

# Czech Republic

## 1. INSTITUTIONAL ISSUES

### 1.1 Decade Action Plan Drafting

The Czech Decade Action Plan (hereinafter, DAP) was prepared by the Office of the Government Council for Roma Community Affairs (hereinafter, the Government Office for Roma), in cooperation with representatives of relevant line ministries: the Ministry of Labor and Social Affairs (hereinafter, the Ministry of Labor), the Ministry of Education, Youth, and Sports (hereinafter, the Ministry of Education), the Ministry of Regional Development, and the Ministry of Health. The director of the Government Office for Roma, Czeslaw Walek, developed early drafts of the DAP and presented them to the Decade Committee. The Decade Committee had been formed in March 2004 for the purpose of advising on the Decade of Roma Inclusion within the Government Office for Roma. The committee was initially chaired by Government Commissioner for Human Rights Jan Jarab. In October 2004, when Jarab moved to a position within the European Commission, the assistant Deputy Prime Minister Ivo Hartman took over the chairmanship of the Decade Committee and the coordination of Decade activities.

Representatives of Roma civic groups and international institutions were invited to take part in a series of workshops aimed at designing the sectoral focus areas for action. These workshops appear to be the only tool for providing consultation with representatives of non-

governmental organizations, and they involved very few people. There were five participants in the education workshop, four in health, and three each in housing and employment—most of them representing ministries or government agencies. One or, in the case of the education workshop, two Roma representatives were present in each workshop, but these participants report that their influence on the actual design of the DAP was minimal. Even the three Roma representatives on the Decade Committee (one each from the Athinganoi and Romea NGOs and one working as an advisor on Roma issues to the municipality of Pardubice) report that, though they were consulted on communications strategies, they were not involved in the actual process of drafting the DAP.

The official decision to join the Decade, and the approval of the DAP, can be found in Government Resolution 136 from January 26, 2005. On February 2, 2005, Deputy Prime Minister and Minister of Justice Pavel Nemeč signed the Decade Declaration at the official launch of Decade of Roma Inclusion in Sofia.

### 1.2 Decade Action Plan Content

The Czech DAP is based on the Concept for Roma Integration in the Czech Republic (hereinafter, the Roma Integration Concept), a national governmental strategy for Roma. By the government's own admission, the Roma Integration Concept is not being adequately implemented. On November 5, 2006, Jan Litomisky,

the head of the Government Human Rights Council, stated in a television debate that the Roma Integration Concept was failing. Roma NGOs and other independent observers concur in this evaluation. Unfortunately, as most of the objectives and activities listed in the DAP overlap with those in the Roma Integration Concept, there is a danger that the problems associated with the implementation of the concept will carry over to the implementation of the DAP at the local and regional level.

As it stands now, the DAP enumerates a series of general directions for action, followed by a list of more detailed areas of activity. Clear, specific deadlines are set for most of the listed actions, and the few exceptions are for activities where the implementation schedule is set for the duration of the entire Decade. Most of the specific deadlines set in the DAP appear realistic, as they are based on timeline estimations for government activities that are already ongoing.

But, in most cases, the formulation of activities in the DAP, as well as the assignment of responsibilities, are vague enough to leave plenty of room for inaction by central, regional and local authorities. Moreover, the indicators themselves are not clear. Generally, progress is understood as a mere increase in the number of Roma beneficiaries of a particular measure, with no specific benchmark and no understanding of what the relevant variable among non-Roma would be. As there is no baseline data for most of the listed activities, measuring progress in the implementation of the current Czech DAP is virtually impossible. The government report on Decade implementation in 2006 recognizes this shortcoming, stating that “for most of the objectives that were supposed to be fulfilled in 2006, there is missing statistical data, as well as a qualitative evaluation, therefore it is not possible to say to what extent they were fulfilled and what was their efficiency” (Government of the Czech Republic, *Report 2006*). The report also says, “Each ministry sees [this as] the main obstacle in ensuring the effective monitoring, since it is not possible to define some concepts, on which the indicators of measurement are based, such as Rom, Romani family, Romani community; it is not clear how many Romani children are also from a socio-culturally disadvantaged environment, and which are indicators for some educational objectives.”

