

Memorandum on the human rights of Roma in the Slovak Republic

Introduction

1. The Council of Europe Commissioner for Human Rights (hereinafter the Commissioner) carried out a visit to the Slovak Republic from 8 to 12 July 2024. The visit was part of a series of country visits taking place in the context of the Commissioner's priority work on the human rights of Roma and Travellers¹ across the Council of Europe area. It also provided the Commissioner with an opportunity to follow up on his dialogue with the authorities regarding other human rights concerns in the country, especially in relation to media freedom and the protection of civil society space.²
2. According to his mandate, the Commissioner fosters the effective observance of human rights; assists member states in the implementation of Council of Europe human rights instruments, in particular the Convention; identifies possible shortcomings in the law and practice concerning human rights; and provides advice and information regarding the protection of human rights across the region.³
3. This memorandum contains the Commissioner's key findings and recommendations from the visit in relation to selected human rights issues faced by Roma in the Slovak Republic, drawing on his engagement with the authorities, members of the Roma communities, as well as civil society and other actors.
4. These recommendations are not exhaustive and should be considered in conjunction with recommendations by other Council of Europe and international human rights bodies,⁴ as well as the guidance provided by national human rights structures.
5. During the visit, the Commissioner travelled to Eastern Slovakia where he conducted field visits to the Stará Tehelňa neighbourhood in Prešov, Jarovnice, Petrovany, the Luník IX neighbourhood in Košice, and Kecerovce. In these localities, he had discussions with members of Roma communities and met with the local authorities, civil society and other actors who work directly with these communities.
6. In Bratislava, the Commissioner met with the State Secretary of the Ministry of Justice, Katarína Roskoványi, the State Secretary of the Ministry of Health, Ladislav Slobodník, the State Secretary of the Ministry of Interior, Lucia Kurilovská, the Government Plenipotentiary for the Development of Civil Society, Simona Zacharová, and the Government Plenipotentiary for Roma Communities, Alexander Daško. He also held meetings with the Public Defender of Rights, Róbert Dobrovodský, the Slovak National Centre for Human Rights, and other civil society organisations.

¹ The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

² See Council of Europe Commissioner for Human Rights, [End-of-visit statement](#): Slovak Republic: urgent need to address human rights of Roma and adopt an intergenerational approach (July 2024).

³ [Resolution \(99\)50](#) on the Council of Europe Commissioner for Human Rights, adopted by the Committee of Ministers on 7 May 1999.

⁴ See, among others, *Advisory Committee of the Framework Convention on national Minorities*, [Opinion](#) (2 February 2022), followed by the Committee of Ministers' [Resolution](#) adopted on 3 November 2022; European Commission against Racism and Intolerance (ECRI), Sixth [report](#) on the Slovak Republic (adopted on 1 October 2020 / published on 8 December 2020).

7. The Commissioner thanks the Slovak authorities in Strasbourg and in the Slovak Republic for their assistance in organising this visit. He is also grateful to the members of the Roma communities, civil society organisations and other interlocutors with whom he met for their insights.
8. Section I of this memorandum provides an overview of general developments in the Slovak Republic as they relate to the human rights of Roma. Section II outlines the barriers to the enjoyment of human rights by Roma, with a particular focus on antigypsyism and discrimination in the area of education and the treatment of Roma by law enforcement authorities. Section III focuses on the living conditions of marginalised Roma communities. Section IV examines access to healthcare and addresses specific forms of discrimination in health settings, including segregation, as well as the practice of forced sterilisation of Roma women over several decades.⁵
9. The Commissioner looks forward to continuing his dialogue with the Slovak authorities on the issues addressed in this memorandum.

