



European Commission against Racism and Intolerance  
Commission européenne contre le racisme et l'intolérance

## European Commission Against Racism and Intolerance

# Third report on Slovakia

Adopted on 27 June 2003



For further information about the work of the European Commission against Racism and Intolerance (ECRI) and about the other activities of the Council of Europe in this field, please contact:

Secretariat of ECRI  
Directorate General of Human Rights – DG II  
Council of Europe  
F - 67075 STRASBOURG Cedex  
Tel.: +33 (0) 3 88 41 29 64  
Fax: +33 (0) 3 88 41 39 87  
E-mail: [combat.racism@coe.int](mailto:combat.racism@coe.int)

Visit our web site: [www.coe.int/ecri](http://www.coe.int/ecri)

## Table of contents

Foreword .....	4
Executive summary .....	5
II. FOLLOW-UP TO ECRI'S SECOND REPORT ON SLOVAKIA.....	6
International legal instruments .....	6
Constitutional provisions and other basic provisions .....	6
- Law on the Use of National Minority Languages.....	6
Criminal law provisions .....	7
Civil and administrative law provisions .....	9
Specialised bodies and other institutions .....	10
Education and awareness-raising .....	11
Police.....	12
Access to education.....	13
Roma/Gypsy community.....	14
- Employment .....	14
- Housing.....	15
- Access to welfare, health and other services.....	15
- Empowerment.....	17
Immigration.....	17
- Asylum seekers and refugees .....	18
- Immigrants in an illegal situation.....	18
- Trafficking in human beings.....	18
Monitoring the situation.....	19
General climate of opinion .....	19
III. NEW DEVELOPMENTS .....	20
Allegations of sterilisations of Roma women without their full and informed consent .....	20
IV. SPECIFIC ISSUES.....	22
Education of Roma/Gypsy children .....	22
Implementation of new approaches to furthering an integrated society .....	24
BIBLIOGRAPHY .....	26

## **Foreword**

The European Commission against Racism and Intolerance (ECRI) was established by the Council of Europe. It is an independent human rights monitoring body specialised in questions relating to racism and intolerance. It is composed of independent and impartial members, who are appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

One of the pillars of ECRI's work programme is its country-by-country approach, whereby it analyses the situation as regards racism and intolerance in each of the member States of the Council of Europe and makes suggestions and proposals as to how to tackle the problems identified.

The country-by-country approach deals with all member States of the Council of Europe on an equal footing. The work is taking place in 4/5 year cycles, covering 9/10 countries per year. The reports of the first round were completed at the end of 1998 and those of the second round at the end of the year 2002. Work on the third round reports started in January 2003.

The third round reports focus on "implementation". They examine if ECRI's main recommendations from previous reports have been followed and implemented, and if so, with what degree of success and effectiveness. The third round reports deal also with "specific issues", chosen according to the different situations in the various countries, and examined in more depth in each report.

The working methods for the preparation of the reports involve documentary analyses, a contact visit in the country concerned, and then a confidential dialogue with the national authorities.

ECRI's reports are not the result of inquiries or testimonial evidences. They are analyses based on a great deal of information gathered from a wide variety of sources. Documentary studies are based on an important number of national and international written sources. The in situ visit allows for meeting directly the concerned circles (governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to propose, if they consider it necessary, amendments to the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final report of ECRI.

**The following report was drawn up by ECRI under its own and full responsibility. It covers the situation as of 27 June 2003 and any development subsequent to this date is not covered in the following analysis nor taken into account in the conclusions and proposal made by ECRI.**

### ***Executive summary***

Since the publication of ECRI's second report on Slovakia in June 2000, progress has been made in a number of the fields highlighted in the report.

An Action Plan for the Prevention of Discrimination, Racism, Xenophobia, Anti-Semitism and Intolerance was put in place for the years 2000-2001 and extended to 2002-2003.

Criminal provisions to combat racism have been extended, while the problem of racially-motivated crime has been the subject of different initiatives on the part of the authorities. A draft anti-discrimination law has been prepared and the Office of Ombudsman set up. Different projects have been implemented in various fields of life to address the problems faced by the Roma minority, including a number of successful initiatives such as the appointment of Roma assistants in some classes.

However, progress made in dealing with the problems of racism, intolerance and discrimination remains limited in many respects. Racially-motivated violence, including serious acts of police brutality, continues and too frequently meets with impunity, due to an insufficient application of the law. The Roma minority remains severely disadvantaged in most areas of life, particularly in the fields of housing, employment and education. Various strategies and measures to address these problems have not led to real, widespread and sustainable improvements, and the stated political, priority given to this issue has not been translated into adequate resources or a concerted interest and commitment on the part of all the administrative sectors involved. Public opinion towards the Roma minority remains generally negative.

In this report, ECRI recommends that the Slovak authorities take further action in a number of fields. It calls, inter alia, for a strengthened implementation of criminal law provisions against racism and the rapid adoption and introduction of the draft anti-discrimination law. ECRI recommends a stronger response to incidents of police mistreatment of members of minority groups. It stresses that the stated political will to tackle the problems faced by the Roma community must be translated into concrete, widespread and sustainable improvements, notably in the fields of education, housing and employment, with a genuine involvement of the Roma community itself. In this respect, the new policy orientation involving the introduction of special equalising measures to permit the Roma to participate on an equal footing with other members of society, should be put into practice, accompanied by intensified awareness raising among society to encourage its commitment to such an approach.

Finally, ECRI calls for a full, transparent and impartial investigation into the recent allegations concerning sterilisations of Roma women without their full and informed consent.

## II. FOLLOW-UP TO ECRI'S SECOND REPORT ON SLOVAKIA

### International legal instruments

1. In its second report on Slovakia, ECRI recommended that Slovakia ratify the Revised Social Charter and the European Charter for Regional or Minority Languages. It recommended the signature and ratification of the European Convention on the Legal Status of Migrant Workers and the Convention on the Participation of Foreigners in Public Life at Local Level.
2. ECRI is pleased to learn that Slovakia ratified the European Charter for Regional or Minority Languages in September 2001; the Charter entered into force in Slovakia on 1 January 2002. The authorities identified nine languages which would be covered by the provisions of the Charter. It is reported, however, that as regards the Romany language, which is one of the languages identified, implementation of the Charter is proving difficult (see below, paragraphs 8 and 51).
3. Slovakia has not yet ratified the Revised Social Charter or Protocol No 12 to the European Convention on Human Rights, nor has it signed or ratified the European Convention on the Legal Status of Migrant Workers, the Convention on the Participation of Foreigners in Public Life at Local Level, or the Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems.

### ***Recommendations:***

4. ECRI reiterates its recommendation that Slovakia ratify without delay the Revised Social Charter, the European Convention on the Legal Status of Migrant Workers and the Convention on the Participation of Foreigners in Public Life at Local Level.
5. ECRI furthermore urges Slovakia to ratify Protocol No 12 to the European Convention on Human Rights, and to sign and ratify the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist or xenophobic nature committed through computer systems.

### Constitutional provisions and other basic provisions

#### - **Law on the Use of National Minority Languages**

6. In its second report on Slovakia, ECRI recommended that the full implementation of the Law on the Use of National Minority Languages, which came into force in September 1999, be ensured. It also encouraged the Slovakian authorities to continue to work on the issue of the use of minority languages in various fields of life.
7. The Slovak Republic is currently preparing its first report on the implementation of the European Charter of Regional or Minority Languages in the Slovak Republic.

