



european network against racism

# ENAR Shadow Report 2011-2012

## ENAR SHADOW REPORT

### **Racism and related discriminatory practices in Slovakia**

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Racism is a reality in the lives of many ethnic and religious minorities in the EU. However, the extent and manifestations of this reality are often unknown and undocumented, especially in official data sources, meaning that it can be difficult to analyse the situation and to establish solutions to it.

The ENAR Shadow Reports are produced to fill the gaps in the official and academic data, to offer an alternative to that data and to offer an NGO perspective on the realities of racism in the EU and its Member States. NGO reports are, by their nature, based on many sources of data - official, unofficial, academic and experiential. This allows access to information which, while sometimes not backed up by the rigours of academic standards, provides the vital perspective of those that either are or work directly with those affected by racism. It is this that gives NGO reports their added value, complementing academic and official reporting.

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## 1. Executive summary

The latest edition of the Shadow Report maps out the state of affairs in the field of racism and discrimination in Slovakia between March 2011 and March 2012, providing an overview of the most pressing issues and analysing the executive and legislative responses to these issues. Unfortunately, not all of them are aimed at improving the status of minorities or eliminating discrimination; on the contrary, some of the proposed or approved measures in fact preserve or even worsen the *status quo*.

The social, legal and civil status of the Roma minority is the most deplorable of all population groups in Slovakia. However, migrants and foreign nationals living in Slovakia also face certain indifference on the part of the political elite and the general public.

**Housing** is perhaps the area that best illustrates the existing tension between the majority and marginalised Roma communities. In the course of 2011, the overall number of demolition warrants issued by local self-governments increased dramatically; many of these decisions failed to comply with valid laws as the evictees were not offered alternative housing. Recommendations:

- Draft a bill that would introduce a fair and sustainable mechanism of legalizing property ownership, for instance through central government buying out the land from local authorities and private owners and subsequently selling it to Roma families in monthly instalments.
- Support construction of affordable flats that will take into account the specifics of Roma families.

The **media** fail to play a positive role in including the Roma into majority society. For instance, The media fuel the stereotype of of the Roma criminal by reporting the ethnicity of perpetrators of crime only when they are Roma. Through unprofessional and imbalanced reporting on minority-related issues, Slovak journalists systematically contribute to the negative and stereotypical public image of the Roma and occasionally other minorities as well.

- Promote media campaigns aimed at elimination of negative stereotypes of minority groups;
- Elaborate a diversity toolkit that would teach and train media representatives on how to treat minority issues correctly in media outputs.

**Unemployment** is a long-term problem that locks most members of the Roma minority in the trap of social helplessness. High unemployment among the Roma is a consequence of social segregation of Roma communities as well as reluctance among employers to hire Roma. These conclusions have recently been corroborated by a survey carried out by the United Nation

Developments Programme that examined the living conditions of Roma households.<sup>1</sup> The tools that might improve the situation in this area include:

- Privileging those employers who demonstrably employ the Roma;
- Supporting 'second-chance' education.

In the field of **education**, the UNDP survey confirmed that almost one in four children from marginalized Roma communities study in so-called special schools and that the share of Roma students at secondary schools and universities is alarmingly low. On the other hand, 2011 may have brought a landmark in terms of combating discrimination in education as for the first time a court recognised and prohibited segregation of Roma children in education. NGOs have recommended the following:

- Promote 'inclusive education', for instance by supporting creation of smaller classes for children with special education needs and promoting the education model that respects diversity of pupils;
- Further education of teachers through training courses on the basic principles of inclusive education.

Finally, the **criminal justice** is in need of urgent reform. Existing policies, legislative standards and practices applied by law enforcement organs do not correspond to the social reality and do not reflect the rapid changes on the extreme-right scene. For instance, the phenomenon of **cyberhate** is almost completely ignored by Slovak legislators and policymakers, although unlawful and hateful statements aimed against minority members and disseminated via anonymous environment of the Internet have radicalised. NGOs recommend the following:

- Amending the legal definition of extremism;
- Adopting policies aimed at combating cyberhate that include training courses for law enforcement organs' employees in order to help them understand the problem and detect its displays.

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<sup>1</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The Living Conditions of Roma Households 2010], (Bratislava: Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012).

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### 3. Introduction

2011 saw a number of important policy and legislative developments. The administration which took power in summer 2010 began to implement several of its program priorities. Most of its initiatives were not completed because its tenure ended prematurely in October 2011 after the parliament passed a vote of no confidence in the Iveta Radičová administration. Nevertheless, it had managed to adopt the *Revised National Action Plan of the Decade of Roma Inclusion 2005-2015 for the Period of 2011-2015*, the *National Roma Integration Strategy until 2020*, the *Migration Policy of the Slovak Republic with an Outlook until 2020*. There were also a number of important amendments to **Alien Residence Act**. (For a more detailed analysis of these policy documents and other developments, please see Chapter 4).

However, that administration also engaged in anti-Roma populism. Ambitions to tackle the problems facing socially excluded Roma communities were abandoned in favour of repression and social restriction.<sup>2</sup>

In March 2012, this ruling coalition was replaced by a single-party government of Smer-SD. This was the first time in Slovakia's modern history that one party has gained enough seats in the national legislature to form a single party government.

This report examines racism and discrimination in Slovakia focusing primarily on the issues concerning the *Roma minority*<sup>3</sup> as well as those faced by *migrants and foreign nationals*<sup>4</sup> who live in the Slovak Republic. These are the most vulnerable minority groups. Members of these groups frequently encounter hostility on the part of the majority population. The Muslim community has received very little attention from human rights experts in Slovakia. This may be attributed to the insignificant number of Muslims who live in the country. Most analyses by the NGOs assimilate persons of Islamic belief into the broader category of migrants, rather than examining their problems as a distinct issue.

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<sup>2</sup> An example of such legislative proposals was a bill seeking to amend the Law on Parental Allowance that featured a provision introducing indirect discrimination. For more details see Chapter 7 of this Report.

<sup>3</sup> In the most recent population census carried out in 2011, Roma nationality was claimed by 105,738 citizens, or 2% of the Slovak population. For further details, please see: Štatistický úrad Slovenskej republiky, *Obyvateľstvo v Slovenskej republike a krajoch SR*, <http://portal.statistics.sk/files/def.def.obyvateľstvo-slovenskej-republike-krajoch-sr.pdf>, accessed 10 August 2012.

<sup>4</sup> According to a statistical yearbook issued jointly by the Presidium of the Slovak Police Force and the Border Control and Alien Registration Office, Slovak immigration authorities in 2011 granted 10,064 residence permits, 5,276 of which were granted to third-country nationals, i.e. from countries outside the EU. The total number of foreigners legally dwelling on Slovakia's territory in 2011 was 66,191; 41,858 of them were EU citizens. For further details, please see Ministerstvo vnútra SR, *Štatistický prehľad legálnej a nelegálnej migrácie v Slovenskej republike 2011* [Statistical Overview of Legal and Illegal Migration in the Slovak Republic in 2011]; available at: [http://www.minv.sk/swift\\_data/source/policia/hranicna\\_a\\_cudzinecka\\_policia/rocnky/rok\\_2001/2001-rocnka-uhcp-sk.pdf](http://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/rocnky/rok_2001/2001-rocnka-uhcp-sk.pdf), accessed 10 August 2012.

The Shadow Report maps out relevant developments in government policies, legislative initiatives and positive action measures. In separate chapters, it describes key problems in the field of housing, employment, education, health and access to goods and services. The Report also examines the public image of the Roma in the media, including online forums, which reflect the prevailing public hostility towards minorities. The issues of hate crime and hate speech are discussed in depth in the chapter entitled Criminal Justice.

This report provides both the perspectives of the government and of human rights organisations regarding social exclusion of the Roma or integration of migrants. This report also discusses good practices, describing projects and activities that met with the most positive response among members of vulnerable population groups. The publication concludes with a set of recommendations that are relevant to the problems identified in the report.

## 4. Significant developments in the country during the period under review

During the period examined by this report, Slovakia saw several developments concerning human rights issues and minority groups. Some of them were covered by last year's Shadow Report.

### **Political changes**

The ruling centre-right coalition,<sup>5</sup> formed after the parliamentary elections of 2010, had to end its four-year term prematurely. In October 2011 parliament passed a vote of no confidence in the Iveta Radičová administration, which led to its resignation. Parliamentary elections were held in March 2012. A new single-party administration was formed for the first time in the history of independent Slovakia. Smer-SD secured the majority of seats in the new assembly and therefore did not need to form a coalition government with any other party.

Over the past two decades, **anti-Roma populism** has become a traditional tool of voter mobilisation. During the most recent election campaign even mainstream parties harnessed anti-Roma sentiment and did not hesitate to make simplistic promises about 'restoring order with the Roma'. It came as a surprise that the anti-Roma rhetoric was also embraced by the Slovak Democratic and Christian Union (SDKÚ) which had been always been supportive of human rights issues.<sup>6</sup> On the other hand, the election results also brought a positive historical milestone as the first candidate of Roma origin was elected to the National Council of the Slovak Republic since the country became independent in 1993.

### **Social integration of the Roma**

Last year's Shadow Report<sup>7</sup> discussed the **Bill on Socially Excluded Communities**<sup>8</sup>. The bill was officially submitted to parliament in summer 2011 but due to political upheaval it was not discussed further. Since the bill was analysed in detail in the previous Shadow Report and because there has

<sup>5</sup> It was a coalition comprising four centre-right parties, both conservative and liberal, namely the Slovak Democratic and Christian Union (SDKÚ), the Christian Democratic Movement (KDH), Freedom and Solidarity (SaS) and Most-Híd.

<sup>6</sup> For instance, one MP for SDKÚ based his entire political agenda on disseminating anti-Roma hoaxes and info-graphics that misinform about well-being of the Roma who allegedly live off welfare benefits. See the picture with hoax here : <http://aktualne.atlas.sk/strany-vyuzivaju-romov-v-kampani-vacsinou-len-populisticky/slovensko/politika/foto/1>, accessed 10 August 2012.

**Info graphics** is a picture with short description illustrating a particular issue or topic used mostly in the media or on the internet.

**Hoax** –fake story spread on the internet. Typical characteristic of a hoax is that it appears to be a true story which happened to someone.

<sup>7</sup> European Network against Racism, *Shadow Report 2010-2011: Racism and Discriminatory Practices in Slovakia*, pp. 10-12; available at: <http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/23.%20Slovakia.pdf>, accessed 10 August 2012.

<sup>8</sup> Ministerstvo práce, sociálnych vecí a rodiny, Legislatívny zámer návrhu zákona o sociálne vylúčených spoločenských [Legislative Intent of the Bill on Socially Excluded Communities]

been little progress in the second half of 2011, it will not be discussed further here.

In August 2011, the cabinet approved the **Revised Action Plan of the Decade of Roma Inclusion 2005 – 2015 for the Period of 2011 – 2015**.<sup>9</sup> The document covers the areas of housing, employment, health and education of marginalised Roma communities. In each area, it sets out principal objectives, partial goals and specifies measures aimed at achieving them and indicators to measure progress.

In January 2012, the previous administration approved the **National Strategy of Roma Integration until 2020**<sup>10</sup>, based on the EU Framework Strategy. The document details basic implementation principles, describing and analysing the difficulties faced by the Roma communities. It then sets out basic priorities and objectives in the fields of education, employment, health, housing, financial participation and non-discrimination as well as in areas that have not been subject to any policy document before, i.e. the majority's attitude to the Roma and improving the public image of the Roma.

An important initiative was a **survey jointly carried out in 2010 by the United Nations Development Programme (UNDP) and the World Bank**. Its findings were summed up in a report entitled **The Living Conditions of Roma Households 2010** which was published in 2012.<sup>11</sup> The survey explored housing, education and employment conditions of the Roma as well as their social deprivation. The concrete findings are discussed in relevant areas of this Shadow Report.<sup>12</sup>

The revised action plan and the national strategy were elaborated under the patronage of the Office of Government Plenipotentiary for Roma Communities. Although both documents are cross-sectional in nature, other state administration organs such as ministries adopted a lukewarm attitude to them or pursued their own **policies of tackling social exclusion through restriction and repression**.<sup>13</sup> Some of these proposals are discussed later in the report.

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<sup>9</sup> Government Decree No. 522/2011: Revidovaný národný akčný plán Dekády začleňovania rómskej populácie 2005 - 2015 na roky 2011 – 2015 [National Action Plan of the Decade of Romani Population's Inclusion 2005-2015 for the Period of 2011-2015] (10 August 2011), available at : <http://www.rokovanie.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=19992> , accessed 10 August 2012

<sup>10</sup> *Národná stratégia integrácie Rómov do roku 2020* [National Roma Integration Strategy until 2020] passed as Government Resolution No. 1/2012 of January 11, 2012

<sup>11</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The living conditions of Roma households 2010] (Bratislava : Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012).

<sup>12</sup> From the viewpoint of methodology it is important to note that the survey did not examine the situation of integrated and assimilated Roma and that it did not focus on Slovakia in general but rather on select localities. As far as the research target group goes, the survey focused on certain localities with high concentrations of the Roma, dividing them into inhabitants of segregated settlements, residents of separated settlements and marginalized Roma who live dispersed among the majority.

<sup>13</sup> Social restriction means that basic social welfare is decreased for the poorest groups in the society: often the criteria for access to social benefits are set up in such a way that these benefits are unreachable for Marginalised Roma communities.

The UNDP survey found out that average income from social benefits of Marginalised Roma Communities (MRC) is 88 euros per person per month. Despite this fact, state policies in this

### **Migration and integration of foreigners**

The fundamental policy document which set out the basic principles and objectives of integration policy with respect to foreign nationals was **the Updated Strategy of Migration Policy of the Slovak Republic** adopted in 2011.<sup>14</sup> NGOs have been critical of the document for its vagueness and excessive formality (for further details, please see the *Shadow Report 2010-2011*).

Residence of foreign nationals in Slovakia is regulated by the **Alien Residence Act**.<sup>15</sup> In January 2012, parliament amended the law so as to implement the Council Directive 2009/50/ES, introducing the institution of Blue Cards.<sup>16</sup>

In August 2011, the government approved a policy document entitled **Migration Policy of the Slovak Republic with an Outlook to 2020**.<sup>17</sup> The document stipulated the principles and objectives of future migration, emphasizing the importance of economic migration in line with Slovakia's needs.

### **Issues of hate crime, hate speech and right-wing extremism**

During the period examined by the report, the Ministry of Interior has not shown any particular interest in these issues. The **Strategy of Combating Extremism**<sup>18</sup> was approved in June 2011 after considerable delay and although it defined a number of objectives and tasks for specified bodies, its implementation has stalled. For further details, please see the *Shadow Report 2010-2011*).

This is unfortunate as these issues require long-term attention from the government. A **public opinion survey examining people's attitudes to right-wing extremism was carried out by the Open Society Foundation in 2011**<sup>19</sup>. It survey showed that three in four Slovaks (75.5%) subscribe to or at least sympathize with the ideas of extreme-right groupings. In the long term, most far-right groups and activists in Slovakia establish themselves primarily on the platform of anti-Gypsyism, which fully corresponds to the majority population's feelings toward the Roma.

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area are designed in a way which further decreases this amount, consequently leading to increased criminality motivated by the need to secure basic living needs. State as a reaction to the increased crime rate in MRC proposes to further increase restrictive and repressive policies (criminalization of poverty).

<sup>14</sup> *Aktualizácia Konceptie migračnej politiky Slovenskej republiky* [Updated Strategy of Migration Policy of the Slovak Republic], passed as Government Resolution No. 67/2011 of February 2, 2011

<sup>15</sup> Act No. 404/2011 on the Residence of Aliens that Alters and Amends Certain Laws, passed on October 21, 2011

<sup>16</sup> Smernica Rady 2009/50/ES z 25. mája 2009 o podmienkach vstupu a pobytu štátnych príslušníkov tretích krajín na účely vysokokvalifikovaného zamestnania, [Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment] Úradný vestník L 155 , 18/06/2009 S. 0017 – 0029

<sup>17</sup> *Migračná politika Slovenskej republiky s výhľadom do roku 2020* [Migration Policy of the Slovak Republic with an Outlook until 2020] passed as Government Resolution No. 574/2011 of August 31, 2011.

