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## **EUROPEAN SOCIAL CHARTER**

Comments submitted by  
the Slovak National Centre for Human Rights  
concerning the Ad hoc report on the cost-of-living crisis  
submitted by  
**THE GOVERNMENT OF SLOVAK REPUBLIC**

Comments registered by the Secretariat

On 28 June 2024

**CYCLE 2024**



# **INDIVIDUAL SUBMISSION OF THE SLOVAK NATIONAL CENTRE FOR HUMAN RIGHTS**

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Input on the Ad hoc Report on cost-of-living crisis

June 2024



### ***About the Slovak National Centre for Human Rights:***

*Slovak National Centre for Human Rights (the “Centre”) is a national human rights institution established in the Slovak Republic, accredited with status B by the Global Alliance of National Human Rights Institutions. As an NHRI, the Centre is a member of the European Network of NHRIs (ENNHRI). The Centre was established by the Act of Slovak National Council No. 308/1993 Coll. on the Establishment of Slovak National Centre for Human Rights. Pursuant to the Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection from Discrimination, as amended (the Anti-Discrimination Act), the Centre also acts as the only Slovak equality body. As an NHRI and equality body, the Centre performs a wide range of tasks in the field of protection and promotion of human rights and fundamental freedoms including the observance of the principle of equal treatment.*

*The Centre among other powers:*

- 1) monitors and evaluates the observance of human rights and the observance of equal treatment principle;*
- 2) gathers and, upon request, provides information on racism, xenophobia and antisemitism in the Slovak Republic;*
- 3) conducts research and surveys to provide data in the field of human rights; gathers and distributes information in this area;*
- 4) prepares educational activities and participates in information campaigns aimed at increasing tolerance of the society;*
- 5) provides legal assistance to victims of discrimination and manifestations of intolerance;*
- 6) issues expert opinions on matters concerning the observance of the equal treatment principle;*
- 7) performs independent inquiries related to discrimination;*
- 8) prepares and publishes reports and recommendations on issues related to discrimination; and*
- 9) provides library services and other services in the field of human rights.*

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## 1. INTRODUCTION

This report has been prepared by the Centre utilizing first-hand information gathered (i) during the annual monitoring and evaluation of the observance of human rights, fundamental freedoms and the equal treatment principle, (ii) while providing legal services to victims of discrimination and (iii) as part of conducting research and providing human rights education. With respect to annual evaluation of the observance of human rights, fundamental freedoms and principle of equal treatment, the Centre has been regularly consulting with key stakeholders including civil society organizations, academia, public authorities, think tanks, media, businesses, and social services providers. The information gathered during the monitoring has been utilized in this report.

The input of the Centre reflects on the Ad hoc report on the cost-of-living crisis submitted by the Slovak Republic as registered by the Secretariat of the European Committee of Social Rights on 21 December 2023.

In this submission, the Centre complements the ad-hoc report by providing information on the impact of cost-of-living crisis on the **right to housing**, especially with regards to vulnerable households.



## A) Cost-of-living crisis - housing affordability

1. In its 2023 Alternative Report on the Implementation of the European Social Charter, the Centre highlighted the main obstacles and challenges with regards to access to affordable housing in Slovakia.<sup>1</sup> According to OECD, the challenges include the ownership structure of housing stock (with only 3 % of public rental stock); low level of new housing constructions; high prices; price deregulation of housing services; relatively low income of households; and significant regional differences.<sup>2</sup> The 2023 Property Index report shows that Slovakia is still facing significant challenges in housing affordability. According to the report, Slovakia ranked as the least affordable country among 21 surveyed European countries in terms of homeownership. On average, Slovaks need 14.1 gross annual salaries to purchase a standardised new home of 70 square metres.<sup>3</sup> In 2022, 31,8 % of people in Slovakia lived in an overcrowded household compared to the EU average of 16,8 % and in 2023, it was 30,5 % compared to the EU average of 16,8 %.<sup>4</sup>

2. According to the latest population and housing census, as of 1 January 2021, there were 71 076 people in situation of homelessness in Slovakia, with a predominance of men.<sup>5</sup> The number of people in situation of homelessness has tripled compared to 2011.<sup>6</sup> Alarmingly, of the total number of people in situation of homelessness, children under the age of 14 account for up to 15.5 %, more than 80 % are of working age, and less than 5 % are of post-working age.<sup>7</sup> In 2023, Slovakia has adopted the first National Concept for Preventing and Ending Homelessness 2023-