8. As regards the Law on the Use of National Minority Languages, some minority groups - particularly the Hungarian minority - are making use of the possibility of using their own language in contacts with the district administrations in which they form at least 20% of the population. However, as regards the Roma minority, the Law is underused. One barrier to its implementation is that the official figures for persons who have identified themselves as Roma in the last census widely under-estimate the real size of the Roma population; another is that the Romany language exists in a number of dialects in Slovakia, is not codified and is not spoken by all Roma.

#### ***Recommendations:***

9. ECRI recommends that further steps be taken to ensure that the Law on the Use of Minority Languages is implemented for all minority groups wishing to use their mother tongue in their contacts with the authorities. It urges the authorities to take the necessary legislative and other steps to allow for the full implementation of the European Charter for Regional or Minority Languages.

#### **Criminal law provisions**

10. In its second report on Slovakia, ECRI recommended measures to ensure the full implementation of criminal law provisions in the field of combating racism and discrimination. ECRI specified that such action should include clear guidelines and instructions to police and the prosecuting authorities and a public commitment from the authorities to tackling the problems of racism and intolerance. Moreover, ECRI called for intensified training in the field of combating racism and intolerance for police officers and for officials working in other branches of the criminal justice system, such as the prosecuting authorities and judges. ECRI also recommended awareness-raising measures concerning the legislation in force among the general public and measures to improve the confidence of victims and potential witnesses in the criminal justice system. Finally, ECRI specified that the authorities should put in place a system of collection and publication of accurate data and statistics on the number and outcome of racist and xenophobic offences that are reported to the police.
11. Since the publication of ECRI's last report, some changes have been introduced into the provisions of the Criminal Code relating to racism and xenophobia. In particular, a new ground has been introduced under Article 196 which punishes the use of violence against an inhabitant or group because of race, nationality, political convictions or religion: now the ground of "belonging to an ethnic group" is also included under this Article. This addition was included to ensure that attacks against Roma would be taken into account as racially-motivated by the courts, as some judges had previously considered that Roma, as a part of the Slovak population, were not covered by the provision. Furthermore, an amendment to Section 261 of the Criminal Code added the possibility to prosecute public negation, doubts, acceptance or justification of fascist crimes or other similar movements. Finally, amendment no 421/2002 Coll. added in section 89 the possibility of prosecuting criminal offences perpetrated through the Internet.
12. A new draft Criminal Code is currently under preparation, and ECRI notes that the provisions of this draft Code concerning racist offences are comparable to those already contained in the existing Code. It is expected that the new Criminal Code will be submitted to the National Council at the end of 2003 and will enter into force in the first half of 2005.

13. Some steps have been taken to try to improve the implementation of criminal law provisions against racism. A Commission for Racially-Motivated Crime was set up in 2001 composed of members of the Presidium of the Police Force and NGOs. This Commission has taken a number of initiatives, including the preparation of a methodological manual for police officers containing guidelines on dealing with racist crimes. The Commission also has the power to request that it be kept informed of progress on relevant investigations and can ask police officers to appear before it. The authorities have stated that specialised investigators have been appointed at regional police force investigation units to focus on racially-motivated crime. However, in a force of around 22 000 police officers nationally, only 10 have been allocated to deal exclusively with the problem of racially-motivated crime.
14. Some efforts have been made to recruit Roma into the police force in order to improve relations between the police and this minority group, although numbers of Roma police remain low, with an estimated 20 Roma in the national police force and around 50 within municipal police forces. One difficulty faced by Roma in entering the police academy is the requirement that secondary education has been successfully completed, since the large majority of Roma do not complete secondary education.
15. As regards officials working in other areas of the criminal justice system, it appears that training sessions on issues of racism and discrimination have been organised for judges and candidate judges, in co-operation with international organisations and NGOs. The Prosecutor General has also instructed all prosecutions throughout the country to appoint one prosecutor at district and regional level with responsibility for matters relating to racially-motivated crime: ECRI has not received information on whether this instruction has been implemented.
16. Despite these and other measures taken, the implementation of criminal law provisions to combat racism remains problematic. ECRI notes that governmental statistics show that the number of persons convicted of racially-motivated crimes has decreased over the period 1996-2001. At the same time, numerous sources continue to report acts of violence, committed mainly against members of the Roma minority but also against members of other groups, on the part of skinheads and others, and, most alarmingly, on the part of police officers. It is widely-reported that the number of cases brought, and the small number of successful outcomes in court, is greatly under-representative of the real scale of racist crime in the country today.
17. There is visible and active participation in the skinhead movement in Slovakia: although it is reported that the movement is less organised than in some other countries, it is estimated that there are around 2 – 3 000 active members of white power organisations and more passive support among some segments of youth. The problem of racially-motivated attacks on the part of skinheads against members of the Roma community and also other visible minority groups, such as immigrants and asylum seekers, is an on-going matter for concern. Antisemitic propaganda is also disseminated by adherents of the skinhead movement. The police have made efforts to monitor the activities of the skinhead movement, to prevent the holding of events, and to identify the persons involved.
18. One barrier to the implementation of legislation is apparently an almost total lack of access – for financial reasons - to appropriate legal assistance on the part of many victims. It seems that even though criminal cases are brought by the public



prosecutor's office, the assistance of an attorney is invaluable for a successful outcome of such cases. Furthermore, the difficulty in proving racist motivation, compounded by a reluctance on the part of judges to find for racially-motivated crimes due to the harsher sentences involved, have been cited as explanatory factors for the scarcity of successful court cases in this field. It has also been noted that society in general is not particularly concerned by the issue of racist crime, and that the attitudes of the police when receiving and investigating complaints tend to reflect this societal disinterest.

#### ***Recommendations:***

19. ECRI is of the opinion that further steps are needed in order to increase the effectiveness of criminal law protection against racist crimes. In particular, it urges the Slovakian authorities to ensure that the stated political will of the authorities to tackle racist violence is translated into real changes in practices on the part of the officials responsible for applying the law: police, prosecutors and judges.
20. ECRI recommends that further human and financial resources should be allocated to ensure that the investigation and prosecution of racist crimes is carried out in a thorough and systematic fashion: the designation of police officers and prosecutors with particular training and competence in this field, throughout the country, is a good practice which should be developed.
21. ECRI also recommends that victims of racist crime should be afforded wider access to free legal assistance.
22. The recruitment of members of minority groups, particularly the Roma minority, among officials responsible for law enforcement, and particularly as police officers, should also be given further impetus, and ways of overcoming barriers to the recruitment of Roma in the police academy should be identified, such as measures to permit Roma to reach the necessary educational level.
23. ECRI considers that the authorities should continue to closely monitor and combat the activities of the skinhead movement in Slovakia, and to ensure that persons involved in illegal activities in this context are brought to justice, particularly when racially-motivated crimes against other persons are committed.

#### **Civil and administrative law provisions**

24. In its second report on Slovakia, ECRI recommended that the authorities take further steps to ensure the implementation of the relevant provisions to combat discrimination in the labour market. It also called on the Slovak authorities to prepare and adopt a comprehensive body of legislation covering racism and discrimination in different fields of life, including housing, education, access to public services etc.
25. The new Labour Code, which came into force on 1 April 2002, prohibits discrimination in its Section 13, which covers important areas such as direct and indirect discrimination, the sharing of the burden of proof, and acts of discrimination at all stages of the employment process, including recruitment policy.

