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1. Introduction

1. The present report will focus on the human rights situation of Roma people in the Slovak Republic. The Roma minority is the second largest yet least integrated minority in the country. It remains seriously disadvantaged in several areas of social life and face particularly serious problems on access to housing, adequate standard of living, health, employment and education.¹ Despite the State's efforts to improve the socio-economic condition of Roma people and to change discriminatory attitudes amongst non-Roma population, measures in place have not been sufficient to address the extreme poverty and the de-facto discrimination which still persists.²

2. According to official statistics in 2001, 90,000 Roma people live in Slovakia. Experts however, estimate the total Roma population represents between 350,000 and 400,000 of the 5.4 million inhabitants of Slovakia.³ This difference in estimates is largely due to the fact that the Roma deliberately claim Slovakian or Hungarian nationality from birth, to avoid disadvantages; as well as to the lack of a thorough population census, which does not include segregated Roma settlements.⁴

3. Despite efforts at governmental level to improve the situation of Roma people, a number of areas remain unaddressed. Some measures have been taken to address problems in specific areas of unemployment and housing; however, the challenges faced by the Roma minority as a whole, including prejudice against them by the majority of the Slovak population, remain largely unaddressed.

2. Scope of International obligations

4. As a member of the European Union since 2004, and of the United Nations since 1993, the Slovak Republic has assumed numerous obligations regarding anti-discrimination laws⁵. A signatory to most international human rights treaties, including the International Bill of Rights, Slovakia has proved its commitment to human rights standards for the country as a whole.

5. In its election as a member of the Human Rights Council in 2008, Slovakia pledged to “*pay special attention to the issues of social inclusion, the elimination of social and cultural prejudice and the promotion of racial and religious tolerance*” as well as to “*the rule of law and the protection of vulnerable and marginalized groups, including women, children, elderly people, the disabled and persons belonging to national minorities and ethnic groups.*”⁶

¹ Third Report of the European Commission against Racism and Intolerance (ECRI), 23/6/2003.

² Concluding Observations of the Human Rights Committee (HCR): Slovakia, 22/08/2003 UN Doc. CCPR/CO/78/SVK 22 August 2003.

³ Legal analysis of national and European anti-discrimination legislation, Slovakia, September 2001 pg 6.

⁴ In 2003, the HRC expressed its concern at this statistical discrepancy, and urged the State party to take steps to gather statistical data reflecting the current size of the Roma Population. UN Doc. CCPR/CO/78/SVK.

⁵ EU Anti-discrimination law 365/2005, and EU directives relating to protection against discrimination.

⁶ Letter dated 4 March 2008 from the Permanent Mission of Slovakia to the United Nations, regarding Slovakia's voluntary pledges and commitments, Doc. A/62/747.

3. Promotion and protection of human rights

3.1. Discrimination

6. Discrimination is ever present in many aspects of Roma people's lives, in particular in the areas of access to healthcare, employment, housing, adequate standard of living and education. Furthermore, the specific environment of a Roma colony or settlement makes it extremely difficult for its inhabitants to integrate into 'mainstream' social life, thus leading to the segregation of the minority.

7. The media usually portrays Roma matters in a negative way, which further exacerbates prejudice against Roma people. Admittedly, association with high crime rates (present in certain settlements) amongst others, have led to further segregation and stigmatization. Largely to blame is the negative stereotyping of this minority as being a "*socially unadaptable population, with criminal inclinations*".

8. The Roma population has often been exposed to 'skinhead' racist violence, which has led to the murder and severe beatings of Roma people. Security forces have taken action against skinhead groups which had targeted Roma and migrant populations and governmental agencies have addressed the violence per se. However, root causes of prejudices have not been dealt with.

3.2. Right to adequate access to health

9. Access to healthcare remains poor for Roma, with discriminatory practices apparent in the health sector, including segregation of patients.⁷ A number of factors have a negative impact on their choices: the costs of health care can deter parents from seeking medical help in the event of sickness and a very low income translates into not being able to commute to other villages to see a doctor or buy the necessary medication.

