



ACFC/SR/II(2005)001  
Appendices 1 to 7

**SECOND REPORT SUBMITTED BY THE SLOVAK REPUBLIC  
PURSUANT TO ARTICLE 25, PARAGRAPH 1  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

(Received on 3 January 2005)

*Annex No. 1*

**NATIONAL COUNCIL OF THE SLOVAK REPUBLIC**

**ACT 184**

**of 10 July 1999**

**on the Use of National Minority Languages**

The National Council of the Slovak Republic,

pursuant to the Constitution of the Slovak Republic and international instruments binding on the Slovak Republic,

respecting the protection and development of the fundamental rights and freedoms of the citizens of the Slovak Republic who are persons belonging to national minority,

taking into account the existing legal acts in force which govern the use of national Minority Languages,

recognising and appreciating the importance of mother tongues of the citizens of the Slovak Republic who are persons belonging to national minority as an expression of the cultural wealth of the State,

having in mind establishing of a democratic, tolerant and prosperous society in the context of an integrating European Community,

realising that the Slovak language is the State Language in the Slovak Republic, and that it is desirable to regulate the use of the languages of the citizens of the Slovak Republic who are persons belonging to national minority,

hereby passes the following Act:

**Section 1**

A citizen of the Slovak Republic who is a person belonging to a national minority has the right to use, apart from the State Language<sup>1</sup>, his or her national Minority Language (hereinafter referred to as „Minority Language“). The purpose of this Act is to lay down, in conjunction with specific legal acts<sup>2</sup>, the rules governing the use of Minority Languages also in official communication.

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<sup>1</sup> Section 1 paragraph 4 of Act of the National Council of the Slovak Republic No. 270/1995 Coll. on State Language of the Slovak Republic

<sup>2</sup> E.g., Section 18 of Civil Procedure Code, Section 2 paragraph 14 of Criminal Procedure Act No. 141/1961 Coll. (Code of Criminal Procedure), Section 7 paragraph 3 of Act No. 335/1991 Coll. on Courts and Judges, Section 23 of Act of the National Council of the Slovak Republic No. 38/1993 Coll. on the Organisation of the Constitutional Court of the Slovak Republic, Proceedings before the Court and the Status of Its Judges, Section 2 paragraph 1 of Act of the National Council of the Slovak Republic no. 300/1993 Coll. on Names and Surnames, section 16 and Section 19 paragraphs 3 and 5 of Act of the National Council of the Slovak Republic No. 154/1994 Coll. on Registers, Section 1

## Section 2

(1) If the citizens of the Slovak Republic who are persons belonging to a national minority constitute according to the last census at least 20 % of the inhabitants of a municipality, they may use a Minority Language in official communication within that municipality.

(2) The list of the municipalities referred to in paragraph 1 shall be determined by a regulation of the Government of the Slovak Republic.

(3) A citizen of the Slovak Republic who is a person belonging to a national minority shall have, in the municipality referred to in paragraph 1, the right to address written filings to the Governmental Agencies and self-government bodies (hereinafter referred to as „the Body of Public Administration“) also in a Minority Language. The Body of Public Administration in the municipality referred to in paragraph 1 shall reply, apart from in the State Language, also in the Minority Language, with exception of public documents.

(4) The decision made in an administrative proceeding<sup>3</sup> by the Body of Public Administration in the municipality referred to in paragraph 1 shall be issued, except in the State Language also in a Minority Language in the form of a counterpart. In the event of any doubts, the text of the decision in the State Language shall apply.

(5) The name of a Body of Public Administration displayed on buildings in a municipality referred to in paragraph 1 shall be given also in a Minority Language.

(6) The body of local self-government in a municipality referred to in paragraph 1 shall provide the citizens with official forms issued within its competence in the State Language and, upon request, also in a Minority Language.

## Section 3

(1) A session of the local self-government body in the municipality referred to in Section 2 paragraph 1 may be held also in a Minority Language, subject to the consent of all present persons.

(2) A member of the municipal council in the municipality referred to in Section 2 paragraph 1 shall have the right to use at the meetings of that body a Minority Language. Interpretation shall be secured by the municipality.