Some sections of the DAP are also woefully underdeveloped. For example, the health section of the

action plan has no measures listed other than the training and employment of health mediators with financing from European Union Structural Funds. Even this one measure in the area of health does not appear to be thoroughly thought out, as the indicator listed next to it is the number of (presumably Roma) beneficiaries, and the monitoring tool for the effectiveness of the measure in improving the health outcomes of Roma is puzzlingly identified as “sociological surveys.”

One other problem with the DAP is that it does not adequately reflect cross-cutting priorities. In particular, gender is not incorporated in any of the measures listed in the DAP. However, the 2005 report on Decade implementation reflects an approach that is more sensitive to cross-cutting priorities than the DAP, as it has a special chapter on gender, as well as chapters on poverty and discrimination (Government of the Czech Republic, *Report 2005*). Moreover, gender-sensitive programs are being implemented, even though this is not reflected in the DAP. For instance, in 2006 the Government Office for Roma acted as partners in two projects that were carried out by NGOs and targeted Roma women and girls: The first was a national meeting of Roma women organized by the NGO Manushe, and the second was a political training session implemented by the Roma NGOs Athinganoi and Manushe. This training resulted in three Roma women candidates running in local elections. One of these candidates was elected to office. Another trainee is currently working as Coordinator for Equal Opportunities in the central government.

### 1.3 Decade Coordination and Implementation

From the establishment of the Decade Committee in March 2004, until the parliamentary elections of June 2006, the Decade coordination and implementation structures functioned relatively smoothly. Those coordinating the Decade met fairly regularly and communicated informally between meetings. Deputy Prime Minister and Minister of Justice Hartman was national coordinator for the Decade until the parliamentary elections in June 2006. But the indecisive 2006 elections were followed by a long period of political negotiations, and the new cabinet led by Prime

Minister Mirek Topolánek did not take office until January 2007. In this unstable political climate, for more than six months, all Decade-related activities were carried out by Manager of the Decade Jaroslav Maroušek, without any involvement from the office of the Decade coordinator since there was no one appointed.

In January 2007, Minister without portfolio Džamila Stehliková took over as the Decade coordinator. The day-to-day operations relating to the Decade, however, are run through the Government Office for Roma, which is responsible for coordinating the implementation of all governmental policies on Roma. The Government Office for Roma carries out its Decade coordination duties with the assistance of the Decade Committee, which acts as an advisory body and which includes three representatives of Roma civil society. Moreover, some line ministries have civil servants who, in addition to their other regular duties, are specifically assigned to Decade coordination tasks. For instance, the Ministry of Education has tasked Decade coordination and implementation to a civil servant of Roma origin, Margarita Wagner.

One weak link in Decade implementation, acknowledged by the government in the 2006 draft report on Decade implementation, is cooperation with local authorities. Neither the Government Office for Roma nor any of the line ministries appear to have contacted municipalities about Decade plans and implementation. According to the representative of the Government Office for Roma, as of early 2007, most of the regions have strategic plans for Roma integration, but there are questions regarding quality because the plans were developed on local initiative, without any consultation with central coordination structures.

The Government Office for Roma produces yearly reports on Decade implementation. The first Decade report, covering 2005, was passed by Government Resolution on March 8, 2006. In addition to providing detailed information on specific activities and recommendations for the future, it tasked coordination mechanisms to submit a 2006 report together with the Decade budget proposals for 2007 (Government of the Czech Republic, *Report 2005*). The very existence of this reporting and tasking mechanism is commendable, as it is a first step in ensuring government accountability for the commitments made under the Decade.

The reports offer some details of government activities, although the 2006 Decade implementation report does not list anything relating to the implementation of the employment objectives listed in the DAP. Moreover, the reports also point out that, in the absence of comprehensive baseline data and of well-designed indicators, it is virtually impossible to assess progress. Even though the Roma Integration Concept, after which the Czech DAP was modeled, is reviewed annually, and has had specific indicators attached to it since the beginning of the Decade, the Czech Republic still lacks an adequate methodology for data collection and progress assessment where Roma are concerned. Thus, the most recent report on the Decade (Government of the Czech Republic, *Report 2006*) proposes that the government initiate a process to redesign indicators and collection tools for data disaggregated by ethnicity. A first step in this process was the January 4, 2006 passage of Government Resolution 8, which specifies the need to have a concept for the long-term monitoring of the situation of Roma communities. Pursuant to this resolution, the Deputy Prime Minister and Minister of Justice committed to introducing a systematic, comprehensive monitoring methodology, which will allow for annual progress reviews, by December 31, 2007.