10. Roma parents are often hesitant to access full healthcare for their children, unless their children's situation is serious. Although mobile healthcare units are deployed in Roma colonies, this system remains underdeveloped, with few doctors working out of their ambulatory centers. It is estimated that only 34% of villages with Roma colonies have a pediatrician. 51% of all Roma children live in these colonies, thus the rest of the children have to commute to other villages for basic healthcare.⁸

3.3. Right to work

11. The unemployment level amongst Roma people is 4.2 times higher than the national average, and the level of long-term unemployment is 5.2 times higher overall. A lack of statistics and thorough population census means this figure could be underreported.

12. A number of factors affect this unemployment level: above all, the difficulty to compete successfully in the labour market due to lack of access to professional education and the use of non-Romani language in the employment sector. A factor which has been addressed in the *National Action Plan on Social Inclusion*, yet remains unchanged, is the refusal of non-Roma employers to employ Roma workers, largely based on negative stereotypes about their

⁷ Committee on the Rights of the Child (CRC), Concluding Observations: Slovakia, UN. Doc. CRC/C/SVK/CO/2 10 July 2007, p.49 pg 11.

⁸ In 2007, the Committee on the Rights of the Child (CRC) expressed concern at the health condition of Roma in comparison to the majority of the population, and recommended the State to take all necessary measures, including the continuous training of health workers; CRC/C/SVK/CO/2, p.50 pg 11. National Action Plan on Social Inclusion 2004-2006, pg.8.

ethnicity. In a number of colonies and settlements, the unemployment rate is higher than 95%, even 100%.⁹

13. As the *National Action Plan on Social Inclusion* indicates, the Roma face a *double-marginalisation*, as “they live in marginalized regions in which there is a minimal possibility of finding a job and thus extricating oneself (*sic.*) from the social assistance system, and at the same time, for various reasons, they are unplaceable in the labour market, or their entry to the labour market is made difficult (for example in consequence of a labour disadvantage or social exclusion). To this as an additional complication are added certain specific factors, such as ethnic discrimination or socially pathological phenomena in segregated Roman communities.”¹⁰

3.4. Right to an adequate standard of living

14. The *National Action Plan on Social Inclusion* admits the dangers faced by non-integrated Roma communities as the most threatened group by social exclusion and poverty. The extreme poverty experienced by most Roma people living in settlements is passed on from generation to generation, perpetuated further by aspects considered in previous sections.

15. Children and youth represent the larger number of inhabitants of Roma colonies. Due to their segregation in settlements, children living in this environment cannot expect an equal integration into ‘social life’ in the future, particularly in the areas of education and employment, both of which are absent in areas close to settlements.¹¹

16. According to demographic maps of Romani settlements, 234,036 Romani live in various kinds of dwellings. Two-thirds of them live in brick houses and one quarter live in apartments. Less than one percent of Gypsies live in mobile houses and other type of non-standard habitation (tents). Others live in make-shift shacks or huts made of wooden boards or sheets of metal. Most of these lack adequate standards of hygiene, with no access to running water (only 39%), electricity, toilet facilities, sewage (only 13%) nor gas (only 15%). The living conditions in some settlements are very critical, with a danger of outbreaks of epidemics. Approximately 10 percent of Romani live in conditions that are unfit for human habitation.¹²

17. Roma people have a higher probability of being discriminated against in the housing market. Following cases where municipalities reach judgments against Roma people, many families are expelled from their homes, or live under threat of expulsion¹³. They face difficulties buying property and obtaining registration for residence. Yet, almost no judgments in discrimination cases have adjudged suitable grounds for a complaint, even where discriminatory practices by local housing authorities were obvious.

3.5. Right to education

18. Access to education, as a means to overcome the cycle of extreme poverty caused by the lack of opportunities to access mainstream employment is a matter which remains inappropriately addressed by governmental agencies and local councils. Although the school system in the Slovak Republic is based on a ten-year obligatory schooling, a very high

⁹ National Action Plan on Social Inclusion 2004-2006, pg 10.

¹⁰ National Action Plan on Social Inclusion 2004-2006, pg 10.

¹¹ CRC/C/SVK/CO/2, p.55 pg 12.

¹² Radičová, I. a kol.: Atlas of Romani Communities in Slovakia, 2004, p. 11

¹³ Guidelines Relating to the Eligibility of Slovak Roma Asylum Seekers, 10 February 1998.

number of Roma children drop out of schools. Roma people are rarely present in high school, and very few apply for school-leaving examinations and thus there is a negligible enrolment in universities.

