the child against any form of language discrimination. Article 30 states that children who belong to language minority groups should not be denied the right to use their own language, suggesting the unequivocal right of children to maintain their

mother tongue (MT). The CRC provides a comprehensive legally binding framework that acts as moral and political justification to hold states accountable for ensuring CLHR are addressed in schools. The right to education (articles 28 and 29) is an integral component of realising economic, social, cultural, political, and civil rights and includes the development of respect for the child's own cultural identity, language, and values.

Research, however, indicates a gap between human rights rhetoric and ensuring children's educational rights in practice. This gap is characterised by inequitable educational access for economically and socially disadvantaged children, exclusion for children with disabilities or from minority groups, inadequate protection from abuse at school, and tensions between parents' rights, the rights of the child, and government responsibility in the context of state schooling (Lundy, 2012; Lundy et al., 2017; Tomaševski, 2003, 2006). In countries with diverse language populations, this gap between legislation and ensuring children's rights raises questions about the role of language in perpetuating educational disparities. Drawing on data from semi-structured interviews with four school principals and four directors of school support services (Icel. *skólajónusta*) (SSS), working in four different municipalities in Iceland, we address some of these questions by asking: *How do school gatekeepers understand their role in addressing language diversity? What are the implications for ensuring children's linguistic rights in compulsory schools in Iceland?*

The term 'gatekeeper' refers to school principals and SSS directors being in roles in which they may control access to benefits they do not own (Corra & Willer, 2002). The paper first introduces the data collection and analysis methods, framed by Tomaševski's (2001) 4-A rights to education framework (availability, accessibility, acceptability, adaptability). An overview of how language diversity is currently being addressed through legislation, policy and practice in Iceland follows. The findings and implication sections respond to the two research questions, addressing the extent to which municipalities and the state are responsive to CLHR. We conclude by suggesting that an explicit human rights focus in teacher education and state funds aimed at supporting and monitoring local rights-based approaches to address language diversity in schools can contribute to reducing the gap between policy and practice. Such strategies generate critical dialogue about human rights obligations enshrined in international, regional and domestic legislation, and challenge narrow quick-fix responses.

Methods

As three educators/researchers who share an interest in addressing the increasing language and cultural diversity in our schools, our collaboration brought together the fields of inclusive, multilingual, and human rights education, creating a critical social justice lens to analyse the perspectives of eight education gatekeepers. Purposeful sampling (Merriam, 2009) allowed us to identify information-rich participants to inform our analysis of how school gatekeepers

understand their role in addressing language diversity and the implications for ensuring children’s linguistic rights in compulsory schools in Iceland. We selected four municipalities in which 20-30% of inhabitants are categorised as having immigrant status (Statistics Iceland, 2023). An email describing the research purpose and focus, and an invitation to participate, was sent to the directors of the school support services (SSS). Three accepted. The fourth municipality was using a service provider to perform the role of SSS. This municipality declined on the grounds that no one in the municipality had knowledge of the subject of the research. An email was then sent to a fifth municipality, which accepted the invitation. The four SSS directors were asked to identify school principals (SP) of schools with a high percentage of students with immigrant backgrounds. The participants were deemed suitable ‘gatekeepers’ because of their roles: a *school principal* ‘provides professional leadership and assumes responsibility for the school’s work vis-à-vis the Municipal Council’ while the *director of school support services*, as a representative of their municipality, is responsible for implementing provisions from the Act on Compulsory Schools No. 91/2008 (see Articles 7 and 40).

Four semi-structured interviews lasting around 60 minutes were conducted in Icelandic, each with two researchers, one SSS director and one SP (see Table 1). Having four people involved in the interview facilitated a rich dialogue reflecting a social constructivist understanding of knowledge creation (Clandinin, 2013; Goodson & Gill, 2014).

Table 1

Overview of participants and municipalities.

Participants: Pseudonyms and roles	Municipality: Number of inhabitants and % of immigrants
Aron - DSSS	M-A – more than 20,000 inhabitants – 22% immigrants
Anna – SP	
Bjarni - DSSS	M-B – more than 20,000 inhabitants – 28% immigrants
Baldur - SP	Participating in Child Friendly City initiative
Carl - DSSS	M-C – 2000 – 5000 inhabitants – 23% immigrants
Christian - SP	
Dóra - DSSS	M-D – 2000-5000 inhabitants – 24% immigrants
Dögg - SP	

All participants signed an informed consent, and data collection was conducted in accordance

with the Act on Personal Data Protection and Processing of Personal Data (No. 90/2018). The interviews were transcribed verbatim, creating data sets for analysis. Reflexive thematic analysis (Braun & Clarke, 2019) was used to generate themes related to participants' understandings of their role in relation to CLHR. Tomaševski's availability, accessibility, acceptability, and adaptability framework (Tomaševski, 2001) informed the analysis.