<sup>18</sup> *Koncepcia boja proti extrémizmu na roku 2011-2014* [Strategy of Combating Extremism for 2011-2014] passed as Government Resolution No. 379/2011 of June 8, 2011.

<sup>19</sup> Nadácia otvorenej spoločnosti, *Verejná mienka v oblasti pravicového extrémizmu* [Public Opinion on the Right-Wing Extremism], a survey report, (Bratislava: Nadácia Otvorenej Spoločnosti, 2012).

## 5. Special focus: Islamophobia

According to various estimates, there is between 3,000 and 5,000 Muslims living in Slovakia, representing less than 0.1% of Slovakia's total population (approximately 5 million inhabitants).<sup>20</sup> This number includes about 400 ethnic Slovaks who have converted to Islam.<sup>21</sup>

### **Religious rights of the Muslims in Slovakia**

In the past, the representatives of Muslims living in Slovakia campaigned to have their religion officially recognised by the Slovak authorities but their endeavours have repeatedly failed due to the strict conditions applicable to official recognition of religious communities. The Act on the Freedom of Religion and the Status of Churches and Religious Associations<sup>22</sup> stipulates that in order to be officially recognised, a religious community must submit 20,000 signatures by Slovak citizens who officially claim affiliation to this religion. Complying with this requirement is impossible given the overall number of Muslims living in Slovakia, especially when most of these Muslims are not Slovak citizens. As a result, the Muslims are not eligible to receive state budget subsidies; similarly, they are not allowed to conclude matrimony according to Islamic marriage rites etc.

### **Social status of the Muslims in Slovakia**<sup>23</sup>

One of few surveys examining the socio-legal status of the Muslims concluded that the Muslim minority is fully integrated and destroys traditional stereotypes about the Muslims as backward, uneducated immigrants who will only burden the country's social security system.<sup>24</sup> The final report from the survey observes that most Muslims in Slovakia (unless they are Slovak converts to Islam) are either white collar professionals who remained in the country after completing their university studies in the socialist era or economic migrants who hold important business posts :

*Many of these persons with university education have found jobs within health service and technical industries. Another strong category of Muslims comprises employees of international corporations, diplomats and entrepreneurs. Their basic motivation to come to Slovakia was related to their*

<sup>20</sup> The information was supplied by Mohamed Safwan Hasna - a Syrian who had come to Slovakia as part of student exchange between Czechoslovakia and Syrian Arab Republic and after his studies founded the Islamic Foundation in Slovakia; available at: [http://www.multikulti.sk/ine/made\\_in\\_syria.html](http://www.multikulti.sk/ine/made_in_syria.html), accessed 10 August 2012.

<sup>21</sup> Uličianska, Z., Jaslovský, M.2009, "Moslimovia pod Tatrami", *SME*, 12 December, available at: <http://www.sme.sk/c/5150676/moslimovia-pod-tatrami.html#ixzz24uQMM0QC>, (accessed August 15, 2012).

<sup>22</sup> Act no. 308/1991 C

<sup>23</sup> Social status of the Muslims in Slovakia is not sufficiently covered by neither government policies nor sociological and academic research. That is the reason why the Muslims are not often mentioned by particular chapters examining the status of minorities in the present Shadow Report; however, a certain idea may be formed based on the social status of migrants, which is a term that incorporates basically all persons who are not Slovak citizens. Since most Muslims living in Slovakia have the status of aliens, these data may easily apply to them as well; on the other hand, the problems of foreigners ensue from their legal status rather than their religious beliefs.

<sup>24</sup> Various stereotypical and biased attitudes towards Muslim are mentioned in the Chapter no. 6.7.

*professional careers, which is why most of them view their stay in Slovakia as temporary...The Muslims who live in Slovakia are typically educated and solvent people... Muslim migrants in Slovakia enjoy a relatively high social status and have sufficient skills to be able to provide for themselves as well as their families. In this respect, they have the makings to succeed on the labour market.*<sup>25</sup>

These conclusions are corroborated by a number of leaders of Muslim community organisations and NGOs aimed at helping Muslims in Slovakia: 'Most of us came here to study at local universities; later, we married Slovak wives and have children who feel equally Arab and Slovak,' said Souheil Ghannam, a Palestinian journalist who had graduated from Department of Journalism at the Faculty of Arts at Comenius University. 'We have won recognition within society without problems; we create values, not problems.'<sup>26</sup> This view was seconded by Mohamad Safwan Hasna - according to him, the Muslim community is very well integrated into Slovak society. 'Most of us are people with university education who bring values as opposed to problems to this society and want to keep it that way.'<sup>27</sup>

Most Muslims in Slovakia are second generation immigrants; *Because of that, they cannot rely on the social capital of ethnically and religiously homogeneous communities that exist in countries with long-term Muslim immigration. There are no 'districts' or 'suburbs' in Slovak cities and towns that would be typically inhabited by Muslims. In Bratislava, the Muslims live all around the city and there are no areas with increased concentration of Muslims, perhaps except student dormitories.*<sup>28</sup>

### **Islamophobia on the part of the majority**

Although Muslims in Slovakia constitute a tiny proportion of the population and are fully integrated with the majority (furthermore, they do not place any distinctive demands on the political agenda) most Slovaks show clear aversion toward Muslims. In a survey carried out by the Open Society Foundation examining public opinion on right-wing extremism,<sup>29</sup> more than half of all respondents (52.2%) agreed with the assertion that 'we should only support migration of foreigners who are culturally close to us'. Almost seven in ten respondents (69.7%) stated they disagreed with the government allowing the Muslims to practise their religion. 'In six focus groups we asked respondents how they would react to the Muslims building a religious centre in

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<sup>25</sup> Cenker, Michal, "Moslimskí migranti v Bratislave" [Muslims Migrants in Bratislava], (2011), available at [http://www.multikulti.sk/studie/moslimski\\_migranti\\_v\\_bratislave.html](http://www.multikulti.sk/studie/moslimski_migranti_v_bratislave.html), accessed 10 August 2012.

<sup>26</sup> Blažeková, Eva, "Slovenskí moslimovia vyrábajú hodnoty, nie problémy" (rozhovor so Souheil Ghannam), [Slovak Muslims produce value, no problems, Interview with Souheil Ghannam], (2008), available at : <http://www.webjournal.sk/clanok/1435/slovenski-moslimovia-vyrabaju-hodnoty-nie-problemy>, accessed 10 August 2012.

<sup>27</sup> Uličianska, Z and Jaslovský, M. 2009, "Moslimovia pod Tatrami" ['Muslims under the Tatras'], SME, 12 December, available at: <http://www.sme.sk/c/5150676/moslimovia-pod-tatrami.html#ixzz24uQMM0QC>, accessed 10 August 2012.

<sup>28</sup> Cenker, Michal, "Moslimskí migranti v Bratislave" [Muslims Migrants in Bratislava], (2011), available at [http://www.multikulti.sk/studie/moslimski\\_migranti\\_v\\_bratislave.html](http://www.multikulti.sk/studie/moslimski_migranti_v_bratislave.html), accessed 10 August 2012.

<sup>29</sup> Nadácia otvorenej spoločnosti, *Veřejná mienka v oblasti pravicového extrémizmu* [Public Opinion on the Right-Wing Extremism, A survey report], (Bratislava: Nadácia otvorenej spoločnosti ,2012, p. 30).

Slovakia. Almost all respondents in five out of six focus groups strongly opposed the idea.<sup>30</sup>

Public attitudes toward the Muslims are primarily influenced by international news and the fact that Slovak media usually report on the Muslims through stories involving female genital mutilation,<sup>31</sup> 'suicidal bombings'<sup>32</sup> or 'attitudes of the orthodox Muslims'.<sup>33</sup> Subsequently, the general public responds to this type of media image with paranoid rejection and defamation of the Muslims *en masse*. Here are just some examples from Internet discussion forums<sup>34</sup>:

- *'They ought to get killed. Disgusting! In Germany there was a case when a young Muslim student was murdered by her own classmates or relatives or whoever and when they asked them why they went like 'the whoe deserved it, she behaved like a german' ... let these bastards come to me one day doing their 'thing' ... somewhere in Germany ... I will stab all of them right in the throat like pigs ... if I see them.'*<sup>35</sup>
- *'HAVE YOU EVER SEEN A MUSLIM??? – I don't care what they write in Koran ... when the Muslims behave like filth, they can write the most beautiful things in the world ... You mean to tell me that assassins do not blow up buildings?'*<sup>36</sup>
- *'Of course they are a threat to Europe, I live in England and people are scared of them here. This is not about Koran, this is about their mentality. They, if they don't like you or have something against you, they don't say it to your eyes and they don't clear it out with you but one day you come outside your home and you find your car with cut tyres ... for instance. Thing is they solve everything this way. Or an accident happens ... all those accidents that are literally pouring on you cannot be just accidents. That's why I say, MUSLIMS ARE A THREAT TO EUROPE AND THE WORLD.'*<sup>37</sup>

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<sup>30</sup> Ibid.

<sup>31</sup> Kováč, P. 2012, "Mrzačenie, útoky kyselinou, týrania! Britskí moslimovia chcú brániť česť" ['Mutilation, acid attacks, torture! British Muslims want to protect honor!'], *aktuality.sk*, 20 March 2012, available at : <http://www.aktuality.sk/diskusia/203423/mrzacenie-utoky-kyselinou-tyrania-britski-moslimovia-chcu-branit-cest>, accessed 10 August 2012.

<sup>32</sup> [www.tvnoviny.sk](http://www.tvnoviny.sk), *Samovrah sa odpálil v mešite a zabil osem ľudí* [Suicide bomber was detonated in a mosque and killed eight people], April 24, 2011, available at : <http://www.tvnoviny.sk/sekcia/spravy/zahranicne/samovrah-sa-odpail-v-mesite-a-zabil-osem-ludi.html>, accessed 10 August 2012.

<sup>33</sup> Lučaiová, A. 2011, "Džihád sa neskončí" [Jihad will not end], *Plus 7 dní*, 12 February

<sup>34</sup> These statements are written with grammatical and spelling errors on purpose to illustrate the intellectual level of their authors. These comments included grammatical and spelling errors also in the original version (Slovak language)

<sup>35</sup> [www.aktuality.sk](http://www.aktuality.sk), Anonymous debater, discussion on internet forum on Article *Mrzačenie, útoky kyselinou, týrania! Britskí moslimovia chcú brániť česť* ['Mutilation, acid attacks, torture! British Muslims want to protect honor'], 20 March 2012, available at : <http://www.aktuality.sk/diskusia/203423/mrzacenie-utoky-kyselinou-tyrania-britski-moslimovia-chcu-branit-cest>, accessed 10 August 2012.

<sup>36</sup> [www.aktuality.sk](http://www.aktuality.sk), Anonymous debater, discussion on internet forum on Article "Rozhovor – moslimovia na Slovensku a ich postoj k terorizmu a džihádu" [Interview – Muslims in Slovakia – their attitude to terrorism and jihad], 1 February 2012, available at: <http://www.aktuality.sk/clanok/181353/rozhovor-moslimovia-na-slovensku-ich-postoj-k-terorizmu-a-dzihadu/>, accessed 10 August 2012.

<sup>37</sup> [www.diva.sk](http://www.diva.sk), Anonymous debater, discussion on internet forum on Article "Obriezka, násilie a iné hrôzy moslimských žien" [Circumcision, violence and other horrors of Muslim women], 25 April 2010, <http://diva.aktuality.sk/diskusia/25295/obriezka-nasilie-a-ine-hrozy-moslimskych-zien/>, accessed 10 August 2012.

It should be noted that those who defend Muslims play an equally active role on internet discussion forums. In contrast, debates about the Roma are almost completely homogeneous as they teem with hateful comments. Thus it seems that the public image of the Muslims is more favourable than that of the Roma<sup>38</sup>.

Naturally, Slovak far-right groups rarely miss an opportunity to build their image on the issues of Muslim immigration and terrorism. Their websites regularly feature articles that try to protect the general public against 'the malicious influence of Islamization',<sup>39</sup>

### **Politicians' attitudes**

There is no public policy in Slovakia which specifically targets the Muslim community; however, certain politicians make occasional public statements targeting mosques and Islamic belief. Andrej Danko, MP for the Slovak National Party, stated during a press conference in early September 2011 that his party was drafting a bill that would explicitly ban construction of minarets in Slovakia. Danko elaborated on this peculiar proposal by saying that 'there is a serious and dangerous clash of different legal systems' and adding that 'immigrants must adapt themselves'.<sup>40</sup> His colleague Jan Slota said: 'I strongly oppose that we would end up like the French, where there are 600 mosques... It would be too late when the Muslims will start to slaughter us.'<sup>41</sup>

Cultural diversity is not particularly popular with former Interior Minister Daniel Lipšic either. In late August 2011, Lipšic said for the media:

*Few would hesitate to admit today that the project of multiculturalism actually failed. I believe that from the cultural and partly also linguistic viewpoint, Slovakia would be better off if legal migrants hailed from countries that are culturally close to us*<sup>42</sup>.

Later, he elaborated on the subject by saying:

*We welcome legal immigrants but we shall not change our traditions, habits and values because of them. We treat them like guests and expect them to behave like guests ... They shall not create communities where parallel rules exist next to our rules. We have enough similar communities here. We won't have more. It is unacceptable! It is a security risk this government will not allow.*<sup>43</sup>

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<sup>38</sup> This conclusion is supported by various social surveys, for example surveys measuring the social distance between various groups. When asked whom the respondents would not like to have as a neighbour, Roma were mentioned much more frequently than Muslims.

<sup>39</sup> Uhrecký K. "Niekoľko poznámok k invázii Islamu do Európy" [Some notes about the invasion of Islam in to Europe], 18 November 2011, <http://beo.sk/multikulturalizmus/1393-ked-pastieri-pustaju-vlakov-do-kosiara-niekolko-poznamok-k-invazii-islam-u-do-euro-py>, accessed 10 August 2012.

<sup>40</sup> [www.sns.sk](http://www.sns.sk), accessed 10 August 2012.

<sup>41</sup> Kern, M. 2011, „SNS našla ďalšiu hrozbu : minerety“ [SNS has found another threat: Minarets], SME, 2 September, available at : <http://www.sme.sk/c/6038438/sns-nasla-dalsiu-hrozbu-minarety.html>, accessed 10 August 2012.

<sup>42</sup> Press Agency of the Slovak Republic, „Kvalifikovaní migranti z kultúrnej blízkyh krajín by mali byť zvýhodňovaní“ [„Qualified migrants from culturally close countries should be favored“], 23 July 2011, Available at: <http://www.tasr.sk/23.axd?k=20110720TBB00474>, accessed 10 August 2012.

<sup>43</sup> Kováč, P. 2011, "Lipšic: Kvôli imigrantom nebudeme meniť zvyky, tradície a hodnoty! Musia ich prijať!" [Lipšic: We shall not change our traditions, habits and values because of Imigrants. They have to

## 6. Access and full participation in all collective areas of society

The problems identified in last year's Shadow Report have seen virtually no improvement: the alarming issues in the fields of housing, education and employment of persons from marginalized Roma communities persist. Serious problems include segregation within the education system, spatial isolation of Roma dwellings from the amenities of nearby municipalities, refusal on the part of entertainment establishments to serve Roma customers, negative media coverage of the Roma etc.

Equally pressing issues include increasingly radical attitudes of the majority, legitimization of violence perpetrated against the Roma or hate speech toward minorities, including the Muslims.<sup>44</sup>

### 6.1 Racism and related discrimination in employment

#### 6.1.1 Manifestations of racism and related discrimination in employment

The issues identified in last year's report remain.<sup>45</sup> The Roma and immigrants from countries outside the EU remain the most vulnerable categories of job seekers. Other discrimination factors in this field include age and gender.