Another obstacle in the implementation of the Decade is the absence of specific funding earmarked for activities that fall under the DAP. Decade coordination and administration costs are covered through a small, separate line in the state budget that allocates funds to the Government Office for Roma—as well as through additional funds from the Open Society Institute and others. The total budget for Decade coordination activities in 2005 was CZK 913,370, a little more than EUR 32,000 (Government of the Czech Republic, *Report 2005*); in 2006 there was only a marginal increase in coordination allocations over 2005. But funding dedicated to substantive activities under the Decade is harder to track. The DAP mentions that each ministry will allocate money to activities under the Decade, generally either through the state budget or through funding allocated by the European Social Fund, yet no ministry prepared specific budget lines for DAP implementation for their 2006 or 2007 budgets. The draft 2006 report lists a series of programs that are mostly paid for from the European Social Fund, but also partially

funded from the state budget. These programs primarily cover the areas of social assistance and education for the disadvantaged and total almost CZK 490,000,000 (approximately EUR 17,500,000) (Government of the Czech Republic, *Report 2006*). It is impossible, however, to determine how much of this funding actually went to activities benefiting Roma under the Decade, as many of the listed programs target broader categories of beneficiaries.

## 2. FOCUS AREAS

### 2.1 Education

Because the 2001 Act on the Rights of Members of National Minorities prevents state administration bodies from collecting data on ethnic minorities, there is no data on Roma educational enrolment and attainment in the Czech Republic. NGOs and international organizations have conducted some independent studies and surveys (European Roma Rights Centre, *Stigmata*; Roma Education Fund, *Advancing Education*; UNDP, *Tvare chudoby*), but the results of these one-off efforts are neither nationally representative nor comparable, as the methodology for data collection varies.

Nonetheless, NGOs and independent observers looking into Roma education concur that there are gross disparities between Roma and non-Roma in Czech schools, both in terms of opportunities and in terms of outcomes. For instance, despite the fact that the last year of preschool has been free of charge since 2005, and despite the introduction of preparatory classes for disadvantaged children following the adoption of the Early Childhood Education Concept in 2006, the vast majority of Roma children do not attend any form of preschool education prior to enrolment in primary school. One reason for this situation is that Roma parents are not properly informed about changes in the education system, and many do not know of opportunities available for their children. Another reason has to do with simple economics: Even though tuition for the last year of preschool and for the preparatory classes may be free, parents are still expected to pay for school meals and school supplies. The costs associated with

these are often too high for many impoverished Roma families.

In the Czech Republic, many Roma children who have not attended preschool, and even some who have, are directed to take school readiness and intellectual ability assessment tests administered by local commissions. The tests, which require Czech language competence and presuppose familiarity with the elements of formal education, including pen and paper, are often used to stream Roma students into schools that offer substandard education and limited prospects for advancement to secondary—much less tertiary—education. Prior to the adoption of the new School Act in 2004, these schools were officially recognized as special schools for students with intellectual disabilities. As a result of the streaming practices described above, NGOs and special school administrators themselves reported dramatic over-representation of Roma children among special school students. In some cases, Roma constitute 100 percent of the total student body of such schools. Teachers and administrators recognize that the vast majority of these students do not actually have any intellectual disabilities, and were placed in special schools simply as a result of problematic assessment and placement procedures. Until a year 2000 amendment of the old 1984 School Act, Roma students studying in special schools could not access secondary mainstream schools upon graduation. At best, they could engage in low-qualification vocational training (EUMAP, *Rights of People*). Despite changes in the law, actual practice is changing very slowly, and the number of students in special schools is not decreasing (Roma Education Fund). Though a court case alleging discrimination and segregation in the country's education system is currently pending before the European Court of Human Rights in Strasbourg, the Czech government has yet to acknowledge the dimensions—or, for that matter, even the existence—of segregation of Roma in the national educational system.