Availability refers to the right to education as a civil, political, social, and economic right. It requires that the government permits the establishment of educational institutions by non-state actors and establishes or funds them or uses a combination of these and other means to ensure that education is available.

Accessibility emphasises the elimination of all forms of discrimination to ensure access. It calls for the needs of excluded, vulnerable, marginalised and/or disadvantaged children to be prioritised, including those needs related to language of instruction.

Acceptability evaluates the various aspects of the content of education to ensure its quality and relevance to children's learning experiences. The emphasis is on standards of education that ensure equitable access and elimination of discrimination in schools, and the creation of a school environment in which all children are provided the opportunity to develop their full potential.

Adaptability examines whether education is adapted to the needs of children in school. It supports adaptation of the system rather than expecting children to fit in with prescribed school systems, practices, and facilities.

This small-scale pilot study does not attempt to make comparisons or claim to represent what is happening across all 64 municipalities in Iceland. The participants' perspectives are used to examine how language diversity is addressed in schools, and the implications for ensuring CLHR in compulsory schools in Iceland. The findings will be used to develop further research on CLHR, including parent and student perspectives. An overview of the Icelandic context now follows.

The Icelandic context: legislation, policy, and practice

Studies indicate that students with Icelandic as a second language (ISL) have lower educational attainment than their Icelandic-speaking peers (OECD, 2019). They are also less likely to graduate from upper secondary school (Ministry of Education, Science and Culture, 2020a; Ragnarsdóttir & Lefever, 2018) and are often socially isolated and experience more mental health concerns, which results in less participation in leisure and sports activities (Ministry of Education, Science and Culture, 2020a; Rúnarsdóttir & Vilhjálmsón, 2015). This research emphasises the need to identify appropriate responses to increasing language diversity in

schools beyond the provision of ISL. In addition, given state legislation related to ensuring children's rights to, in and through education, the role of HRE in teacher education to address CLHR requires attention.

Article 10 of the Act on Equal Treatment Irrespective of Race or Ethnic Origin (No. 85/2018) explicitly refers to *prohibition against discrimination in schools and pedagogical establishments*. Although there is no direct reference to language, prohibition of discrimination in schools based on race or ethnic origin corresponds to language-related articles in the Convention of the Rights of the Child (CRC), which was adopted into domestic policy in 2013 (Act No. 19/2013). The state is responsible for the implementation of the rights recognised in the Convention. The 2021 Act on the Integration of Services in the Interest of Children's Prosperity (No. 86/2021) is illustrative of Iceland's attempts to address children's rights holistically. In consultation with some 785 children from around the country, a policy and action plan called Child-Friendly Iceland (CFI) was adopted by Parliament in June 2021 (www.barnvaensveitarfelog.is). The plan includes actions related to the provision of education on children's rights and the monitoring of implementation of the CRC (Ministry of Education and Children, 2022). For example, action two of the plan is focused on Education on the Participation and Rights of Children (Ministry of Education and Children, 2022). A realignment of government offices led to the newly established Ministry of Education and Children, in February 2022. A Government Office Steering Committee on Children's Affairs was also established, which has the role of ensuring the coordinated implementation of the Prosperity Act and its action plan (Ministry of Education and Children, 2022).

The five-year action plan includes various measures: systematic education on the CRC; educational material on the implementation of the CRC to ensure adequate access to education and information on its implementation; analysis of the education of professionals who work with and for children; and a three-year education plan to increase the education and professional development of the professionals working with and for children (Ministry of Education and Children, 2022). Twenty-one of the 64 municipalities in Iceland (see: <https://barnvaensveitarfelog.is>) have joined the CFI initiative to implement the CRC at the local level and two have been recognised as child-friendly (UNICEF, 2023). The initiative reaches over 50 percent of children living in Iceland (see: <https://childfriendlycities.org/iceland/>). Legislation and policy supporting children's rights and HRE is seemingly strong. However, addressing children's rights in the context of CLHR is under-researched, a topic we now turn to.