##### Limited access of the Roma to the labour market

Slovakia does not collect ethnically sensitive data that would allow for precise quantification of the share of the Roma or members of other national minorities on the total number of jobless people in Slovakia. However, information on the state of affairs in this area was provided by the recent United Nations Development Program (UNDP) survey that mapped out economic activity of the Roma in select localities.<sup>46</sup> The survey revealed the following:

- Only 9.9% of respondents from the Roma research target group stated they had a job. The share of employed was the lowest among residents of segregated Roma settlements (7%).
- **Employers are reluctant to make vacant jobs available to Roma job applicants.** This assertion may be corroborated by comparing employment and unemployment rates among the Roma and non-Roma with identical education status who reside in the same locality:

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accept them!], 31 August, available at <http://www.aktuality.sk/clanok/192679/lipsic-imigrantov-ktori-sa-nechcu-integrovat-nehceme/>, accessed 10 August 2012.

<sup>44</sup> In order to avoid reiteration of these observations, particular chapters of the present edition of the Shadow Report focus rather on those problem areas that were examined by the recent UNDP survey.

<sup>45</sup> European Network against Racism, *Shadow Report 2010-2011: Racism and Discriminatory Practices in Slovakia*, pp. 10-12; available at: <http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/23.%20Slovakia.pdf>, accessed 10 August 2012.

<sup>46</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The Living Conditions of Roma Households 2010], (Bratislava: Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012).

- a) Among respondents who did not finish primary education, the share of employed was 5.6% among the Roma but twice as high among the non-Roma (12.5%). The share of jobless respondents was substantially higher among Roma with primary education (61.2%) than among non-Roma with the same education status (18.7%).
- b) Among respondents who finished secondary or higher education, only three in eight Roma (37.5%) compared with 81.6% of non-Roma. The share of unemployed within this particular target group was 40.6% among the Roma but only 6.2% among non-Roma.

The UNDP report concludes that ‘...even though jobs of requisite qualifications are available to particular education status groups within the region, they are rather made available to members of the general population than to members of the Roma minority’.<sup>47</sup>

### **Excluding the Roma from certain professions**

Non-governmental organisations (NGOs) that specialize in monitoring discrimination against the Roma often report reluctance on the part of employers to accept Roma jobseekers for posts in service or public. Roma employees are often removed from such posts regardless of their work performance. The NGO People against Racism (PAR) dealt with two cases of this kind in 2011.<sup>48</sup> In one case, a Roma employee who delivered baked goods was reallocated to another job position with lower pay on the grounds that customers did not wish their goods to be delivered by a Roma. In another case, a Roma student who served meals in a company canteen as part of his practical training was shifted to a different position; the reason was identical as diners complained to the canteen operator that they did not want their meals to be served by a Roma.

### **Employment of the Roma with lower level of employee protection**

The already cited UNDP survey also observed that the Roma find it much more difficult to obtain typical full-time jobs compared to members of the majority population living in the same area. ‘Even if Roma manage to obtain job positions, they typically entail low quality of work and weaker social and labour protection’, referring to seasonal jobs or subcontracting Roma outside the scope of traditional employment.<sup>49</sup>

### **Legislative obstacles to employment of third country nationals**

The situation described in the previous Shadow Report has not changed: foreign nationals from countries outside the EU who have been issued residence permits based on their work permits are required to leave Slovakia in the event that they lose their job. Since the law does not provide third country nationals with time to find another job, their residence permits expire

<sup>47</sup> Ibid, p. 126.

<sup>48</sup> People Against Racism, [www.rasizmus.sk](http://www.rasizmus.sk), accessed 10 August 2012

<sup>49</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The Living Conditions of Roma Households 2010], (Bratislava: Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012, p.156).

on the day their employment contracts are terminated.<sup>50</sup> Needless to say, this provision gives employers considerable leverage to exploit their foreign employees.

### **Discriminatory advertisements in terms of gender, age or ethnic affiliation**

In 2011 the Slovak National Human Rights Centre (SNSLP)<sup>51</sup> carried out a survey of published job advertisements, concluding that 60.27% of all examined advertisements were directly or indirectly discriminatory. The most frequently cited reasons for discrimination included eligibility criteria based on sex (55.82%) and age (13.35%). The survey also observed that out of 2,573 improper advertisements there were 199 that required job applicants' photographs to be part of their applications.<sup>52</sup>

#### **6.1.2 Facilitating factors or protective measures to combat employment challenges**

Protective measures in Slovakia – especially with respect to the Roma – consist primarily of abstract policies. Little has been achieved in terms of implementation.

Government has adopted a number of important policy documents as part of its attempts to tackle the problem of unemployment among socially excluded Roma, such as the ***National Roma Integration Strategy until 2020*** and the ***Revised Action Plan of the Decade of Roma Inclusion***. One affirmative action measure featured in the Action Plan is granting privileges to public competition participants who pledge to support Roma employment.

With regard to the role of the private sector, there have been few attempts to introduce corporate social responsible initiatives or positive discrimination in recruitment. Most enterprises have been conservative on this front.

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<sup>50</sup> Hlinčíková, Miroslava – Daniela Lamačková – Martina Sekulová, *Migranti a migrantky na trhu práce - prekonávanie bariér* [Migrants on the Labour Market: Overcoming the Barriers], (Bratislava: Institute for Public Affairs, 2011, p. 21); available at: [http://www.ivo.sk/buxus/docs/publikacie/subory/Migranti\\_a\\_migrantky\\_na\\_trhu\\_prace.pdf](http://www.ivo.sk/buxus/docs/publikacie/subory/Migranti_a_migrantky_na_trhu_prace.pdf), (accessed 11 August, 2012.).

<sup>51</sup> Slovenské národné stredisko pre ľudské práva (The Slovak National Human Rights Centre) is an institution with the status of an Independent National Human Rights Institution (INHRI) - and simultaneously that of a National Equality Body.

<sup>52</sup> Zozuláková, Margaréta – Miroslava Matejčíková, *Rovnaké príležitosti v pracovnej inzercii – mýtus alebo realita* [Equal Opportunities in Labour Advertising: Myth vs. Reality], (Bratislava: Slovenské národné stredisko pre ľudské práva, 2011).

## 6.2 Racism and related discrimination in education

### 6.2.1 Manifestations of racism and related discrimination in education

#### Segregation

As we observed in previous editions of the Shadow Report, Slovakia faces long-term problems concerning the segregation of Roma children in the education system.<sup>53</sup>

In December 2011, the Prešov District Court issued a landmark decision, ruling that an educational establishment had segregated Roma children based on their ethnicity.<sup>54</sup> The defendant institution, a primary school in Šarišské Michaľany, argued that the children had not been segregated because of their ethnicity but because they were from a socially disadvantaged environment and their education required a special approach. School teachers testified that the children came to the school unwashed and unprepared, that they did not bring basic school things and that they disrupted and slowed down the entire class.

The Schooling Act allows schools to take into account specific educational needs of children from the so-called socially disadvantaged backgrounds, provided that this does not lead to these children's segregation.<sup>55</sup> What happens in practice, however, is the segregation of Roma pupils from socially disadvantaged background in special classes. This segregation is justified by school as measure required compensating for their 'special needs'.

In the ruling, the court ordered the school to desegregate the pupils. The school, whose legal representatives appealed against the verdict, said it was unable to comply with the legal obligation, reasoning that if it integrated Roma children with non-Roma ones, the non-Roma parents would take their children to another school even if it was inconvenient to do so. That would *de facto* cause even greater ethnic homogeneity at the school in question. Although the court refused to accept the school's arguments, they mustered enormous public support, even among politicians.<sup>56</sup>

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<sup>53</sup> For a more detailed analysis of the current state of affairs, please see European Network against Racism, *Shadow Report 2010-2011: Racism and Discriminatory Practices in Slovakia*, pp. 17-19; available at: <http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/23.%20Slovakia.pdf>, accessed 10 August, 2012.

<sup>54</sup> The Case of Advisory Bureau for Civil and Human Rights vs. Primary School with Kindergarten in Šarišské Michaľany, Ruling No. 25 C 133/10-229 of December 5, 2011

<sup>55</sup> Act No. 248/2008 on Upbringing and Education (Schooling Act); see, for instance, Article 3, letters c) and d).

<sup>56</sup> Lucia Nicholsonová, who at the time held the post of state secretary at the Ministry of Labour, Social Affairs and Family, wrote in a blog post entitled "The Ban on Segregation is Ridiculous": "*The Court may have decided but there is no way for the school to comply with the ruling. Why? Because as soon as the principal tries to integrate Roma children, a purely Roma school will emerge. That's the reality. The parents of non-Roma children will send them to another school. So, instead of purely Roma classes we will get purely Roma schools.*" Available at: <http://aktualne.atlas.sk/komentare/lucia-nicholson/zakaz-segregacie-na-slovensku-je-smiesny/>, accessed 10 August 2012.

The litigation highlighted the issue's complexity and revealed the absence of a clear government strategy aimed at desegregation. The case demonstrates that legal protection may be undermined if there is no corresponding will to implement it.

### **Incorrect application of inclusion tools**

The incorrect application of a tool designed to eliminate segregation may actually deepen it. An interesting example is **zero grades**.<sup>57</sup> This practise was conceived to prevent segregation of children from socially disadvantaged backgrounds. In zero grades, children are supposed to be prepared for education so that they may be fully integrated into standard classes at higher levels of primary education.

In fact, most children who are eligible to attend zero grades are from marginalized Roma communities. The composition of the class does not change much in higher grades of primary school. In other words, the children are not subsequently re-graded to mixed classes but remain together until they complete compulsory school attendance.

### ***Early school leavers (low education status achieved)***

The low level of education achieved by Roma children was recently corroborated by the already cited UNDP survey.<sup>58</sup> The survey revealed:

- 19% of Roma did not finish primary school;
- 60% of Roma only finished primary school;
- 17% of Roma continued to study at secondary schools; of them:
  - 15% finished vocational or industrial schools;
  - 2% completed secondary education with A-levels examination;
- Only 0.3% of Roma completed higher or university education;
- As much as 19% of all respondents studied in a 'special regime' (i.e. attended special schools for handicapped pupils).

When asked to state principal reasons for dropping out of school prematurely, most respondents from the examined sample said their parents 'faced difficulties or great difficulties when covering the costs of our education'. This reason was cited particularly frequently by residents of segregated Roma settlements as 65% of these respondents defined it as the key reason.

### **Inadequate teaching of Slovak language to foreigners' children**

The issues described in detail in the previous Shadow report have not changed: pupils whose mother tongue is not Slovak have the right to receive extra classes in the Slovak language. The Regional Schooling Boards are responsible for providing these classes. Unfortunately, they have not been very active in this area.<sup>59</sup>

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<sup>57</sup> The compulsory school attendance begins when children reach the age of six and ends when they reach the age of 16. In a standard situation (i.e. when they do not repeat grades), they conclude the compulsory school attendance by completing the tenth grade. In Slovakia's education system, this process is referred to as "primary level of education" that takes place at so-called "primary schools".

<sup>58</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The Living Conditions of Roma Households 2010], (Bratislava: Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012).

<sup>59</sup> For a more detailed analysis of the current state of affairs, please see European Network against Racism, *Shadow Report 2010-2011: Racism and Discriminatory Practices in Slovakia*, pp. 17-19;

## 6.2.2 Facilitating factors or protective measures to combat education challenges

Besides the above mentioned institution of zero grades, Slovakian law provides for the following tools designed to promote inclusive education:

- **Teaching assistants**

The aim of this institution was for teaching assistants (who would ideally be of Roma origin) to help children from marginalised Roma communities to adapt to the educational process and act as a bridge between the school and children's parents. While this measure has been successful, a recent amendment to Schooling Act<sup>60</sup> introduced stricter qualification criteria for the position of teaching assistants and reduced Roma applicants' chances of successfully applying for the job and therefore significantly cut down this tool's practical benefits.

- **Inclusive education**

A positive step taken by the government during the period under review was launching a public debate on the principles of inclusive education. In April 2011 the cabinet established a **Task Force for Inclusive Education** that operates under the auspices of the Government Council for Human Rights.<sup>61</sup>

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available at: <http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/23.%20Slovakia.pdf>, accessed 10 August 2012.

<sup>60</sup> Act No. 248/2008 on Upbringing and Education (Schooling Act); .

<sup>61</sup> Úrad vlády SR, *Informácia o doterajšej činnosti Rady vlády Slovenskej republiky pre ľudské práva, národnostné menšiny a rodovú rovnosť a o zámeroch jej činnosti na ďalšie obdobie* [Information on Previous Activity of the Government Council for Human Rights, National Minorities and Gender Equality and Its Intended Activity In the Future]; available at: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=20785>, accessed 10 August 2012.

## 6.3 Racism and related discrimination in housing

### 6.3.1 Manifestations of racism and related discrimination in housing

Problems in the field of housing are perhaps the most pressing issue with respect to marginalized Roma communities in Slovakia. When comparing access to the labour market, the UNDP revealed that within the Roma community, employment rates are lowest among those who live in segregated Roma settlements.

#### Illegal dwellings

Roma who reside in segregated settlements are technically homeless because their dwellings are built on other people's property. It is estimated that Slovakia has more than 620 such settlements.<sup>62</sup>

The current state of affairs is the result of complex historical evolution. The Roma built their dwellings during the socialist era based on a practical blessing (unofficial consent)<sup>63</sup> from local municipalities that often connected their settlements to power distribution and other engineering networks. The fall of communism was soon followed by the era of property restitution; most original owners demanded the return of full control over their property. In the meantime, the Roma had extended their dwellings within the limits of existing settlements.

At present, the most frequent 'solution' to the problem proposed by local political leaders is to demolish illegal dwellings and entire settlements, a practice that grew worryingly popular in 2011. The dwellings are often demolished and their residents forcibly evicted without providing any alternative accommodation or compensation which means that entire families are left homeless.

The municipalities, performing the powers of planning department and building control offices, often use the legal pretext of waste dump liquidation; it is a legal trick to get rid of unwanted settlements with as little hassle as possible<sup>64</sup>.

The case from Žiar nad Hronom is an example of this procedure<sup>65</sup>: The Office of Government Plenipotentiary for Roma Communities officially warned

<sup>62</sup> Official website of the Office of Government Plenipotentiary for Romani Communities; available at: <http://www.romovia.vlada.gov.sk/3548/fakty-o-romoch.php>, accessed 10 August 2012.

<sup>63</sup> Official consent would mean that these houses were built with a legal permit. But they were not. Unofficial consent is an acceptance of illegal status quo: f.e. in many cases local authorities allowed to connect these houses to gas or electricity, even though they were built without a legal permit.

<sup>64</sup> Demolition of Roma settlements is performed on the basis of liquidation of illegal waste dump. In such cases, Roma dwellings are formally classified as waste dump. Application of this procedure, which is in violation of existing domestic and international legal standards, makes it much easier to remove Roma settlements. If these settlements would be classified as buildings, as they should be, it would require a more complicated and lengthy legal process to remove them.

<sup>65</sup> SME, 3 Dec.2011, available at: <http://ziar.sme.sk/c/6165268/zburanie-chatrci-v-ziari-nad-hronom-vyvolava-otazky.html>, accessed 10 August 2012.

the District Prosecutor's Office in Žiar nad Hronom that the procedure contradicts not only international law but also domestic regulations, mostly because a dwelling is not defined by technical and construction parameters but by its purpose .

District Prosecutor's Office in Žiar nad Hronom agreed with this argument and warned the municipal authorities not to proceed with demolition, reasoning it was unacceptable to demolish human dwellings on the foot of regulations on waste dump liquidation.<sup>66</sup> Unfortunately, by the time the warning was issued, the local settlement had been bulldozed.

