

# Slovakia

## 1. INSTITUTIONAL ISSUES

### 1.1 Drafting of the DAP

The Slovak Decade Action Plan (hereinafter, DAP) was finalized during a two-day thematic workshop in which a number of Roma representatives participated with government representatives from most of the relevant ministries. The prevailing feeling among Roma leaders in Slovakia, however, is that the government has done too little to inform Roma about the Decade of Roma Inclusion during the preparatory phase. According to these leaders, the government seems to assume that Roma activists will come into play primarily as monitors, rather than co-designers, of government inputs into the Decade.

Most information about the preparatory phases of the Decade was spread through Roma participants to the thematic workshop and through unofficial channels such as the Roma Press Agency and the newspaper *Romano nevo ľil*. The Open Society Foundation in Bratislava facilitated the participation of Roma leaders in the DAP drafting process by assisting with communications among the members of the Roma forum. This ensured that they had considerable input into the development of the DAP within each sectoral working groups which held several meetings through mid-2004. The conclusions of the working groups were forwarded to the government's Office of the Plenipotentiary for Roma Communities, which is one of the official drafters of the DAP.

### 1.2 DAP Content

The adopted DAP, which is available online, contains two sections: A narrative section gives an overview of goals and measures included in the framework of the Decade, and a section with a matrix-style table has headings for goals, tools or measures, indicators, data, deadlines and financing. The table lists which ministries are responsible for monitoring progress on particular objectives. The DAP was adopted through a government resolution which also tasks the Deputy Prime Minister for European Integration, Human Rights and Minorities, together with the Minister of Education, the Minister of Labor, Social Affairs and Family, the Minister of Health, and the Minister of Constructions and Regional Development to coordinate and monitor the implementation of the action plan.

The Slovak DAP, however, does not explain coordination mechanisms and the roles that various state agencies are called to play in relation to each other in implementing the goals listed under the Decade. Moreover, specific deadlines are missing; thus, 2015, the end of the Decade, is listed as the deadline for most of the listed actions, making it difficult to trace the way in which various actions are phased in relation to each other and to monitor DAP implementation on an ongoing basis.

Most of the indicators are formulated in absolute terms, rather than in relation to the situation of non-Roma, with the one exception being the indicator relating to vaccination rates. Moreover, the relationship between government inputs and indicators is sometimes

tenuous. This is the case with indicators relating to the age of mothers at first birth and the age of youngsters beginning their sex life, which are supposed to measure improvements in the “sexual health” of Roma.

Funding is also an area that is often problematic in the DAP, as the allocation mechanisms, and often the available financing, are not made explicit in the official document. The education section leaves the funding column for all line items blank, explaining financial costs in a separate commentary under the table, which mentions only a contribution from the Roma Education Fund. In the employment section, the share of the state budget that would actually reach Roma is not clarified, as it only lists overall figures intended for broader categories, such as disadvantaged groups.

Finally, the text of the Slovak DAP exhibits many of the negative reflexes of recent Slovak policies for Roma: It includes problematic formulations such as “native predispositions” in relation to the health situation of Roma. It explicitly links Roma culture to poor housing conditions when citing the “cultural level” of Roma as a presumed reason for their lack of adequate housing and as a justification for building housing for Roma to a “lower standard.” It similarly links the provision of public utilities, such as running water, sewage and sanitation, to “improving social and cultural conditions” in settlements. It talks about “low motivation” as a reason for unemployment and suggests that “working habits” need to be changed. And it sets low expectations for Roma students by not even considering higher education as a potential area of government action for Roma inclusion.

Slovakia has not adopted priority action plans, but there are internal short-term strategies that guide the work of individual line ministries in the four focus areas of the Decade, and ministries write annual reports on progress under the Decade. Moreover, the Office of the Plenipotentiary for Roma Communities is working on the regional level for the adoption of regional policies to implement Decade goals. Still, the Slovak public is not adequately informed about the Decade, and confusion still reigns about the relationship between the DAP and various other governmental programs and strategies.

### 1.3 Decade coordination and Implementation

Pal Csaky, deputy prime minister for European integration, human rights and minorities, was appointed by the prime minister as Decade coordinator. In turn, Deputy Prime-Minister Csaky appointed Klara Orgovanova, head of the Office of the Plenipotentiary for Roma Communities of the Slovak Republic, to be a member of the Steering Committee of the Decade.