(1) A session of the local self-government body in the municipality referred to in Section 2 paragraph 1 may be held also in a Minority Language, subject to the consent of all present persons.

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paragraph 1 of Act of the National Council of the Slovak Republic No. 191/1994 Coll. on Displaying the Names of Municipalities in National Minority Languages, Section 5 paragraph 2 of Act of the Slovak National Council No. 255/1991 Coll. on the Slovak Radio, Section 3 paragraph 3 of Act of the Slovak National Council No. 254/1991 Coll. on the Slovak television, Section 5 paragraph 1 (e) of Act No. 308/1991 Coll. on the Freedom of Religious Beliefs and on the Status of Churches and Religious Societies, Section 2 paragraph 8 of Act No. 212/1997 Coll. on Compulsory Copies of Periodical Publications, Non-periodical Publications and Duplicates of Audio-visual Works.

<sup>3</sup> Act No. 71/1967 Coll. on Administrative Proceedings (Administrative Procedure Code) as amended.

#### Section 4

(1) A session of the local self-government body in the municipality referred to in Section 2 paragraph 1 may be held also in a Minority Language, subject to the consent of all present persons.

(2) In the municipality referred to in Section 2 paragraph 1, important information, in particular warnings, cautions and health information shall be displayed in publicly accessible places apart from the State Language also in a Minority Language.

(3) The Body of Public Administration in the municipality referred to in Section 2 paragraph 1 shall, within the scope of its competence, provide information on the generally binding legal provisions upon request apart from the State Language also in a Minority Language.

#### Section 5

(1) The right to use a Minority Language in a proceeding before court and in other spheres is regulated by specific legal acts.<sup>2/</sup>

(2) The provisions of Section 2 paragraph 1 shall not apply to the pre-school education, system of primary and secondary schools or culture. The use of national Minority Languages in these areas is regulated by specific legal acts.<sup>4</sup>

#### Section 6

In application of this Act, the use of the Czech language in official communication shall be deemed to fulfil the requirement of basic understanding with the State Language unless an international instrument binding on the Slovak Republic provides otherwise.

#### Section 7

(1) A Body of Public Administration and its employees are obliged to use the State Language in official communication<sup>1/</sup> and, under conditions provided for under this Act and specific legal acts, they may use also a Minority Language. The Body of Public Administration and its employees shall not be required to have a command of a Minority Language.

(1) A Body of Public Administration and its employees are obliged to use the State Language in official communication<sup>1/</sup> and, under conditions provided for under this Act and specific legal acts, they may use also a Minority Language.

#### Section 8

Section 10 of the Act of the National Council of the Slovak Republic No. 270/1995 Coll. on the State Language of the Slovak Republic is hereby cancelled.

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<sup>4</sup> E.g., Section 3 paragraph 1 and Section 3a of Act No. 29/1984 Coll. on the System of Primary and Secondary Schools (School Act) as amended, Act of the National Council of the Slovak Republic No. 279/1993 Coll. on Educational Establishments as amended by Act of the National Council of the Slovak Republic No. 222/1996 Coll.

Section 9

This Act shall enter into effect on 1 September 1999.

President of the Slovak Republic

Chairman of the National Council of the Slovak Republic

Prime Minister of the Slovak Republic

*Annex No. 2*

**Relevant provisions of the Criminal Code and  
of the Code of Criminal Procedure**

**I. Criminal Code**

Violence against a group of inhabitants and against an individual  
Section 196

(1) A person who threatens a group of inhabitants with death, bodily harm or substantial harm to property shall be punished by imprisonment for a term not exceeding one year.

(2) A person who uses violence against a group of inhabitants or against an individual or threatens them with death, bodily harm or substantial harm to property on grounds of their political conviction, nationality, race, belonging to an ethnic group, religion or because they are without religion, shall be punished by imprisonment for a term not exceeding two years.

(3) The punishment referred to in paragraph 2 shall be applicable to a person who associates or assembles in order to commit such act.

**Section 198**

**Defamation of a nation, race or conviction**

(1) A person who publicly defames

a) any nation, its language, any race or ethnic group, or

b) a group of inhabitants of the country on the grounds of their religion or because they are without religion,

shall be punished by imprisonment for a term not exceeding one year or a pecuniary sentence.