I. General situation

10. The Commissioner acknowledges the efforts of the Slovak Republic to address the human rights situation of the Roma communities and to collect relevant data. In particular, the National Strategy of Equality, Inclusion and Participation of Roma by 2030 (hereinafter the 2030 Strategy) recognises the key challenges faced by Roma. It identifies access to employment, education, health and housing, as well as the need to combat antigypsyism and support Roma participation, as the priority areas. It also outlines three strategic priorities: desegregation, deghettoisation and destigmatisation.⁶ The Commissioner notes that separate action plans to the 2030 Strategy in these priority areas were adopted for 2022-2024.⁷ He also acknowledges the importance of the work of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities, who is tasked with coordinating the implementation of the 2030 Strategy.
11. The Commissioner also notes that civil society organisations are crucial in assisting and improving the human rights situation of Roma communities in the country across all areas of their lives. In particular, he notes that some initiatives led by civil society have the potential to break the cycle of marginalisation and exclusion of Roma, which is the project of a lifetime. They also demonstrate that, through willingness, effective cooperation and coordination among all actors, including local authorities, crucial support can be provided to change the lives of Roma communities.
12. Nevertheless, interlocutors stressed that the combination of structural barriers, systemic discrimination and generational and extreme poverty constitute a significant impediment to efforts aimed at improving the opportunities, living conditions and treatment of the Roma communities. This situation makes it very difficult for many Roma to break out of cycles of deprivation and exclusion within the country.

II. Barriers to the enjoyment of human rights by Roma

13. Despite the important policy framework and state structure in place, the Commissioner was informed about structural barriers impeding the prompt and effective implementation of the 2030 Strategy. Concerns include both the lack of effective cooperation and coordination between ministries as well as between state-level and regional and local authorities in some areas; the absence of political will and/or capacity on the part of some local authorities; and the lack of long-term engagement and funding to address the scale and complexity of issues in key areas, which are instead often addressed on a short-term basis. In addition, lack of sufficient inclusion of the Roma communities in all stages of project design, implementation, and monitoring is reported. The need to address the multiple and intersectional discrimination affecting Roma women and girls is also noted.

⁵ This memorandum was finalised on 31 January 2025. All online documents quoted in the memorandum were last accessed on that date.

⁶ Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities, [Strategy of Equality, Inclusion and Participation of Roma until 2030](#).

⁷ Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities, [Action plans to the Strategy of equality, inclusion and participation of Roma until 2030 for 2022 - 2024](#).

14. Furthermore, during the visit, the Commissioner was informed about the prevalence of various forms of antigypsyism and discrimination, perpetuating inequalities with the rest of the population in accessing and enjoying rights. In this context, interlocutors expressed particular concern regarding access to quality and inclusive education for Roma children. Additionally, the treatment of Roma by law enforcement authorities was addressed.

Access to education

15. The Commissioner welcomes the commitments of the national authorities to work towards ensuring inclusive education, also in cooperation with the Council of Europe and the EU within the framework of the INSCHOOL project.⁸ He notes that discrimination and segregation in education is prohibited through the School Act, and that there is a desegregation obligation in this respect. He was informed about a planned desegregation pilot project targeting 15 municipalities and will closely follow its outcomes. Furthermore, the Commissioner acknowledges the introduction, as from 2021, of compulsory preschool education for all children from the age of five as a positive step toward increasing preschool attendance among Roma children, along with the planned investment in kindergarten capacities.
16. However, the Commissioner was informed that progress in implementing structural changes at the local level is very limited. Interlocutors indicated that many Roma children still face access to lower quality education and segregation in education due to their placement in special schools or special classes for children with intellectual or other disabilities, or in separate classes in mainstream schools or in separate schools. They also noted that segregation often stems from wider spatial segregation, or from the decision of parents to remove non-Roma children from schools attended by Roma children. The Commissioner notes various legal challenges brought in this respect both at national and European levels.⁹
17. The Commissioner was also informed about the discriminatory attitudes of some teachers toward Roma children, as well as the shortage of teachers in schools predominantly attended by Roma pupils. He notes that for some Roma children, particularly those living in marginalised and segregated areas, as well as those who have not had access to early childhood education, language barriers may also be a concern. In addition, inadequate living conditions and poverty affecting some Roma children from marginalised communities further impact their full enjoyment of the right to education.