In 1995, in the wake of racially motivated violence, the government created the office of the Plenipotentiary for Citizens Requiring Special Care. At the same time, a Secretariat of the Plenipotentiary was also created within the Ministry of Labor, Social Affairs and Family. After a series of changes in the structure and leadership of the office, in 2001 Klara Orgovanova was appointed Plenipotentiary of for Roma Communities. The Office of the Plenipotentiary for Roma Communities has five regional branch offices. Since 2001, the office has developed and coordinated the implementation of governmental strategies for Roma, and has evaluated the effectiveness of these policies, advocating for course corrections as necessary. In recent years, tensions appeared between the office of the Plenipotentiary and the cabinet itself, so that the Plenipotentiary’s influence over government decisions and policies appears to have significantly decreased in practice.

Most of the day-to-day work relating to the Decade is done by the office of the Plenipotentiary. The office has a rather large staff, primarily due to that fact that it has several regional branches in addition to a small core staff in Bratislava. The office of the Plenipotentiary for Roma Communities also has coordinating, though not managerial, functions for the activities of the relevant line ministries engaged under the Decade: the Ministry of Education, the Ministry of Labor, Social Affairs, and Family (hereinafter, the Ministry of Labor), the Ministry of Constructions and Regional Development, and the Ministry of Health. This coordination is done on two levels: On the one hand, specialists in the office of the Plenipotentiary liaise with relevant employees in line ministries responsible for specific focus areas under the Decade framework. On the other hand, the Plenipotentiary has initiated an inter-ministerial commission on the affairs of Roma communities, giving that commission the task of advising the government on specific policies.

## 2. FOCUS AREAS

### 2.1 Education

No regularly updated and nationally compiled representative data on Roma education in Slovakia is available. The Slovak government's Institute of Information and Prognoses for Education collects some enrolment data, but the methodology for gathering the data appears inconsistent, which makes the resulting information unreliable as a baseline. Most of the information on the educational situation of Roma, therefore, comes from independent but non-representative human rights reports, which paint a rather bleak picture.

Roma in Slovakia are frequently segregated into special schools, so much so that many special schools appear to be attended exclusively by Roma. Diagnostic and assessment procedures that test school readiness and intellectual abilities are flawed at best. Families and students report that evaluation tests are complicated, demanding, lengthy and culturally biased, which partly accounts for the massive overrepresentation of Roma among students directed toward special schools. Other factors may also play a role, including anti-Roma bias, from those charged with conducting the tests, from school administrators and from teaching staff. Special schools offer substandard education in often substandard conditions, and they make it virtually impossible for their graduates to move on to regular secondary schools. Additionally, schools close to larger Roma settlements tend to be all-Roma. As a consequence, generations of young Roma grow up in isolation from their non-Roma peers, a situation that can only contribute to perpetuating the high levels of racial animosity in Slovakia (Roma Education Fund, *Advancing Education*; European Roma Rights Centre, *Stigmata*; EUMAP, *Rights of People*).

The Slovak government has shown itself more willing to deal with segregation in recent years, and it has initiated the implementation of a series of measures aimed at promoting integration. Thus, the Slovak government has taken a number of measures aimed at reducing the number of children from disadvantaged backgrounds, including Roma, placed in special schools, most notably by redesigning and testing new diagnostic and assessment methodologies. Thus, according to information

provided by the Office of the Plenipotentiary for Roma Communities for the purposes of this report, the Child Psychology and Pathopsychology Research Institute prepared new psychodiagnostic methodologies as part of the 2001 PHARE project "Reintegration of Socially Disadvantaged Children from Special Schools into Standard Elementary Schools." The new methodologies were distributed by the Ministry of Education and tested in pedagogical and psychological counselling centers, where an initial evaluation showed that they are positively received.

The Slovak government has also developed some programs aimed at increasing school attendance among Roma. For example: social assistance for families with children is tied to attendance of compulsory primary education institutions; subsidies for school supplies and school lunches are offered; and a one-year drop-out reduction pilot program was implemented until May 2006.

Another important measure was the development of so-called "zero classes," which typically consist of a preparatory preschool program affiliated with an elementary school. This measure should help increase the school readiness of Roma children. However, since per-capita funding was introduced in the Slovak school system, many such preschool programs had to be closed down, because they lacked sufficient funds to continue their activity. As a result, many children who suddenly had to commute farther to attend such "zero classes" did not actually do so. To remedy this situation, preschool programs were organized in some Roma communities—but such efforts reportedly often suffered from the usual problems associated with segregated education: poor quality education and teaching conditions, as well as low expectations and low motivation for teachers and students alike. According to the Office of the Plenipotentiary for Roma Communities, a recent study by the Institute of Information and Prognoses of Education has shown that the number of pupils who attend the zero classes at state and private elementary schools and the schools with zero classes has increased tremendously between 2001 and 2006.