(2) The offender shall be punished by imprisonment for a term not exceeding three years if he commits the act referred to in paragraph 1 together with at least two other persons.

**Section 198a**

**Incitement to national, racial or ethnic hatred**

(1) A person who publicly incites to hatred for any nation or race or ethnic group or to limitation of the rights and freedoms of persons belonging to such nation, race or ethnic group, shall be punished by imprisonment for a term not exceeding one year, or by a pecuniary penalty.

(2) The offender shall be punished in like manner if he associates or assembles in order to commit the act referred to in paragraph 1.

**Section 219**  
**Murder**

(1) Any person who deliberately causes death to another person shall be punished by imprisonment for a term of ten to fifteen years.

(2) The offender shall receive an extraordinary sentence if he commits the offence referred to in paragraph 1

a) against two or more persons,

b) in an exceptionally brutal or cruel manner,

c) repeatedly,

d) against a person of under fifteen years of age,

e) against a pregnant woman,

f) against another person because of the latter's race, belonging to an ethnic group, nationality, political conviction, religion, or being without a religion,

g) against a public officer in the course of or in connection with the performance of his powers,

h) against a witness, expert or interpreter in connection with the performance of their duties,

i) as a member of an organised group,

j) with the intention to obtain tangible profit or to cover up or facilitate another criminal offence, or for another particularly despicable reason.

**Bodily harm**  
**Section 221**

(1) A person who deliberately causes bodily harm to another person shall be punished by imprisonment for a term not exceeding two years or a pecuniary sentence.

(2) The offender shall be punished by imprisonment for a term of six months to three years or a pecuniary sentence,

a) if he commits the offence referred to in paragraph 1 against a witness, expert or interpreter in connection with the performance of their duties, or

b) if he commits such offence against another person because of the latter's political conviction, nationality, race, belonging to an ethnic group, religion, or being without a religion.

(3) The offender who causes grievous bodily harm by committing the act referred to in paragraph 1 shall be punished by imprisonment for a term of one to five years.

(4) The offender who causes death by committing the act referred to in paragraph 1 shall be punished by imprisonment for a term of three to eight years.

## **Section 222**

(2) A person who deliberately causes grievous bodily harm to another person shall be punished by imprisonment for a term of two to eight years.

(2) The offender shall be punished by imprisonment for a term of three to ten years

a) if he commits the offence referred to in paragraph 1 against a witness, expert or interpreter in connection with the performance of their duties, or

b) if he commits such offence because of another person's political conviction, nationality, race, belonging to an ethnic group, religion or being without a religion.

(3) The offender who causes death by committing the act referred to in paragraphs 1 or 2 shall be punished by imprisonment for a term of five to twelve years.

## **Section 259 Genocide**

(1) A person, who with the intention to destroy, in whole or in part, any national, ethnic, racial or religious group

a) inflicts on the group conditions of life calculated to bring about its physical destruction in whole or in part,

b) imposes measures intended to prevent births within the group,

c) forcibly transfers children of the group to another group, or

d) causes serious bodily harm or death to a member of such group,

shall be punished by imprisonment for a term of twelve to fifteen years or extraordinary sentence.

(2) The offender shall be punished in the like manner if he takes part in committing the act referred to in paragraph 1.

## **Sponsoring and promotion of movements aimed to suppress the rights and freedoms of citizens**

### **Section 260**

(1) A person who sponsors or promotes a movement manifestly aimed to suppress the rights and freedoms of citizens, or who advocates national, racial, class or religious hatred, shall be punished by imprisonment for a term of one to five years.

(2) The offender shall be punished by imprisonment for a term of three to eight years

a) if he commits the act referred to in paragraph 1 through press, film, radio, television or in any other similarly effective manner,

b) if he commits such act as a member of an organized group, or

c) if he commits such act in time of defence emergency.



## **Section 261**

A person who publicly expresses his sympathy for fascism or any other similar movement as defined in Section 260, or who publicly denies, questions, condones or tries to justify the crimes of fascism or any other similar movement referred to in Section 260, shall be punished by imprisonment for a term of six months to three years.