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1 Slovak National Centre for Human rights: *Alternative Report on the Implementation of the European Social Charter – Group 4 – Article 16 and Article 17*, p. 10, available at <https://rm.coe.int/comments-snchr-slovakia-13-nr-2023/1680ac5430>

<sup>2</sup> OECD: *PHI.2. Housing policy objectives and obstacles*, p. 7, available at: <https://www.oecd.org/els/family/PHI-2-Housing-policy-objectives-and-obstacles.pdf>

<sup>3</sup> Deloitte: *Property Index. Overview of European Residential Markets. 12th edition, August 2023*, p. 28, available at <https://www2.deloitte.com/content/dam/Deloitte/sk/Documents/financial-services/PROPERTY%20INDEX%202023.pdf>

<sup>4</sup> Eurostat: *Overcrowding rate by age, sex and poverty status - total population - EU-SILC survey*, available at [https://ec.europa.eu/eurostat/databrowser/view/ilc\\_lvho05a/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/ilc_lvho05a/default/table?lang=en)

<sup>5</sup> Statistical Office of the Slovak Republic: *Population and housing census: People in the situation of homelessness*, available in Slovak at [https://www.scitanie.sk/storage/app/media/dokumenty/ludia\\_bez\\_domova\\_SODB\\_2021.pdf](https://www.scitanie.sk/storage/app/media/dokumenty/ludia_bez_domova_SODB_2021.pdf)

<sup>6</sup> Statistical Office of the Slovak Republic: “The number of people in the situation of homelessness has tripled compared to 2011!”, 18 May 2023, available in Slovak at <https://www.scitanie.sk/medialne-aktuality/pocet-ludi-bez-domova-sa-oproti-roku-2011-trojnaso-bne-zvysil>

<sup>7</sup> Statistical Office of the Slovak Republic: “More than 15 % of people in the situation of homelessness are of pre-working age!”, 18 May 2023, available in Slovak at <https://www.scitanie.sk/medialne-aktuality/viac-ako-15-percent-ludi-bez-domova-je-v-predproduktivnom-veku>



2030<sup>8</sup> and the Action Plan 2024-2026 to the National Concept for Preventing and Ending Homelessness by 2030.<sup>9</sup>

3. In 2022, in reaction to the market situation, the National Council of the Slovak Republic adopted new legislation on state-supported rental housing with the aim of constructing and providing affordable housing for the general public.<sup>10</sup> To date, however, no apartment has been built. In its 2024 Survey, OECD found that the social housing stock is inadequate in Slovakia and public spending on the construction of social rental housing is low and recommended to ensure adequate funding from the central and municipal budgets for the construction and operation of social housing units.<sup>11</sup>

4. In November 2023, the newly elected Government of the Slovak Republic defined several key priorities in its programme statement including the preparation of measures to increase the number of rental dwellings to be procured, the creation of appropriate conditions for the sustainability of the conditions for the operation of affordable rental housing, the focus on identifying surplus state properties suitable for development or conversion to rental housing.<sup>12</sup> However, the reference to housing as a human right, which was in the programme of one of the coalition parties, was not included in the programme statement.<sup>13</sup>

5. The 2024 OECD Economic survey found that high food price inflation had a significant impact on low-income households in Slovakia with increasing risk of poverty and social exclusion.<sup>14</sup> Based on the 2024 EU SILC survey, in 2023, more than 943 000 people in Slovakia

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<sup>8</sup> Ministry of Labour, Social Affairs and Family of the Slovak Republic: *National Concept for Preventing and Ending Homelessness 2023-2030*, available in Slovak at [narodna-koncepcia-prevencie-ukoncovania-bezdomovstva.pdf](https://www.nrsr.sk/narodna-koncepcia-prevencie-ukoncovania-bezdomovstva.pdf) (gov.sk)

<sup>9</sup> Ministry of Labour, Social Affairs and Family of the Slovak Republic: *Action Plan 2024-2026 to the National Concept for Preventing and Ending Homelessness by 2030*, available in Slovak at [Detail materiálu | Portal OV](https://www.nrsr.sk/detail-materiálu-portal-ov) (gov.sk)

<sup>10</sup> Act No. 222/2022 on state support for rental housing and on amendment and supplementation of certain acts, available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/222/20240306.html#>