Still, following the enactment of the new School Act in January 2005, most of the special schools were reorganized as basic practical schools. Formally they have become part of the mainstream education system but in reality they are still incorporated within the special needs education system. In fact, these schools are still listed as special education institutions, even in the official statistics provided by the Institute for Informa-

tion in Education. As far as desegregation goes, the change has been mostly terminological: The vast majority of students in these basic practical schools are still Roma—indeed, segregated Roma settlements often do not have access to schools other than these former special schools (*Socioklub, Romove, bydleni*). The teachers in the basic practical schools are still special pedagogues, and the curriculum, which is still less academically challenging than in mainstream schools, emphasizes manual skills over intellectual development. As a result, basic practical school graduates are not, in practice, able to compete with regular mainstream school graduates for admission to secondary school, even though they are now formally able to proceed to the next level.

While it did not bring about all the needed changes, the 2005 School Act brought along a renewed interest in educational policy reform. This interest resulted in adoption of such documents as the Long-Term Strategy for Educational Development in the Czech Republic and the Early Childhood Education Concept. Most of the reform activities, funded primarily through the European Social Fund, consist of sporadic, often NGO-implemented projects that do not have a systemic dimension. But there are two systemic projects, implemented by government agencies directly accountable to the Ministry of Education, that stand high chances of effecting large-scale changes in the Czech school system. The first one, a program for drop-out prevention and secondary education support implemented by the Institute for Pedagogical and Psychological Counseling from September 2006 through August 2008, introduces a series of measures intended to assist disadvantaged students attending primary and secondary schools. The second program provides for the establishment of five regional centers for minority integration. These centers are supposed to assist with the integration of minority students into mainstream education. As of this writing, it is too early to assess the implementation of these programs, much less their effect on the educational outcomes of Roma students.

Other measures with a high potential to assist with Roma integration in mainstream education are already in place. For instance, teaching assistants, which were unofficially introduced in 1993 and then formally recognized in 1998, have been a long-standing institution in Czech schools. The Ministry of Education

reports that 306 teaching assistants worked in the Czech Republic during the 2005-2006 academic years. Most of them worked in primary schools, and only a few worked in basic practical schools, the remaining special schools, or preschools. One problem that NGOs have pointed out repeatedly is that the hiring of a teaching assistant, as well as the choice of the teaching assistant, is left entirely to school administrators (Roma Education Fund; European Roma Rights Center, *Stigmata*). This arrangement means that teaching assistants are hired only in schools that already have a progressive attitude—and that, in practice, teaching assistants only get their position if they are loyal to school administrators.

Roma students progressing to secondary education have access to Roma minority scholarships, while those progressing to tertiary education can receive social scholarships for disadvantaged students. Other types of support are available either through the Ministry of Education (in the case of secondary schools) or through NGO projects, such as the Romaversitas program run by Athinganoi. According to the figures made available through these programs, approximately 1,800 secondary school students have had access to supplemental funding of this type, and 62 university students have received funding through the Roma Memorial University Scholarship Program. Actual enrolment figures might be even higher, as secondary schools must request supplemental funding from the Ministry of Education, and some schools fail to follow the burdensome administrative procedure required to make a claim.

School curricula and teacher training curricula still need to be reformed to comply with the requirements of inclusive education, especially where Roma are concerned. Thus, while a few school books include some minimal information on Roma culture and history, teacher training programs do little to prepare mainstream teachers to work with Roma students. Most multicultural training modules fail to deal specifically with Roma, and courses dealing with the teaching of Roma students are still taught only in the special pedagogy programs. Some ad-hoc programs are developed by higher education institutions and NGOs, but these fail to address the actual needs of the Czech educational system as a whole (Roma Education Fund).