26. A draft anti-discrimination law has been under preparation for some time but at the time of writing of this report had not yet been passed by Parliament, due to the opposition of one of the government coalition parties to the inclusion of the ground of sexual orientation in this law. Opinions also diverged during the preparation of the law as to the necessity of introducing a single new law as opposed to simply revising existing laws which protect against discrimination in various fields.

#### ***Recommendations:***

27. ECRI again stresses the importance of ensuring that a comprehensive and clear legal framework against discrimination exists, and notes that civil and administrative law often provides the most accessible means of recourse for victims of discrimination. It therefore urges the Slovak authorities to ensure that the draft anti-discrimination law is passed without further delay.
28. ECRI hopes that the authorities will closely monitor the implementation of the anti-discrimination provision in the Labour Code, and take additional measures to raise awareness among employers and workers concerning this additional protection.

#### **Specialised bodies and other institutions**

29. In its second report, ECRI recommended that Slovakia set up a specialised body to combat racism and intolerance. It also called upon the Slovak authorities to ensure that the office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities, set up in March 1999, is given the necessary powers and resources to fulfil its task.
30. The authorities have informed ECRI that it is foreseen that the existing National Centre for Human Rights could be the body responsible for overseeing the draft legislation on anti-discrimination currently under discussion once this comes into force (see paragraph 26 above), and that the Centre would be reviewed and restructured in order to create a fully independent body in accordance with the Paris Principles<sup>1</sup>.
31. The Office of Ombudsman was set up in March 2002. The competence of this body applies to the activities of state administration bodies and local self-government bodies. The Ombudsman can receive complaints from individuals or can act on his or her own initiative. The Office has reported that to date, it has not received any complaints relating to racism and discrimination, although such cases would fall within its competence if they concerned actions by the state administration or local self-government bodies. As noted in other parts of this report, ECRI considers that cases do occur in which state administration bodies or local self-government bodies may act in a discriminatory manner towards members of certain minority groups.
32. The Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities (hereafter: “the Plenipotentiary”) has started to play an important role in co-ordinating governmental policy and initiatives to tackle the problems faced by the Roma community in Slovakia, and in setting priorities in

---

<sup>1</sup> The “Paris Principles” are principles relating to the status of National Institutions, laid down in United Nations General Assembly Resolution 48/134 of 1993.

this field. In particular, the Plenipotentiary has prepared a new position document ("Basic Positions of Slovak Government's Roma Communities Integration Policy"), approved by the Cabinet in April 2003, which details the concrete measures which should be taken as a priority in order to translate the stated political will to improve the situation of the Roma into reality (see paragraph 114 below).

33. However, the role of the Plenipotentiary is currently hampered by a lack of adequate funding for the office: ECRI regrets that World Bank funding for a number of staff members, which terminated at the end of 2002, has not been replaced with funding from the State budget, which has meant that the Plenipotentiary is currently having to function with an extremely limited staff. There have also been calls for a strengthening of the legal status and powers of the Office of the Plenipotentiary, notably by ensuring the continuity of this Office by establishing it in law. ECRI is pleased to learn in this context that plans are now underway to increase the staff levels in the Office of the Plenipotentiary and that a draft proposal on the strengthening of the legal status and powers of this body is in the process of adoption.

#### ***Recommendations:***

34. As foreseen in the draft legislation on anti-discrimination, ECRI recommends that a specialised body to combat racism and discrimination be set up as quickly as possible, and calls attention in this context to its General Policy Recommendation No 7 on national legislation to combat racism and racial discrimination, which advocates the setting up of such bodies, and its General Policy Recommendation No 2 on specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level, which provides guidelines concerning the organisation, responsibilities and functions of such bodies.
35. ECRI recommends that the Office of the Ombudsman accord special attention to the possible racist or discriminatory aspects of complaints and cases brought to its notice. In ECRI's opinion, such racist and discriminatory aspects are not always immediately apparent, even to the victim, and therefore particular training for staff in the Ombudsman's Office in the different ways in which racism and discrimination may manifest themselves would be most opportune.
36. ECRI furthermore urges the authorities to provide the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities with the necessary budgetary allocations to work effectively, and to strengthen and clarify the powers and functions attributed to this body.

#### **Education and awareness-raising**

37. In its second report, ECRI recommended that the Slovak authorities introduce teaching on issues of racism and discrimination into the school curriculum, perhaps drawing inspiration from educational initiatives undertaken by various non-governmental organisations. It also recommended the introduction of specific training for teachers in dealing with and presenting this subject.

38. ECRI recommended that the Slovak authorities ensure that the order to withdraw the controversial history teaching book, “History of Slovakia and the Slovaks” be implemented in all schools<sup>2</sup>.
39. The authorities report that human rights are included in the school curriculum from the elementary level onwards. At the first elementary level, there is no specific subject in which this area is taught but rather human rights aspects are, according to the authorities, transversally included in all other subjects, while at the higher primary level and secondary level they are included in specific subjects (such as “civics and ethics”). Teaching on multiculturalism and anti-discrimination are included in this teaching, while information concerning the history and culture of minority groups is included in other subjects such as history, geography, music and art. Teacher training – both in initial training and in professional up-grading courses – also includes material on human rights and issues of racism and discrimination.
40. As the introduction of such subjects has taken place over the last ten years, there has not to date been a specific evaluation of their results, although assessments of the situation from some international bodies have indicated that human rights teaching in Slovakia is not yet at a satisfactory level. Some non-governmental organisations have noted that teaching on issues of racism and discrimination - which apparently are foreseen in the curriculum in a single one-hour lesson in the school year - are not sufficient. It has also been noted that in order to counter prejudice against the Roma minority there should be more specific teaching provided on the culture and history of the Roma minority.
41. It appears that although the book “History of Slovakia and the Slovaks” is not included on the list of teaching material recommended by the Ministry of Education, copies of this book may still be kept in school libraries and could be used by teachers as additional material at their own discretion.

#### ***Recommendations:***

42. ECRI recommends that human rights teaching in schools, and especially the way in which issues relating to racism and discrimination are taught, be evaluated on an on-going basis in order to ensure that the best possible methodology is in place, and that all schools are providing a satisfactory standard of teaching in this area. It also stresses the importance of relating teaching on racism and intolerance to the situation of minority groups living in Slovakia.
43. ECRI furthermore feels that care should be taken in order to review all books and other material available in schools, particularly history teaching manuals, to ensure that they are in conformity with current best practice as regards the avoidance of stereotypes and prejudices.

#### **Police**

44. In its second report on Slovakia, ECRI recommended that steps should be taken to investigate all alleged mispractices and mistreatment on the part of the police towards minority groups, particularly Roma/Gypsies, and to ensure that offenders

---

<sup>2</sup> This book had been widely-criticised by religious groups for providing a distorted justification of Slovakia’s wartime treatment and deportation of members of the Jewish and Roma communities.

be punished. It recommended that such investigations should be carried out by an independent investigatory body.