<sup>11</sup> OECD: *OECD Economic Surveys, Slovak Republic*, March 2024, p. 15, available at [https://read.oecd-ilibrary.org/economics/oecd-economic-surveys-slovak-republic-2024\\_397ca086-en#page16](https://read.oecd-ilibrary.org/economics/oecd-economic-surveys-slovak-republic-2024_397ca086-en#page16)

<sup>12</sup> Programme Statement of the Government of the Slovak Republic 2023-2027, p. 23, available in Slovak at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=535376>

<sup>13</sup> Denník N: “Development of rental housing in the government's programme statement”, 29 December 2023, available in Slovak at <https://dennikn.sk/blog/3743792/rozvoj-najomneho-byvania-v-programovom-vyhlaseni-vlady/>

<sup>14</sup> OECD: *OECD Economic Surveys, Slovak Republic*, March 2024, p. 17-18, available at [https://read.oecd-ilibrary.org/economics/oecd-economic-surveys-slovak-republic-2024\\_397ca086-en#page16](https://read.oecd-ilibrary.org/economics/oecd-economic-surveys-slovak-republic-2024_397ca086-en#page16)



were at risk of poverty or social exclusion (this includes three sub-indicators: income poverty risk rate, severe material and social deprivation rate and very low work intensity rate), thus representing 17.6 % of the total population of Slovakia. This means that some households and individuals are at risk of income poverty (14.3 %), severe material and social deprivation (7.0 %) or very low labour intensity (3.6 %).<sup>15</sup> Among the three dimensions of poverty and social exclusion, people most at risk in poverty in Slovakia are those in income poverty.<sup>16</sup> Income poverty mainly concerns people in a vulnerable position in the labour market and those outside the labour market, as well as people with a specific household composition and a risky socio-demographic profile.<sup>17</sup> This mainly concerns people living in households with incomes below the national poverty line – f.e. in 2023, 14.3 % of the population lived below the income poverty line, which is approximately 766 000 inhabitants (31 000 more than in 2022).<sup>18</sup> The rate of severe material and social deprivation in Slovakia had a decreasing trend in the long term, however, from 2022 onwards, the situation started to deteriorate and in 2023, 7 % of the Slovak population was deprived, which represented almost 375 000 inhabitants (35 000 more as compared to 2022).<sup>19</sup>

6. In terms of development in time until 2020, the share of the population at risk of poverty or social exclusion had been declining since 2016 (from 17.1 % to 13.8 % of the population in 2020).<sup>20</sup> Consequently, from 2020 onwards, the population at risk of poverty or social exclusion has started to increase, the rate of risk of poverty or social exclusion increased from 13.8 % to 15.6 % in 2021, to 16.5 % in 2022 and to 17.6 % in 2023. In comparison to 2022, there was an increase of almost 55 000 persons at risk of poverty or social exclusion in 2023.<sup>21</sup>

7. In Slovakia, housing allowance is part of the material need benefit scheme<sup>22</sup>; however, the conditions for material need are currently set so strictly that many people do not meet them.

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<sup>15</sup> Statistical Office of the Slovak Republic: “*EU SILC 2023 - Indicators of poverty and social exclusion*,” p. 8, [EU SILC 2023 - Indikátory chudoby a sociálneho vylúčenia \(statistics.sk\)](https://statistics.sk)

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid., p. 9

<sup>21</sup> Ibid.

<sup>22</sup> According to Act on Material Need Assistance material need is a situation where the income of the members of the household does not reach the minimum subsistence level and the members of the household are unable or incapable of securing or increasing their income through work, exercise of ownership or other rights over property and the exercise of entitlements.



According to experts, due to the strict conditions for the purposes of the Act No. 417/2013 Coll. on Material Need Assistance and amending and supplementing certain laws (hereinafter as the “Act on Material Need Assistance”), housing allowance is not available to all low-income households, which may be at risk of losing their housing.<sup>23</sup> This problem could be solved if the housing allowance was separated from the Act on Material Need Assistance and would be introduced in form of a separate state social benefit.<sup>24</sup> The conditions for entitlement to housing allowance thus might exclude from eligibility many households that live in informal dwellings or dwellings that do not meet normal technical standards.<sup>25</sup> These can include e.g. households living on unsettled land, in shacks or other forms of unauthorised housing and people in the situation of homelessness living in gardening areas without a tenancy agreement.<sup>26</sup> Housing allowance is not granted for short-term accommodation or overnight stay in shelters and social dormitories. People living within the same property in multiple households can find access to housing allowance challenging, whereas under the current legislation housing allowance can only be granted once regardless of the number of households occupying the dwelling.<sup>27</sup>