Slovakia also adopted the "Teacher's Assistants model," which was implemented in preschools, primary schools and special schools. According to information provided by the Office of the Plenipotentiary for Roma Communities for the purposes of this report, at pres-

ent there are approximately 1,000 such teacher's assistants in the Slovak Republic. In practice, however, these teacher's assistants are typically hired on short-term, one-year contracts, which may affect their motivation. Moreover, teacher's assistants are selected individually by school directors, which in practice means that they are often chosen on the basis of their relationship with school administrators, not on the basis of their relationship with Roma parents and students (European Roma Rights Centre, *Stigmata*; Roma Education Fund).

Other measures that could impact Roma education include: the development of vocational education and second-chance programs for students who did not complete primary education; the provision of higher education scholarships, through the office of the Plenipotentiary for Roma Communities with the administrative support of the Open Society Foundation–Bratislava; and the provision of minority language and cultural education, such as the Roma studies program in a bilingual (Slovak-English) grammar school in Bratislava, a private grammar school in Kosice and the “Ghandi” grammar school in Zvolen for gifted and talented students from the Roma minority.

Many of these areas of action, however, are not included in the education section of the Slovak DAP, which merely skims over the surface of needed education reforms without providing the necessary detail for effective action. Objectives and targets are listed in general terms. For example, an objective such as “to improve the education-related achievements of Roma population” has as its only goal that “all Roma boys and girls pass elementary school.” The DAP often does not give any indication as to the manner in which these general goals are supposed to come about, and it does not mention the complexity of the issue and the need for an integrated approach.

## 2.2 Employment

A study by the World Bank published in 2005 estimates that the overall unemployment rate among Roma in 2004 was 78.9 percent (World Bank, *Quest for Equitable Growth*), but many of the larger settlements have 100 percent unemployment rates.

Mainstream governmental employment policies have not, for the most part, addressed the situa-

tion of Roma directly. Instead, they have focused on the broader category of vulnerable groups, which includes people with disabilities, the elderly, recent school leavers younger than 25 years of age, parents taking care of three or more children, and long-term unemployed persons. The real effect of such broad policies on Roma has not been tracked due to a lack of disaggregated data collected by ethnicity in Slovakia. The Social Development Fund, a state-funded grant-making agency, estimates that about one-third of its funding has gone to programs targeting Roma, but it is not clear whether this estimate measures funding directly reaching Roma or funding reaching broader categories, which also include Roma.

National employment programs developed by the Ministry of Labor have included vocational training, subsidized employment, and public works projects, funded both from the state budget and from the European Social Fund. No information as to the actual number of Roma beneficiaries is available.

Some of the specific smaller programs have explicitly targeted Roma by seeking to employ Roma in particular positions, like community social workers or assistant teachers, but the scope of these programs appears to be very limited. Moreover, some of the larger government employment programs funded by the European Social Fund were subcontracted, through public tenders, as smaller projects handled by external organizations. These smaller projects could then be specifically dedicated and tailored to Roma. However, other good models developed in the civil society sector—such as a number of Roma-staffed career counseling centers set up in Eastern Slovakia by the non-governmental organization People in Need—have not been taken up for replication by government agencies and subcontractors.

Public works have therefore presented by far the biggest opportunity for employment for Roma. But the employment gained in this manner is usually only short-term, so the numbers of the long-term unemployed remain unchanged.

Other measures have also had only limited impact: Some self-employment support programs, are being implemented through, for instance, the First Contact Centers, the Regional Consulting and Information Centers and the Business Innovation Centers (all of them sponsored by the Ministry of Economy). Subsidies

are being offered on a needs basis, and target Roma among other categories of beneficiaries, but the numbers of actual Roma applicants are not tracked. Some programs seeking to revive traditional crafts were also introduced—for instance, a carpet-making enterprise funded by the Equal Community Initiative in Presov. But opportunities for small business development for Roma are limited. Very little microfinancing is available—most of it through the Integra foundation, in partnership with Citibank—and the majority of business loans involve commercial bank credit, for which Roma usually do not qualify. Some not-for-profit business incubators have begun to function as NGO initiatives, but, again, the numbers of their beneficiaries are extremely low.