Treatment of Roma by law enforcement authorities

18. The Commissioner notes that the judgments of the European Court of Human Rights (ECtHR) in the *R.R. and R.D. v. Slovakia* group of cases are pending for execution before the Committee of Ministers of the Council of Europe.¹⁰ These cases concern various violations in respect of Roma applicants in relation to excessive use of force by the police, inhuman and degrading treatment at the hands of the police, failure to protect the physical well-being of persons in police custody and the ineffective investigations and failure to investigate possible racist motives.
19. In this connection, the Commissioner notes that large-scale police raids of Roma communities are no longer being reported. He welcomes the setting up of a National Preventive Mechanism in 2023 and stresses the importance of ensuring sufficient resources for its effective functioning. He also appreciates the information provided by national authorities regarding the regular training that police officers attend, during which they receive a zero-tolerance message against ill-treatment.
20. However, the Commissioner was informed that shortcomings in criminal proceedings remain. In particular, various interlocutors highlighted structural shortcomings in the investigation of ill-treatment by the police, including where the possible racist motives of such actions are concerned,

⁸ INSCHOOL3 "Inclusive Schools: Making a Difference for Roma Children": [Feasibility Study](#) on a School Desegregation Intervention in the Slovak Republic (2024).

⁹ See [European Commission v Slovak Republic](#), Case C-799/23, 22 December 2023; in October 2023, the ECtHR communicated the [Salay v. Slovakia](#) case (Application no. 29359/22).

¹⁰ See the Committee of Ministers' decisions in CM/Del/Dec(2024)1507/H46-31, 19 September 2024 (DH), [R.R. and R.D. group v. Slovakia](#) (Application No. 20649/18).

as well as insufficient effectiveness of investigations in cases of offences committed by private individuals. The need to strengthen the independence of the competent investigative authorities or to consider entrusting investigations in this area to an independent external body was also reiterated.¹¹

21. Particular concerns have also been expressed by interlocutors as regards instances of discriminatory treatment of Roma by law enforcement authorities. These include reported instances of inaction when Roma communities requested assistance from the police. Interlocutors also expressed the view that more efforts are needed to develop trust between the Roma communities and law enforcement authorities and improve the communication of these authorities with the communities in order to tackle underreporting by Roma of violations of their rights. Issues related to access to justice and bias among judicial authorities were also reported.

Recommendations

22. The Commissioner recommends that the Slovak authorities intensify efforts to ensure the prompt and effective implementation of the National Strategy of Equality, Inclusion and Participation of Roma by 2030 and ensuing Action Plans including by:

- enhancing political leadership, coordination, and cooperation among all relevant ministries and other bodies at national, regional and local levels;
- adopting an integrated approach in addressing priority areas, supported by long-term commitment and sustainable, accessible funding;
- ensuring the effective participation of Roma communities in the design, implementation, monitoring, and evaluation of all measures.
- working in close cooperation with civil society and ensuring an enabling environment for their work, including through the availability of long-term, sustainable and accessible funding.

23. The Commissioner recommends that the authorities ensure continuous efforts to guarantee access to inclusive and quality education for Roma children, including early childhood education and care, and take all measures necessary to end school segregation.

24. The authorities should prioritise action to address antigypsyism and discrimination, particularly in policing, and bridge issues of trust between Roma and law-enforcement. They should also address persistent concerns about systemic flaws in combating police ill-treatment, including failures to investigate the possible racist motivation of such ill-treatment and the lack of sufficient independence of the investigative authorities in charge.

III. Living conditions of marginalised Roma communities

25. The Commissioner acknowledges the efforts of the state and some municipalities to improve the living conditions of Roma. He acknowledges the complexity of the situation, the various competent national and local bodies in the field of housing, and the need for considerable investment to achieve meaningful progress.

26. In this respect, the Commissioner was informed of various initiatives which aim to improve the situation concerning land settlement and ownership, housing infrastructure, and access to essential services. In particular, the Commissioner discussed and observed ongoing and planned activities to provide adequate housing with local authorities and civil society, including in Jarovnice and Kecerovce. Moreover, the Commissioner recognises the crucial work carried out by civil society organisations in assisting marginalised Roma families in gaining access to legal and affordable self-constructed housing, along with the provision of microlending to this end.