### **Section 263a Persecution of the population**

(1) A person who in time of war practises apartheid or commits other inhuman acts arising from racial discrimination or terrorizes defenceless civilian population by violence or threat of violence, shall be punished by imprisonment for a term of three to ten years.

(2) The offender shall be punished in like manner if, in time of war:

a) he destroys or seriously damages a source of supplies vital for the civilian population residing in the occupied area or in the combat zone or arbitrarily denies the population assistance necessary for survival,

b) he without reasonable excuse impedes the return of civilian population or prisoners of war,

c) he without reasonable excuse effects the displacement of civilian population residing in the occupied territory,

d) he settles the occupied territory with the population of his own country, or

e) he arbitrarily prevents the civilian population or prisoners of war from having their guilt determined in impartial judicial proceedings..

(3) The offender shall be punished by imprisonment for a term of eight to fifteen years or by an extraordinary penalty if by the act referred to in paragraphs (1) or (2) he causes grievous bodily harm or death or any other especially serious consequence.

## **II. Code of Criminal Procedure**

### **Section 2**

(11) Court proceedings shall be oral; as a rule, the court shall take evidence through testimony of witnesses, experts or the defendant at a hearing.

(13) A person subject to criminal proceedings must be advised of his right to full defence and the right to retain a lawyer at each stage of the proceedings; all criminal justice authorities must guarantee the exercise of such rights.

(14) Everybody has the right to use his mother tongue in criminal proceedings.

## **Interpreter Section 28**

(1) Should it be necessary to translate the content of a testimony or a document, or should the defendant state that he does not speak the language of the proceedings, the court shall assign an interpreter who may also act as a recording clerk.

(2) If a defendant, invoking Section 2 paragraph 14, chooses a language for which there is no registered interpreter, or if the matter does not permit a delay and registered interpreters are not available, the criminal justice authority shall appoint an interpreter for the official language of the State of which the defendant is a national; if the defendant is a stateless person, official language of the State in which the defendant has his residence.

## **Section 151 Costs of criminal proceedings paid by the State**

**(1) The costs incurred by criminal proceedings, including execution proceedings, shall be paid by the State;** however, the State shall not pay the costs of the defendant, accomplice or the victim, or expenses incurred by appointing a lawyer or granting a power of attorney. The court shall, however, pay the costs of necessary defence incurred by the defendant in connection with filing a complaint on points of law.

### **Selected case law relating to racially motivated crime**

The case law below was selected and compiled by the General Prosecution Office of the Slovak Republic as a background for the Fourth and the Fifth Periodic Report to the UN Convention on Elimination of All Forms of Racial Discrimination (June 2003).

- a) The most serious racially motivated crime was the assault against a Roma family at Žilina. Four sympathizers of skinhead movement broke into a family house at night and started hitting sleeping girls with bats, causing them bodily harm. One of them then hit the head of their mother, causing her death. All four offenders were finally sentenced according to the Criminal Code in force and pursuant to Articles 4 and 6 of the Convention; they received unconditional imprisonment sentences of seven, five, four and three years.
- b) Extensive preliminary investigation led to opening criminal prosecution and bringing charges for the commission of crime under Section 260 paragraphs 1 and 2 letter a/ of the Criminal Code, in conformity with Article 4 paragraphs a) and b) of the Convention, against two producers and distributors of printed matters, entitled *Edelweis* and *The White Struggle*, containing articles and drawings promoting a movement aimed to suppress the rights and freedoms of citizens and advocating national, racial and religious hatred. The prosecutor filed an indictment against the two defendants. The court has not yet reached final decision in the case.
- c) Another exceptionally serious criminal offence according to Section 260 paragraphs 1 and 2 (a) of the Criminal Code and Article 4 (a) of the Convention committed in 2000 was the preparation, publication and sales distribution of Adolf Hitler's *Mein Kampf*.

Two persons were prosecuted for this criminal offence as co-offenders. Since both of them are Czech nationals and live in the Czech Republic, after the investigation was completed the criminal proceedings were transmitted to the Czech Republic in accordance with relevant legal provisions.