### **Forced evictions**

The Roma who inhabit municipal rented flats and fail to pay their rent are evicted and relocated to the nearest segregated settlement, leading to even greater ghettoization and Roma poverty. Some municipalities refuse to help the Roma to resettle at all. For instance, a mayor of Partizánske said:

*We decided to evict bad payers without providing them replacement housing. It is not our duty to seek accommodation for bad payers. I even issued an order that those tenants who disturb others by loud and inappropriate behaviour shall see their tenancy contracts terminated. Most of all, I intend to protect decent people against indecent ones.*<sup>67</sup>

The media also reported a case from the village of Chynorany where a Roma family of seven had inhabited a house for 37 years based on an oral agreement with the municipal leaders who had agreed to let the family use the house for free on the condition that they refurbish it, which they did (they invested more than €16,000 in the house).<sup>68</sup> Since there was no official record about this agreement, the new chairwoman of local council ordered the demolition of the house.

The family was popular with neighbours as well as with local church leaders and did not cause any problems that would entitle the chairwoman to intrude into their housing situation. The family even proposed to enter into a tenancy contract with the municipality and offered to pay rent. The chairwoman refused on grounds that the house did not comply with construction standards and had to be demolished anyway. The family has supplied two independent expert opinions which state that the structure is fully fit for habitation and does not constitute a danger to anyone.

The family commenced legal proceedings, and soon afterwards the court issued a preliminary ruling forbidding the chairwoman of the local council to demolish the structure. The chairwoman ignored the ruling and had the house destroyed. The bulldozers were ordered to start even before family members

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<sup>66</sup> Warning of District Prosecutor's Office, Pd34t12, Žiar nad Hronom 24.04.2012

<sup>67</sup> Šomodi, O. 2011 "Z výškovej budovy vystaňovali neplatičov" ['Bad Payers Evicted from High-Rise'], SME 4 October, available at: <http://topolcany.sme.sk/c/6081036/z-vyskovej-budovy-vystahovali-neplaticov.html>, accessed 10 August 2012.

<sup>68</sup> Slovenská televízia STV, *Reportéri*, 27 February 2012, available at : [http://www.stv.sk/online/archiv/reporteri/?date=2012-02-27&id=48137&fb\\_source=message](http://www.stv.sk/online/archiv/reporteri/?date=2012-02-27&id=48137&fb_source=message) , accessed 10 August 2012.

managed to take their belongings from the house; according to eyewitnesses, the children who were still in the house were forced to run for their lives before the tumbling walls.<sup>69</sup>

Subsequently, the chairwoman of the local council had the family relocated into a dilapidated old house with a single room and one external wall torn down. Construction experts and architects have said that the only structure endangering the family members' lives is the one they were relocated into. The chairwoman, for her part, commented on the whole situation with uncalled-for nonchalance, saying the original house would be replaced with 'a beautiful grassy oasis'.<sup>70</sup>

The issue of demolishing illegal Roma dwellings is becoming increasingly popular among leaders and sympathizers of extreme-right groups. Marián Kotleba, leader of the far-right non-parliamentary party Our Slovakia-People's Party, announced on Facebook in May 2012 that he had obtained ownership rights to the land under a Roma settlement near the village of Krásna Hôrka. Apparently, the property owner had transferred his ownership rights to Kotleba in hopes that his henchmen would manage to exercise his claim to said land. This way, extreme-right groups exploit the issue of illegal Roma dwellings to portray themselves as 'protectors of justice and the majority's rights' while their sole ambition is to demonstrate their ability to 'give the Roma short shrift'.

### **Living in shacks that are dangerous to safety and health**

The already cited UNDP survey revealed that 16% of the Roma live in substandard dwellings that are unfit for habitation. Since most of them were built by the occupants themselves (often out of metal plates and wood), they are not connected to electricity lines and other utilities or secured in any way against cold, heavy rainfall or natural disasters. As a result, their residents often become victims of fire or flood.<sup>71</sup>

In a survey, the UNDP revealed that one in four Roma households (26%) have only 5m<sup>2</sup> per person.<sup>72</sup>

In Slovakia, there are no organisations which deal specifically with the housing agenda. Not only is there no institution specialising in protecting the

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<sup>69</sup> One eyewitness described the demolition to the People against Racism civic association in the following way: "About 30 cops in 10 police cars, a barking dog, CID ... all of them came to take a look! ... The saddest moment of the demolition was when a cute little boy came running from the house, about two years old, may have been as old as my own son ... The demolition took place at the time when people including two children were STILL IN THE HOUSE and WERE NOT DONE MOVING OUT. As I tell you, the children were running around in the house, the parents were moving out the furniture ... and some firm assisted by the police was tearing down the roof above their heads. The roof-tiles and the ceiling came tumbling down all around them.

<sup>70</sup> Slovenská televízia STV, *Reportéri*, 27 February 2012, available at : [http://www.stv.sk/online/archiv/reporteri/?date=2012-02-27&id=48137&fb\\_source=message](http://www.stv.sk/online/archiv/reporteri/?date=2012-02-27&id=48137&fb_source=message) , accessed 10 August 2012.

<sup>71</sup> Nový čas 1 jan.2011, available at : <http://krimi.cas.sk/clanok/213926/poziar-v-romskej-osade-zahynula-zuzana-25-a-dve-deti-6-4.html>, accessed 10 August 2012.

<sup>72</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The living conditions of Roma households 2010] (Bratislava : Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012).

housing rights of the Roma, there is an emerging public discourse calling for accelerated demolition of illegal Roma dwellings and making it a nationwide practice. One example is 'Zobud'me sa!' ('Let's Wake Up!')<sup>73</sup>, an initiative launched by several town mayors and local council chairpersons that demands immediate demolition of illegal Roma dwellings and protection of the majority's ownership rights to the land

### **6.3.2 Facilitating factors or protective measures to combat housing challenges**

Government's measures aimed at tackling the housing situation of the Roma have been summed up in the ***Program of Housing Support***<sup>74</sup> that allows municipalities to build low-standard flats and subsequently offer them for rent to low-income families. By the end of 2010, Slovakia had built 2,890 low-standard flats<sup>75</sup>. However, active involvement of community workers is needed for the Roma to be able to benefit from this measure. They would simultaneously assist the Roma in finding access to the labour market, since not even social housing is affordable without steady income and, consequently, a stable job. At present community work is underpaid and understaffed.

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<sup>73</sup> [www.zobudtmesa.sk](http://www.zobudtmesa.sk), accessed 10 August 2012.

<sup>74</sup> The program is implemented under *the* Act No. 443/2010 on Subsidies for housing development and social housing.

<sup>75</sup> Národná stratégia integrácie Rómov do roku 2020 [National Roma Integration Strategy until 2020] passed as Government Resolution No. 1/2012 of January 11, 2012.

## 6.4 Racism and related discrimination in health

### 6.4.1 Manifestations of racism and related discrimination in health

#### **Forced sterilizations of Roma women**

In November 2011, after 11 years of uphill legal battle at various levels of justice, the European Court of Human Rights in Strasbourg finally issued a ruling concerning the unauthorized sterilization of Roma women in Slovakia. The applicant was a Roma woman who was sterilized in 2000 at the Prešov hospital.<sup>76</sup> Her case represents many of its kind in Slovakia

The Court found that 'hospital staff showed grave disrespect to [the complainant's] right to autonomy and decision-making capacity as a patient'.<sup>77</sup> The court also established violation of Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms as 'the Slovak Republic failed to discharge its positive commitment to protect the complainant adequately in compliance with Article 8 of the Convention'.<sup>78</sup>

#### **Public demand for restricting reproductive rights of the Roma**

Paradoxically, the information on the verdict met with indignation on the part of general public in Slovakia and Internet discussion forums were swarmed with derogatory statements such as: 'Shame on them! I hope they never get to enjoy the dough! It's terrible how much protection this rabble enjoys!'<sup>79</sup>; 'I would castrate ALL OF THEM, one by one, whether it's necessary healthwise or not! Then they only litter like rats and milk the state'<sup>80</sup>; 'I still don't see it as dramatically, suppose she had littered 10 kids'<sup>81</sup>.

As part of its survey examining the public opinion on right-wing extremism, the Open Society Foundation inquired how people would feel about restricting reproductive rights of the Roma. To the hypothetical question of 'Would you agree if government were to adopt a policy aimed at reducing the birth rate of the Roma?' more than 70% of respondents answered in the affirmative.<sup>82</sup>

#### **Survey of health condition in marginalized Roma communities**

The already mentioned UNDP survey also examined the general health condition of inhabitants of marginalized Roma communities. Focusing

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<sup>76</sup> The Case of V.C. vs. the Slovak Republic; ruling by the European Court of Human Rights No. 18968/07 of November 8, 2011; in Slovak translation available at: <http://www.rokovania.sk/File.aspx/ViewDocumentHtml/Mater-Dokum-140812?prefixFile=m> (accessed August 12, 2012).

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> Public discussion on the portal [www.aktualne.atlas.sk](http://www.aktualne.atlas.sk) regarding the advertised topic of "Is the indemnification adequate to the charge for Slovakia?"; available at: <http://aktualne.atlas.sk/zanezakonnu-sterilizaciu-zaplati-slovensko-romke-25-tisic-eur/slovensko/spolocnost/>, accessed 10 August 2012.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

<sup>82</sup> Nadácia otvorenej spoločnosti, *Verejná mienka v oblasti pravicového extrémizmu* [Public Opinion on the Right-Wing Extremism], a survey report, (Bratislava: Nadácia otvorenej spoločnosti, 2012, p. 32).

primarily on the occurrence of chronic diseases, the survey established the following:

- Approximately one in five Roma older than six years suffered from some sort of chronic diseases. Among respondents between 15 and 64, this rises to 22.0%.
- When comparing Roma and non-Roma respondents over 55 from the same geographic area, the occurrence of chronic diseases was higher among the former.

*This finding indicates faster development and earlier occurrence of chronic and long-term diseases on the part of the Roma population ... Poor living conditions in segregated settlements, probably in conjunction with a less responsible approach to one's health and poorer availability of health care, are manifested through considerably higher occurrence of chronic diseases in older age.*<sup>83</sup>

- The most common chronic diseases among the Roma population older than six years included the following:
  - Diseases of the cardiovascular system (30%);
  - Diseases of the respiratory apparatus and allergies (14.3%);
  - Diseases of the locomotor system (12.5%);
  - Diseases of nerve and sensory organs (11.8%).

### **Omitting medical check-ups**

The UNDP survey observed that Roma from marginalised settlements often choose not to see a doctor and inquired why this is the case. The third most frequently cited reason (17.7%) was the lack of money necessary to cover travelling costs, drug costs, etc.

### **Access to water**

UNDP also analysed factors that directly influence general health condition and living standards of the Roma, for instance their access to water.

*Less than half of examined Roma households were connected to the public water main. The generally problematic access to water may be illustrated by the fact that external water sources were not always located in immediate vicinity of Roma dwellings; 42% of Roma households that relied on external water supply were located more than 50 metres from the nearest water source.*<sup>84</sup>

### **Poor nutrition**

Naturally, the general health condition of marginalised groups is also determined by their social deprivation, which the UNDP survey measured through availability of food. More than 55% of Roma families with children stated they had already been in a situation when the children did not have anything to eat; 9.4% experienced this situation only once while 46.1%

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<sup>83</sup> United Nations Development Programme, *Správa o životných podmienkach rómskych domácností na Slovensku 2010* [The Living Conditions of Roma Households 2010], p.13, (Bratislava: Regionálne centrum Rozvojového programu OSN pre Európu a Spoločenstvo nezávislých štátov, 2012).

<sup>84</sup> Ibid.

experienced it repeatedly. In the non-Roma population from the same geographic area, only 6.9% of respondents stated they had repeatedly been in a situation when their children had nothing to eat. *'It is a relatively alarming finding, particularly in the context of prepared ... changes to welfare benefits ... that were all aimed at reducing them'*, the UNDP report reads.<sup>85</sup>

### **Other vulnerable groups**

As far as other vulnerable population groups are concerned, no one in Slovakia has ever analysed their general health condition or reported any cases of denied or limited access to health care. Similarly, there have been no reported cases of different treatment based on sex within health care system.

### **6.4.2 Facilitating factors or protective measures to combat health inequalities**

There is no equality ombudsman in Slovakia nor any other organ or organisation with a similar mandate.

The government is currently carrying out a national health program entitled ***Program to Support Health of Disadvantaged Communities in Slovakia in 2009-2015***.<sup>86</sup> It is being implemented by Regional Public Health Offices in cooperation with medical field workers who operate in Roma communities in select regions, educating them about reproductive rights, performing mandatory vaccinations and providing liaisons with doctors. Unfortunately, the project is unsustainable in the long term. There are only 30 field workers to serve 160,000 inhabitants of segregated settlements. In addition, they are severely underpaid, receiving only around €365 gross per month.

Improving the general situation of the Roma in the field of health care has been identified as a priority by the ***National Roma Integration Strategy until 2020*** as well as the ***Revised Action Plan of the Decade of Roma Inclusion***. Both documents propose the following:

- Provide rat extermination in segregated Roma settlements;
- Increase prevalence of inoculation through medical field workers;
- Secure the presence of social community workers at hospitals who would prepare persons from marginalized communities for the stay in hospital (and thus improve their access to health care)<sup>87</sup>.

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<sup>85</sup> Ibid., p. 191.

<sup>86</sup> *Program podpory zdravia znevýhodnených komunít na Slovensku na roky 2009 – 2015* passed as Government Resolution No. 609/2008 of September 10, 2008.

<sup>87</sup> In many cases, especially women from marginalized Roma communities do not want to stay in the hospital (mostly after giving birth) due to the fact that they need to take care of other children they left at home. Presence of social health workers would decrease occurrence of such cases.

## 6.5 Racism and related discrimination in access to goods and services

### 6.5.1 Manifestations of racism and related discrimination with access to goods and services in the public and private sector

Slovakia does not keep official statistics that would help monitor discrimination in access to goods and services. This is not only because it is illegal to collect ethnically sensitive data but also because such discrimination cases are rarely reported. As a result, the only available information is provided by non-governmental organisations that specialize in monitoring discrimination in this area and helping discrimination victims.<sup>88</sup>

The long-term experience of non-governmental organisations suggests that victims of this type of discrimination are almost exclusively members of the Roma minority; by way of exception, victims may also be members of other national minorities, usually when their complexion makes them easy to confuse with the Roma.

During the period covered by this report, the association People against Racism recorded five cases of Roma being denied service, which was the highest number of all types of discrimination cases it dealt with. One Roma complainant had learned via Facebook that the CUGA DISCO night club was officially closed for Roma guests. In the e-mail addressed to the association, the complainant wrote:

*'So I went to see for myself what the situation was like. I dressed myself decently and together with my girlfriend we [went to the club]. As soon as we opened the club door and walked in, the gentleman at the box office looked at the gentleman from SBS<sup>89</sup> and yelled: 'THROW THEM OUT!!!' I asked politely on what grounds and the gentleman told me they were full. But I saw that not even half of all seats were taken at the disco. I asked politely again: 'By 'full' you mean full of Gypsies?' After that the SBS gentleman threw us out of the door. This was the second time [I was treated this way]; the first time was at the Riverside club in Šaštín-Stráže. There the SBS guys let Gypsies in according to their mood ... Don't we have the right to have fun as well? When a girl dresses up decently and greets politely, they throw her out anyway as if she was some kind of filth?'<sup>90</sup>*

The Roma encounter discrimination with respect to goods and services provided by private sector subjects and sometimes by municipalities. One

<sup>88</sup> For instance People against Racism ([www.rasizmus.sk](http://www.rasizmus.sk)), or the Advisory Bureau for Civil and Human Rights ([www.poradna-prava.sk](http://www.poradna-prava.sk))

<sup>89</sup> SBS is an abbreviation for private security service.