¹¹ See, among others, the [written submission](#) from the European Roma Rights Centre (ERRC) and Poradňa pre občianske a ľudské práva ("Poradňa") in accordance with Rule 9.2 of the Rules of Procedure of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements. [See also](#) the Report by the Commissioner's predecessor in 2015, [Report on the visit to the Slovak Republic, from 15 to 19 June 2015](#); European Commission against Racism and Intolerance (ECRI), Sixth [report on the Slovak Republic](#) (adopted on 1 October 2020 / published on 8 December 2020).

27. However, during the visit, he observed regional and municipal disparities in the living conditions of the communities and was informed that, generally, access to adequate and desegregated housing remains a serious issue in the country, particularly for marginalised Roma communities.¹² The Commissioner was also informed of situations where local authorities are unwilling to cooperate or engage in initiatives aimed at improving the situation of marginalised Roma communities. Concerns regarding land settlement have also been raised, which hinders the implementation of housing improvement projects.
28. Moreover, the Commissioner notes that many initiatives are based on short-term projects and do not provide sufficient and integrated funding to adequately respond to the situation. In addition, certain activities limited to providing alternative housing raised concerns among interlocutors that they would reinforce the segregation of Roma communities.
29. The Commissioner observes that the poor living conditions of some marginalised Roma communities contribute to their increased isolation and stigmatisation and directly affect their overall human rights situation, including their right to health. In this respect, he was informed that, while suffering from chronic diseases comparable to the general population, marginalised Roma communities have a shorter life expectancy.¹³ Furthermore, mental health was noted as a concern.
30. The Commissioner notes that some marginalised Roma communities live in a perpetual struggle for survival. In particular, he observes that some Roma dwellings in the settlement of Jarovnice and in the Luník IX neighbourhood are unfit for human habitation, with no or very limited access to water and electricity. During a meeting with several inhabitants from the village of Hermanovce, the Commissioner was informed that some marginalised communities living there face similar living conditions.
31. The Commissioner was also informed that fires are common in such areas, as many families use solid fuel to keep warm, cook and generate light. Some families also resort to unsafe electrical installations for these purposes. In this connection, it was reported that Roma living in such conditions represent the majority of patients requiring specialised medical care for burn injuries in certain localities. The Commissioner was deeply saddened to learn that just a few days after visiting Jarovnice settlement, a fire broke out, leading to the death of a woman.
32. Inadequate sanitation and lack of waste disposal in these settlements also aggravate hygiene issues, which are further exacerbated in some of them by rodent infestations. Extreme overcrowding is also a significant concern. In Luník IX, the lack of sufficient space has led some families to build makeshift shelters on the outskirts of the neighbourhood. Additionally, the Commissioner was informed that many older people and those with disabilities living in Luník IX are barely able to leave their apartments, as the buildings and surrounding spaces in the neighbourhood are not adapted to different access and mobility needs.
33. Some of these locations are in hazardous areas, at risk of flooding or near waste dumps, posing serious risks to the health and lives of their inhabitants. During his visit to Jarovnice, the Commissioner paid respects to the victims of the 1998 flood, which resulted in the deaths of several Roma living in the informal settlement by the river. Considering the impact of climate change, the health and lives of those who live in such localities are even more at risk. Similar concerns of regular flooding in Hermanovce and the risks involved were expressed to the Commissioner.
34. In light of the above, the Commissioner notes that the daily struggle for survival faced by some marginalised Roma communities he engaged with leads to situations where immediate actions may be required to avert worsening of their human rights conditions. Whilst acknowledging that responsibilities in this area are primarily within the competence of the local authorities, the Commissioner stresses the crucial role of the central government to ensure that lack of willingness and cooperation by local actors and any other competent authority does not undermine the prompt

¹² See, among others, *Advisory Committee of the Framework Convention on national Minorities*, [Opinion](#) (2 February 2022), followed by the Committee of Minister's [Resolution](#) adopted on 3 November 2022.

¹³ See also, Belak Andrej, *Úrovne podmienok pre zdravie a zdravotné potreby vo vylúčených rómskych osídleniach na Slovensku [Social determinants of health and health needs in excluded Roma enclaves in Slovakia]*, Košice: Univerzita P.J.Šafárika, (2020).

and effective implementation of the relevant strategies and policies and to adopt measures towards removing all barriers in this respect.