- d) After a police intervention at a meeting of sympathizers of skinhead movement held under the guise of a dance party in September 2001 at Papradno, prosecution was initiated against eight young men pursuant to Article 4 (a) and (b) of the Convention for publicly expressing their sympathy for fascism by adorning their clothes with various symbols, such as modified swastikas and other symbols.
- e) As a result of another police intervention at a meeting at Svrčinovec, where computer music was played promoting the Skinheads movement and the *Third Reich*, prosecution was launched and charges were filed against 12 offenders for criminal offences of sponsoring and promoting movements aimed to suppress the rights and freedoms of citizens according to Section 260 paragraphs 1 and 2 (a) or Section 261 of the Criminal Code, and Article 4 of the Convention. One of the persons charged is remanded in custody.
- f) Other persons are under prosecution for the same type of criminal offences promoting neo-Nazi, racist ideas, publishing and distributing songs with the like content. They are members of music groups Doctor Martens Skinheads and Justicia.

## Statistics on racially motivated crime

### Number of criminal offences with proven racial motives in 1997 – 2002:

Year	1997	1998	1999	2000	2001	2002
Number of detected criminal offences	8	15	11	25	37	109

### Number of persons charged with racially motivated crime committed in 2000 – 2002:

2000	42 persons charged
2001	40 persons charged
2002	73 persons charged

### Number of persons sentenced for racially motivated crimes in 2000 – 2002:

Criminal Offence	Section of the Criminal Code	Number of finally sentenced persons		
		2000	2001	2002
Violence against a group of inhabitants or against individuals	Section 196	7	4	13
Defamation of a nation, race, or conviction	Section 198	0	1	3
Incitement to national, racial or ethnic hatred	Section 198a	1	0	3
Murder – racially motivated	219 paragraph 2(f)	0	0	0
Bodily injury (harm) – racial motivation	221 paragraph 2(b)	0	2	2
Bodily injury (grievous harm) racial motivation	222 paragraph 2(b)	2	4	0
Genocide	Section 259	0	0	0
Crime against humanity	Section 259b	-	-	0
Sponsoring and promoting movements aimed to suppress rights and freedoms of citizens	Section 260	0	1	1

-II- : public expression of sympathy for fascism	Section 261	4	3	10
Persecution of population	Section 263a	0	0	0
<b>Total</b>	-	<b>16</b>	<b>15</b>	<b>36</b>

### *Annex No. 3*

## **Evaluation of the Slovak Government's Priorities with Regard to Roma Communities in 2002 and of the Slovak Government's Strategy to Address the Problems of the Roma Community in 2001**

The present document is derived from the Slovak Government's Activity Plan of 18 December 2002, which instructs the Deputy Prime Minister for European Integration, Human Rights and Minorities to evaluate the strategy of the Slovak Government addressing the problems of the Roma community in 2002.

In 2002, the Slovak Government approved its Priorities with Regard to Roma Communities in 2002, based on the *Strategy of the Slovak Government Addressing the Problems of the Roma National Minority and the Set of Measures for Its Implementation – Stage I*, and *Elaboration of the Strategy of the Slovak Government Addressing the Problems of the Roma National Minority into a Package of Concrete Measures in 2000 – Stage II*.

The following material thus includes both the evaluation of the Strategy of the Slovak Government Addressing the Problems of the Roma National Minority in 2001 and of the related Slovak Government's Priorities for 2002. Measures are proposed in its conclusion with a view to facilitating a more systematic implementation of individual strategies or activities of the State in relation to the Roma.

### **1. Overview of the most important Government documents and steps adopted to deal with Roma issues in 1998 – 2002**

During its aforesaid term the Government adopted several key documents and created the institutional umbrella in 1999 for dealing with the issues in question by establishing the post of the Slovak Government Plenipotentiary for Roma minority issues. The position of the plenipotentiary, set out in a statute, is part of the organisational structure of the Office of the Government of the Slovak Republic.

*1999*

*Strategy of the Slovak Government Addressing the Problems of the Roma National Minority and a Set of Measures for Its Implementation – Stage I (approved by Slovak Government Resolution No. 821/1999 of September 1999)*

This is a key document setting out the priorities in addressing problems of the Roma national minority, and outlining a long-term and systemic approach of the Government in a field of human rights, education and instruction, development of Roma language and culture, unemployment, housing, social security and the provision of health services.