Language-related rights tend to be inadequately addressed in education. In part, this is due to a weaker focus on language in legally binding human rights documents, where the emphasis is on race, ethnicity, gender, and religion (Skutnabb-Kangas, 2012; Skutnabb-Kangas & May,

2017). Although article 8 of the Council of Europe’s European Charter for Regional or Minority Languages refers to the right to use a regional or minority language in education, the text does not encourage state accountability (Skutnabb-Kangas, 2012). This creates room for violations of minority rights. Breaches of children’s rights in schools are taking place daily (Lundy & Sainz, 2018). For rights-based education to be truly transformative, these violations must be taken seriously. Understanding the relation between language, education and rights and the role of HRE can challenge weak institutional accountability and encourage transformative responses that ensure CLHR.

Linguistic Human Rights (LHR) is ‘a concept that encompasses the language-related elements of other human rights, e.g., cultural rights or the right to identity’ (Szozkiewicz, 2017, p. 105). LHR in education combine educational rights and freedoms with language (Szozkiewicz, 2017). As previously stated, human rights are indivisible and, as such, are mutually supportive. One right ensures other rights and, in the same way, the violation of one right can lead to the violation of multiple rights. Educating minorities in an additional language or the majority language can result in ‘poor literacy in both the mother tongue and the dominant language, poor mathematics and science knowledge, and high drop-out rates’ (Szozkiewicz, 2017, p. 109). The right to mother tongue instruction (MTI) facilitates second language learning and is key to the full development of cognitive skills needed to live a fulfilled life. Children also have the right to receive a proper second language education, a lack of which ‘can lead to discrimination or the exclusion of minorities from political life, and from access to justice or access to various educational institutions’ (Szozkiewicz, 2017, p. 111). Ensuring CLHR is key to children’s full and holistic development, requiring an approach that balances the acquisition of the mother tongue on the one hand and the dominant language on the other, while adhering to the human rights principles of participation and non-discrimination. This requires a suitable language policy (Szozkiewicz, 2017, p. 112) and appropriate training and support to ensure policies generate socially just practices.

Icelandic law focuses on the right to learn and use the national language, and Icelandic sign language. The Act on the status of the Icelandic language and Icelandic sign language (No. 61/2011) proclaims Icelandic the national language of Icelanders and the official language of Iceland. Residents in Iceland ‘should have the opportunity to learn and use Icelandic so as to be able to participate in Icelandic society’ (Article 2). The Icelandic language policy 2021-2030 (Íslensk málnefnd, 2008) builds on the Act. Its goals point mostly to the cultivation of Icelandic and attitudes towards Icelandic. The first document to explicitly discuss the value of immigrant languages in society and the rights of plurilingual children to MTI was the Ministry of Education, Science and Culture Guidelines (2020b) for the support of MTI and active plurilingualism in schools and afterschool programmes.

Nordic mother tongues—Danish, Swedish, and Norwegian—are taught in Icelandic schools or are accessible as recognised distance studies. Some municipalities and individual schools also try to offer MTI to some of their students, where possible (Emilsson Peskova et al., 2023). However, MTI in languages other than Icelandic mostly takes place outside of the formal school system, without regular funding or support from Icelandic authorities. Móðurmál (the Icelandic Association on Bilingualism) runs classes on Saturdays, which are accessible to communities in the Greater Reykjavík Area and dependent on volunteer teachers (Móðurmál, 2023). From the perspective of Tomaševski's 4-A rights to education framework, the government has a legal responsibility towards MTI, a responsibility which is currently being shouldered by Móðurmál. Similarly, it is responsible for ensuring access to Icelandic as a Second Language (ISL).

The Act on Compulsory Schools (No. 91/2008) states that all students ought to receive appropriate education that respects their needs and wellbeing. Students have, among other rights, the right to be taught ISL. The National Curriculum Guide for Compulsory Schools emphasises that competence in Icelandic is essential for access to education and active participation in a democratic society (Ministry of Education, Science and Culture, 2014). Although ISL is included as a subject area in the curriculum, the number of teaching hours allocated to ISL is not stated, as is the case for other subjects. Each school decides the number of hours to be taught and teachers receive minimal training (Emilsson Peskova et al., 2023; Vijayarathan-R & Óskarsdóttir, 2023). Research suggests that the quality of ISL requires attention (Ólafsson, 2019; Óskarsdóttir, 2017).