Recommendations:

35. The Commissioner recommends that the Slovak authorities adopt urgent, targeted measures to address the situation of marginalised Roma communities living in inadequate conditions to prevent further deterioration of their already critical human rights situation. Special attention should be given to the needs of the most vulnerable, such as women, children, individuals with disabilities, and older people.
36. In parallel to the above, the authorities should put in place integrated and long-term strategic plans, adapted to the needs of local communities and the local context, in coordination with all relevant authorities, to achieve holistic and sustainable improvements in the living conditions of marginalised Roma communities. These should include:
 - measures ensuring access to adequate housing that avoids segregation, combined with community empowerment, development and assistance in access to healthcare, education and employment opportunities, including measures to tackle discrimination;
 - efforts to address lack of political will and/or capacity, particularly at local level, to ensure the implementation of relevant strategies and policies aimed at improving the living conditions of Roma communities;
 - shifting focus from short-term projects to long-term, sustainable initiatives and funding;
 - the participation and close consultation of the affected communities and civil society organisations in the design, delivery, and monitoring of all relevant actions in this area.
37. The Commissioner recommends that the authorities evaluate these policies, strategies and allocated fundings in order to assess their impact on the living conditions of Roma, in consultation with those concerned, and adapt them where needed.

IV. Access to healthcare and forms of discrimination in healthcare settings

38. During the visit, the Commissioner held extensive discussions with members of marginalised Roma communities, civil society and other actors who work directly with them in overcoming barriers in access to healthcare and in increasing health literacy among marginalised Roma communities.
39. In particular, the Commissioner had the opportunity to familiarise himself with the work of Healthy Regions,¹⁴ paying particular attention to the role of Roma Health Coordinators and Mediators. He praises their crucial work in building bridges between marginalised Roma communities and public health and other services. Their work represents an example of the success that can be achieved through genuine participation and close cooperation among all relevant parties, including national, regional, and local authorities, as well as Roma communities themselves. Furthermore, the Commissioner notes that the initiatives pioneered by Healthy Regions have strong empowerment effects on their employees, as well as on the wider communities. The staff are hired from the local communities and the majority are Roma women. They set an example for other families, motivating children and young people to complete their education and strive for a better future.
40. In addition, the Commissioner recognises the important role of Roma Health Mediators in promoting respect for the rights of Roma women and girls and children while receiving care in hospitals. They serve as essential channels of communication and support while ensuring that health procedures respect patients' rights and needs, including the provision of informed consent. He also takes note of the progress observed by Roma Health Mediators as a result of their activities both among Roma communities and health personnel, particularly in better understanding and addressing the needs and specific vulnerabilities of Roma. However, concerns continue to arise regarding the treatment

¹⁴ Healthy Regions is a state-subsidised organisation of the Ministry of Health of the Slovak Republic, which implements the development of health mediation in marginalised Roma communities to improve health conditions. For more details about its missions and areas of interventions, see the website of [Zdravé Regióny](#).

of Roma by health personnel when a Roma Health Mediator is not present to facilitate access and communication.

Persistence of inequalities in health status and access to health services

41. Despite the important efforts and initiatives in this area, the Commissioner notes that inequalities in health status and access to health services for Roma communities persist. A number of factors contribute to this situation, which is symptomatic of embedded patterns of discrimination, exclusion and segregation experienced by Roma more generally in society. In particular, extreme poverty and inadequate living conditions, as mentioned above, as well as language barriers and limited access to digital services undermine healthcare access for marginalised Roma communities.
42. These factors also affect access to emergency healthcare. The Commissioner was informed of instances where ambulance services refuse to reach Roma settlements, including in cases related to childbirth, asking individuals in need to travel to medical facilities on their own.¹⁵ Interlocutors also indicated cases where health practitioners assigned different days or longer waiting times for Roma patients. Additionally, the Commissioner was informed that during the COVID-19 pandemic, areas inhabited predominantly by Roma were targeted during lockdowns with discriminatory quarantine measures that further jeopardised their health and safety.
43. In view of the scale and complexity of the human rights issues at stake and barriers faced by Roma, the lack of trust in the institutions underpinned by discrimination, marginalisation and exclusion, the Commissioner considers that there is a need to further strengthen the work of Healthy Regions and ensure long-term political commitment and investment beyond 2029, when the allocated fundings will reportedly end.