Meanwhile, measures designed as positive actions have sometimes had adverse effects. For instance, a Ministry of Agriculture grant-making scheme that gives preferential treatment to Roma applicants has actually increased tensions between Roma and non-Roma in certain localities. The impact on Roma beneficiaries otherwise is as yet unknown.

Following much debate and a number of false starts, in 2004, Slovakia passed anti-discrimination legislation, which was intended to harmonize domestic regulations with European Council directives in the field. The adopted legislation largely follows the requirements of the European directives, but it is still mostly unknown to employers, and has yet to be tested. The first court case under this law—a case relating to access to public accommodations for Roma—was only brought in August 2006, and the reporters have no knowledge of any cases filed in the area of employment.

The employment section of the DAP contains little more detail on how the general Slovak policies relating to employment for disadvantaged groups would be applied to Roma. Following a first target, to provide anti-discrimination training to state employees, most other measures listed in the DAP are almost verbatim transcripts of various provisions included in national employment programs developed by the Ministry of Labor. There is no mention of specific mechanisms to ensure that resources actually reach Roma beneficiaries, or that outcomes for Roma are measured.

## 2.3 Health

Largely because many Roma live in conditions of poor environmental hygiene and in isolated settlements without readily available access to healthcare assistance, the health outcomes of Roma are overall poorer than for the rest of the population. In addition, healthcare providers in Slovakia often discriminate against Roma, and even segregate Roma from the rest of the patient population in healthcare facilities. Emergency services are often reluctant to go to Roma neighborhoods, with sometimes tragic consequences.

Under these circumstances, the measures listed in the health section of the DAP—which comprise an epidemiological study, several information campaigns in Roma communities and the hiring of temporary healthcare assistants—appear woefully inadequate. They appear to identify Roma ignorance on health issues as the most important area of government intervention, and fail to address even in passing the problem of rampant discrimination against Roma in the healthcare system.

All citizens with permanent places of residence in Slovakia have access to healthcare coverage. However, Roma who do not have a registered permanent address (as is the case of Roma living in illegal settlements) or are otherwise lacking identity documents have difficulties accessing the healthcare system. Moreover, until September 2006, doctor's visit fees and other out-of-pocket expenses placed sometimes insurmountable obstacles to accessing healthcare services for the indigent, including Roma. In September 2006, however, the fee system was replaced by a small SKK 60 (approximately EUR 1.7) flat co-payment for first aid clinical services only, and a SKK 5 (EUR 0.1) co-payment for medicine and nutritional supplements.

While some programs aimed at improving health outcomes for a host of vulnerable groups, theoretically including Roma, have been enacted in Slovakia in recent years, they have failed to have any known direct effects on Roma so far. Roma-specific programs have been few and far between, and have dealt mostly with personal and environmental hygiene. Thus, in 2005 the Office of the Plenipotentiary for Roma Communities adopted a project aimed at providing exterminators for 50 settlements, and the Ministry of Labor is funding the building of personal hygiene and laundry facilities in some Roma communities.

A PHARE project aimed at improving the access to healthcare for selected area with high Roma population in Slovakia was implemented between 2004 and 2006 (*Overview*). The project included several components. A first component was the training of health field workers who acted as health mediators and assisted with developing preventive education and vaccination programs, as well as with registering Roma without health coverage within the Slovak health insurance system. A second component of the program was the establishment of eight small health centers in areas with limited access to healthcare facilities. Finally, the program provided for mobile health units (sanitary cars) for areas with large Roma populations that are not in close proximity to regular healthcare facilities; this component has yet to be implemented. A similar program, developed by the Public Health Authorities in cooperation with the Office of the Plenipotentiary for Roma Communities, is expected to be adopted in 2007.

## 2.4 Housing

The overwhelming majority of Slovak Roma live in substandard conditions, often within informal settlements at the outskirts of towns or in inner-city ghettos. Most such settlements lack basic infrastructure, like roads, or utilities such as sewage or electricity. These settlements are often excluded from other public services and public transportation. Environmental hazards prevail. The settlements are often located in flood zones and waste often seeps into drinking water, and toxic waste abounds (European Roma Rights Centre, *Written Comments*; Zoon, *On the Margins*).

In one well-publicized case, in the settlement of Patoracka outside Rudnany, the houses are located right on the grounds of a former mine contaminated with mercury. According to information provided by the office of the Plenipotentiary for Roma Communities for the purposes of this report, the government has sponsored the construction of 58 new flats for 495 inhabitants of this settlement between 2001 and 2006; but there are still about 150 inhabitants living in an area exposed to environmental hazards.