Having to choose between one's mother tongue and a new language represents false 'either/or' thinking (Skutnabb-Kangas & May, 2017, p. 2). An explicit human rights frame offers a normative perspective as regards understanding the relation between language, education and human rights, a perspective which would consider 'either/or' thinking as a violation of children's linguistic human rights. Language diversity in schools in Iceland tends to be discussed in reference to inclusive and multicultural education rather than human rights education, which is not a recognised field in teacher education (Gollifer, 2022a; 2022b). The five-year plan supporting the implementation of the 2021 Act on the Integration of Services in the Interest of Children's Prosperity (No. 86/2021) emphasises systematic education on the CRC. The three-year education plan includes increasing the education and professional development of those working with and for children (Ministry of Education and Children, 2022). Research suggests that teachers lack the necessary pedagogical knowledge and skills to support students with diverse language and cultural backgrounds (Gunnþórsdóttir & Ragnarsdóttir, 2020; Óskarsdóttir, 2017) and that teacher education does not sufficiently prepare future teachers to teach students with diverse language backgrounds (Gunnþórsdóttir and Óskarsdóttir, forthcoming). As such, it seems that inclusive and

multicultural education approaches to teacher education would benefit from an explicit human rights focus. Learning about, through and for human rights can encourage critical thinking about the relationship between language, education, and rights. Understanding language rights in the context of CLHR ensures language is understood in relation to the realisation of other socio-economic, cultural, and political rights (Skutnabb-Kangas, 2022). CLHR calls for teachers to be knowledgeable about human rights content, including knowledge of its legal implications (Lundy & Sainz, 2018).

Discussing language as a human right is relatively new internationally (Skutnabb-Kangas, 2022; Skutnabb-Kangas & May, 2017, p. 3). In Iceland, understanding the relation between language, education and human rights is timely. Public discourse in Iceland reflects tensions between wanting to be part of the global world on one hand, and protecting Icelandic cultural values, including its language, on the other. Failure to critically engage with these tensions creates narrow ‘either/or’ thinking. We now present our findings on how eight gatekeepers understand their role in addressing language diversity.

Findings: ‘We can do much more and better’

Participation in the pilot study worked as a strong catalyst for the gatekeepers; it provided an important opportunity to reflect on their roles and the tensions between doing their best while acknowledging ‘we can do much more and better’. The themes presented in this section aim to illustrate these tensions, as we now discuss.

Awareness of inevitable discriminatory practices

The gatekeepers are open and honest about not being able to ensure children’s language rights. Dóra (DSSS/M-D) talks about ‘compromising the person's human rights’ because without language ‘you can't express yourself and don't have the means to express yourself, then you must live with reduced human rights in a certain way’. Although she acknowledges that ‘it is difficult to accommodate the fact that everyone can speak their own language’, she places responsibility on the school system to find a way forward:

That's why we need to think about school operations, I think, how can we try to reduce these obstacles that this brings. We somehow need to think about schools to fit everyone, and that the school can adapt to everyone's needs. (Dóra, DSSS/M-D)

Tomaševski (2001) refers to the availability of appropriate resources, processes to ensure access and challenge discrimination of some children and the need for school systems to adapt to make schooling acceptable and in line with human rights obligations. This calls for thinking about how institutions negatively impact certain children and violate their human rights, and the responsibility of schools to imagine new possibilities. Both Dögg (SP/M-D) and Dóra (DSSS/M-D) recognise the connection between lack of resources and violation of children’s

rights:

If I don't have a teacher or a person who can teach the child's mother tongue, I can't offer it...according to the general curriculum guide and according to the United Nations Convention...all children should have the same right and equality to study. I'm always breaking them, their rights. (Dögg, SP/M-D)

Dögg (SP/M-D) and Dóra (DSSS/M-D) are eager to find solutions to the inevitably discriminatory practices that they are part of. They discuss wanting to learn about universal design and what it can offer in terms of removing barriers related to language rights:

We both have been speculating how and if we should include mother tongue teaching...what is our role in that regard? We are, among other things, now working to establish mother tongue teaching in both Polish and Serbo-Croatian. But then you feel that you are also contributing to discrimination, because there are children both from the Philippines and Brazil, and from around the world, who are not given their mother tongue. (Dóra, DSSS/M-D)

Aron (DSSS/M-A) also talks about the need to better respond to children's language needs. He talks about 'doing it properly', referring to improved teaching methods and assessment processes for teaching ISL. As Anna (SP/M-A) explains, teachers have struggled to find appropriate ISL materials and language proficiency testing: 'Teachers have been trying to find something, and doing their very, very, very best!' (Anna SP/M-A).

Lack of financial and human resources to support MTI in Iceland can explain the promotion of ISL as a core strategy to address increasing language diversity in schools. As Dögg points out: 'We know that the other [referring to MT] will always happen'. By this she refers to children using the MT when not in school. Anna suggests that the focus on ISL is a pragmatic choice, a result of the lack of other pedagogical solutions rather than lack of awareness of children's rights.