8. In Slovakia, the provision and supply of social housing is mainly the competence of towns and municipalities.<sup>28</sup> In 2024, the Centre carried out a research on municipal housing affordability, where it monitored the affordability of rental housing for different population groups.<sup>29</sup> On the availability of municipal rental housing (housing stock, application processing times, provision of information, etc.) and housing policy at the municipal level, the Centre obtained information through online questionnaires addressed to municipalities (293 responses were analysed) and by analysing the general binding regulations of the municipalities. Within the research, a deeper insight into the approach to rental housing, existing barriers, systemic problems, as well as

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<sup>23</sup> Department of Social Assistance and Social Policy Strategy of the Ministry of Labour, Social Affairs and Family of the Slovak Republic: *Analysis of the conditions for entitlement to housing benefit and international comparison of housing allowances*, p. 7 <https://www.employment.gov.sk/files/slovensky/rodina-socialna-pomoc/chudoba/analyza-podmienok-naroku-prispevku-byvanie-medzinarodne-porovnanie-prispevkov-byvanie.pdf>

<sup>24</sup> Ibid.

<sup>25</sup> Ibid., p. 5

<sup>26</sup> Ibid., p. 6.

<sup>27</sup> Ibid., p. 6-7

<sup>28</sup> Beňová, N., Matiaško, M.: *Right to Housing*, 2018, p. 72, available in Slovak at [https://www.notabene.sk/swift\\_data/source/knihy\\_publicacie/Pravo\\_na\\_byvanie\\_final\\_web.pdf](https://www.notabene.sk/swift_data/source/knihy_publicacie/Pravo_na_byvanie_final_web.pdf)

<sup>29</sup> Slovak National Centre for Human rights: *Availability of municipal rental housing*, 2024. As of the date of submitting this report, the research has not yet been published.





examples of good practice was mapped by the Centre through interviews with different target groups (municipalities, real estate agencies, social work).

9. The findings of the research underlined the need for a significantly higher participation in the implementation of housing policy, not only on the part of experts, but also on the part of the disadvantaged groups themselves (especially Roma and people on the move, including from Ukraine). The research also found challenges in access to housing of Roma and people fleeing the war in Ukraine, including discrimination at almost all stages of the housing process, from the construction of housing to the conditions for assessing applications, to the eventual resolution of problems related to rent. In addition, the actions of municipalities are often motivated by racism towards Roma inhabitants, including other inhabitants' disapproval of support measures for inclusion of Roma in the municipalities.<sup>30</sup>

10. In its research, the Centre also monitored housing security, which it found out is not sufficiently assured. Only 85 % of municipalities have information on the minimum length of tenancy published in their general binding regulation, meaning that in practice, there is no regulation for applicants to protect them from entering into extremely short tenancy agreements of several months. There is also no minimum length of tenancy set by the law. Shorter periods are generally used for lower standard apartments where municipalities expect lower payment discipline, usually for Roma households. With regard to the length of contracts, the research shows that Roma households are often given shorter contracts than the majority, the reason being the fear of possible non-payment of rent and the motivation for timely repayment. Municipalities also described the widespread practice of placing Roma tenants in specific locations, although they often do not consider it as segregation since the apartment buildings are not located outside the municipality. The research also shows that the exclusion of Roma households into so-called social housing with lower standard flats occurs, for example, by setting a higher minimum income level needed in higher standard flats, by setting various conditions that exclude families that have financial difficulties, but also by building new flats primarily for Roma households.<sup>31</sup> The Centre recommends that in light of the findings of the research, municipalities bring the criteria for the provisions of rental housing in line with the Act No. 365/2004 Coll. on equal treatment in certain

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid.



areas and on protection against discrimination and amending and supplementing certain acts (Anti-discrimination Act) in the area of direct and indirect discrimination.