<sup>90</sup> People against Racism, [www.rasizmus.sk](http://www.rasizmus.sk), accessed 10 August 2012

example of difficulties in accessing public services was an incident involving one Roma young man who was denied access to the local municipal gym.<sup>91</sup>

It should also be noted that members of vulnerable groups often have little or no access to legal aid and are thus reluctant to take matters to court. The main reason is the high costs of tort litigation, which renders justice practically unattainable for the Roma, especially those from marginalized communities and segregated settlements who are occupied primarily with day-to-day survival. There are virtually no NGOs in Slovakia at the moment providing advocacy services to discrimination victims, with the exception of a few examples of strategic litigation. This has to do with general under-resourcing of NGOs, which lack financial and personnel capacity to provide full legal representation.

### **6.5.2 Facilitating factor or protective measures to promote equality in accessing goods and services**

Denial of access to goods and services based on race, nationality, ethnicity, religious or sexual orientation (among other listed grounds) is a violation of the principle of equal treatment defined by the **Anti-discrimination Act**.<sup>92</sup> In the event of discrimination, it is up to the aggrieved party to instigate civil proceedings. The most positive feature of this litigation is perhaps the reversal of the burden of proof. However, it can be difficult for the victim to gather sufficient evidence to meet even this lower standard of proof. The defendants usually use the argument that the establishment hosted a private event; so, even with the reversed burden of proof, it is very difficult for most complainants to build their case and succeed.

Discrimination cases are also dealt with by the **Slovak Trade Inspection (SOI)**. However, its powers are limited to inspection and supervisory activities, particularly with respect to protection of consumer rights. If its inspectors establish a violation of the right to equal access to goods or services in compliance with **Consumer Protection Act**<sup>93</sup>, it may impose a fine on the establishment. However, the SOI does not deal with the aggrieved consumers or the satisfaction of their claims. In its annual report for 2011, the SOI did not report a single detected case of this kind.<sup>94</sup> The list of performed inspections

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<sup>91</sup> In his request for legal advice addressed to the People against Racism civic association, the complainant wrote: *“For four months I have been requesting the local council chairman in writing to grant me access to the municipal muscle-conditioning gym ... yesterday Mrs. K. [name blackened out by the complainant], member of the local council, said that there is not enough room, that she won't allow us, that it is for the white. I asked if I am supposed to take it as discrimination, but she just smiled*

<sup>92</sup> Act No. 365/2004 on Equal Treatment in Certain Areas and Protection against Discrimination that alters and amends certain laws (Antidiscrimination Act).

<sup>93</sup> While Act No. 250/2007 on Consumer Protection does not deal directly with discrimination, it anchors the right of all consumers to equal access to goods and services

<sup>94</sup> Slovenská obchodná Inšpekcia, *Výročná správa za rok 2011* [Annual Report for 2011], (Bratislava, 2012); available at: <http://www.soi.sk/files/documents/kcinnost/vs%20soi%202011.pdf> , accessed 10 August 2012

suggests that the SOI did not initiate a single inspection aimed at revealing such discrimination cases in 2011.<sup>95</sup>

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<sup>95</sup> The full list of inspections is available at the official website of the Slovak Trade Inspection: <http://www.soi.sk/sk/Kontrolna-cinnost/Vysledky-kontrol-SOI/contentInd/1.soi> , accessed 10 August 2012.

## 6.6 Racism and related discrimination in political participation

### 6.6.1 Manifestations of racism and related discrimination in the realm of political participation

According to the most recent population census from May 2011, the largest national minorities in Slovakia are ethnic Hungarians (458,467 inhabitants or 8.5% of total population), followed by the Roma (105,738 inhabitants or 2% of total population). Besides these two, Slovakia officially recognises further 11 national minorities.<sup>96</sup>

#### Ethnic Hungarians

In terms of political participation, ethnic Hungarians are well represented in the national legislative assembly and have formed an important part of several coalition governments. In the most recent parliamentary elections in March 2012, ethnic Hungarians were represented by two parties; while Most-Híd [Bridge] secured parliamentary seats with 6.89% of the popular vote, the Magyar Koalíció Pártja [Party of Hungarian Coalition] received only 4.28% of the popular vote and so is not represented in parliament.<sup>97</sup>

#### The Roma minority

For more than two decades since November 1989, the Roma minority has sought adequate political participation. Unfortunately, this progress has long become stagnant, particularly since Slovakia became a full-fledged member of the EU as organisations and political parties representing the Roma largely disappeared.<sup>98</sup> The improvement of the situation of the Roma minority was one of the conditions for Slovakian accession to the EU. After Slovakia joined the EU, pressure to resolve this issue dramatically decreased, as did the attention given to the topic at domestic level. *'Almost everything we have today we achieved [20 years ago],'* said Roma journalist Jarmila Vaňová. *We were officially recognised as a national minority, we founded the Romathan theatre, and we began to publish the Romano ľil [newsletter]. Some schools were founded, for instance the Secondary Art School in Košice where Roma is the language of instruction. We began to develop national identity of the Roma national minority in Slovakia. Unfortunately, we have not moved since and we continue to procrastinate. The current political trend is that we are gradually edged out of the process; our situation today is far from what we imagined 20 years ago.*<sup>99</sup>

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<sup>96</sup> Štatistický úrad Slovenskej republiky, *Výsledky sčítania obyvateľov domov a bytov 2011* [The Results of the Census of Inhabitants, Houses and Flats]; available at: <http://portal.statistics.sk/showdoc.do?docid=50048>, accessed 10 August 2012.

<sup>97</sup> Štatistický úrad Slovenskej republiky, available at: <http://app.statistics.sk/nrsr2012/sr/tab3.jsp?lang=sk>, accessed 10 August 2012.

<sup>98</sup> A similar conclusion was made by the *National Strategy of Roma Integration until 2020*: "Paradoxically, Slovakia's accession to the EU ... brought a decline in the support for the non-profit sector. Out of the great number of non-governmental organisations specializing in Romani issues, only few have been able to persevere in their activities and professionalize their performance.

<sup>99</sup> Nadácia Milana Šimečku, "Rómsky verejný spravodaj" [Romani Public Policy newsletter], 1 (2012)

Since a significant proportion of the Roma living in Slovakia are socially excluded, the prospects of increasing their participation in the country's political and civic life appear limited at present. Although there is an equally significant number of integrated Roma in Slovakia, they tend to 'merge with the majority' and renounce their ethnicity, which hinders the process of building capacities of 'Roma activism'.

This may be illustrated by the fact that although the overall number of Roma in Slovakia is estimated between 420,000 and 500,000, only about 100,000 of them claimed Roma nationality in the most recent population census. Nonetheless, political parties representing the Roma regularly campaign in parliamentary elections; unfortunately, they have never mustered sufficient voter support to win parliamentary seats. *'The parties currently out there lack developed regional structures and polished strategies of working with local communities.'*<sup>100</sup>

Financially, building sustainable party structures and successfully advertising the party program is unthinkable even for a vast majority of ethnic Slovaks, let alone the Roma whose average income is considerably lower than that of the majority population. That is part of the reason why Roma candidates usually appear on candidates' lists of 'majority parties'.

For most of these parties, however, placing Roma on their candidates' lists is an act of buck-passing rather than a sincere desire to increase Roma political representation. Roma candidates are assigned to constituencies where they have no chance to winning an election.

*Many parties regularly invite the Roma on their candidates' lists. I don't know whether they do it candidly or what are their actual motives. But the truth is that they seed Roma candidates to non-electable places. Perhaps they fear that if they seeded a Roma to an electable place on their candidates' list they would lose favour with a large proportion of the majority.'*<sup>101</sup>

A total of 25 Roma candidates ran in the most recent parliamentary elections in March 2012<sup>102</sup>; all but was placed in a constituency which they had no chance of winning. The only exception was Roma teacher Peter Pollák who was listed as No.8 on the candidates' list of the movement Ordinary People and Independent Personalities. Thanks to that, Pollák became the first Roma to be elected to the National Council of the Slovak Republic in the history of independent Slovakia.

Political participation of the Roma at local level has improved significantly in recent years. According to estimates, more than 330 Roma candidates were elected to local and municipal councils in the most recent municipal elections

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<sup>100</sup> An Interview with Tomáš Hrustič, in: Nadácia Milana Šimečku, „*Rómsky verejný spravodaj*“ [Romani Public Policy newsletter], No. 1/2012

<sup>101</sup> An Interview with MP Peter Pollák, in : Centrum pre výskum ethnicity a kultúry, „*Menšinová politika na Slovensku*“ [Minority Policy in Slovakia], 3 (2011), p.2.

<sup>102</sup> Nadácia Milana Šimečku, „*Rómsky verejný spravodaj*“ [Romani Public Policy newsletter], 1 (2012)

in late 2010, a substantial improvement compared to 220 Roma elected in 2006.<sup>103</sup>

### **Foreign nationals**

Foreign nationals are entitled to vote only in municipal elections, on the condition that they have permanent residence in the municipality where they intend to vote.<sup>104</sup> As far as parliamentary, presidential, regional elections or referenda go, the vote is reserved for Slovak citizens.

Most political rights are tied to citizenship, including the right to freedom of assembly,<sup>105</sup> the right to establish a political party or become a member thereof,<sup>106</sup> or the right to establish a civic association.<sup>107</sup>

The persons who apply for Slovak citizenship may obtain it based on a decision by the Ministry of the Interior, provided they have complied with requirements stipulated by the Law No. 40/1993 on State Citizenship. However, compliance with the legal requirements alone does not guarantee that the application will be granted because obtaining citizenship is not an automatic right.

Obtaining citizenship via naturalisation is complicated. According to the Migrant Integration Policy Index (MIPEX), Slovakia has one of the strictest systems in place for obtaining citizenship through naturalisation.<sup>108</sup> Applicants who wish to obtain Slovak citizenship via naturalisation must – apart from complying with other conditions – reside on Slovakia's territory without interruption for at least eight years before filing the application and demonstrate sufficient command of spoken and written Slovak as well as knowledge of Slovak life and institutions.<sup>109</sup>

Most citizenship applicants agree that both of these conditions are significant obstacles.<sup>110</sup> However, even applicants who comply with all the criteria do not have an automatic right to become Slovak citizens.

The overall number of successful citizenship applications in 2011 was 334; most of them were granted to applicants from the Czech Republic.<sup>111</sup>

As far as cultural, social or civic participation is concerned, the non-nationals in Slovakia either establish informal (i.e. non-institutionalised) societies or found formal civic associations with Slovak citizens as figureheads (foreign nationals ask Slovak citizens to act as formal heads/founders of civic

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<sup>103</sup> Centrum pre výskum etnicity a kultúry, *„Menšinová politika na Slovensku“* [‘Minority Policy in Slovakia’], 1 (2011), 17-18.

<sup>104</sup> According to Article 3 Paragraph 1 of the Act o. 369/1990 on Municipal System of Government, the resident of a municipality is a person with permanent residence on its territory.

<sup>105</sup> Assambly Act No. 84/1990

<sup>106</sup> Act No. 85/2005 on Political Parties and Political Movements

<sup>107</sup> Act No. 83/1990 on Assembly of Citizens

<sup>108</sup> <http://www.mipex.eu/slovakia>, accessed 10 August 2012.

<sup>109</sup> Article 7 of the Act No. 40/1993 on State Citizenship of Slovak Republic

<sup>110</sup> Bargerová, Zuzana - Kriglerová, Elena - Gažovičová, Tina -Kadlečíková, Jana, *„Integrácia migrantov na lokálnej úrovni – 2“* [‘Integration of Migrants at the local level – 2’], (Bratislava : Centrum pre výskum etnicity a kultúry, 2012)

<sup>111</sup> Ibid.

associations); *‘These organisations usually organise foreigners’ community and cultural life, hold educational events for the majority and provide various forms of assistance (e.g. social and legal counselling) to newcomer foreigners.*<sup>112</sup>

### **Representation of women**

Although this issue is sufficiently mainstreamed in Slovakia, representation of women in top political institutions continues to be disproportionately low. Similarly, despite the fact that Iveta Radičová held the post of prime minister between summer 2010 and spring 2012 as the first woman in the country’s history, female candidates are generally seeded inadequately low on political parties’ candidates’ lists.<sup>113</sup>

#### **6.6.2 Facilitating factor or protective measures to promote equality in the realm of political participation**

There is no government rule or policy which supports diversity in parliament and other political bodies. The MPG toolkit was never implemented in Slovakia.

In the ***National Roma Integration Strategy*** the chapter *Implementing the Strategy* sets out several framework goals aimed at strengthening the Roma non-governmental sector and building its capacity for action. The document emphasizes the need to allocate funds to provide institutional support for Roma NGOs, develop their expert capacity and build their management structures and administrative mechanisms.

The performance of the Office of Deputy Prime Minister for Human Rights, National Minorities and Gender Equality between summer 2010 and spring 2012 may be viewed positively. Perhaps its greatest achievement was establishing the Committee for National Minorities and Ethnic Groups as a participative, consultation and political organ to represent the voice of minorities. Its innovativeness rests especially in the method of electing committee members so that they represent any particular minority as effectively as possible.<sup>114</sup>

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<sup>112</sup> Ibid.

<sup>113</sup> Občan, demokracia a zodpovednosť, *Ženy na kandidátke sú vzácnosťou*, <http://oad.sk/node/643>, accessed 10 August 2012.

<sup>114</sup> Each of the 12 officially recognized national minorities in Slovakia, prior to establishing this committee held internal elections, where they selected their representatives in the Committee. These internal elections were organized by the Governments’ Office and any organization representing a particular national minority could attend and nominate candidates.

## 6.7 Racism and related discrimination in media

### 6.7.1 Manifestations of racism and related discrimination in the media, including the internet

#### Media image of the Roma

The media reflect the public discourse on the Roma and in trying to satisfy the demands of their audience they often hunt for oversimplified and sensationalist stories. In doing so, the media create and perpetuate a negative public image of the Roma.

The entire media show virtually identical patterns when it comes to coverage of the Roma. The main objections to their coverage of the so-called Roma issue may be summed as follows:

- **One-sided portrayal of the Roma**

The media in Slovakia fail to provide a broader thematic picture of the Roma that would allow the general public to perceive them in different contexts as members of a socially heterogeneous and stratified population group; on the contrary, the scope of news coverage on the Roma is limited to reporting on criminality and backward living conditions in segregated Roma settlements.

- **Selective reporting on ethnicity**

When the Slovak media report on crime stories, they rarely mention the ethnic origin of perpetrators or suspects except when they are Roma, even though it is illegal to collect ethnically sensitive data in Slovakia. The media seem to have reserved prominent space to the Roma when reporting on crime, even though most of these 'crimes' are completely banal and dozens of similar crimes are perpetrated by members of the majority on any given day without sparking media interest. The following examples of biased headlines and articles are indicative of this trend: 'Students Slept while the Roma Stole their Belongings' (22.05.2011)<sup>115</sup>; 'Roma from Rudňany Stole a Sheepdog and Ate It for Lunch!' (22.09.2011)<sup>116</sup>; 'Nearly Fatal Jealousy! A Roma Stabbed a Friend'<sup>117</sup>; 'Almost 40 Roma Beat Up Young Football Players'.(27.07.2011)<sup>118</sup>

<sup>115</sup> [www.noviny.sk](http://www.noviny.sk) (Web page of TV JOJ), *Študenti spali – zatiaľ im Rómovia kradli veci* [Students Slept while the Roma Stole their Belongings], the article is available at : <http://tvoje.noviny.sk/tvojenoviny-clanky/21-05-2011/tvojenoviny-studenti-spali-vedla-im-romovia-kradli-veci-reakcia-policialtov-.html>, accessed 10 August 2012.

<sup>116</sup> [Topky.sk](http://www.topky.sk), *Rómovia z Rudňany ukradli ovčiaka a dali si ho na obed*, [Roma from Rudňany Stole a Sheepdog and Ate It for Lunch!], available at : <http://www.topky.sk/cl/10/1287391/Romovia-z-Rudnian-ukradli-ovciaka-a-dali-si-ho-na-obed-> , accessed 10 August 2012..