19. A number of internal and external factors affect access to education. Internal factors within Roma households—which often lack academic tradition—include parents who do not encourage children to attend school for cultural reasons. Parents stop or discourage their children’s participation in education due to lack of financial resources. External factors include the disproportionate amount of Roma children being placed in special schools and classes for children with mental disabilities (often, the only schools available in a large number of Roma settlements).

20. It is estimated that more than 7,000 Roma children attended special schools in 2004. A large proportion of children entered without any kind of psychological test dictated by the Slovakian school system. A lack of sensitivity to social and cultural differences from mainstream Slovakian education parameters often translates into Roma children being labeled as being mentally handicapped. Due to the alternative curricula followed by Special Schools, education obtained in these schools is not equivalent to the one gained in ordinary primary schools. Special schools are often preferred by Romani parents due to the lower costs involved in enrolment, proximity to their house, higher affluence of Roma children and relatives to the schools and the ability to use their language, thus preventing their children from humiliation from non-Roma children, parents and teachers. This situation further exacerbates Roma’s marginalization in the educational system, and vis-à-vis other Slovak citizens.

21. In ordinary public schools, social prejudices can lead to situations where Roma children are taught in separate classrooms or segregated in a different part of the classroom, with little effort to integrate them. In the present schooling system, it is difficult to prove discrimination, as decisions to segregate children are taken within the cadre of directions of principals to design special classes according to children’s results or the need of a different, minority language.¹⁴ Other examples of seemingly ‘normal’ separation include lunchrooms which separate normal priced food and lower priced food for children from poorer families (most often, Roma children). In a number of schools, Roma children are reportedly given lunch at a different time. These instructions, disproportionately affect Roma children, who are separated from other children.¹⁵

4. Recommendations

Segregation and discrimination faced by the Roma minority

1. Empower the Roma population to participate in the decision-making process. Programs that aim to improve the living conditions of Roma people should be based on their needs, thus requiring their input in decisions related to housing, standard of living, language, education, employment and health. Respect for social and cultural differences should be ensured.

2. Together with the Slovak National Center for Human Rights, run awareness raising programs on non-discrimination and equality of rights addressed to governmental officials,

¹⁴ Section 3 of the Education Act or School Law Act No. 29/1984 allows schools to teach in a minority language.

¹⁵ The government implements a number of steps to improve the situation, i.e. by providing cheaper lunches for children from poorer families, scholarships to disadvantaged children and penalties for parents whose children drop out of school.

social workers, police and other State representatives whose work may have an impact on the Roma population.

3. Design and implement awareness raising and educational programs at schools and media addressing negative perceptions and prejudices against the Roma population. Programs should target those sectors of society whose attitudes are most noticeable.

4. Fully adhere to and implement the National Action Plan regarding the Decade of Roma Inclusion 2005-2015, and abide by the spirit and obligations of the Decade of Roma Inclusion 2005-2015 initiative.

Right to health, employment and adequate standard of living

1. Produce statistics which reflect the actual number of Roma population currently living in Slovakia; a particular focus should be put on accessing settlements and colonies which have not been included in previous population censuses. Increase research into specific categories related to health, employment, housing and reasons for non-adequate standard of living.

2. Improve access to health services, employment and housing for Roma people and with key ministries and social workers develop campaigns and programs in order to implement it effectively and raise awareness about available services within the Roma population.

3. Disseminate information and implement effective policies on the prohibition of discrimination and the principle of equal treatment in the labour market among employers, workers and the Slovak population, as well as within the Roma population itself.

Education

1. Develop and implement a strategy to address the reasons for the enrolment in special schools of a disproportionate amount of Roma children; underlining the importance that children who have no special needs should go to ordinary public schools.

2. Evaluate the reasons for the lack of schooling in Roma settlements and colonies, with a particular focus on the reasons for setting up special schools in Romani areas (despite the low level of numbers of children needing such schools).

3. Address the reasons for the large amount of school dropouts of Romani children, by running campaigns (with adequately trained social workers) targeting Romani households and settlements. Such campaigns should emphasize the need for children to attend schooling in order to provide opportunities for households to develop, whilst at the same time being sensitive to the needs and concerns expressed by Roma parents and children.

4. Develop strategies to use the education system as an opportunity to build bridges and common understanding between the Roma and the rest of the community, rather than perpetuating discrimination.