45. ECRI recommended that measures should be taken to encourage and assist victims of police mistreatment to come forward with complaints. ECRI recommended the appointment of mediators from minority groups and the increased recruitment of police officers from these groups as measures to improve the confidence of minority groups in the police force.
46. ECRI recommended that the authorities look into and take action against police practices which may discriminate against visible minorities, such as more frequent checks of the identity documents of Roma compared to the rest of the population.
47. Some steps have been taken to address the problem of police violence and mistreatment towards members of minority groups, especially Roma. Such steps include the setting-up of the Commission for Racially-Motivated Crime within the police Presidium (see paragraph 13 above), which is also looking into incidents of police violence and considering ways of improving attitudes within the police force towards minority groups, particularly the Roma. Some initiatives have also been taken to try to improve the representation of the Roma minority within the police force, although, as mentioned above, these initiatives have met with some difficulties. One interesting project has been the creation of “citizen’s watches” in some localities, where grants have enabled Roma to be employed to carry out a number of community and public order tasks within local communities: such schemes have apparently also provided a “bridge” between the police and local communities and have improved relations.
48. However, ECRI deplores that incidents of police mistreatment and violence against members of the Roma minority – including incidents leading to deaths in police custody - continue to occur. Although some investigations have been carried out and at least one criminal case brought<sup>3</sup>, it does not appear that perpetrators have been brought to justice. At present no independent investigatory mechanism such as envisaged by ECRI exists to look into allegations of police mistreatment.

#### ***Recommendations:***

49. ECRI recommends that further measures be taken to put an end to incidents of police misbehaviour and mistreatment towards members of minority groups, in particular Roma. In particular, it stresses the importance of setting up an independent investigatory mechanism which can carry out enquiries into allegations of police misconduct and where necessary ensure that the alleged perpetrators are brought to justice. ECRI stresses that cases of police violence which are brought to court should be dealt with as rapidly as possible, in order to transmit the message to society that such behaviour on the part of the police is not tolerated and will be punished.

#### **Access to education**

---

<sup>3</sup> Seven police officers were arrested and charged in connection with the death of Karol Sendrei, who was reportedly tied to a radiator at the police station and beaten in July 2001; however, no sentences have as yet been passed.

50. In its second report on Slovakia, ECRI recommended that the Slovak authorities continue their efforts to ensure that the right of national minorities to education in their mother tongue is secured in practice.
51. ECRI has not been made aware of major problems concerning the right of most national minorities to education in their mother tongue. However, problems exist in the implementation of this right for Roma children. As mentioned previously (see paragraph 8), one problem is the fact that different Romany dialects are spoken in Slovakia and the language is not yet fully codified; there is also a lack of teachers and textbooks. It is also unclear to what extent Roma families have been made aware by their local schools of their right to request education in the Romany language. A positive development is the preparation of some textbooks in Romany and the recruitment of Roma assistants in schools: these assistants have been granted exemption until 2010 from the requirement of a university qualification in order to work as educational staff.

***Recommendations:***

52. ECRI recommends that further measures be taken to promote the right to education in their mother tongue for Roma children. In particular, it considers that the system of Roma assistants in classes, which has proved successful, should be further expanded and developed, and that encouragement should be given to Roma to qualify as teachers.

**Roma/Gypsy community**

**- Employment**

53. In its second report on Slovakia, ECRI recommended more concerted and long-term efforts to improve the employment situation of Roma/Gypsies, including the effective implementation of relevant legislative provisions against discrimination in employment, and a range of policy measures such as increased access of Roma/Gypsies to education and to specific training programmes to qualify them for entry in various areas of employment.
54. The promotion of equal opportunities in employment is contained in the National Action Plan for Employment, and some schemes have been put in place to promote employment among the Roma community, such as the provision of “public benefit jobs”, attempts to improve the general economic climate in disadvantaged regions, and specific projects such as the training of members of the Roma minority as “field social workers”. Nevertheless, the employment situation of Roma remains extremely difficult, with around 80% unemployment among Roma across the country and in some settlements up to 100% unemployment. Roma women face particular difficulties in finding employment, affected by double discrimination on the basis of their gender and their ethnic origin. It has been commented by non-governmental organisations that not enough has been done to deal with long-term unemployment nor to tackle the problem of discrimination in the labour market.

***Recommendations:***

55. ECRI recommends that further efforts be made to improve the employment situation of the Roma community. It considers that, given the long-term and

endemic nature of disadvantage on the labour market for Roma, special measures to place them in a position in which they can compete on an equal footing with members of the majority population in the employment market are necessary.

56. ECRI also stresses the need to ensure that the new provisions in the Labour Code prohibiting discrimination in employment are implemented, and that awareness-raising measures are carried out among employers and the population concerning these provisions.

#### - **Housing**

57. In its second report, ECRI recommended that the authorities take immediate action to ensure that practices aiming at segregating and isolating Roma/Gypsies in ghetto-like neighbourhoods cease.
58. ECRI is very concerned that the situation as regards housing for many Roma communities remains grave, with large numbers of Roma living in settlements lacking even the basic amenities such as water, sanitation and electricity. The conditions are so critical in some settlements that there is a real threat of health epidemics, while it seems clear that the families – and particularly children – living under such conditions cannot possibly hope to participate in society on an equal footing in other areas of life such as education and employment.
59. Indications that local communities remain hostile toward Roma settling in their villages continue, and it is reported by the non-governmental sector that active opposition to housing initiatives has proved a serious barrier to the effective use of internationally and State-funded projects in this area. Most concrete projects to carry out measures set out in the most recent Strategy for the Solution of the Problems of the Roma National Minority (hereafter: “the Strategy”) are still in the pilot phase, including urgent measures to construct social housing and improve infrastructure in the settlements. Moreover, it has been commented by the non-governmental sector that more efforts should be devoted to relocating Roma communities into the majority communities rather than improving settlements and building social housing, since this may actually perpetuate and increase segregation.

#### ***Recommendations:***

60. ECRI recommends that urgent measures be taken to improve the housing situation of Roma, and particularly to ensure that Roma families who are currently living without access to even basic amenities are provided with a decent standard of housing and infrastructure.
61. ECRI also stresses the need to address the problem of segregation of Roma communities from the majority community, and the attitudes on the part of the majority community which have contributed to such segregation, and considers that the principle objective of housing policy should be to allow Roma communities to live as a part of majority communities.

#### - **Access to welfare, health and other services**

62. In its second report, ECRI recommended that the Slovak authorities investigate the situation as regards difficulties faced by Roma/Gypsies as a result of the system whereby a citizen's identity card is required in order to gain access to certain civil, political, social and economic rights, and to remedy any problems identified.
63. ECRI recommended moreover that the allocation of various forms of welfare benefits should be decided upon on an individual basis and in a non-discriminatory fashion.
64. The extent to which members of the Roma community are without identity cards is unclear. The authorities have stated that problems can exist in cases when persons move to other municipalities and then experience difficulty in obtaining registration of their permanent residence from the municipality to which they have moved. Persons living on land without property rights or housing rental agreements also experience problems in obtaining registration. The lack of permanent residence in a given municipality may lead to difficulties in obtaining social and welfare benefits and other services. A draft law was prepared in 1998 to solve the problem of identity cards: this law was passed by Parliament but its date of application has been postponed three times, as apparently it has needed to be amended in the light of reforms in the public administration service.
65. Recent changes to the way in which social benefits are allocated are said to have impacted particularly negatively on members of the Roma community. The new definitions of material hardship for "subjective" or "objective" reasons, with lower benefits allocated for "subjective" reasons, have meant that many Roma are now receiving lower levels of payment; moreover, it has been commented by the non-governmental sector that the definitions of these categories leave a wide margin of discretion for social workers and other officials, and thus may allow for discriminatory application of the regulation in force. The non-governmental sector has also reported that some social assistance offices have used the threat of stopping the payment of all benefits to deter Roma from pursuing legal cases against them with a view to securing their rights.
66. Access of Roma communities to health care remains problematic. Many settlements are located at some distance from health care facilities, while at the same time the poor conditions prevailing in such settlements mean that the health status of Roma communities is threatened. Discrimination in health care, including practices such as segregating Roma from other patients in hospitals, is also a problem.