## 2.2 Employment

Because state agencies are forbidden by law to collect data on ethnicity, the Ministry of Labor does not keep records relating to the employment situation of Roma. A 2006 study, conducted by Gabal Analysis and Consulting for the purposes of analyzing the housing situation of Roma, contains some one-time data on Roma employment, and this data helps assess the seriousness of the situation. According to the study, in many of the more than 300 mostly Roma localities investigated, the unemployment rate reached 90 percent and, in some cases, even 100 percent, as compared to the 2006 national average of 9.2 percent (Gabal Analysis and Consulting, *Analysis*).

The Czech government does not have any employment policies that target Roma specifically. Instead, Roma are included among vulnerable groups for which broad policies are designed, and some Roma-specific programs are supported through local NGOs from the state budget or from the European Social Fund (Government of the Czech Republic, *Report 2006*). The DAP reflects this approach. Rather than promising that comprehensive policies for employing Roma will be designed by the Czech government within the framework of the Decade, the DAP indicates that the government will address the employment situation of Roma by supporting NGOs that are developing targeted programs.

Training and retraining for job-seekers is conducted through local employment offices. Unfortunately, even though most Roma are registered with these offices for the purpose of receiving unemployment and other social assistance benefits, few Roma actually take part in the job training courses (Winkler et al., *Analysis*). Generally speaking, Roma regard services of the local employment offices as ineffective, because they offer no real qualifications and no guarantees of finding and retaining actual jobs.

A host of government or donor-funded active employment programs, which have been developed by NGOs and are run on a local level, have been more successful in building relationships with Roma clients. Such programs have been developed in Hranice, Olomoc, Brno, and other places, and they have proven successful in linking Roma job-seekers with a variety of local support institutions, such as schools, community centers, and training organizations—as well as

with specific employers. One program, partially funded through the EQUAL Community Initiative Program, entails the formation of an employment agency with offices in four regions of the Czech Republic. The employment agency serves as a clearinghouse for employment-related information and offers job-seekers training programs that are designed in cooperation with Roma NGOs. The project reported 650 users last year, and 80 of these found permanent employment through the project's employment agency. A similar project in Brno reported 40 job-seekers who received temporary or permanent employment as a result of targeted services. These encouraging projects indicate that sustained, targeted efforts made in cooperation with experienced local NGOs have high potential for success.

But, outside of short-term employment in public works projects, few other opportunities for employment are available to Roma. Microfinance and small business loans are in practice not available to Roma, as they often require collateral guarantees that impoverished Roma cannot offer.

Slovak Roma seeking employment opportunities in the Czech Republic are at particular risk, because potential employers can take advantage of their status as temporary, often illegal, economic migrants and refuse to pay adequate salaries and benefits. Few legal remedies are available to the victims, most of whom have too little information about their own rights and the legal avenues to defend those rights.

Czech law has incorporated some anti-discrimination provisions relating to employment, but has yet to transpose the Race Directive of the European Council of the European Union, which offers protections against racial discrimination in a host of other areas, including education, housing, and the provision of public services. A draft of a comprehensive anti-discrimination law has been rejected by the Czech Senate, despite the fact that both domestic organizations and international groups have repeatedly called for the speedy transposition of European Union protections against discrimination.

## 2.3 Health

There is no nationally representative, regularly updated information on the health status of Roma in the Czech Republic. The above-mentioned 2006 survey on socially

excluded Roma communities in the Czech Republic, which was produced by Gabal Analysis and Consulting and focuses primarily on the housing situation of segregated Roma, contains some one-off data on health indicators, such as access to public services and environmental conditions. While this data can hardly constitute a reliable baseline for policy development in the Czech Republic, the available information on Roma health in the country is bleak (Janeckova et al., *The State of Health*; European Roma Rights Center, *Ambulance*). Average life expectancy for Roma is lower than for non-Roma. Whether they live in isolated settlements with no access to basic amenities, overcrowded inner-cities, or settlements that are at the edges of larger towns and are near environmental hazards like water treatment plants or city dumps, Roma are at higher risk of developing chronic conditions or endemic diseases, including tuberculosis. Infant, child and maternal mortality is reportedly higher in Roma populations, partly because of restricted access to healthcare—either because of the physical distance between healthcare providers and Roma neighborhoods or because some healthcare professionals, including emergency services, are reluctant to work in Roma areas. Anecdotal evidence suggests that healthcare providers often discriminate against Roma. Cases of sterilization without informed consent have also been reported in recent years.