<sup>117</sup> [www.noviny.sk](http://www.noviny.sk) (Web page of TV JOJ), *Takmer osudná žiarlivosť! Róm dobodol kamaráta*, [Nearly Fatal Jealousy! A Roma Stabbed a Friend ], the article is available at <http://www.noviny.sk/multimedia/video/detail/takmer-osudna-ziarlivost-rom-dobodol-kamarata.html> , accessed 10 August 2012.

<sup>118</sup> [Webnoviny.sk](http://www.webnoviny.sk), *Takmer 40 Rómov zbilo mladých futbalistov*, [Almost 40 Roma Beat Up Young Football Players], the article is available at : <http://www.webnoviny.sk/slovensko/takmer-40-romov-zbilo-mladych-futbalis/386522-clanok.html>, accessed 10 August 2012.

- **Biased news-reporting**

Some reporters deliberately bend their stories to make them correspond to messages they are trying to convey, in order to increase the impact of their stories. One example was the tragedy that took place in June 2012 (it will be analysed in greater detail in the next edition of the Shadow Report) when a former policeman from the town of Hurbanovo shot three members of a Roma family with an unregistered weapon. For several days, the media suggested that the Roma in fact provoked the perpetrator and some even portrayed the perpetrator as some sort of twisted martyr. 'It was a totally maladjusted family and he probably snapped under the pressure of solving constant problems they caused ... Why did it have to go as far as a great cop such as Milan finally taking justice into his own hands?' said one of the assailant's colleagues for the Nový čas news portal (28.06.2012)<sup>119</sup> The story did not quote any other sources, such as the victims' survivors or anybody else who could have viewed the tragedy's background differently. While investigation is still underway, nothing has emerged to date which would confirm that the motives insinuated in the article were correct.

The deplorable effects of such biased reporting could be seen in public reactions to the tragedy. 'He's a hero!' an anonymous contributor wrote in one public discussion forum<sup>120</sup>. 'When they stand him before the court, I will be outside the court building and I will chant 'Let him loose!' because he only killed animals. They are not people but merely vermin!'<sup>121</sup> One should note that Internet discussion forums around the country were swarmed by similar reactions to the murder of three innocent Roma.

- **Sloppiness and sensationalism of journalists**

Very few journalists are familiar with everyday lives of the Roma and the issue of social exclusion in general, which is why they tend not report on background and the broader context. Good examples of this attitude are sensational news reports about demolishing shacks in Roma settlements that describe or show the local Roma weeping. The reporters did not discuss the historical context of when and how the entire process of building illegal Roma dwellings began and what the broader context of this issue was. All the viewers saw was the evicted Roma family lamenting into the camera, yelling that they have no place to go and asking for help, which further cements their stereotypical perception of the Roma as parasitic people who always ask for something free.

This biased perspective is used even when the Roma have been harmed or become victims of criminal offences. This is how one reporter described the situation in the aftermath of the Hurbanovo crime:

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<sup>119</sup> Denník Nový čas, *Masaker v Hurbanove: Zabítych musí pochovať mesto*, [ ], the article is available at : <http://krimi.cas.sk/clanok/226951/masaker-v-hurbanove-zabitych-musi-pochovat-mesto.html>, accessed 10 August 2012.

<sup>120</sup> Anonymous contributor on [www.facebook.com](http://www.facebook.com), accessed 10 August 2012

<sup>121</sup> *Ibid.*, accessed 10 August 2012

*When a municipal policeman ... from Hurbanovo ... shot down ... Gabriel Lakatoš (†44), his son Mário (†19) and his son-in-law Július (†24), the weeping and wailing of many Roma could be heard for miles around. But when it comes to paying for the funeral, the relatives are silent ... The Roma claim they do not have the €1,000 for the coffins, clothes and everything else that is necessary for the funeral. 'But they apparently have enough money to pay for regular rag days at their yard. Many people in town see what's going on there every day and especially every night. Them mourning? They drink and party all day long. Besides, they have cars parked in the front yard, so let them sell one of them and bury their relatives for the money earned'* said angrily one of Hurbanovo aldermen.<sup>122</sup>

The author again did not interview sources other than those which helped him convey his negative message about Roma.

### **Muslims in the media**

With respect to the Muslims, most news reports are influenced by the negative coverage of Muslims in other countries and focus primarily on topics which portray Muslims as a 'problematic culture whose members set cars on fire on the outskirts of European cities or form radical religious factions demanding *sharia* or *jihad*'.<sup>123</sup> Subsequently, certain media formats (e.g. lifestyle magazines) publish pseudo-analytical articles that regurgitate information from foreign sources and use them to draw oversimplified conclusions: 'The Islam is the primal cause of oppression of Muslim women and remains the principal obstacle to improving their status. The fact is that it always considered women to be inferior in every respect: physically, mentally and morally.'<sup>124</sup>

Since the Muslims live in Slovakia in very small numbers and are not influential in politics or civil society, the general public is unable to make this mainstreamed view relative, which may be illustrated by the way people treat these topics online. The bloggers who touch upon issues of Muslims, migration or multiculturalism usually perpetuate these stereotypes.

*By chance I saw a video made by a Belgian female reporter ... The Muslims, who live in Belgium in significant numbers, swarmed round the woman as wasps on honey, harassing and especially insulting her. There were expressions like tramp and even worse. The reportage that was broadcast by the Slovak Television as information about the act of this bold woman ended with an interview featuring an unshaven primate who announced, with a*

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<sup>122</sup> Denník Nový čas, Masaker v Hurbanove: *Zabitých musí pochovať mesto*, the article is available at : <http://krimi.cas.sk/clanok/226951/masaker-v-hurbanove-zabitych-musi-pochovat-mesto.html>, accessed 10 August 2012.

<sup>123</sup> Tlačová agentúra Slovenskej republiky (Press Agency of Slovak Republic), *V Sudáne podpálili moslimovia katolícky kostol v Chartúme*, [In Sudan, Muslims set fire to a Catholic church in Khartoum], the article is available at <http://www.teraz.sk/import/v-sudane-podpalili-moslimovia-katolic/5817-clanok.html>, accessed 10 August 2012.

<sup>124</sup> [www.diva.sk](http://www.diva.sk), *Obriezka, násilie a iné hrôzy moslimských žien* [Circumcision, violence and other horrors of Muslim women], 25 April 2010, <http://diva.aktuality.sk/diskusia/25295/obriezka-nasilie-a-ine-hrozy-moslimskych-zien/>, accessed 10 August 2012.

*typically frowned face, that soon all women including non-believers shall dress decently in public.*<sup>125</sup>

Other bloggers draw simplistic conclusions in terms of politics : *'That's why people should vote for the [Slovak far-right party] ĽSNS!!!! Otherwise we will be attacked not only by the 'maladjusted and discriminated against' but in time even by the Muslims (there are already more than 50 million of them around Europe!!!!).*<sup>126</sup>

### 6.7.2 Facilitating factor or protective measures in the media

Cooperation with the media a long-term priority for many NGOs. Unfortunately, it is extremely difficult to establish effective collaboration with individual journalists, for two main reasons: firstly, enormous fluctuation of personnel in the media environment; secondly, most journalists do not specialize in covering certain topics and therefore do not have the time to explore any issue in sufficient depth. In addition, since most media in Slovakia are privately owned, the publishers react to public demand and do not wish to risk a decline in their viewers/readers etc.

One positive development is the recent adoption of ***The Communication Strategy of the Roma: Integration through Communication*** as part of the National Roma Integration Strategy. Jointly elaborated by the Office of Government Plenipotentiary for Roma Communities, the Open Society Foundation and other non-governmental organisations, the document offers a potentially very effective strategy aimed at improving the quality of media discourse with respect to the Roma. It includes several chapters that focus on concrete goals, formulating specific measures, methods and measurable indicators.

A positive example of combating poor media standards was a recent media campaign 'Syndróm Róm', launched by the NGO People against Racism (PAR).<sup>127</sup> The campaign responded to the problem of one-sided portrayal of the Roma as an antisocial population group (for further details, please see Chapter 8).

In order to help improve the media image of the Roma, the PAR is currently planning to organise 'Breakfast with Journalists', a periodic event aimed at establishing informal cooperation between the non-governmental sector and the media. The goal of this cooperation is to help journalists and editors get a better insight into issues concerning the Roma minority and thus avoid traditional stereotypes and sensationalism in their reporting.

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<sup>125</sup> Král, Václav, *Moslimovia v Belgicku sú zvieratá*, [Muslims in Belgium are animals!], available at: [http://www.gzoznam.sk/casopis/moslimovia\\_v\\_bruseli\\_su\\_zvierata\\_zena\\_v\\_letnych\\_satach\\_je\\_pre\\_nic\\_h\\_dovod\\_pre\\_oplzle\\_urazky\\_vyzenme\\_ich\\_kym\\_je\\_cas/](http://www.gzoznam.sk/casopis/moslimovia_v_bruseli_su_zvierata_zena_v_letnych_satach_je_pre_nic_h_dovod_pre_oplzle_urazky_vyzenme_ich_kym_je_cas/), (accessed 10 August, 2012.).

<sup>126</sup> [www.diva.sk](http://www.diva.sk), Anonymous debater, discussion on internet forum on Article "Obriezka, násilie a iné hrôzy moslimských žien" [Circumcision, violence and other horrors of Muslim women], April 25, 2010, <http://diva.aktuality.sk/diskusia/25295/obriezka-nasilie-a-ine-hrozy-moslimskych-zien/>, accessed 10 August 2012.

<sup>127</sup> [www.syndromrom.sk](http://www.syndromrom.sk), accessed 10 August, 2012.

## 6.8 Racism and related discrimination in criminal justice

### 6.8.1 Policing and ethnic profiling<sup>128</sup>

Slovakia does not pursue any official policy of profiling ethnic minorities. Given the minuscule overall number of Muslims living in Slovakia, implementation of such policies targeting this group is rather unlikely for the time being. There have been reports of some isolated cases when members of the police force exceeded their powers with respect to the Roma;<sup>129</sup> however, these appear to have been failures of racist individuals rather than general application of ethnic profiling methods by the police force.

In this context, we feel obliged to mention the most unusual way of criminalizing the Roma introduced by Interior Minister Daniel Lipšic when he appointed a 'special advisor for Roma criminality' in summer 2010 (the post was abolished in June 2012). This issue was discussed in greater detail by the previous edition of the Shadow Report.<sup>130</sup>

### 6.8.2 Racially motivated violence and crime

- **Public opinion on right-wing extremism and racist violence**

In 2012, the Open Society Foundation published the findings of a survey that examined public opinion on right-wing extremism.<sup>131</sup> The findings were alarming in many respects. For instance, one in 12 respondents (8.3%) may be described as staunch supporters of right-wing extremism and three in four respondents (75.5%) subscribed to certain ideas of right-wing extremism (e.g. in the field of shaping public policies with respect to the Roma.)

- **Extreme right-wing groupings with political ambitions**

The evolution of Our Slovakia - People's Party (NS-L'S) from small group of racists to an extreme-right political party is worrying. While in the past some of its members explicitly identified themselves as anti-Semites, racists and apologists of the Third Reich, in recent years (especially after they became politically active) they changed their rhetoric and methods. They are now trying to enter the political mainstream, drumming up significant public and

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<sup>128</sup> The Open Society Institute defines ethnic profiling as the "use of generalisations grounded in ethnicity, race, national origin, or religion – rather than objective evidence or individual behaviour – as the basis for making law enforcement and/or investigative decisions about who has been or may be involved in criminal activity".

<sup>129</sup> Aktualne.sk, *Odsúdili expolicajtov, ktorí zabili Karola Sendreia*, <http://aktualne.centrum.sk/domov/kauzy/clanek.phtml?id=1153370>, accessed 10 August 2012 ,

<sup>130</sup> European Network Against Racism, Shadow Report 2010-2011 Racism and Discriminatory Practices in Slovakia, p. 21, available at <http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/23.%20Slovakia.pdf>, accessed 10 August 2012

Minister of Interior Lipšic established a post of an advisor for Roma criminality, whose task was to draw a map of so-called Roma criminality in order to strengthen police presence in these localities.

<sup>131</sup> Nadácia otvorenej spoločnosti, *Verejná mienka v oblasti pravícového extrémizmu* [Public Opinion on the Right-Wing Extremism], a survey report, (Bratislava: Nadácia otvorenej spoločnosti, 2012)

voter support by fuelling anti-Gypsyism, homophobia and Islamophobia. The NS-L'S serves as an example of how a gang of extremists may be forged into a nearly legitimate political formation, which some people do not hesitate to entrust with 'solving' its problems with the Roma. In the most recent parliamentary elections in March 2012, NS-L'S leader Marián Kotleba received more preferential votes than former Prime Minister Mikuláš Dzurinda.<sup>132</sup>

- **Deficient legislation and ensuing law enforcement problems**

The Slovak law does not recognise the term 'hate crime'. Instead, it introduced the legal definition of so-called extremist criminal offences several years ago which are dealt with in a separate chapter of the **Penal Code**<sup>133</sup>. This definition is unfortunate because it creates difficulties for law enforcement organs in the process of investigating, prosecuting and convicting perpetrators of hate crime.

Most importantly, the term 'extremism' is not legally defined. In practical terms, it is interpreted narrowly to mean sympathies with neo-Nazism and violent activities threatening the foundations of state and democracy. The problem is that this understanding does not correspond to the extreme-right as it exists today. Such groups stopped conveying their messages through symbols of the Third Reich or relying on violence long ago. The kind of activities their members engage in includes mostly public verbal criminal offences such as defamation of nation, race, political and religious opinions or incitement to racial hatred.

Although the Penal Code qualifies these activities as criminal offences, they are rarely prosecuted in practice. The problem is that these criminal offences are featured in the chapter of extremist criminal offences, which means that the seriousness of defamatory statements is assessed through the lens of extremism. Naturally, defamation of nation, race, political and religious opinions rarely has the potential to threaten the foundations of state and democracy; consequently, even though the public statements are highly offensive and abusive they are not qualified as criminal acts. So, the very term of 'extremism' works as a restrictive determinant with respect to assessing the seriousness of verbal criminal offences and criminal offences perpetrated on the Internet.

This highly unsatisfactory state of affairs is reflected in official crime statistics kept by the Ministry of Interior.<sup>134</sup> Although every online discussion regarding news articles on the Roma contains several dozens or hundreds of examples of criminal defamation, police statistics officially registered only 22 such cases in 2011.<sup>135</sup> The most frequently prosecuted extremism criminal offence is 'supporting and promoting movements aimed at suppressing the rights and freedoms of others' (182 cases)<sup>136</sup> which indicates that combating extremism

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<sup>132</sup> [www.etrend.sk](http://www.etrend.sk), *Kotlebu krúžkovalo viac ľudí ako Dzurindu*, [Kotleba has more preferential votes than Dzurinda], <http://ekonomika.etrend.sk/ekonomika-slovensko/kotlebu-kruzkovalo-viac-ludi-ako-dzurindu.html>, accessed 10 August 2012

<sup>133</sup> Act No. 300/2005 Penal Code

in Slovakia has been very strongly limited to combating overt support of neo-Nazism.

### 6.8.3 Hate speech

The Penal Code includes the criminal offences of '*Defamation of race, nation and conviction*'<sup>137</sup>, '*Incitement to national, racial and ethnic hatred*'<sup>138</sup> (including Incitement to restriction of the rights and freedoms based on ethnic affiliation or execution of such restriction<sup>139</sup>). However, it seems that the police and other law enforcement organs have reached an unwritten consensus that verbal defamation of the Roma, while fitting the legal definition of criminal offence, is a standard part of public discussion. Calling the Roma 'anti-social parasites' or disseminating leaflets proposing to establish labour camps for the Roma and restrict their fundamental human rights are tolerated as legitimate opinions.<sup>140</sup> This state of affairs is made possible by the unsatisfactory legal definition of extremism discussed above as well as the fact that this type of crime enjoys wide public tolerance.