#### ***Recommendations:***

67. ECRI recommends that legislative or other measures should be taken to ensure that problems linked to the obtaining of residence and identity documents are resolved. It recommends that an early solution be found to the obstacle created by the uncertainty surrounding the rights to land on which Roma have settled, for example by granting such rights to the families in question.
68. ECRI recommends that an examination of the new system of allocation of welfare benefits be carried out, to assess the way in which it has impacted on different groups in society, and to ensure that it is applied in a fair, objective and non-discriminatory fashion.



69. ECRI recommends that measures be taken to ensure that Roma communities enjoy equal access to health care, including preventive health care such as vaccination programmes. ECRI also recommends awareness-raising and training among health care personnel to combat stereotypes and prejudices which can lead to discriminatory treatment of Roma patients.

- **Empowerment**

70. In its second report on Slovakia, ECRI recommended that the Slovak authorities focus on the need to empower the Roma/Gypsy community to play an active part in initiatives aimed at improving its position in society.

71. Some projects have been set up to improve the participation of Roma in initiatives involving their community. The appointment of Roma assistants in classrooms, the appointment of Roma as “citizen’s watches” in a few localities, and the intention to train Roma “field social workers” to work within Roma communities are particularly noteworthy. Other projects, such as the nomination of “Roma Advisors” at the level of regional State administrations, which was foreseen in the Strategy, have not yet been implemented throughout the country. A number of initiatives have been organised by Roma communities themselves: examples of such initiatives are the setting up of “independent social services” which carry out services to the community such as finding support families for Roma children and counselling services for addictions. Initiatives have also been taken by the non-governmental sector, for example to encourage Roma to stand for election as mayors.

72. At the same time, the participation of Roma in public affairs at the national level remains limited. No Roma political party has achieved representation in Parliament despite the large size of the community in question, while, with a few notable exceptions such as the Plenipotentiary, few Roma hold positions in governmental structures. Their representation in other important societal elites such as the legal profession and judges is also extremely limited, although it is difficult to monitor such representation due to the prohibition of the collection of data based on ethnic origin.

73. As regards initiatives taken specifically to improve the position of the Roma, such as the Strategy, it has also been commented by the non-governmental sector that more needs to be done to ensure that Roma are consulted and involved in initiatives and projects involving them.

***Recommendations:***

74. ECRI recommends that further emphasis be placed on ensuring that the Roma community is involved at all stages of the planning and implementation of measures which concern them, at as local a level as possible. In particular, the preparation and appointment of persons who can act as mediators between Roma communities and the authorities could be most opportune. ECRI stresses the importance of encouraging projects and initiatives which emanate from the Roma community itself, through the on-going provision of funding and the widening of successful projects to other areas.

**Immigration**

- **Asylum seekers and refugees**

75. Since the publication of ECRI's second report on Slovakia, some developments have occurred as regards asylum seekers and refugees. Numbers of asylum seekers arriving in Slovakia have increased; around two-thirds of these persons go on to other countries, while only around twenty persons per year are recognised as refugees and stay in the country.
76. The framework in place for dealing with asylum applications has recently been improved by giving district courts competence to act as the second instance body of appeal, rather than the Ministry of Interior, which has made the appeals procedure more independent. Training for the judges involved has been carried out by UNHCR and national NGOs.
77. No developed integration policy exists for recognised refugees, although some non-governmental organisations carry out small-scale efforts. Asylum seekers and refugees have been victim of racially-motivated attacks on a number of occasions.

- **Immigrants in an illegal situation**

78. Immigrants in an illegal situation are kept in two detention centres set up for this purpose. The maximum length of stay permitted in these centres has recently been extended from 30 days to 180 days. If persons in the detention centre claim asylum, they now remain in the centre rather than being transferred to the asylum reception centres as was previously the case: the Migration Board conducts its initial interviews within the detention centre and may apply an accelerated procedure. It has been reported by the non-governmental sector that the attitudes of staff in the detention centre are sometimes quite negative towards the persons detained therein, and that staff of the Migration Board also display on occasion negative attitudes.

- **Trafficking in human beings**

79. A rise in trafficking of women and children through and out of the country has been reported, particularly affecting the Roma community. Alarming, there have been reports that high-interest money-lending to Roma has led to the practice of selling family members in return for debt forgiveness, which in turn has increased trafficking of Roma women. The Criminal Code contains provisions on trafficking in human beings, inter alia for sexual purposes, and there have been a number of convictions for human trafficking in recent years.

***Recommendations:***

80. ECRI recommends that further training and awareness-raising efforts be carried out among officials coming into contact with asylum seekers and other immigrants, including staff in detention centres and staff of the Migration Office. It particularly stresses the need to continue to train judges in district courts, who will now be dealing with appeal cases.
81. ECRI also recommends that the authorities put in place an integration strategy for recognised refugees, including language training, and assistance in finding housing and work.

82. ECRI recommends that further measures be taken to combat the problem of trafficking of women and children, especially including measures to curb usury affecting Roma communities and preventive and awareness-raising measures among the Roma/Gypsy community concerning this issue.

### **Monitoring the situation**

83. In its second report, ECRI recommended that the Slovak authorities consider ways of monitoring the situation of the various minority groups in Slovakia, with due respect to the principles of the protection of data and of privacy, and based on a system of voluntary self-identification. ECRI also recommended that the Slovak authorities set up a system of data collection to record incidents of violence and discrimination perpetrated against members of minority groups.

84. The existence of legislation prohibiting the collection of data broken down according to ethnic origin is cited as the main reason behind the lack of concrete information which would enable the authorities to monitor the situation of various minority groups. Conversely, despite this legislation, there are allegations that certain administrations – such as some hospitals, the police and employment offices – do record the supposed ethnic origin of persons with whom they are dealing, presumably based on the assumptions of the officials dealing with the public, although these allegations are refuted by the authorities.

85. Another problem related to the collection of data is that the numbers of Roma who identify themselves as such in census is acknowledged to largely underestimate the actual size of this population – thus in the last census in 2001 under 90 000 persons identified themselves as Roma whereas the real size of this group is generally estimated to stand at at least 500 000 persons. This underestimation has a negative effect on the resources allocated to this group, as various minority rights are linked to the size of the population in question.

### ***Recommendations:***

86. ECRI recommends that ways be identified to measure the position of minority groups in different fields of life, stressing that such monitoring is crucial in assessing the impact and success of policies put in place to improve the situation. The monitoring should take into consideration the gender dimension, particularly from the viewpoint of possible double or multiple discrimination. It should be carried out with due respect to the principles of data protection and of privacy and should be based on a system of voluntary self-identification, with a clear explanation of the reasons for which information is collected. At the same time, an end should be put to any “informal” systems which may be in place in various administrative sectors by which persons are involuntarily identified and recorded as belonging to particular minority groups.

87. ECRI recommends that steps should be taken to monitor incidents of racist crimes and their outcome in a more systematic fashion.

### **General climate of opinion**

88. In its second report on Slovakia, ECRI recommended specific training for officials responsible for policy implementation at all levels and in all fields, with the aim of raising awareness of the problems of racism and discrimination and providing

guidance on how to tackle these issues. It also recommended awareness-raising among the Slovak population of the existence of racism and discrimination within Slovak society.