Of course, it's good to cultivate your own language and...all that, I don't belittle it. But it is obvious...I have 30 languages in my school...That's not realistic. (Anna, SP/M-A)

Concerns about not being able to offer MTI and lack of pedagogical knowledge to address language diversity are evident in all municipalities. The need to apply for special funds to run MTI frustrates Aron (DSSS/M-A): 'I would have liked to do much more but there is not always everyone who is willing to give money to a project' (Aron, DSSS/M-A). He is referring to not being able to financially support a MT grassroots organisation operating in his municipality.

The political nature of fund allocation and how decision making can contradict children's rights is evident in all the interviews. Bjarni (DSSS/M-B) and Baldur (SP/M-B) explain that central

government funds for ISL are well below the amount required. They suggest that there is the need to adapt to the lack of funding by encouraging innovation amongst school personnel: ‘The schools may point to us [referring to School Support Services], but we point to others, see. What we need, we need knowledge and manpower, that's the human capital.’ Bjarni (DSSS/M-B) goes on to say:

I want to emphasise that we don't want to see this as a problem...we just have a very strong focus on looking at it and encouraging our staff and professionals to do the same...what can we say, spot the resource that people bring, look at these children with different cultural backgrounds...and think we can definitely do better in that regard. (Bjarni, DSSS/M-B)

Dóra and Dögg explain that they have learned about children's rights through on-the-job training, which they admit can be limiting at times: ‘Sometimes we lack the tools and equipment and maybe the knowledge to do our best’ (Dögg, SP/M-D). Dóra (DSSS/M-D) points out despite the drafting of new laws, there is little emphasis on professional development to ‘help those who are working, in fact, with the children, so that something actually happens’. She implies that teachers may be trained as primary school teachers but may lack the right attitude towards ensuring the wellbeing of all children. Similarly, Bjarni and Baldur refer to learning on the job to respond to increasing language and cultural diversity in their municipality: ‘I am in a multicultural school, so you are kind of busy with these issues...it's something I wish we could do better than we're doing, but everyone's trying their best’ (Baldur, SP/M-B).

Bjarni and Baldur work in a municipality that is part of the government's Child Friendly City initiative. Bjarni refers to recent multicultural training of staff from the School Support Services (SSS) office. However, both Bjarni and Baldur place more emphasis on what they have learned through life experiences. They talk about the value of research to provide lessons learned and the opportunity to reflect on one's own practice, suggesting that lessons from the field should form a part of rights-based training:

It is so important to have the opportunity to discuss this in this context because when you say things...people can learn from each other in this regard and develop themselves as professionals. Just make sure there is peer support and peer reflection. It's just becoming very urgent that research is done in this field where we, the professionals are...to reflect and learn. (Baldur, SP/M-D)

Formal training in children's or human rights has not been a significant part of the gatekeepers' professional development. Carl has a background in law but still states ‘I cannot in good conscience answer that I have received any special education regarding the language

aspect and human rights' (Carl, DSSS/M-C). Christian also mentions receiving general education about children, migration and ISL but without a human rights lens:

We have through the years attended training regarding the teaching of Icelandic as a second language. Yes. But not based directly on the fact that they are human rights, even though they are. (Christian, SP/M-C)

As Christian points out, in his school they address human rights as part of theme days rather than as a comprehensive strategy. He goes on to say that despite the lack of training, he believes that 'people are thinking this way...most people in my environment at school...feel we should be able to welcome and help people who come to us'.

HRE places emphasis on legal responses as well as political and moral responsibility. The combination of learning about, through and for human rights provides a greater opportunity for informed critical reflection that the gatekeepers feel is absent in their professional development. Without the opportunity to engage with others about the complexities of responding to children's linguistic human rights in contexts of lack of funding and resources, inevitable discriminatory practices can become understood as practical responses. Dóra refers to discussions about curriculum revisions that can potentially violate children's rights:

There has been a discussion about whether it [MTI] should be stated in the curriculum. I think this should be changed, because we can't, it's not possible...of course, all children have the right that they are listened to and paid attention to. But we can't. (Dóra, DSSS/M-D)

Contexts of limited resources and lack of relevant human rights training risk making discriminatory practices, including linguicism, acceptable in Icelandic schools, as we now discuss.