Segregation and allegations of abuse in maternity wards

44. During the visit, the Commissioner engaged with several Roma women who expressed concerns about the practice of placing Roma women and children in segregated areas in some hospitals. He was informed that no tangible progress could be noted in dismantling such practices.
45. In particular, interlocutors reported that court proceedings have been ongoing since 2013 concerning segregation in maternity wards documented at Prešov hospital. In this respect, the Commissioner learned of allegations from some state authorities suggesting that segregation occurred because Roma women preferred to be placed with others from their communities. In this context, the Commissioner notes that Roma women he spoke to strongly denied this was a factor and highlights the importance of examining this issue in light of the long-standing marginalisation and exclusion experienced by many Roma, including violations by health personnel, especially against Roma women.
46. Moreover, interlocutors reported instances of discriminatory standards of care, physical and verbal abuse, neglect and harassment of Roma women, as well as failure to obtain informed consent by health personnel in maternal health care services, including in relation to childbirth.
47. The Commissioner stresses that, while the presence of Roma Health Mediators has played a crucial role in ensuring that the rights of Roma are respected within hospitals, the duty to prevent and combat discrimination in public and private healthcare facilities is incumbent on the state, which must assume full responsibility for it.

Recommendations:

48. The Commissioner recommends that the Slovak authorities ensure that measures are taken within the healthcare system, whether public or private, to address all forms of discrimination in access to healthcare and within healthcare settings, including by:
 - adopting clear guidelines for health personnel;

¹⁵ See Slovak National Centre for Human Rights, [Report](#) on the observance of Human Rights, including the Principle of Equal Treatment in the Slovak Republic in 2023, published in April 2024.

- ensuring access for patients to adequate mechanisms for the effective monitoring, investigation, elimination and sanctioning of discriminatory attitudes and practices.
49. In particular, the authorities should take action to address persistent reports of abuse and discrimination against Roma women in health services, including in maternal health care, in line with Recommendation (2024)1 of the Committee of Ministers to member States on equality of Roma and Traveller women and girls.
 50. The Commissioner recommends that the authorities support Healthy Regions and other actors working to improve access to health care, including through ensuring long-term and sustainable funding.
 51. The authorities should ensure continuous training of health personnel, including in-situ experience, such as accompanying community health workers or health mediators, and cooperation with civil society organisations, to promote better understanding of the realities faced by marginalised Roma communities and help combat stereotypes and prejudices in healthcare. In this regard, they should collaborate with relevant bodies in the healthcare system, including organisations representing health professionals.

Reparations for cases of forced sterilisation

52. Cases of forced sterilisations have by now been well-documented, both in regard of practices in communist-era Czechoslovakia, as well as in the 1990s and early 2000s in the Slovak Republic. While not the only victims, Roma women have been particularly at risk of such practices, seemingly driven by discriminatory attitudes against this minority.
53. Sterilisation is recognised by the ECtHR as a major interference with a person's reproductive health status, impacting various aspects of an individual's personal integrity, physical and mental well-being, and emotional, spiritual, and family life. Making such an intervention without full and free consent has been found to be incompatible with the requirements of respect for human freedom and dignity.¹⁶
54. The Commissioner acknowledges that the national authorities have amended relevant regulations to ensure the requirement of informed consent for sterilisation procedures. He also notes the government's formal apology to the victims in 2021 as an important symbolic step, as well as the attempts to establish a compensatory mechanism in recent years.¹⁷
55. In this context, the Commissioner welcomes the commitment of the State Secretary of the Ministry of Justice to establish a working group that would prepare a legislative proposal for compensating women subjected to forced sterilisation.¹⁸ This presents an important opportunity to turn the page on this dark chapter, both for the victims and the state. The Commissioner stresses the importance of working closely with the victims, civil society organisations supporting them, national human rights structures, and other experts to identify the best ways to swiftly advance this important matter.
56. In this respect, given the shared history of the two countries and of many victims, the Commissioner wishes to draw attention to the experience in Czechia in establishing a one-off compensation

