

THE ROLE OF THE UNIVERSAL RIGHT TO THE FREE SCHOOL MEAL

According to Maslow's pyramid of needs, the need for food belongs to the group of physiological needs that are necessary for survival and which are a prerequisite for meeting other important human needs (Karabegović, 2013, para. 3.). From the children's point of view, proper nutrition is a significant factor in their upbringing because it ensures adequate psychophysical growth and development of children and the learning about healthy eating habits that are reflected in later life and health in adulthood (Ministarstvo zdravlja Republike Hrvatske, 2013, p. 7). Since children spend a lot of time in schools, schools play an important role in the direct provision of health and nutrition services (Borkowski et al, 2021, p. 6). Accordingly, many countries implement specific programmes and initiatives which provide milk, fruits and vegetables in schools as a tool to promote proper school nutrition and to improve children's healthy eating habits (Eurydice, 2016, p. 16). Finally, school feeding programmes, known as school meals, are a policy instrument that includes meals served in school and take-home rations for primary school students which aims to reduce hunger in developing countries and encourage student participation (Adelman, Gilligan and Lehrer, 2008, p. vii).

THE UNIVERSAL RIGHT TO THE FREE SCHOOL MEAL – LEGAL BASIS

According to Article 3 of the Constitution of the Republic of Croatia (Ustav Republike Hrvatske, NN 56/90), as the main legal act, freedom, equality, national equality and gender equality, social justice and respect for human rights are guaranteed as the highest values. It is ensured by Article 14 that "Every person in the Republic of Croatia has rights and freedoms, regardless of race, skin colour, gender, language, religion, political or another opinion, national or social origin, property, birth, education, social status or other characteristics" (Ustav Republike Hrvatske, NN 56/90). If we consider the stated values and provisions that are guaranteed to all citizens of the Republic of Croatia, it can be concluded that the constitutional provisions have the character of universality. That is why universality is an indicator of equality, social justice and a requirement that everyone shall be treated on equal terms. If universality is viewed from the aspect of children's rights, it would mean that the state is obliged to provide all children with social, cultural, educational, material and other conditions that promote the realization of the right to a dignified life (Ustav Republike Hrvatske, NN 56/90, Art. 63.). Further, the Convention on the Rights of the Child states that children are born with fundamental rights and freedoms that belong to all human beings. However, because of their physical and mental immaturity, there is a need to emphasize the special rights of the child to protection arising from this fact (Konvencija o pravima djeteta, 1990, p. 1). One of the rights is the right to a free school meal, as social and education right that should be guaranteed to every child (UNICEF, 2021, p. 25). However, Croatia doesn't have a unique and universal school nutrition program that would guarantee every child

the right to a free school meal, which indicates the need to create social policies aimed at adopting a unique, sustainable and comprehensive program for all primary school students (UNICEF, 2021, p. 25).

THE IMPORTANCE OF A FREE SCHOOL MEAL

There are numerous benefits and positive effects in providing school meals for primary school children. It is possible to group these positive aspects into several categories to form a classification of benefits; health outcomes, educational outcomes and social outcomes.

First of all, it is necessary to emphasize the health benefits of school meals as they are directly related to the growth and development of the child. Accordingly, good quality school meals contribute to the healthy nutrition of students and their physical development by providing existential energy-nutritional needs (Ministarstvo zdravlja Republike Hrvatske, 2013, pp. 7-11). Further, school meal contributes to the reduction of student obesity (Ministarstvo zdravlja Republike Hrvatske, 2013, p. 13) and reduces skipping breakfast (European Commission, 2021, pp. 50-51; Dotter, 2013, p. 2). On the other hand, it is important to emphasize that school meals play an important role in reducing child malnutrition, especially in times of crisis and insecurity (European Commission, 2021, pp. 49-50). For example, research by Vik, Van Lippevelde and Øverby (2019, pp. 1, 2, 7) has shown that school meals contribute to healthy food intake for students, especially for children of lower socioeconomic status, for whom it is sometimes the only quality meal of the day. Unfortunately, obesity, skipping breakfast and unhealthy eating habits are challenges that children in Croatia have to deal with due to the frequent consumption of bakery products and fizzy drinks instead of hot meals that should be provided in schools (UNICEF, 2021, p. 28; UNICEF, 2022, pp. 55, 57). This is happening because Croatia is facing infrastructural problems in schools, especially in rural areas, where schools often do not have school kitchens or staff to prepare hot school meals (UNICEF, 2022, p. 58). One of the solutions to the aforementioned challenges is to reorganize the existing nutritional program *National Guidelines for School Meals in Primary Schools* by implementing a new one with healthy recipes that will provide children with nutritionally rich and healthy school meals (UNICEF, 2022, p. 65). Schools that don't have a school kitchen could deliver hot school meals from local sources such as local restaurants, catering or delivery of food from kindergartens (UNICEF, 2022, pp. 64, 65). Schools also could deliver school meals in the form of healthy student sandwiches which are a complete and nutritionally rich school meal that is a worthy substitute for a cooked school meal (Živjeti zdravo, 2020, para. 1.).

The next category of positive effects of providing school meals refers to educational outcomes; how the school meal contributes to students' school success. Accordingly, experiences in European Union Member States indicate that school meals encourage school participation and reduce dropping out of school, as well as reduce behavioural problems among students and improve student's

abilities to concentrate at school that boost their learning skills (European Commission, 2021, pp. 49-52). These findings have been confirmed in subsequent studies (Belot and James, 2011, p. 501; Dotter, 2013, pp. 3-4; Schwartz and Rothbart, 2019, p. 25; Van Lancker and Parolin, 2020; pp. 243-244) that highlight the improvement of students' cognitive abilities and school success, especially in mathematics, reading, and language, during the use of school meals.