Worryingly anti-Roma hate speech is being embraced by politicians from the mainstream political spectrum. Instead of blazing the trail toward educating the general public and correcting people's erroneous notions of the Roma, they themselves are often authors of anti-Roma hoaxes. A perfect example is Štefan Kužma, an MP for SDKÚ who during the most recent election campaign published coarsely misleading blogs and info-graphics that accused the Roma of abusing welfare benefits.<sup>141</sup>

Almost all established political parties played the anti-Roma card while campaigning before the March 2012 parliamentary elections. The Slovak National Party (SNS) which has a long history of using anti-Roma sentiment in its campaigns used slogans such as '*When will we stop footing the Gypsies' bill?*'<sup>142</sup> or '*Matovič wants to get Gypsies to parliament*'<sup>143</sup>. The SNS also uses rhetoric aimed at mobilising public sentiment against the ethnic Hungarians:

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<sup>134</sup> Ministerstvo vnútra SR, *Štatistika kriminality v Slovenskej republike [Statistics of Criminality in the Slovak Republic]* (Bratislava: Ministerstvo vnútra SR, 2011); available at: <http://www.minv.sk/?statistika-kriminality>, accessed 10 August 2012

<sup>135</sup> Ibid.

<sup>136</sup> Ibid.

<sup>137</sup> Article 423 of the Penal Code (Act No. 300/2005).

<sup>138</sup> Article 424 of the Penal Code (Act No. 300/2005).

<sup>139</sup> Article 42a of the Penal Code (Act No. 300/2005).

<sup>140</sup> Výrok : „ *The statement: “We are being expelled from our own country by multiplying gipsy parasites” was contained in the election flyer of political party Our Slovakia. Police declined to start criminal proceedings in this case, reasoning that it is not clear from the statement whether its author meant by the word “gipsy” members of Roma ethnic minority or he used this term as a synonym for liar since the Slovak vocabulary contains also this meaning of the word “gipsy”. See: Petkova, Z, 2010 “ Police did not start criminal proceedings in case of “gipsy parasites”. available at: <http://www.sme.sk/c/5505990/policia-za-oznacenie-cigansky-parazit-stihanie-nezacala.html>, accessed 10 August 2012.*

<sup>141</sup> Stefan Kuzma authored several blogs and info-graphics based on hoaxes and false evidence. He made up estimates of Roma social benefits consumption, labelled these as parasitism and thereby stirred hostility against Roma, see his blog page : <http://stefankuzma.blog.sme.sk/>, accessed 10 August 2012

<sup>142</sup> [www.sns.sk](http://www.sns.sk), Slovenská národná strana, available at : <http://www.sns.sk/dokumenty/volby-2012-do-nr-sr/bilbordy-sns-do-parlamentnych-volieb-2012/>, accessed 10 August 2012

<sup>143</sup> Ibid.

*'From the Tatra to the Danube – Slovak Only!'*<sup>144</sup> or *'We have protected the Slovak land for 140 years – Orbán's ship is sinking!'*<sup>145</sup> More moderate forms of anti-Gypsyism were used also by the SDKÚ and SaS. Smer-SD and Most-Híd were the only two established parties to avoid anti-Gypsyism in their election campaigning this year.

Intolerant attitudes of the general public are also directed against foreigners, Muslims or persons with non-heterosexual orientation, although on a much smaller scale than against the Roma. Almost two in three respondents (64.3%) who took part in the mentioned survey carried out by the Open Society Foundation agreed with the assertion that *'foreigners living on Slovakia's territory should adapt to the Slovaks and if they refuse to do so, their rights should be restricted'*.<sup>146</sup>

#### 6.8.4 Counter terrorism

This issue was not relevant for Slovakia in this reporting period.<sup>147</sup>

#### 6.8.5 Facilitating factor or protective measures in criminal justice

During the period examined by the present report, the government made little effort to eliminate anti-Gypsyism and other displays of racial, ethnic or national intolerance. Although in 2011 it approved the **Strategy of Combating Extremism**<sup>148</sup> which features a number of important objectives, little concrete action has followed. Between summer 2010 and March 2012, the Ministry of Interior was apparently preoccupied with combating 'Roma criminality'.

In the course of 2011, the Slovak Police Force continued to work on drafting the **Strategy of Combating Spectator Violence**. Unfortunately, it lacks systematic policies and concrete measures. For instance, the document does not envisage active involvement of the Slovak Football Association<sup>149</sup> or introduction of stricter sanctions and penalties. For a long time, the police neglected measures aimed at the suppression and dissolution of organised hate groups with respect to places such as bars, gyms or martial art schools that serve as meeting points for right-wing extremists.

There is a lack of finance and personnel to provide legal assistance to victims of hate crime. The only non-governmental organisation in Slovakia to

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<sup>144</sup> Ibid.

<sup>145</sup> Ibid.

<sup>146</sup> Nadácia otvorenej spoločnosti, Verejná mienka v oblasti pravicového extrémizmu [Public Opinion on the Right-Wing Extremism], a survey report, (Bratislava: Nadácia otvorenej spoločnosti, 2012)

<sup>147</sup> Counterterrorism is not too relevant an issue in Slovakia. It is directly addressed by the Penal Code which introduced terrorism as a criminal offence; however, the legal definition has no implications with respect to religious or ethnic groups. In May 2011, the cabinet approved the "National Action Plan of Combating Terrorism for 2011-2014", mentioned in previous Shadow Report. While it uses the term of "Islamic terrorism" rather frequently, it is a highly theoretical document that fails to outline concrete operating strategies as it is completely free of specific counterterrorism measures that would make it possible to evaluate its potential impact on minorities.

<sup>148</sup> Koncepcia boja proti extrémizmu na roku 2011-2014" ['Strategy of Combating Extremism for 2011-2014'] passed as Government Resolution No. 379/2011 of June 8, 2011..

<sup>149</sup> <http://www.futbalsfz.sk>, accessed 10 August 2012

specialize in this area is People against Racism, which helps hate crime victims by providing them with legal counselling and assisting them in filing motions. It also performs monitoring and educational activities in this area, targeting secondary school and university students. It publishes information and educational materials, dismantles anti-minority stereotypes and organises online campaigns.

It is absolutely vital to restore mutual collaboration between the Ministry of Interior and non-governmental organisations and adopt fundamental changes to currently valid legislation that targets racially motivated crime.

## 7. Civil society assessment and critique in ensuring protection of fundamental rights

### I. Social integration of the Roma

- **The Revised National Action Plan of the Decade of Roma Inclusion 2005-2015 for the Period of 2011-2015 and the National Roma Integration Strategy until 2020 from the viewpoint of the civil society**

Most subjects from the human rights segment of the civil society view the strategy with optimism, although some experts point out that it could have shown greater ambitions when formulating the recommended measures.<sup>150</sup>

Both policy documents were drafted under the patronage of the Office of Government Plenipotentiary for Roma Communities, which is responsible for coordination of Roma integration policies on the national level. Unfortunately, despite this body's positive mission and constructive intentions its practical results depend on whether and to what degree it manages to get individual ministries (that are responsible for implementation of social policy) involved in implementation of proposed activities. *'But the past experience with these strategies tells us that neither this nor any other similar document will be able to help the Roma in Slovakia unless there is political will to adopt systemic changes within majority institutions.'*<sup>151</sup> Although both documents are cross-sectional in nature, they have received only a lukewarm response among other state actors, many of whom prefer to tackle the issue through increased restrictions.

- **Government's approach to tackling social exclusion of the Roma: Elimination of consequences**

Although both of the above mentioned policy documents feature partial constructive solutions, their practical implementation tends to stall due to lack of political will. Virtually all administrations eventually resort to anti-Roma populism and prefer measures that stand no chance of improving the *status quo* only to satisfy the demands of the majority. *'MPs for SaS and SDKÚ-DS lately seem to compete in seeking solutions to protect the majority against the social and demographic threat posed by members of; the Roma minority ... Both parties' initiatives are based on an erroneous concept that the Roma from excluded communities have freely chosen to be unemployed, uneducated, poor, generally deprived and fully dependent on welfare benefits. There is only a thin line between this concept and the conclusion that alleged*

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<sup>150</sup> For instance, Laco Oravec, Program Director of the Milan Šimečka Foundation, in an interview for internet Gypsy TV; available at: <http://www.youtube.com/watch?v=yxAXCNBOvYw> , accessed 10 August 2012.

<sup>151</sup> Lajčáková, Jarmila, "Revidovaný národný akčný plán k Dekáde rómskej inklúzie: ďalšia bezzubá stratégia?" [Revised National Action Plan to the Decade of Roma Inclusion Threatens to Become Toothless?], *Minority Policy in Slovakia*, 3 (2011), 1-3. .

*Roma parasitism poses a social and demographic threat to working Slovaks who deserve protection, which these parties will gladly provide.'*<sup>152</sup>

In the course of 2011, both the cabinet and the legislative assembly proposed several harmful initiatives some of which were unconstitutional. A perfect example of such legislative proposals was a bill seeking to amend the Law on Parental Allowance that featured a provision introducing indirect discrimination.<sup>153</sup> Acting in unison, the NGOs called on the National Council of the Slovak Republic to turn down the bill, enumerating the provisions of constitutional, international and European law the cited proposal would have breached. The open letter was signed by representatives of 58 NGOs. Eventually, parliament rejected the bill.

- **The NGOs approach to tackling social exclusion of the Roma: Elimination of causes**

Besides actively reviewing and criticizing repressive and restrictive initiatives proposed by government, the NGOs also submits its own recommendations and proposals:

- a) In the field of financing local integration policies,<sup>154</sup> for instance, the NGOs urged government in the long term to set the mechanism to evaluate the impact and effects of individual projects. It must be said that both the central government and self-governments failed miserably in drawing these funds.

*'Without undue delay, government should admit this reality and stop misleading the domestic as well as European public by idle talk about example program. Slovakia has squandered another great chance, a unique opportunity to effectively allocate a significant amount of funds (that do not originate in the state budget) to provide systemic assistance to arguably the poorest people in this country.'*<sup>155</sup>

- b) In the field of eliminating poverty, NGOs promote versatile integration activities that promise to have a synergistic effect on all problematic areas. They should be based on the pillars of affirmative action, inclusive education, construction of low-standard flats and especially support of community centres based on predefined standards. It is the community centres that – in close cooperation with self-governance bodies – should play the key role in every 'problematic region'.

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<sup>152</sup> Lajčáková, Jarmila - Krigrelová, Elena - Chudžíková, Alena, "Nepočúvajme populizmus politických strán pred voľbami 2012" ["Don't listen to the populism of political parties before the election 2012"], *Minority Policy in Slovakia*, 4 (2011), 1-2.

<sup>153</sup> As soon as the bill seeking to alter and amend the Act. No. 571/2009 on Parental Allowance and the Act No. 599/2003 on Assistance in Material Need was published, a group of 58 NGOs published an open letter in which they warned members of parliament about the bill's fundamental incongruity with the Slovak Constitution as well as with international and European law. The bill would have introduced indirect discrimination by excluding in advance the persons from marginalized Romani communities from the list of eligible allowance recipients.

<sup>154</sup> Here, we refer to so-called Local Strategies of Complex Approach; they are basically local or municipal projects that aspire to receive financial support from the European Social Fund as part of "Horizontal Priority – Marginalized Romani Communities" the Slovak Republic identified for the EU budgetary period of 2009-2013.

<sup>155</sup> Nadácia Milana Šimečku, „Rómsky verejný spravodaj“ [„Romani Public Policy newsletter“], May, 2012

*'Government is obliged to adopt measures aimed at guaranteeing real chances to lead a dignified life for everybody; with respect to the Roma, this means eliminating poverty and improving access to education, employment and health care for inhabitants of marginalized Roma settlements ... These measures have not been implemented in a complex and systemic manner by any administration in Slovakia's modern history; yet, they represent the only truly effective means capable of eliminating from Roma settlements phenomena such as usury, violence or pilferage that is often existentially motivated.'*<sup>156</sup>

## **II. Migration and integration of foreigners**

### **• Migration Policy of the Slovak Republic with an Outlook until 2020**

The greatest weakness of this policy document is that its scope is very limited as far as different types of migration are concerned. Although it sets out several meaningful objectives, NGOs have criticised it for focusing almost exclusively on a single category of legal migrants, i.e. those who apply for residence permit for the purpose of gainful employment.

*'[The document] does not seem to distinguish any other type of migration besides humanitarian and economic migration. The reasons for migration such as, for instance, family merging, more developed democracy, better education or health care system that may affect individuals' decision to emigrate are almost completely ignored ... In the light of the Interior Ministry's rhetoric, the new approach to migration policy may be described as strongly utilitarian as it views migrants primarily as tools of pursuing interests of the majority, i.e. of the Slovak Republic.'*<sup>157</sup>

Equally unfortunate is the document's very definition of migration, which is not viewed as a reciprocal process but as a process that is supposed to lead to assimilation.

*'The Slovak Republic prefers an integration model that is based on full acceptance of life and institutions of the Slovak Republic ... The risk of this approach is that it may encourage immigrants to resist assimilation pressures by isolating themselves in their communities, which is exactly opposite to what Slovakia is trying to achieve.'*<sup>158</sup>

### **• Strategy of Foreigners' Integration**

In 2011, the CVEK analysed the effects of implementing the Strategy of Foreigners' Integration, concluding that an excessive portion of responsibility had been transferred from government onto the NGOs and criticizing government for having failed to stand up to its own commitment to collect

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<sup>156</sup> Centrum pre výskum etnicity a kultúry, "Menšinová politika na Slovensku" ['Minority Policy in Slovakia'], 1 (2011), 1-3.

<sup>157</sup> Chudžíková, Alena, "Konceptcia homogenizácie spoločnosti s výhľadom do roku 2020" ['Homogenisation Policy of the Slovak Republic with an Outlook until 2020'], *Menšinová politika na Slovensku*, 3 (2011), 11-12

<sup>158</sup> Ibid.

necessary data on foreigners or create a set of indicators to measure the degree of their integration.

*'To sum it all up, the goals and means of foreigners' integration in Slovakia remain unclear. Most importantly, the country lacks systematic mainstreaming of integration that would be coordinated by one institution with a clear vision of objectives and methods of their attainment. The lack of communication and coordination on the part of respective institutions that often don't even know they are actors of integration directly causes the lack of understanding on the part of the host society.'*<sup>159</sup>

- **Slovak language requirements when applying for Slovak citizenship**

State Citizenship Act<sup>160</sup> requires all applicants for Slovak citizenship to demonstrate sufficient command of Slovak language; however, the CVEK pointed out that as of today, government has not elaborated any teaching literature for this purpose and has never specified the required level of proficiency in Slovak. *'The command of Slovak and knowledge of Slovak life and institutions continues to be evaluated by a three-member commission without any official guidelines. Such ambiguity, non-transparency and subjectivity may be the source of significant uncertainty among citizenship applicants but the Ministry of Interior apparently fails to see it as a problem.'*<sup>161</sup>

### **III. Government's deficient proactive approach in the field of combating discrimination**

In 2011, non-governmental organisation Občan, Demokracia a Zodpovednosť (Citizen, Democracy and Accountability) carried out a survey examining the use and impact of the Anti-discrimination Act.