Over-emphasis on ISL can create linguicism

Linguicism is a term coined by Skutnabb-Kangas (1998) to describe discriminatory ideologies or practices which legitimise the subordinate position of a language. The dominant discourse in Iceland reinforces the belief that knowledge of Icelandic is the key strategy towards social integration. This perception is shared by some of the gatekeepers: 'Our primary goal is to teach Icelandic and thus guarantee them more opportunities in the Icelandic school system in the future' and 'to thrive in society' (Dóra, DSSS/M-D). Dögg (SP/M-D) refers to children without Icelandic as limited in terms of accessing 'the basic elements, the basic things that we need to use in society'. ISL is presented as a precondition for active participation in society, acquiring knowledge in school, and supporting further education and participation in workplaces. In the 2008 Compulsory School Act (No. 91/2008) ISL is framed as a student entitlement. The act states: 'Instruction in compulsory schools must be in Icelandic' (Article

16). Despite acknowledging the importance of MTI, Dóra understands Icelandic as essential to ‘learn and adapt to the fundamentals of Icelandic society’ because ‘it’s just difficult to adapt to Icelandic society if you don’t speak Icelandic’ (Dóra, DSSS/M-D). Aron places more emphasis on learning ISL as a human right that enables other rights:

Learning Icelandic is a human right. If you intend to be a participant in Icelandic society and stand on an equal footing with others...the final goal is always that they can stand on an equal footing with the natives in education, and just in life. (Aron, DSSS/M-A)

The emphasis on ISL as the dominant strategy to address linguistic diversity in schools seems to be justified by the role of Icelandic in ensuring the right to education and other social, economic, cultural, civil, and political rights on one hand, and to protect Icelandic culture, including language, on the other. The protectionist stance towards Icelandic in Icelandic education policy has been linked to concerns about language extinction, resulting in the exclusion of certain members of society from meaningful social participation and professional development (Vijayarathan-R & Óskarsdóttir, 2023). The tension between wanting to be part of the global world and protecting Icelandic cultural values, including language, can manifest itself in forms of racism (Loftsdóttir, 2019) and linguicism (Skutnabb-Kangas, 1998).

Linguicism is supported by policy and laws that allow ISL to be accepted as a one-size-fits-all solution, diluting issues related to children’s participation and discrimination. Student wellbeing is discussed in relation to one dominant pedagogical response and other pedagogical possibilities, such as those that aim to protect children’s MT or provide MTI, attract less attention and support. This discriminatory ideology, or linguicism (Skutnabb-Kangas, 1998), can develop into what Nguyen (2021) refers to as rationalisation. Due to glorification of the dominant language as essential for social integration, development and mobility, minority languages are stigmatised. Rationalisation is reinforced by limited opportunities and negative experiences as regards use of the MT (Einarsdóttir & Emilsson Peskova, 2019; Ragnarsdóttir & Hama, 2018; Tran & Lefever, 2018). Bjarni shows an awareness of the negative impact of overemphasising Icelandic.

It is important to take good care of Icelandic...we are looking at this 50/50, that is, 50 percent of the waking hours in the Icelandic language environment and then the mother tongue is being taken care of outside of school hours. But this causes a certain tension, I think, in this regard, regarding the rights of children to play and communicate in their mother tongue with their peers...in the school system or in sports and leisure activities. (Bjarni, DSSS/M-B)

Baldur (SP/M-B) also makes the connection between MT and the child’s cultural and identity

formation: ‘Children...naturally define themselves to some extent based on their mother tongue’. As Bjarni points out, promoting ISL in schools while neglecting MTI encourages children not to use their MT in play. He suggests schools need to adapt to societal change, a sentiment supported by Baldur (SP/M-B) who proposes that schools should support bilingualism and multilingualism for the benefit of ‘the whole community in the future’ (Baldur, SP/M-B). Bjarni and Baldur refer to the revised municipality policy, which emphasises putting children first as part of the state supported Child Friendly City Initiative. They understand the increased focus on children and diversity as crucial to strengthening the local community:

We are all in this together, putting the children first...both this with the power of diversity, to see it as a resource, children who come and people who come to us from other countries, we want to see it in order to increase the power in our society.
(Bjarni, /M-B)

Learning to live with diversity is an underlying imperative for Bjarni and Baldur: ‘This is a great social responsibility that we bear regarding children’s rights to develop, and develop their own language, in connection with learning new ones’ (Baldur, SP/M-B). Increasing language and cultural diversity in schools is the norm. As such, schools need to have ‘an opportunity to shape policy’ (Carl, DSSS/M-C). Understanding language rights in the context of broader social wellbeing, underpinned by human rights values, challenges narrow policy interpretation and encourages children’s holistic wellbeing. This ‘opportunity to shape policy’ can, however, be constrained by lack of state accountability to support local rights-based responses, as we now discuss.