Despite the attempts to resolve this problem, the housing situation of marginalized Roma populations remains alarming. This is due to the extent of the prob-

lem (according to the Ministry of Construction as many as 4,000 new flats are needed to cover the needs of Roma living in improper conditions in settlements), and to the limited leverage that the central government has upon the actions of municipalities with respect to housing.

With a view to obtaining comprehensive data on the living conditions and situation of Roma in individual Slovak municipalities, their needs and the approach of local authorities to addressing Roma problems, the Office of the Plenipotentiary for Roma Communities designed and financed a sociographic mapping of Roma communities (Institute for Public Affairs, *Sociographic Mapping*). The outcomes of the mapping are used by the relevant ministries in designing policies for Roma communities. Thus, the central government has adopted a number of programs aiming to improve housing conditions for Roma, but their implementation by local authorities has been at best limited and problematic.

For instance, government measures that are supposed to facilitate the renovation of housing have been used to forcibly evict Roma from buildings located in the center of town and relocate them to the outskirts. In one example, through an abusive interpretation of legislation relating to building safety, Roma were almost entirely removed from the center of Presov to a newly built ghetto on the outskirts of the municipality. The apartments formerly inhabited by these Roma were subsequently renovated and turned into high-end residential properties. Given such abuses, and the fact that the Slovak DAP does not associate any funding with the measure relating to housing renovations—“higher housing standards for Roma within the urban agglomerations”—there is reason for concern about the government’s commitment to actually enact the measures as designed.

Forced evictions have risen sharply in recent years. They were partly facilitated by 2001 amendments to the Civil Code, which weakened the legal position of tenants in publicly-owned housing. Evictions no longer require a court order; the local authorities’ obligation to provide alternative housing has been significantly reduced; and tenants who fall behind on their rent or on their utility payments can be more easily evicted, with no obligation to provide alternative accommodation. Unemployed Roma thus often find themselves thrown into the street—and suspicions linger as to the

existence of an unfair practice of billing Roma tenants excessively for utilities, as a cover for utility company debts or losses (European Roma Rights Centre, *Written Comments*).

Some new housing for Roma was built in recent years. According to information provided by the Office of the Plenipotentiary for Roma Communities for the purposes of this report, between 2001 and 2006, the Ministry of Construction has funded the construction of 1,793 flats in 68 municipalities. However, there are concerns with respect to the quality and adequacy of these flats. Because of favorable subsidy rates, most of what has been built so far consists of 40-square-meter flats, which are too small for most Roma families. Even worse, the minimum standards—which were inexplicably low to begin with, as indicated by the name of the original government program, “housing to a lower standard”—are constantly lowered. As of this writing, the minimum standards included only indoor running cold water sources, but no bathroom or heating.

Moreover, this program has also been criticized for increasing segregation and creating new Roma ghettos, as far away from the majority population as possible. One of the most egregious examples is provided by the municipality of Letanovce, which moved Roma to a newly built area so far away from the center of town that it borders another nearby town, where the dislocated Roma became de facto, if not de jure, residents (European Roma Rights Centre, *Written Comments*).

Programs for improving the infrastructure for Roma neighborhoods and segregated settlements have

also been implemented. Thus, government officials interviewed for the purposes of this report estimated that between 2000 and 2006, the Slovak government provided subsidies of approximately EUR 5 million for the construction of sewage systems, access roads, etc., in around 100 areas inhabited by Roma. A 2001 PHARE program for improving infrastructure in Roma settlements also provided approximately EUR 16.7 million for similar projects in 29 counties. Some criticism, however, was raised with respect to the quality of the work done on a local level; in particular, Roma have complained that many public utilities were installed only pro forma, often at the edges of the settlements, which made them difficult to access for many of the intended users.

One other problem with the DAP is that it mentions the legalization of settlements and the clarification of property issues, but it fails to provide any funding for such work. A 2003 regulation also provides for the possibility of property exchanges, and other compensation for land owners. Some movement in this area has been registered—a few settlements have been legalized, mostly at the initiative of the Office of the Plenipotentiary for Roma Communities. The Slovak government tasked the Ministry of Agriculture with developing measures for the legalization of informal settlements. But the Ministry of Agriculture declined to develop a nation-wide policy, as the legalization of informal settlements can only be done on a local level, often only with the involvement of and upon the consent of private landowners.