From the point of view of social work, it is important to emphasize the following positive social aspects of school meals. First of all, it should be noted that school meals ensure food security and reduce the financial burden for parents, especially for those of lower socio-economic status who often cannot provide adequate meals for children or fruits, vegetables, meat and fish in at least one daily meal (UNICEF, 2021, pp. 25-27). Although children from families of lower socio-economic status are often included in the provision of school meals, the stigmatisation of such children is emphasized because they are often classified into 'target groups', which sets them apart from other children. For this reason, it is important to ensure a universal right to a school meal for all children in order to address this problem and bring all children together to achieve equality between them which will teach them social skills (European Commission, 2021, pp. 45-51; UNICEF, 2021, pp. 25-26).

THE PREVALENCE OF SCHOOL MEALS IN EUROPEAN UNION COUNTRIES

There are different practices of regulating the right to school meals in the countries of the European Union. First, some countries ensure the right to a school meal for primary school students in the form of universal programmes. For example, Finland has since 1948 been providing universal free school meals for all children attending school (European Commission, 2021, p. 33). It should be noted that a similar practice is also provided by the Baltic countries (Estonia, Latvia and Lithuania) and Sweden; they differ only in the coverage of students who exercise that right (European Commission, 2021, pp. 33-34).

The next group of countries is specific in ensuring the right to a free school meal for target groups of children on the basis of household income (more precisely, low-income households) and for some groups of children who may face disadvantages, such as children in public care and refugee families and children. The following European countries are in this group: Cyprus, Czechia, Germany, Hungary, Luxembourg, Malta, Portugal, Slovakia, Slovenia and Spain (European Commission, 2021, pp. 34-38). However, this way of providing school meals carries the risk of stigmatisation, increased administration in identifying these groups and the risk of excluding those most in need (European Commission, 2021, p. 34).

The third group of countries is specific in providing subsidized school meals and/or free meals that do not cover the whole country; for example, some countries have school-based targeting and

some schemes are conducted by national or local governments and a few NGOs (Austria, Belgium, Bulgaria, Greece, Ireland, Italy and Romania), while other countries have an individualized approach to school nutrition (Croatia, Portugal and France) (European Commission, 2021, pp. 38-39).

For the purpose of this paper, it is important to describe the implementation of school meals in Croatia. Croatia's primary schools are legally obliged to organize school meals for all children in primary school in accordance with the prescribed norms (Ministarstvo zdravlja Republike Hrvatske, 2013, p. 12). However, this practice is not established because not all schools provide school meals which consequently leads to a different provision of school meal service (European Commission, 2021, p. 39) resulting in uneven practices and regional differences in children's access to school meals (UNICEF, 2021, p. 26) because there is no comprehensive data at the national level on the organization of a school meals by local authorities so there are differences from city to city (European Commission, 2021, p. 39). For example, in Zagreb, a free meal is provided for social assistance beneficiaries, for children whose parents are unemployed, for children with disability from the Croatian Homeland War and for children of deceased Homeland War defenders. It's important to point out that in other cities in Croatia some students are exempt from paying for school meals because they are beneficiaries of social assistance if a school provides meals (European Commission, 2021, p. 39). Furthermore, Fund for European Aid to the Most Deprived (FEAD) provides school meals for children who live at risk of poverty and social exclusion and whose families receive child benefits and live in less developed areas (UNICEF, 2021, p. 27). Consequently, this leads to the conclusion that not all children in need are now eligible for a free school meal (Kletečki Radović and Družić Ljubotina, 2021, cited in UNICEF, 2021, p. 27).

The last group of countries in the European Union are those in which there is no free or subsidised provision of school meals for students and such practices are carried out by the Netherlands and Denmark (European Commission, 2021, p. 41).

Many European countries during the COVID-19 pandemic provided some forms of school meals that were either delivered to students' homes or in the form of food packages or school meals could be picked up or eaten in the school canteens (European Commission, 2021, pp. 42-43). Particularly important was to ensure school meals for children of lower socio-economic status in order to provide them adequate nutrition during the COVID-19 pandemic. However, Croatia did not provide any measure that would include the distribution of school meals for students (UNICEF, 2021, p. 26, p. 48).

The nutrition of children is the driving force behind their growth and development, both in terms of health and in terms of education and socialization. Starting from the constitutional provisions,

the provisions of the Convention on the Rights of the Child and other legal provisions, it is evident that there is a basis for the introduction of the universal right to free school meals in the Republic of Croatia. In addition, it is important to point out all the positive aspects of school meals, from health outcomes to educational outcomes and finally the social benefits that are reflected through the reduction of stigma and food insecurity for children of lower socio-economic status. The current way of providing school meals in Croatia is uneven, unsustainable and inapplicable for all children in primary schools, which indicates the need and obligation of the State to ensure all students the right to free school meals, as a universal right following the example of some EU countries (e.g. Finland, Estonia and Sweden). Thus, the Government of the Republic of Croatia could provide free school meals for all primary school-age students through a combination of budgetary (state and local) and European funds. Financial resources from the state budget for school meals can be secured from the funds received from the National Recovery and Resilience Plan (UNICEF, 2022, p. 64). In the long term, budget funds bring some sustainability to the financing of school meals, since the funds for financing school meals from European projects are an uncertain, short-term and insecure source of income (UNICEF, 2022, p. 58). As stated earlier in the text, there are numerous infrastructural difficulties that will represent an obstacle to the idea of providing a hot school meal for all students. However, there are also workable solutions such as delivering school meals from other sources, for example, kindergartens, local restaurants or other stakeholders. In this way, the state will work towards creating social policies aimed at alleviating child poverty and social exclusion, and will invest in children who are our capital and support for the future.

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