11. As an example of good practice, in 2023, Bratislava as the first municipality in Slovakia launched a project of the Municipal Housing Agency (hereinafter as the “Agency”), through which it aims to expand the housing stock by entrusting apartments from the private sector to the management of the Agency.<sup>32</sup> The Agency essentially acts as an intermediary between apartment owners and households in need of standard housing, acting as a guarantor of lease contract and providing landlords with the security of a securely rented apartment and taking on the risks associated with renting.<sup>33</sup>

## **B) Living conditions of Roma living in excluded communities**

12. With regards to the housing situation of Roma families, despite some state efforts (including the Strategy of Equality, Inclusion and Participation of Roma until 2030<sup>34</sup> and related action plans) and some social housing projects, the living conditions of Roma families living in excluded communities continue to remain largely inadequate.<sup>35</sup> The Committee on the Elimination of Racial Discrimination has repeatedly urged the Slovak republic to adopt appropriate and effective measures in order to provide access to adequate housing and to improve the living conditions of Roma, adopt targeted measures with a view to end residential segregation affecting Roma, including by holding accountable local authorities that encourage or adopt segregation policies and to prevent discriminatory treatment of Roma on the housing market.<sup>36</sup>

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<sup>32</sup> Capital city of the Slovak republic Bratislava: „Municipal Housing Agency“, available at <https://bratislava.sk/en/social-services-and-housing/housing-and-accommodation/municipal-housing-agency>

<sup>33</sup> Ibid.

<sup>34</sup> *Strategy of Equality, Inclusion and Participation of Roma until 2030*, available in Slovak at [https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia\\_2030.pdf?csrt=10850662710539581688](https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia_2030.pdf?csrt=10850662710539581688)

<sup>35</sup> See for example: Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities: “The latest EU SILC\_MRK survey also confirmed a significant difference between the living conditions of the inhabitants of Roma communities and the majority”, 22 December 2021, available in Slovak at: [https://www.romovia.vlada.gov.sk/archiv-tlacovych-sprav/aj-posledne-zistovanie-eu-silc\\_mrk-potvrdilo-znacny-rozdiel-medzi-zivotnymi-podmienkami-obyvateľov-romských-komunit-a-majority/?csrt=7788883141977841714](https://www.romovia.vlada.gov.sk/archiv-tlacovych-sprav/aj-posledne-zistovanie-eu-silc_mrk-potvrdilo-znacny-rozdiel-medzi-zivotnymi-podmienkami-obyvateľov-romských-komunit-a-majority/?csrt=7788883141977841714)

<sup>36</sup> CERD/C/SVK/CO/13, para. 27.



13. In its 2023 Alternative Report on the Implementation of the European Social Charter<sup>37</sup>, the Centre also drew attention to poor living conditions of Roma living in excluded communities. According to the latest EU SILC Survey on income and living conditions of Roma living in excluded communities, as of 2020, 87 % of Roma living in excluded communities lived below the risk of poverty line, which is 2 percentage points higher than in 2018 (85 %).<sup>38</sup> The survey indicates that one of the main factors affecting the level of exposure to the risk of poverty is an individual's economic status, however, finding a job does not automatically constitute an escape from poverty.<sup>39</sup> While in the overall population in Slovakia, 5 % of employed persons lived below the poverty line in 2020, in the excluded Roma communities, it was 57 % of employed persons.<sup>40</sup> More than half of Roma living in excluded communities (52 %) lived in households with severe material deprivation compared to 6 % of the total population at the time.<sup>41</sup> The most common type of housing in the excluded communities were brick houses (62 % of households), followed by apartment buildings (23 %) and non-standard/non-residential types of dwellings (23 % of households), including shacks and wooden huts (15 % of households).<sup>42</sup> According to the survey, 54 % of households in excluded communities had a legally settled relation to their dwelling. In addition, as of 2020, households of 88 % of Roma living in excluded communities were overcrowded, 6 % households had no electricity and in a further 15 % of households, electric connection was inadequate/faulty.<sup>43</sup> Almost half of Roma living in excluded communities (47 %) lived in places that they consider polluted, dirty or with other environmental problems (compared to 10 % of the total population).<sup>44</sup>

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<sup>37</sup> Slovak National Centre for Human rights: *Alternative Report on the Implementation of the European Social Charter – Group 4 – Article 16 and Article 17*, available at <https://rm.coe.int/comments-snchr-slovakia-13-nr-2023/1680ac5430>

<sup>38</sup> Markovič F., Plachá L.: *Income and living conditions in marginalised Roma communities: Selected indicators from the survey EU SILC\_MRK 2020*, p. 18, available in Slovak at [https://www.romovia.vlada.gov.sk/site/assets/files/1276/analyticka\\_sprava\\_eu\\_silc\\_mrk\\_2020\\_elektronicka\\_final.pdf?csrt=4882968265749947127](https://www.romovia.vlada.gov.sk/site/assets/files/1276/analyticka_sprava_eu_silc_mrk_2020_elektronicka_final.pdf?csrt=4882968265749947127)

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid., p. 19

<sup>44</sup> Ibid.