89. The Slovakian authorities adopted an Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Intolerance for the years 2000-2001, and continued this Action Plan for 2002-2003, linking it to the follow-up foreseen for the World Conference against Racism which took place in Durban, South Africa in 2001. An important aspect of the Action Plan is awareness-raising among society and also among key groups of professionals, including police, judges, prosecutors, educational workers, prison officers and social service officials. However the Action Plan Progress Report of February 2003 noted that most of the training for concerned officials took the form of seminars and discussions, in which only a relatively small number of staff took part, due to financial and other reasons. Moreover, the authorities have been criticised for tending to rely too heavily on the non-governmental sector to carry out projects in the field of awareness-raising and anti-racism.
90. The Plenipotentiary of the Government of the Slovak Republic for Roma Communities has organised some awareness-raising public campaigns, and has also initiated contacts with the media, with a view to improving representations of the Roma population in the public consciousness. However, stereotypes and prejudices continue to be widely-held among the public concerning the Roma population. Various public expressions of hostility towards this group continue to give ECRI cause for concern. Such expressions include, for example, attempts on the part of some local communities, led by local political representatives, to prevent Roma from settling within their municipalities, or statements against Roma made by some politicians. Among officials, stereotypical representations of Roma as unable or unwilling to manage their own affairs successfully, including in the field of childcare, money management and hygiene, mean that paternalistic approaches to addressing the problems faced by Roma communities may persist. Media representations of Roma also continue to focus principally on negative aspects.

#### ***Recommendations:***

91. ECRI recommends that more systematic and wide-spread awareness-raising and training in issues of racism and discrimination be carried out among professionals. In particular, measures should be taken to combat stereotypes and prejudices concerning the Roma community, which adversely affect both the philosophy and orientation of measures put in place to address their situation, and the ways in which officials treat members of this community.
92. ECRI also recommends that the authorities step-up their awareness-raising activities among the general public, particularly in connection with the implementation of the new approaches to furthering an integrated society (see below, Specific Issues).

### **III. NEW DEVELOPMENTS**

#### **Allegations of sterilisations of Roma women without their full and informed consent**

93. ECRI is very concerned by reports which came to national and international attention at the beginning of 2003<sup>4</sup> claiming that Roma women have, in recent years and on an on-going basis, been subject to sterilisations in some hospitals in Eastern Slovakia without their full and informed consent. In the past, during the Communist period, an official policy existed according to which Roma women were offered financial incentives to undergo sterilisations. This policy was discontinued in 1989 after the fall of Communism, but, according to the report, the practice of sterilising Roma women without the necessary safeguards to ensure that they are fully aware of - and in agreement with - the implications of the procedure has continued in some hospitals. According to the report, some women have been asked to sign consent forms while under anaesthesia for caesarean sections, some have been told that the sterilisation was necessary since further pregnancies would prove fatal for themselves or their babies, and some have been presented with consent forms for signature after the operation had taken place. A number of the cases mentioned in the report concerned the sterilisation of minors. The report also claims that some hospitals are practising segregation of Roma women in maternity care, for example by allocating them to separate rooms or by holding separate antenatal consultation sessions for Roma women.
94. After the publication of the above-mentioned report, the authorities opened different avenues of investigation which are underway at the time of writing. Since the beginning of these investigations, some steps have been taken to improve the methods used, for example by nominating female police officers responsible for collecting evidence rather than allocating this task to locally-based male police officers as was initially the case. It also appears that the initial investigation carried out in only one hospital by the Ministry of Health is being extended to other hospitals. The authorities have also made a public call for any women concerned to come forward to their local police stations. The procedures in place for regulating sterilisations are also under review with the aim of improving safeguards, for example by allowing for a 72 hour "reflection period" between consent and the operation.
95. However, a number of concerns have been raised by the authors of the report concerning the way in which the investigations have been carried out so far. They note, for example, that the only crime currently being investigated is that of genocide, which seems unlikely to lead to any prosecution; and that attention has been focused mainly on whether signed consent forms can be produced whereas the issue at stake is the extent to which women signed with full knowledge and consent of the procedure in question. It is further stated that the attitudes displayed by some police officers in questioning alleged victims have been extremely unhelpful and unlikely to encourage other women to come forward, while cases being brought by some women are being hindered by attempts to block access to hospital files for the lawyers representing the women. The possibility of bringing criminal proceedings against the authors of the report – either for spreading panic in society if the allegations are untrue or for not informing the authorities at an earlier stage and not providing more details if they are true – has also been publicly raised by the authorities. However, ECRI notes that, in May 2003, Representatives of the Office of the Prosecutor General stated that a criminal complaint has not been filed against report's authors, that they would not be prosecuted and that they had only used their right to freedom of expression.

---

<sup>4</sup> "Body and Soul: Forced sterilisations and other assaults on Roma reproductive freedom in Slovakia", published by the Centre for Reproductive Rights, New York, and Poradňa, an NGO with a base in Eastern Slovakia

### ***Recommendations:***

96. ECRI is of the opinion that the possibility of sterilisations of Roma women without their full and informed consent necessitates immediate, extensive and thorough investigation. It seems clear to ECRI that in such investigations, attention should be focused not on whether a signed form can be produced, but on whether the women involved were fully informed of what they were signing and the actual implications of sterilisation. The extent to which best medical knowledge, practice and ethics have been applied in the advice given to women and procedures followed should also be closely examined. It would also be necessary to ascertain the extent to which Roma women and women from the majority community may have received differential treatment, both as regards the issue of sterilisation and in general access to health care during pregnancy and birth.
97. Given the public and serious nature of the reports concerning sterilisations of Roma women without their full and informed consent, it is necessary to ensure that the investigation is seen to be as impartial and transparent as possible: the involvement of international experts might be valuable in this respect. Particular care should be taken to ensure that women who may wish to come forward, or who have already done so, are treated with the utmost sensitivity and are in no way subjected to harassment or threats. In this context, ECRI considers that the possibility raised by the authorities that the authors of the report will face prosecution is likely to have a very negative effect on the confidence of possible victims in the justice system and should therefore be publicly abandoned. Access to medical files and other relevant information for women and their legal representatives should be ensured. ECRI also feels that the charges which might possibly be brought in connection with the investigation should be left more open until a clearer picture of the situation has been obtained.
98. ECRI also recommends that, prior to and notwithstanding the outcome of the investigation, more adequate safeguards should be put in place to forestall any further problems or lack of certainty in this area. In fact, the authorities have acknowledged there remains at present, at the legal level, some anomalies between the law in force and specific regulations issued previously. Clear, detailed and coherent regulations and instructions should thus be issued immediately to ensure that all sterilisations are being carried out in accordance with best medical knowledge, practice and procedures, including the provision of full and comprehensible information to patients about the interventions proposed to them.

## **IV. SPECIFIC ISSUES**

### **Education of Roma/Gypsy children**

99. In its second report, ECRI recommended that the area of education of Roma/Gypsy children should be given immediate attention. It recommended that the practice of channelling Roma/Gypsy children into “special schools” be closely examined, and that it be ensured that the testing procedures used for entry into such schools are fair and fully evaluate the true capacities of each individual child. ECRI recommended that the Slovak authorities should vigorously combat all forms of school segregation towards Roma/Gypsy children. Steps should also be taken to raise awareness among Roma/Gypsy parents of the educational possibilities open to their children and the relevance of education for

empowerment, in order to encourage them to play an active part in their children's schooling at the earliest possible age.