Lack of state accountability to support municipality rights-based responses

Our data suggests that the four municipalities are responding in innovative and locally responsive ways to address increasing language and cultural diversity. However, there is evidence of a lack of state accountability to support rights-based responses in schools. External evaluations of school operations have ‘no special focus on this [human rights]’ (Carl, DSSS/M3). Dögg (SP/M-D) explains that she has never seen ‘a list where I tick a box regarding whether I have met children's human rights’. Dóra (DSSS/M-D) suggests that awareness of language connected to human rights is tacit rather than explicit: ‘I think this is something that everyone thinks...but we may not have used this language’. Aron (DSSS/M1) refers to school external evaluations being used to raise ‘red flags’ regarding serious cases impacting on student wellbeing but admits that ‘we just don’t have the resources to follow up on everything’. He refers specifically to cases of racism and suggests that schools are not as responsive as they should be: ‘I can't say that we have a detailed outline, with racism...that we have it on the fast track at any time, it is not like that at all’.

The introduction of the 2021 Act on the Integration of Services in the Interest of Children's Prosperity (No. 86/2021), underpinned by the Convention on the Rights of the Child (CRC), provides a crucial opportunity to monitor children's rights and make discriminatory practices, such as racism and linguicism, unacceptable. As Christian (SP/M3) points out, 'it's the politicians who make the decision'. He refers to the municipal council being responsible for funding allocation with decision making not necessarily influenced by children's rights obligations. Baldur agrees:

There is no funding for this [human rights], and the message from the ministry is not very clear...other than these words in the curriculum. There is no initiative taken by the ministry or the Icelandic Association of Local Authorities (Icel. Samband íslenskra sveitarfélaga). (Baldur, SP, M2)

The Ministry of Education and Children is responsible for monitoring municipalities to ensure that they fulfil laws, regulations, rules, and policies. However, as Dóra points out:

How is the person who sets the law going to ensure that something actually happens in the classroom where things actually happen? That is the challenge, I think in the entire Icelandic school system. Securing this bridge between them. (Dóra, DSSS/M4)

The gatekeepers are aware that lack of accountability comes from a disconnect between the different levels of authority, resulting in discriminatory responses. The tendency to accept dominant discourses that promote ISL conceals pedagogical alternatives that may better address children's holistic wellbeing. In the final section of the paper, we discuss the implications of the findings to better envisage what type of HRE response is needed to realise children's linguistic rights in compulsory schools in Iceland.

Implications

This paper is premised on the belief that the state is legally responsible to ensure children's rights to, in and through education. Iceland is signatory to legally binding international human rights frameworks, including the CRC, which has been incorporated into domestic law. The most recent act related to education and children, the Act on the Integration of Services in the Interest of Children's Prosperity (No. 86/2021), states that children's rights must be guaranteed in accordance with the constitution and Iceland's international obligations. Ensuring Children's Linguistic Human Rights (CLHR) is part of this legal responsibility. The introduction of the Child Friendly City initiative (Barnvæn sveitarfélög, n.d.) and the implementation plan for the CRC (Ministry of Education and Children, 2022) are promising steps. They represent an opportunity for the state to provide clear directives and monitoring to ensure children's rights to, in and through education.

Our findings suggest that the gap between policy rhetoric and practice allows violations of CLHR, creating contexts in which linguisticism is made acceptable. The state's attention should be on the current lack of financial and human resources to support municipality rights-based responses, such as human rights professional development and rights-based monitoring systems. The right to education enshrined in law obligates the state to allow the establishment of educational institutions by non-state actors and/or to establish needs-responsive education institutions, both of which should be funded by the state. This calls for fiscal allocations to match human rights obligations and to ensure education personnel are trained to address children's rights (Tomaševski, 2001). The findings illustrate that MTI in Iceland is not addressed in accordance with domestic legislation. Legislation such as the 2013 incorporation of the CRC into Icelandic law (Act No. 19/2013) states the unequivocal right of children to maintain their MT and appoints the state to ensure all children have lessons in their MT - see articles 2 (non-discrimination), 6 (survival and development), 8 (identity), 29 (education and development), and 30 (minority and indigenous groups). According to the interpretation of the law by the office of the Ombudsman for Children 'it is considered a violation of the rights of the child if state and local authorities make no effort to ensure such lessons for children' (Ministry of Education, Science and Culture, 2020, p. 6). Although the Ombudsman for Children calls attention to parental responsibility for children's wellbeing and the right to maintain their own culture and language, state obligation is also affirmed: 'to assist parents in fulfilling their role and to take action when it is clear that the parents are unable to fulfil their duties' (p. 6). Despite these directives, state responsibility for ensuring CLHR is diluted by over-emphasis on one-size-fits-all and 'either/or' responses. We propose two interrelated strategies to make meaningful steps towards CLHR in Icelandic schools. First, promoting human rights teacher education and, second, ensuring funding for local rights-based activities, including monitoring.