### *Forced evictions*

14. The Centre has previously reported on the issue of mass evictions of residents from social rental housing (often excluded/segregated) that has long been voiced by civil society and that concerns tens to hundreds of families a year with minor children.<sup>45</sup> Mass evictions from social rental housing may also result in need to build unregulated settlements in the urban environment.<sup>46</sup> In addition, evictions often take place in winter, mainly due to the poor technical condition of the buildings.<sup>47</sup>

15. In case of eviction of residents from unregulated dwellings, the Slovak legislation does not provide for the obligation to provide replacement accommodation.<sup>48</sup> Unregulated dwellings can often be built on lands with unsettled ownership rights where obtaining a court order for eviction is difficult.<sup>49</sup> In 2012 and 2013, some municipalities disposed of illegal Roma settlements under the Waste Act as illegal dumpsites.<sup>50</sup> In September 2023, the Regional Court in Košice upheld the verdict of the first instance court in favour of 9 Roma in a case of force eviction of 156 Roma (including 63 children) from a settlement in 2012. The city had removed the illegal settlement, arguing that it was necessary to dispose of it, as it was considered not a household but waste.<sup>51</sup> In connection with the increasing number of evictions, the Public Defender of Rights has in the past addressed the municipalities and called on to guarantee the fundamental rights and freedoms of vulnerable groups and to implement only practices that are consistent with the positive obligations of the state.<sup>52</sup>

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<sup>45</sup> Beňová, N., Matiaško, M.: *Right to housing*, Bratislava, p. 80., 2018, available in Slovak at: [https://www.notabene.sk/swift\\_data/source/knihy\\_publicacie/Pravo\\_na\\_byvanie\\_final\\_web.pdf](https://www.notabene.sk/swift_data/source/knihy_publicacie/Pravo_na_byvanie_final_web.pdf)

<sup>46</sup> *Ibid.*, p. 83

<sup>47</sup> *Ibid.*, 81

<sup>48</sup> *Ibid.*, p. 83

<sup>49</sup> *Ibid.*

<sup>50</sup> *Ibid.*

<sup>51</sup> Dentons, european roma rights centre: *Roma whose dwellings were removed as waste, after ten years, have received a final verdict*, available in Slovak at [https://www.errc.org/uploads/upload\\_en/file/5521\\_file1\\_romovia-ktorych-obydliaboli-odstranene-ako-odpad-sa-po-desiatich-rokoch-dockali-pravoplatneho-rozsudku-.pdf](https://www.errc.org/uploads/upload_en/file/5521_file1_romovia-ktorych-obydliaboli-odstranene-ako-odpad-sa-po-desiatich-rokoch-dockali-pravoplatneho-rozsudku-.pdf)

<sup>52</sup> Beňová, N., Matiaško, M.: *Right to housing*, Bratislava, p. 81., 2018, available in Slovak at: [https://www.notabene.sk/swift\\_data/source/knihy\\_publicacie/Pravo\\_na\\_byvanie\\_final\\_web.pdf](https://www.notabene.sk/swift_data/source/knihy_publicacie/Pravo_na_byvanie_final_web.pdf)



### *Access to safe drinking water and sanitation*

16. In their report to the UN Committee against Torture, the NGOs Forum for Human Rights (FORUM) and the European Roma Rights Centre also reported on the poor living situation of Roma families including the issues of lack of access to safe drinking water and waste management.<sup>53</sup> According to data published in the Atlas of Roma Communities in Slovakia, as of 2019, 22% of Roma living in excluded communities (approximately 66 000 people) did not have access to safe drinking water directly in their homes.<sup>54</sup> In addition, 8 % of Roma living in excluded communities used water from a non-standard source, such as water from a stream or well (approximately 24.000 people).<sup>55</sup> Another 14% of Roma (approximately 42.000 people) use so-called public wells, that are located in a public space and shared, while the phenomenon of lack of access to safe drinking water is almost nonexistent in the majority population.<sup>56</sup>

17. As of 2019, the Atlas of Roma Communities in Slovakia recorded slight differences in the coverage of the public water supply network between communities outside of villages and on the outskirts of villages (approximately 60 % of settlements had coverage) and between concentrations inside the village (approximately 70 %).<sup>57</sup> Approximately 25% of people in the concentrations outside and on the outskirts of the village did not have access to drinking water directly in their homes, while inside the village, it was 14%.<sup>58</sup>