¹⁶ The ECtHR has determined that sterilisation without the informed consent of women of Roma origin breached Articles 3 (prohibition of torture or inhuman treatment or punishment) and 8 (right to protection of private and family life) of the European Convention on Human Rights (ECHR). Furthermore, even in instances where consent had formally been sought, the ECtHR found significant disregard for patient autonomy and choice, with the manner of obtaining consent likely to evoke feelings of fear, anguish, and inferiority in victims, resulting in lasting suffering (violation of Article 3 ECHR). The ECtHR also found that the lack of promptness and reasonable expedition in investigating such incidents constituted a violation of Article 3 ECHR. See ECtHR *V.C. v. Slovakia*, Application no. [18968/07](#), 8 November 2011 (final judgement on 8 February 2012) and ECtHR *I.G. and others v. Slovakia*, Application no. [15966/04](#), 13 November 2012.

¹⁷ The Commissioner's predecessor addressed these attempts in a [letter](#) to the Prime Minister and Minister of Justice at the time in 2021, and in 2023 in a [letter](#) to the National Council of the Slovak Republic.

¹⁸ Ministry of Justice of the Slovak Republic, "[Meeting with the Commissioner for Human Rights of the Council of Europe](#)", [press release](#), 11 July 2024.

mechanism in 2021. In his view, this experience can provide important lessons, including for challenges to avoid as regards barriers to accessibility and procedural difficulties.¹⁹

57. During his visit, the Commissioner met with several Roma women who had been subjected to forced sterilisation. They shared the impact these practices have had on their physical, mental, and overall private and family lives for decades, along with the ongoing wounds that affect various areas of their lives. They further expressed the urgent need for measures to help them cope and to finally address these unresolved injustices as they age. The Commissioner was informed that some of the victims have passed away before receiving any redress.
58. Notwithstanding the steps to which the national authorities have committed, the Commissioner expresses regret that, despite long-standing calls to address the situation of victims of forced sterilisations in the Slovak Republic,²⁰ remedies for these human rights violations continue to elude those affected. He notes that while it may take years to tackle many of the challenges faced by Roma in the country, the ongoing plight of Roma women who were forcibly sterilised could be swiftly addressed.

Recommendations:

59. The Commissioner recommends that the Slovak authorities establish, without further delay, a compensation mechanism for victims of forced sterilisation that is accessible, transparent and provides adequate compensation.
60. In the design and implementation of a compensation mechanism, the authorities should ensure:
- outreach to the Roma communities, assisting them in understanding and completing claims in a language they understand, and allowing sufficient time for the submission of claims;
 - clarity and flexibility in the provision of evidence according to a reasonable standard applicable to the specific circumstances; in this respect consider a legal assumption in favour of the applicant when documentary evidence is no longer available;
 - transparency in procedures and decision-making processes, including the incorporation of an effective mechanism for redress in case of rejection of a claim;
 - sufficient expertise and capacity within the authorities mandated to assess claims;
 - continuous cooperation with the relevant communities and their representatives.

¹⁹ In this respect, see the recommendations outlined by the Commissioner's predecessor in the [letter](#) to the National Council of the Slovak Republic (June 2023), in the country [report](#) following a visit to Czechia in 2023 and in the Commissioner's [letters](#) to the Prime Minister and to the Speaker of the Chamber of Deputies and the President of the Senate of the Czech Republic (December 2024).

²⁰ The Office of the Commissioner's engagement on this issue in the Slovak Republic goes back two decades. In 2003, the first Commissioner for Human Rights addressed a [Recommendation](#) to the Slovak Republic, urging it to "undertake to offer a speedy, fair, efficient and just redress", which should "include compensation and an apology." Since then, successive Commissioners have addressed this issue, including in a follow-up [report](#) in 2006, and country visit reports in [2011](#) and [2015](#).