100. ECRI moreover recommended that there should be increased possibilities for Roma/Gypsy children to study the Roma language in the early years of schooling.
101. ECRI recommended that steps be taken to ensure that Roma/Gypsy children enjoy the same opportunities in practice as majority children to succeed in secondary and further education.
102. The system of Roma assistants in some classes and "zero classes" intended to prepare Roma children for entry into school, have generally been viewed as positive steps forward.
103. However, ECRI is extremely concerned to learn that high proportions of Roma children are still being channelled into special schools and that in fact in some settlements, there is no other school available. In some areas, up to 80% of Roma children attend special schools. Moreover, Roma parents are not always fully-informed concerning the different educational possibilities open to their children and may therefore concur with decisions to send their children to special schools believing that it is in the best interests of their child. The authorities have acknowledged that the tests and criteria used to determine which children should attend special schools are not satisfactory and that individual inspectors may be taking decisions which are not justified, and work is currently underway to devise new assessment techniques which are culturally-sensitive.
104. Prejudice and discrimination on the part of parents and teachers which may lead to Roma children being educated in segregated classes continues to pose a problem. The decentralisation of the school system has made it more difficult for control to be exerted from the central level on how schools are organised in the different regions.
105. Participation of Roma children in education beyond the basic level remains extremely limited, with extremely few Roma completing the secondary level or entering universities. As mentioned elsewhere in this report, the provision of teaching in the Romany language is also lacking in almost all schools.

#### ***Recommendations:***

106. ECRI recommends that immediate steps should be taken to end the over-representation of Roma children in special schools, including the preparation and implementation of culturally-fair assessment measures, training for teachers and other persons involved in assessment to ensure that they are making correct decisions, the integration of Roma children currently in special schools into the mainstream school system, and the provision of other schools in settlements where only special schools exist.
107. ECRI recommends that further steps be taken to combat prejudice and discrimination in the school-setting, including specific training for headteachers and teachers, who should then be responsible for countering any hostility or prejudices among majority parents.

108. ECRI recommends that further measures should be taken to encourage the participation of Roma children in education at the secondary and tertiary level. Such measures should include financial provision to ensure that children from poorer families are able to continue their studies, and awareness-raising among Roma communities of the importance of education for their children, supported by the increased provision of positive role models such as Roma assistants in classes at various levels of the school system.

### **Implementation of new approaches to furthering an integrated society**

109. Although different measures and strategies have been conceived over recent years to try to improve the situation of the Roma minority in Slovakia, ECRI deplores that a large proportion of the Roma community continue to be gravely disadvantaged in most key areas of life. As outlined elsewhere in this report, Roma are often confined to segregated settlements which lack the basic amenities for a decent life, with serious consequences for their health and their capacity to improve their situation in other areas. Roma children continue to suffer enormous disadvantage in education, while most Roma are unable to integrate the employment market. Attitudes towards Roma within mainstream society remain negative and often find their expression in acts of discrimination and violence.

110. It is not clear to what extent the different strategies and measures adopted by the authorities in recent years have actually changed the situation of the Roma minority in terms of long-term, widespread and sustainable improvements. In particular, ECRI is concerned that the over-arching goal of providing the Roma with the opportunity to participate on an equal footing within an integrated society still seems far from being realised.

111. Approaches to dealing with the disadvantages faced by Roma in society appear to date to have been too piecemeal and scattered, with a lack of an overall vision and a lack of a co-ordinated approach between the different administrative sectors responsible for implementing policy. Although the area has been stated for some years as a priority for the authorities, and has given rise to various detailed Strategies, this stated political will has not been translated into a sufficient allocation of responsibilities and budgetary funding. Commitment to implementing the measures foreseen has varied among the different administrative sectors involved; it has been commented that taking an interest in improving the situation of Roma, both at the political level and in the daily work of the various ministries, is not a popular choice.

112. It is starting to be openly recognised among the relevant circles that there is a real need for special measures, which are necessary to permit the Roma to enjoy equal opportunities in everyday life. However, to date such special measures have not been introduced: the authorities report that this is due to a perception that such measures might constitute discrimination towards the majority population and would not be accepted by society in general.

113. ECRI is of the opinion that tangible and swift improvements in the situation of the Roma minority are of the utmost urgency. In particular, it considers it unacceptable that a new generation of Roma children risk growing up excluded from society, due to early and severe disadvantages in housing, health and education.



114. ECRI is pleased to learn that the recently-adopted document on “Basic Positions of Slovak Government’s Roma Communities Integration Policy” is intended to translate into short, medium and long-term measures the political will expressed in the Strategy. This document also aims, inter alia, to improve inter-ministerial co-ordination and to ensure that adequate human and financial resources are made available to implement the measures foreseen. Importantly, it also addresses the issue of the need to introduce special “equalising” measures in various fields in order to bring the Roma community to a level at which it can genuinely enjoy equal opportunities with the rest of society.

***Recommendations:***

115. Welcoming the new approach contained in the “Basic Positions of the Slovak Government’s Roma Communities Integration Policy” as a positive step forward, ECRI urges the authorities to ensure that the detailed proposals contained therein are implemented rapidly, with a sufficient and on-going allocation of human and financial resources. It should be ensured that all parts of the administration – at national, regional and local level - responsible for the different sectors covered, are fully-committed to implementing the proposals: in this respect, the co-ordinating role currently played by the Plenipotentiary of the Government of the Slovak Republic for Roma Communities should be further developed and strengthened, to give the Plenipotentiary real powers to guide and influence action in the different ministries.
116. ECRI stresses the need to put into practice the new approach involving a range of special measures in different fields to permit the Roma to enjoy genuine equal opportunities with the rest of the population. ECRI stresses the importance of raising awareness among persons responsible for implementing policies, and among society at large of the philosophy behind the measures taken and of the need to include Slovakia’s Roma minority as an equal and integrated part of society. ECRI also stresses the need to evaluate the actual results of the new approach on a regular basis, and to closely-involve the Roma communities themselves in its further development, fine-tuning and implementation.

## **BIBLIOGRAPHY**

This bibliography lists the main published sources used during the examination of the situation in Slovakia it should not be considered as an exhaustive list of all sources of information available to ECRI during the preparation of the report.