The health section of the Czech DAP is startlingly inadequate in addressing these issues. It contains only one measure aimed at improving the health status of Roma: the development of a system of Roma health mediators, first as a pilot project beginning with 2005, and then on a national scale as of 2007. Indeed, in February 2005, the Ministry of Health presented a proposal for a health mediator project to the government. The proposal provided for a pilot health mediator program to be developed through an NGO. Consequently, a Roma civic group, Drom, developed a training module and, together with the Faculty of Masaryk University in Brno and the Medical Faculty of Ostrava University, trained 18 health mediators. The project ends in May 2007, but two local governments and one municipal government have expressed an interest in keeping health mediators employed until the end of 2007. The future of the health mediator project beyond that date depends on the extent to which European Social Fund financing will be made available for this purpose.

There are no government programs to provide healthcare coverage to the uninsured. Under the Czech healthcare system, all those employed or registered with unemployment offices, as well as children younger than 18 and mothers of children up to the age of 6, have their health insurance covered. NGOs estimate that the number of people left without health insurance coverage is very small. Emergency services and other types of healthcare services are provided to the uninsured, but the debt accrued as a result of receiving such services without insurance can be crippling high.

Similarly, there are no government-financed outreach activities, such as vaccination drives or health education campaigns, in Roma communities. Some NGOs conduct small-scale outreach activities on a local level, as do the health mediators mentioned above, but these sporadic efforts fall far short of addressing the needs of Roma across the Czech Republic.

## 2.4 Housing

Though government officials had been aware of the existence of a housing crisis for Roma for years, the sheer number of these so-called “excluded communities” came as a surprise to policy makers. The 2006 study by Gabal Analysis and Consulting revealed that more than 300 of these communities are situated in relative isolation with squalid conditions. The situation is seen as the result of growing segregationist trends, as well as a recent wave of evictions targeting Roma in the Czech Republic.

The current crisis began in the early 1990s, with the return of property nationalized under the communist regime and the sale of municipal housing stock to private owners. Roma tenants, many of whom could not afford to pay higher rents or the increased costs of utilities, were evicted by the new owners (Zoon, *On the Margins*). Many Roma lost their dwellings without so much as a court order, as Czech law does not require judicial review of evictions for cases in which rental agreements have expired or are non-existent (Krecek, “The Brief Course”). In some instances, Roma left their own houses after being lured into confidence schemes, under which they were promised (adequate) alternative accommodations if they agreed to leave their residence. Overzealous local officials seeking to win majority votes

have also contributed to the trend by moving entire communities from the center of town to more isolated areas on the margins of municipalities. Consequently, Roma have been concentrated in the cheaper areas of bigger municipalities, forming a large number of new “ghettos,” which are continually increasing in size (*Socio-klub*, *Romove bydleni*, and *Romove ve meste*). Roma in such areas often live without access to basic public utilities or services, such as public transportation, let alone access to quality mainstream schools or adequate primary healthcare. Some of these ghettos have even been built in the vicinity of environmental hazards, like city dumps or industrial waste disposal facilities.

Following much negative publicity around the ghettoization of Roma in the Czech Republic, the government has recognized the need for a comprehensive approach to the issue and has committed to adopting an integrated social housing concept by 2008. At the moment, social housing is usually made available only on the condition that applicants are employed and have no debts, which means most Roma are virtually

excluded from accessing social housing. The Ministry of Regional Development currently finances a program for constructing subsidized flats, sometimes referred to as “plain flats” in reference to the pared down finishes and utilities they offer to tenants, but it is not clear how many of these flats are actually given to Roma. The government progress reports under the Decade recognize that this program, just like many other housing measures and policies, lacks an adequate implementation monitoring mechanism to assess its impact on Roma.

Still, this program, together with other measures, such as the deployment of social workers to prevent evictions, are listed in the Czech DAP. The mention of these efforts indicates that the government is committed to dealing with the housing situation of Roma in a programmatic, comprehensive manner under the Decade. However, it is not clear how many of the good intentions listed in the DAP can be brought to bear actual fruit, as the central government has little leverage over local authorities in the Czech Republic.