18. The Atlas of Roma Communities in Slovakia further shows, that as of 2019, individualised form of waste collection was used by 62 % of Roma living in excluded communities, with large differences between people living inside or outside of the municipality.<sup>59</sup> Approximately 100 000

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<sup>53</sup> Forum for Human Rights (FORUM), European Roma Rights Centre (ERRC): *NGOs information to the UN Committee against Torture For consideration when compiling the Concluding Observations on the Fourth Periodic Report of the Slovak Republic under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.*

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FCSS%2FSVK%2F52104&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FCSS%2FSVK%2F52104&Lang=en)

<sup>54</sup> Ravasz Á., Kovács E., Markovič F.: *Atlas of Roma Communities 2019*, p. 50, available in Slovak at [https://www.institutmatejabela.sk/files/ugd/1a16af\\_0d81d887ecb3421bb8b19728c82c980f.pdf](https://www.institutmatejabela.sk/files/ugd/1a16af_0d81d887ecb3421bb8b19728c82c980f.pdf)

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid., p. 52

<sup>58</sup> Ibid.

<sup>59</sup> Ibid., p. 67-68



Roma living in excluded communities do not have a waste container belonging to their own dwelling. Many people use big capacity containers as an alternative, but this is not an appropriate solution for household waste disposal.<sup>60</sup>

### C) Housing situation of Ukrainian refugees

19. The Centre has been monitoring the situation of refugees fleeing the conflict in Ukraine, including their right to housing, since the launch of the armed attack of Russia on 24 February 2022. The Centre outlined legislative amendments related to the right of housing of refugees in its annual Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the year 2022.<sup>61</sup> In the report, the Centre provided an analysis of the amendments to the Act No. 480/2002 Coll. on Asylum and on the amendment and supplementation of certain Acts (hereinafter as the “Asylum Act”) which regulated allowance for accommodation of refugees paid to providers of accommodation,<sup>62</sup> and amendments to the Act No. 91/2010 Coll. on the Promotion of Tourism (hereinafter as the “Promotion of Tourism Act”), governing the contribution to accommodation facilities for the accommodation of refugees, which is provided by the Ministry of Transport of the Slovak Republic.<sup>63</sup>

20. By monitoring the provision of accommodation to refugees from Ukraine and the provision of legal assistance for 2022, the Centre identified a number of risks associated with the right to housing, among others the possibility to misuse the vulnerable position of refugees by providers of accommodation,<sup>64</sup> discrimination against Roma refugees,<sup>65</sup> and insufficient protection of the refugees’ right to adequate housing that is safe and dignified.<sup>66</sup> The Centre recommended to the Ministry of Interior of the Slovak Republic and the Ministry of Transport of the Slovak Republic to establish specific mechanisms for screening and control of accommodation providers.<sup>67</sup>

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<sup>60</sup> Ibid., p. 69

<sup>61</sup> Slovak National Centre for Human Rights: „Report on the observance of human rights for the year 2022“, 2022, available at <https://www.snslp.sk/wp-content/uploads/HR-Report-2022.pdf>

<sup>62</sup> Ibid., p. 91

<sup>63</sup> Ibid., p. 91

<sup>64</sup> Ibid., p. 92

<sup>65</sup> Ibid., p. 92-93

<sup>66</sup> Ibid., p. 93-94

<sup>67</sup> Ibid., p. 114



21. In May 2023, the Government of the Slovak Republic adopted an amendment to the regulation of the Ministry of Interior of the Slovak Republic, prolonging accommodation allowance until the end of 2023.<sup>68</sup> In a series of amendments of the government regulation No. 218/2022 Coll. on the provision of accommodation allowance for expatriates,<sup>69</sup> which took place in February and March 2024, the Government of the Slovak republic lowered the sums of allowance for the providers of accommodation.<sup>70</sup> The Slovak NGO Human Rights League highlighted that the reduction in the accommodation allowance could cause demanding additional payments from Ukrainian refugees or encourage threats against them with eviction in case of non-payment.<sup>71</sup> Additionally, it noted that especially vulnerable refugees might find themselves in a state of legal uncertainty.<sup>72</sup>

22. Further changes related to the accommodation of Ukrainian refugees were introduced to the Asylum Act by the Governmental Bill amending Act No. 480/2002 Coll. on Asylum, and on the amendment and supplementation of certain Acts, adopted by the National Council of the Slovak Republic in June 2024.<sup>73</sup> The Government of the Slovak republic justified these changes by the need to modify the conditions of housing support to be sustainable in the long term and as targeted as possible, and the need to integrate refugees as soon as possible in order for them to