1. CRI (2000) 35: Second report on Slovakia, European Commission against Racism and Intolerance, Council of Europe, 10 December 1999.
2. CRI (98) 51: Report on Slovakia, European Commission against Racism and Intolerance, Council of Europe, 15 June 1998
3. CRI (96) 43: ECRI general policy recommendation n° 1: Combating racism, xenophobia, antisemitism and intolerance, European Commission against Racism and Intolerance, Council of Europe, October 1996
4. CRI (97) 36: ECRI general policy recommendation n° 2: Specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level, European Commission against Racism and Intolerance, Council of Europe, June 1997
5. CRI (98) 29: ECRI general policy recommendation n° 3: Combating racism and intolerance against Roma/Gypsies, European Commission against Racism and Intolerance, Council of Europe, March 1998
6. CRI (98) 30: ECRI general policy recommendation n° 4: National surveys on the experience and perception of discrimination and racism from the point of view of potential victims, European Commission against Racism and Intolerance, Council of Europe, March 1998
7. CRI (2000) 21: ECRI general policy recommendation n° 5: Combating intolerance and discrimination against Muslims, European Commission against Racism and Intolerance, Council of Europe, April 2000
8. CRI (2001) 1: ECRI general policy recommendation n° 6: Combating the dissemination of racist, xenophobic and antisemitic material via the Internet, December 2000
9. CRI (2003) 8: ECRI general policy recommendation n° 7: on national legislation to combat racism and racial discrimination, February 2003
10. CRI (98) 80 rev: Legal measures to combat racism and intolerance in the member States of the Council of Europe, ECRI, Strasbourg, 2000
11. ACFC/INF/OP/I(2001)1: Advisory Committee on the Framework Convention for the Protection of National Minorities, Opinion on Slovakia, adopted on 22 September 2000
12. ACFC/SR (99) 8: Report submitted by the Slovak Republic pursuant to Article 25, paragraph 1 of the Framework Convention for the Protection of National Minorities (received on 4 May 1999)
13. CDMG (97) 17 rev. : « Recent developments in policies relating to migration and migrants », European Committee on Migration, Council of Europe, January 1998
14. CDMG (99) 7 final : « Recent developments in policies relating to migration and migrants », European Committee on Migration, Council of Europe, 1999
15. CommDH(2001)5 "Report by Mr Alvaro Gil-Robles, Commissioner for Human Rights, on his visit to the Slovak Republic, 14-16 May 2001, for the Committee of Ministers and the Parliamentary Assembly
15. Constitution of the Slovak Republic
16. The National Council of the Slovak Republic Act of 4 December 2001 on Public Defender of Rights
17. Draft Anti-Discrimination Law (entry into force 1 July 2003, National Council of the Slovak Republic)
18. Basic positions of Slovak Government's Roma communities integration policy, adopted 23 April 2003
19. Priorities of the Government of the Slovak Republic with regard to Roma Communities for 2002

20. Strategy of the Government of the Slovak Republic for the Solution of the Problems of the Roma National Minority and the Set of Measures for its Implementation – Stage I, Government of the Slovak Republic, 27 September 1999
21. Elaboration of the Government Strategy for Addressing Problems of the Romani National Minority into a Package of Concrete Measures for year 2000 – Stage II (Abridged version), Office of the Government of the Slovak Republic, Bratislava, 3 May 2000
22. General Information on Trafficking in Human Beings, including selected provisions of the Criminal Code of the Slovak Republic, Bratislava 19.2.2003
24. Information on Newly Proposed Anti-Discrimination Legislation of Slovakia, The Office of the Government of the Slovak Republic and the Kalligram Foundation, 16/12/02
25. CERD/C/59/D/11/1998: Communication No. 11/1998: Slovakia (Jurisprudence). 9 August 2001
26. CERD/C/304/Add.110: Concluding observations of the Committee on the Elimination of Racial Discrimination: Slovakia. 1 May 2001
27. CERD/C/57/D/13/1998: Communication No. 13/1998: Slovakia (Jurisprudence) 1 November 2000
28. CERD/C/SR.1418: Summary record of the 1418<sup>th</sup> meeting: Slovakia. 30 August 2001
29. CERD/C/328/Add.1: Third periodic report of Slovakia under Article 9 of the Convention, 14 December 1999
30. CERD/C/57/D/13/1998
31. HRI/CORE/1/Add.120 United Nations International Human Rights Instruments: Core Document Forming Part of the Reports of States Parties, HRI.CORE/1/Add.120, 22 July 2002
32. CCPR/C/76/D/876/1999: Communication No. 876/1999 : Slovakia (jurisprudence). 12/11/2002
33. CRC/C/15/Add.140 : Concluding Observations on the Committee on the Rights of the Child : Slovakia. 23/10/2000
34. CRC/C/SR.663: Summary record of the 663<sup>rd</sup> meeting of the Committee on the Rights of the Child: Slovakia. 18/20/2000
35. E/C.12/1Add.81: Concluding observations of the Committee on Economic, Social and Cultural Rights: Slovakia. 19.12.2002
36. E/C.12/2002/SR.32: Committee on economic, social and cultural rights, summary record of reports submitted by States parties in accordance with Articles 16 and 17 of the Covenant: Initial report of Slovakia (continued) 17 November 2002
37. CCPR/C/72/D/935/2000: Communication No. 935/200. Slovakia (jurisprudence). 25 July 2001.
38. Legal analysis of national and European anti-discrimination legislation: A comparison of the EU Racial Equality Directive & Protocol N° 12 with anti-discrimination legislation in Slovakia, by Ján Hrubala, September 2001 for study on “Implementing European anti-discrimination law”, ERRC, Interights and MPG, EUMC 2002
39. Body and Soul: Forced Sterilisation and Other Assaults on Roma Reproductive Freedom in Slovakia”, Center for Reproductive Rights and Poradňa pre občianske a ľudské práva, in consultation with Ina Zoon
40. Report on the findings of the investigation of the State Control Section at the Ministry of Health of the Slovak Republic
41. On the margins – Roma and Public Services in Slovakia, Ina Zoon, Open Society Institute 2001
42. Minority Protection in Slovakia – an assessment of the strategy for the solution of the problems of the Roma National Minority and the set of measures for its implementation – stages I and II, Open Society Institute 2002
43. Phare Twinning Programme SK 0002/SK 00/IB-OT-01, “Improvement of the situation of the Roma in the Slovak Republic”, fourth quarterly report, period: October-November-December 2002, Michel Digne

44. Country Report on Minority Rights in Pre-EU Accession Slovakia, elaborated by Michal Vašečka for the Center for Policy Studies: EU Accession Monitoring Project on Minority Rights
45. The reception and application of the Act on Legal Status of Ethnic Hungarians (Status Law) in the Slovak Republic, Centre for Legal Analyses-Kalligram Foundation
46. Slovak Republic – latest update: October 2002, Institute for Jewish Policy Research 2002
47. Statements by the International Helsinki Federation for Human Rights (IHF) at the OSCE Human Dimension Implementation Meeting, Warsaw, 9-19 September 2002
48. US Department of State Country Reports on Human Rights Practices 2001 – Slovakia, 4 March 2002
49. US Department of State International Religious Freedom Report 2001
50. US Department of State Background Note: Slovakia, October 2002
51. Amnesty International concerns in Europe 2001
52. Time of the Skinheads – Denial and Exclusion of Roma in Slovakia, European Roma Rights Centre, January 1997
53. Written comments of the European Roma Rights Center concerning the Slovak Republic, for consideration by the United Nations Committee on Economic, Social and Cultural Rights at its 29th Session, 11-29 November 2002
54. Police violence against Roma in Slovakia, Roma Rights Quarterly N°s 3-4 2002, ERRC
55. Roma issues not addressed despite efforts, the Slovak Spectator, from ICARE news
56. Les Tsiganes, mal-aimés de l'Europe, La Libre Belgique, 30/07/02
57. ERRC Press Release : Harassment of Roma Rights Activists in Slovakia, 09/01/02
58. ERRC News Round Up: Romani Journalist Charged for Accusing Slovak Officer of Racism and Police Brutality in Slovakia, Roma Rights Quarterly N° 2, 2003
59. ERRC News Round Up: Violence by Non-State Parties Against Roma in Slovakia, 07/01/03
60. ERRC News Round Up: Punishing Anti-Romani Crimes in Slovakia, 07/01/03
61. ERRC News Round Up: Anti-Romani Action in Slovakia, 07/01/03
62. Slovak cabinet approves Romani assistance programmes, RFE/RL, 13.12.2002
63. Hot line against racism introduced, RFE/RL Newslines, 27.09.2001
64. Full of Eastern sadness, BBC Sport, 14 October 2002
65. Slovakia face fan ban over racism, BBC News, 14 October 2002