*The analysis indicates that key public institutions do not view implementation of the principles of equality and equal treatment as priority. As a result, they do not allocate sufficient funds to attaining this objective and do not provide adequate education to their employees, if any at all. There is no systematic research, no thorough continuous monitoring of the situation, related problems and possible solutions and no evaluation of implemented projects/programs. Because of that, systematic long-term measures such as public policies aimed at supporting equality and non-discrimination are virtually absent.*<sup>162</sup>

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<sup>159</sup> Chudžíková, Alena, "Konceptcia integrácie cudzincov v SR – nejasné ciele, nejasné výsledky" ['Strategy of Foreigners' Integration - unclear goals, unclear results'], *Menšinová politika na Slovensku*, 1 (2011), p.7

<sup>160</sup> State Citizenship Act No.40/1993

<sup>161</sup> Chudžíková, Alena, "Kam sa Slovensko posunulo v integrácii cudzincov v roku 2011?" ['What is the progress of Slovakia in the integration of foreigners in 2011?'], *Menšinová politika na Slovensku*, 1 (2012), p.13

<sup>162</sup> Občan, Demokracia a Zodpovednosť, "Antidiskriminačný zákon sa nedarí uplatňovať v praxi" ['Antidiscrimination Act fails to apply in practice'], available at : <http://oad.sk/node/718>, accessed 10 August 2012

## 8. Good practices

### Example of NGO Good Practice in Employment

The **Citizen, Democracy and Accountability: Training of Labour Inspectorate employees** in the field of protecting the equal treatment principle on the labour market.<sup>163</sup>

The project is aimed at training employees of the Labour Inspectorate in order to identify and eliminate violations of equality principles on the labour market. The series of training courses generated the main findings about basic impediments (e.g. legal, material or institutional) that limit the Labour Inspectorate's effectiveness in this area and simultaneously identified good practices for the future. The project may help increase sensitivity of identifying discrimination on the labour market.

### Examples of NGO Good Practice in Education

#### Community Centre in Spišský Hrhov<sup>164</sup>

The community centre financed by the local self-government in Spišský Hrhov focuses on various activities but especially on educating the local Roma divided into three age categories.

- Children of pre-school age are taught Slovak language, develop writing skills, acquire hygienic habits, etc.
- Children who attend school – the centre focused on the elimination of problems identified by the local primary school (e.g. truancy, tutoring, additional education, etc.) and organisation of cultural activities with participation of Roma children.
- Adults are taught the basics of housekeeping and learn about technologies designed to improve the quality of life (e.g. self-supplying, household energy management, reproductive health, etc.).

#### Open Society Foundation – Secondary School Scholarship Program<sup>165</sup>

In Slovakia it is very rare to support Roma who do not live in complete social isolation. This project provides social scholarships for Roma students who attend secondary schools and universities. The project is aimed at providing social support to poor Roma students and thus helps them succeed at higher levels of education.

<sup>163</sup> Občan, demokracia a zodpovednosť, *Zlepšenie situácie v oblasti antidiskriminácie – dodržiavanie zásady rovného zaobchádzania na trhu práce* [Improving the Situation in the Field of Antidiscrimination: Observing the Principle of Equal Treatment on the Labour Market], available at: <http://www.oad.sk/node/576>, accessed 10 August 2012.

<sup>164</sup> The village of Spišský Hrhov is a case example of proper implementation of integration policies. Its success was based on a carefully elaborated strategic plan that incorporated all social areas so that they work in mutual synergy. The uniqueness of this approach is that it involved academics, businesses, NGOs and simultaneously invested into training of its employees and social fieldworkers. For further details, please see Mušínska, Alexander, *Podarilo sa – príklady úspešných aktivít na úrovni samospráv smerujúcich k zlepšeniu situácie Rómov* [It Worked: Examples of Successful Activities on the Level of Self-Governance Aimed at Improving the Situation of the Roma], (Prešov : Prešovská univerzita, 2012).

<sup>165</sup> Nadácia otvorenej spoločnosti, *Secondary School Scholarship Program*, available at: [http://www.osf.sk/programove\\_oblasti/vzdelavanie/stipendia\\_staze\\_a\\_sutaze/secondary\\_school\\_scholarship\\_program/](http://www.osf.sk/programove_oblasti/vzdelavanie/stipendia_staze_a_sutaze/secondary_school_scholarship_program/), accessed 10 August 2012.

## Examples of NGO Good Practice in Housing

### **ETP Slovensko – Micro-Loan Program**<sup>166</sup>

The ETP Slovensko civic association in cooperation with municipalities operates community centres that in select localities also help tackle housing problems. In these centres, persons from marginalized environment may apply for a loan from ETP's Micro-Loan Program. The clients are required to repay the microloans (that must not exceed €1,160) in average monthly instalments of €26 for a period of no more than 48 months. As part of the program, the clients must take part in training courses on household economy and effective saving. Thanks to the programme, dozens of clients have been able to renovate their roofs, refurbish their bathrooms or toilets or build extensions to their houses.

### **Sveržov – Social enterprise SVERŽOV**<sup>167</sup>

The village of Sveržov established its own social enterprise that employed local Roma. Their aim was to build homes for themselves. While the construction was financed from the municipal budget, the Roma were required to bear at least 20% of the total costs in the form of labour. The funds that they saved by doing the work themselves were used to equip their flats with adequate furnishings (i.e. bathrooms or fitted kitchens), which helped the Roma adapt to higher housing standard compared to the allotted rented flats they usually receive and are often unable to fit them out themselves. At the same time, the participating Roma regained working habits.

## Examples of NGO Good Practice in Health

### **ETP Slovensko – Young Mothers**<sup>168</sup>

Between 2009 and 2011, ETP community centres carried out a project titled 'Bridging Communities' that also included the *Young Mothers* activity. It focused on women with children and future mothers, providing them with practical education and childcare training.

<sup>166</sup> ETP Slovensko, *Mikropôžičkový program* [Micro-Loans Program]; available at: <http://www.etp.sk/mikrop%C3%B4%C5%BEI%C4%8Dkov%C3%BD-program/> , accessed 10 August 2012.

<sup>167</sup> Mušinka, Alexander, *Podarilo sa – príklady úspešných aktivít na úrovni samospráv smerujúcich k zlepšeniu situácie Rómov* [It Worked: Examples of Successful Activities on the Level of Self-Governance Aimed at Improving the Situation of the Roma], (Prešov: Prešovská univerzita, 2012).

<sup>168</sup> ETP Slovensko, *Správa z činnosti – premostovanie komunit na strednom a východnom Slovensku* [Activity Report: Bridging Communities in Central and East Slovakia]; available at: <http://www.etp.sk/spr%C3%A1va-z-%C4%8Dinnosti-%E2%80%9Epremost%C5%88ovanie-komun%C3%ADt-na-strednom-a-v%C3%BDchodnom-slovensku%E2%80%9C/#more-921> , accessed 10 August 2012.

## Examples of NGO Good Practice in Promoting Political Participation

### Community centres

At present, community centres seem to be the best vehicle to promote social integration and improve the status of vulnerable groups (particularly the Roma). If these centres are properly conceived and managed, they serve as a bridge for socially excluded communities, facilitating their integration in the field of housing, education, health care, employment and community development. The community centres employ social fieldworkers who assist local communities in all cited areas; for instance, they provide tutoring to Roma children, help them spend leisure time meaningfully, advise their parents regarding job opportunities and household budget management, act as liaison officers for contacts with doctors, police, etc. Municipalities play a key role in establishing whether community centres are to be opened and whether the activities would form part of broader strategy of local community development.

A good example of a well-functioning community centre is the **community centre in the town of Velký Krtíš**.<sup>169</sup> Its employees help local Roma to get out of debt, establish instalment calendars, solve housing problems and search for jobs while involving them in improving their environment, cleaning housing estates, teaching them the basics of managing finances, etc.

### **Milan Šimečka Foundation – *Times of New Minorities* project**<sup>170</sup>

The project comprises a broad scope of activities aimed at building mutual relations between the majority and 'new' ethnic minorities (i.e. communities of Vietnamese, Muslims and other foreigners). It focuses primarily on building networks within particular communities in order to exchange experience and information and mainstreaming information about these minorities' lifestyles. For this purpose, the foundation annually organises a week-long cultural festival that includes public discussions with representatives of particular minorities and workshops in academic environment combined with food-tasting, exploring their cultural habits, etc.

<sup>169</sup> Sudor, Karol, "Adrián Berky našiel recept na neplatičov" ['Adrián Berky Found a Recipe to Deal with Bad Payers'], an interview with an employee of the Community Centre Velký Krtíš, *Sme* daily, August 13, 2012; available at: <http://www.sme.sk/c/6495460/adrian-berky-nasiel-kluc-na-neplaticov.html>, accessed 10 August 2012.

<sup>170</sup> Nadácia Milana Šimečku, <http://www.nadaciamilanasimecku.sk/index.php?id=141>, accessed 15 August 2012.

### **Example of NGO Good Practice in Media**

#### **People against Racism – ‘*SyndRom Róm*’ media campaign<sup>171</sup>**

The campaign was a response to the stereotypical portrayal of the Roma by the mainstream media as anti-social and criminal. The campaign was communicated via the official website, a TV spot, billboards and public transport posters. The campaign featured Roma from various professional groups who debunked some myths from public discourse; they presented their personal stories through video-interviews, showing that the Roma minority is not socially, intellectually or morally homogeneous and that its members are able to win recognition anywhere the same way members of the majority do.

Besides mainstreaming of integrated Roma, the campaign strove to contradict the most frequent myths about the Roma minority. The civic association elaborated a clearly organised FAQ form featuring the most frequent myths about the Roma along with a set of verifiable counter-arguments. This FAQ form was subsequently distributed to the general public and the media via the official website and social networks.

### **Example of NGO Good Practice in Criminal Justice**

#### **People against Racism – *activities aimed against hate speech and extremism*<sup>172</sup>**

People against Racism has specialised in these issues for more than a decade and today it continues to pursue various activities based on different tools and aimed at different target groups, including the following:

Advocacy activities – providing legal assistance to the victims of hate crime;

- Lobbying activities – the association is a member of expert task forces established by state administration organs in order to shape public policies and amend existing laws;
- Grass root activities – organising cultural, sports and campaign events, for instance an annual week of football against racism that hosts ethnically mixed teams from Slovakia and abroad, campaigns against cyberhate or anti-Gypsyism on the Internet, etc.
- Educational and upbringing activities – issuing publications for teachers and pupils in order to familiarise them with the issue of right-wing extremism and identify neo-Nazi sympathisers; organising the summer school for youth focusing on education about extremism;
- Collaboration with the police – monitoring the neo-Nazi scene, elaborating legal opinions on particular cases, etc.

<sup>171</sup> The campaign’s official website at: [www.syndromrom.sk](http://www.syndromrom.sk) , accessed 10 August 2012.

<sup>172</sup> People against Racism, [www.rasizmus.sk](http://www.rasizmus.sk) , accessed 10 August 2012.

## 9. National recommendations

With respect to integration of the Roma and non-discrimination in the areas discussed, one should note that all measures and activities in particular areas must be synergistic; employment cannot be tackled separately from education and education cannot be solved aside from housing and health care etc. Key players in the implementation of measures on all levels and in all areas must be governmental and self-governance bodies, including public institutions and community centres.

### Employment

- Introduce affirmative action to Slovakia's legal order through:
  - Various models of economic incentives for employers who offer jobs to persons from the legally specified 'category of socially disadvantaged subjects';<sup>173</sup>
  - Amending the property execution system<sup>174</sup> so that, for instance, money that has been demonstrably used to cover rent cannot be executed from members of the target group; the reasoning behind this is to eliminate potential reluctance of the Roma to commence legal employment in order to avoid complete decimation of their income as a result of deductions executed to repay accumulated debts, interests and late payment penalties.

### Education

- Support the programme of teaching assistants while simultaneously loosening the qualification requirements for the job and giving preference to Roma applicants when filling the posts of teaching assistants;
- Redefine the category of pupils with special educational needs, which is the criterion that often serves to justify segregation and placement of Roma children into the system of special education for handicapped children;
- Develop pilot programs for schools that fully apply the principles of inclusive education, i.e. creation of smaller classes for pupils with specific educational needs and their subsequent incorporation into the mainstream education system.

### Health

- Support the network of medical fieldworkers through increased financial and human resources so that the program may serve its purpose in full in other localities as well.

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<sup>173</sup> Since the Slovak Constitution does not allow for applying affirmative action measures to overcome the ethnic disadvantage, the subjects of these measures must be targeted through other than ethnic parameters. Therefore, the definition of the target group must be as accurate as possible in order to apply to Roma from marginalized communities.

<sup>174</sup> Execution in this case means a process governed by Execution Procedure Act. Execution according to this act is a court warranted procedure involving seizing of property or income.

### **Access to goods and services**

- Grant effective access to legal assistance through:
  - Redefining the role of National Equality Body that is currently performed by the Slovak National Human Rights Centre so that it is able to provide free advocacy services to discrimination victims;
  - Exempting complainants who demand judicial protection against discrimination from the obligation to pay a legal charge for filing the motion.

### **Criminal justice**

- Introduce stricter sanctions for members of political parties and movements for verbal criminal offences in order to eliminate acceptance of anti-Roma rhetoric as a standard element of political campaigning;
- Amend the definition of extremism in the Criminal Statute so that the definition itself does not narrow down the scope of the issue as it currently does and reflect social reality more faithfully; once the amendment takes effect, organise training courses for employees of law enforcement organs in cooperation with experts and NGOs;
- Initiate mutual collaboration between the Ministry of Interior, the Slovak Police Force and NGOs in the field of combating cyberhate.

### **Media**

- Conceive and launch innovative media campaigns in order to eliminate the myths and prejudices with respect to the Roma minority;
- Prepare a manual and a training program that teaches media professionals to treat the so-called Roma issue objectively; subsequently, organise programs for journalists, editors and publishers to share their knowledge of good practice projects and exchange their experience;
- Expand knowledge of students of journalism, mass-media communication and pedagogy about issues related to social exclusion of the Roma in order to help them understand social and behavioural patterns of excluded communities' members as a result of social factors and thus eliminate the tendency to link negative social phenomena to their ethnic origin.

## 10. Conclusion

In the long term, perhaps the most pressing problem in Slovakia is the status and perception of the Roma minority. The Roma are the most marginalized population group; a significant proportion of its members do not have proper access to housing, employment, health care, education, goods and services and often met with fear, distrust or hatred by the majority. Although most Roma in Slovakia are integrated into society, members of the majority perceive them with hostility as a group and are wary of their supposed 'antisocial behaviour'.

Anti-Gypsyism in Slovakia is fuelled by members of the political elite, right-wing extremists and representatives of the media who either deliberately or unconsciously support the widespread notion that the Roma are lazy people who 'scrounge' welfare benefits.

Weaknesses in social policy areas such as employment or education complicate the status of migrants and foreigners. In this context, it is quite peculiar that although the number of foreign nationals in general and Muslims in particular is relatively small in Slovakia, public discourse is saturated with stereotypes with respect to members of these communities.

Between 2011 and 2012, government adopted several promising policy documents such as the *National Roma Integration Strategy*, the *Revised National Action Plan of the Decade of Roma Inclusion 2005-2015 for the Period of 2011-2015* or the *Strategy of Combating Extremism*. Unfortunately, most of these were not implemented due to the fall of government in October 2011 and the need to call early parliamentary elections.

The parliament, ministries and other authorities seem to prefer repressive rather than inclusive measures when tackling the problems faced by the Roma. For example, the Ministry of Interior drew maps indicating areas with high levels of Roma criminality. The Ministry of Labour, Social Affairs and Family came up with proposals to restrict certain forms of social assistance for the Roma; local governments have grown increasingly fond of demolishing illegal Roma dwellings. In a rush to satisfy the public demand for 'giving the Roma short shrift', most political parties came up with measures that did not seek to solve social exclusion of the Roma but to deepen it further.

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## Annex 1: List of abbreviations and terminology

**EU:** European Union

**CVEK:** Centrum pre výskum ethnicity a kultúry (Center for Research of Ethnicity and Culture)

**IOM:** International Organisation for Migration

**MP:** Member of Parliament

**NGO:** Non-governmental organisation

**NŠ-L'S:** Naše Slovensko – ľudová strana (Our Slovakia – People's Party)

**OSF:** Open Society Foundation

**SaS:** Sloboda a Solidarita (Freedom and Solidarity)

**SDKÚ:** Slovenská Kresťansko-demokratická Únia, Slovak Democratic and Christian Union

**SNS:** Slovenská národná strana (Slovak national party)

**SOI:** Slovenská obchodná inšpekcia (Slovak Trade Inspection)

**UNDP:** United Nations Development Programme

**PAR:** Ľudia proti rasizmu (People against Racism)