An explicit focus on human rights in teacher education is needed to ensure learning about, through and for human rights. Applying a human rights lens to pluri/multilingual education strategies, pedagogies, and teacher training challenges narrow perspectives that promote ISL or MTI as the sole responses to language and cultural diversity. Shedding light on the continuing problem of reproduction of linguistic inequality and the complex relationships between language, power and subjectivity allows teachers to reconceptualise language, reconfigure what knowledges are valued in the classroom, and reshape pedagogy (Cenoz & Gorter, 2022; Mendelowitz, Ferreira, & Dixon, 2023). Relational approaches to teacher education complement the HRE agenda by encouraging engagement with diverse experiences and perspectives that can foster teachers' transformative agency to react towards the violation of children's rights (Gollifer, 2022a). A human rights frame offers a normative conception of holistic wellbeing that can ensure solutions are underpinned by non-discrimination, equality, participation, and accountability. In this way, school systems will

adapt to ensure availability, accessibility, and acceptability for all students (Tomaševski, 2001).

State accountability is necessary to address the gap between human rights discourse in policy and curricula and practice in schools. As the findings indicate, lack of resources allows discriminatory practices to persist. Having untrained teachers doing their best with limited resources and lack of training (Gunnþórsdóttir & Óskarsdóttir, forthcoming) is evidence of the state failing in its human rights obligations. Allocating municipal funds to directly support schools to pilot rights-based responses to cultural and linguistic diversity would better demonstrate state responsibility towards Tomaševski's (2001) 4As. What is learned from these local school-based responses could then be used to inform human rights in teacher education and to design appropriate monitoring mechanisms, and vice versa.

These two strategies address the main concern raised in this paper; the dominance of the status of ISL versus MT, and the tendency to understand both as the only solutions to linguistic and cultural diversity in our schools. There is no question that knowledge of the mainstream language is important for children for both educational, recreational, and social reasons (Hughes, 2021). However, this should not be at the expense of denying children's rights which protect them from discrimination, encourage respect for a child's culture and language, and ensure the right to relax, play and take part in cultural and artistic activities (see articles 2, 29, 30 and 31 of the CRC). Language teaching and learning plays a vital role in fostering cross-cultural and inter-cultural understanding and provides an interdisciplinary approach towards creating a positive culture of antiracism (Starkey, 2002). However, first and foremost, CLHR remind us that language is a subgroup of other inalienable rights, all key to children's full and holistic development.

All four municipalities focused on children's real-life issues and showed a willingness to adapt school operations to be more responsive to increasing language and cultural diversity. Their work reflects Tomaševski's (2001) emphasis on the need for schools and educational establishments to adapt to children's needs to ensure their rights are met. Increased emphasis on human rights in teacher education and increased state accountability to support local rights-based responses will increase possibilities for schools to adapt to ensure all children's rights are realised.

Conclusion

In this paper, we have drawn on the perspectives of gatekeepers working in four different municipalities in Iceland to understand their roles in addressing language diversity in schools. Our aim was to examine how they understand the relation between language, education and human rights, and the implications for CLHR. We conclude by suggesting that the gap between policy and practice can be addressed through an explicit human rights focus in teacher

education and state funds aimed at supporting and monitoring local rights-based approaches to address language diversity in schools. An explicit human rights approach to teacher education, underpinned by lived realities and narratives, raises awareness of the barriers to responding to human rights obligations enshrined in international, regional, and domestic legislation. Without state accountability, the risk is that rights-related legislation is diluted, misinterpreted, or even removed from current policy documents because human rights are understood as unrealistic and unachievable. To ensure human rights in any given educational reality, there is a need for adaptability to address issues of availability, accessibility, and acceptability. Informed by the experiences of local gatekeepers, adaptations to the current ways of working will ensure ‘we can do much more and better’ and prevent Iceland from failing in its obligations to ensure CLHR.

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