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<sup>68</sup> Ministry of Interior: “Provision of the accommodation allowance for expatriates will be extended until the end of 2023 “, 24 May 2023, available in Slovak at <https://www.minv.sk/?tlacove-spravy&sprava=poskytovanie-prispevku-za-ubytovanie-odidencsa-sa-predlzi-do-konca-roka-2023#:~:text=Ak%20poskytnete%20ubytovanie%20%C4%8Dloveku%2C%20ktor%C3%BD%20utieko%20pred%20vojnou,azyle%20sa%20tak%20predl%C5%BEuje%20do%20konca%20roka%202023>

<sup>69</sup> Governmental regulation No. 218/2022 Coll. on the provision of accommodation allowance for expatriate's, available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/218/20220621>

<sup>70</sup> Governmental regulation No. 23/2024, see Ministry of Interior of the Slovak Republic: “The Government decides on both the extension of temporary refuge and changes to the accommodation allowance“, 21 February 2024, available in Slovak at <https://www.minv.sk/?tlacove-spravy-6&sprava=kabinet-rozhodol-o-predlzeni-poskytovania-docasneho-utociska-aj-o-zmenach-pri-poskytovani-prispevku-za-ubytovanie>, Ministry of Interior; Governmental regulation No. 59/2024, see Ministry of Interior of the Slovak Republic: “Government approves changes to the accommodation allowance for refugees from Ukraine“, 20 March 2024, available in Slovak at <https://www.minv.sk/?tlacove-spravy-8&sprava=vlada-schvalila-zmeny-v-poskytovani-prispevku-za-ubytovanie-odidencov-z-ukrajiny>

<sup>71</sup> Hospodárske noviny, “Human Rights League criticizes the reduction of the expatriate accommodation allowance“, 15 March 2024, available in Slovak at <https://hn24.hnonline.sk/hn24/96136467-liga-za-ludske-prava-kritizuje-znizenie-prispevku-za-ubytovanie-odidencov>

<sup>72</sup> Ibid.

<sup>73</sup> Governmental Bill amending Act No. 480/2002 Coll. on Asylum, and on the amendment and supplementation of certain Acts, adopted by the National Council of the Slovak Republic on 13 June 2024, available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=9820>



contribute to fulfilling their basic needs with their own resources.<sup>74</sup> As stated in the adopted amendment, the accommodation allowance period has been shortened to 120 days from the time a refugee from Ukraine has been granted temporary protection in Slovakia.<sup>75</sup> Free accommodation without time limit will further be granted only to vulnerable persons as defined by the amendment.<sup>76</sup> Changes were also introduced regarding the accommodation of Ukrainian refugees in asylum centers – amended to 120 days maximum since a refugee from Ukraine has been granted temporary protection in Slovakia. Vulnerable persons have the option to prolong their accommodation in the asylum centers, however the definition of a vulnerable person differs in this case from the definition established in the accommodation allowance,<sup>77</sup> potentially restricting the access to accommodation for certain vulnerable groups.

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<sup>74</sup> Explanatory Memorandum to the Governmental proposal of law amending Act No. 480/2002 Coll. On Asylum, and on the amendment and supplementation of certain Acts, June 2024, available in Slovak at [nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=548337](https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=548337)

<sup>75</sup> Governmental Bill amending Act No. 480/2002 Coll. on Asylum, and on the amendment and supplementation of certain Acts, adopted by the National Council of the Slovak Republic on 13 June 2024, available in Slovak at: <https://www.nrsr.sk/web/Default.aspx?sid=zakony/zakon&MasterID=9820>

<sup>76</sup> Ibid., according to the amendment, vulnerable persons are: a) a household member who is a recipient of assistance in material need, b) a person with a severe disability to whom a subsidy is provided to support humanitarian assistance to a person with a severe disability pursuant to a special regulation, c) a person who has attained the age of 65 years, d) a parent who cares for a child up to the age of five years or a natural person who personally cares for a child up to the age of five years on the basis of a court decision, e) a child up to the age of five years who is a child of a person referred to in subparagraph d).

<sup>77</sup> Ibid., according to the amendment, vulnerable persons in relation to the accommodation in asylum centers are: (a) a person who has reached the age of 65 years, (b) a lone parent who is caring for a child under the age of five years or a natural person who is personally caring for a child under the age of five years on the basis of a court order, (c) a child under the age of five years of a person referred to in point (b)