*2000*

***Elaboration of the Strategy of the Slovak Government Addressing the Problems of the Roma National Minority into a Package of Concrete Measures and a Set of Measures for 2000 – Stage II (approved by Government Resolution No. 294/2000 of May 2000) – set of concrete measures to implement the objectives approved in Stage I of the Strategy.***

*2001*

Programme of support for the construction of special-standard municipal rental housing for persons in material distress and of infrastructure in Roma settlements – programme of

supporting housing construction, involving the future tenants into the construction of flats and of the relevant infrastructure.

2002

Priorities of the Slovak Government with Regard to the Roma Communities in 2002 (approved by Government Resolution No. 357/2002 of April 2002)

The document is based on the Strategy and Elaboration of the Strategy, and represents steps that had to be taken in areas where the situations was critical in 2002. Among the key priorities were the Comprehensive Roma Settlement Development Programme and the Social Field Workers Programme.

### **1.1. Important changes in the Slovak legislation in 1998–2002 relating to the Roma:**

1999

law on the use of the languages of national minorities

rules governing the use of minority languages also in official communication in municipalities where minority population constitutes at least 20% of the population – they apply to 57 municipalities where the number of Roma reaches the aforesaid threshold

2001

ratification of the European Charter of Regional or Minority Languages

legal provisions governing the protection and use of the languages of national minorities in the areas of education, judiciary, state and public administration, media, culture, economic and social life, and cross border cooperation in the Slovak Republic – a total of 49 provisions apply to the Roma language. The Government appointed Governmental Council on National Minorities and Ethnic Groups as an advisory body for the objectives of the Charter.

2001

amendment of the Constitution of the Slovak Republic

introduction of the institution of ombudsman – public defender of human rights

2001

approval of the use of bilingual Slovak – Roma census forms in the census of the population, houses and dwellings

## **2. Evaluation of the Strategy and of the Elaboration of Strategy in 2001**

The Slovak Government approved a *Strategy of the Slovak Government Addressing the Problems of the Roma National Minority and a Set of Measures for Its Implementation – Stage I* (hereinafter referred to as “*Strategy*”) in September 1999, and an *Elaboration of Strategy of the Slovak Government Addressing the Problems of the Roma National Minority into a Package of Concrete Measures and a Set of Measures in 2000 – Stage II* (hereinafter referred to as “*Elaboration of the Strategy*”) in May 2000.

The Government Resolution was implemented by: the Minister of Labour, Social Affairs and Family, the Minister of Construction and Regional Development, the Minister of Justice, the Minister of Economy, the Minister of Foreign Affairs, the Minister of the Environment, the Minister of Education, the Minister of Agriculture, the Minister of Interior,

the Minister of Health, the Minister of Defence, the Minister of Culture, the Slovak Government's plenipotentiary for the Roma minority, heads of regional authorities

The relevant tasks and measures were implemented in the following areas:

1. Human rights, rights of persons belonging to national minorities and non-governmental organisations
2. Education and instruction
3. Language and culture
4. Unemployment
5. Housing
6. Social field
7. Health condition (the environment)

The submitted document contains information about the fulfilment of Government tasks and measures in 2001 and 2002, drawn from the reports of individual sectors and regional authorities. Task fulfilment evaluation confirmed that, in some sectors, the Strategy started to address long-standing problems and that its implementation helped many professional staff members acquire various skills and capacities in the relevant field. However, the evaluation also reflects certain shortcomings in addressing problems of the Roma minority in individual sectors. Financial assessment of the Strategy is also inadequate. Although many tasks or measures were assigned specific budget allocations, the evaluation does not specify the costs that were actually incurred in comparison with the planned costs. A more detailed evaluation is presented in Tables 1 and 2 (Annex).

### **3. Evaluation of the Slovak Government's Priorities with Regard to Roma Communities for 2002**

Priorities of the Slovak Government with Regard to Roma Communities in 2002 (approved by Government Resolution No. 357/2002 in April 2002). They were based on the adopted *Strategy* and *Elaboration of Strategy*. The priorities were translated into proposals for long-term systemic programmes; these programmes were necessary for the formulation of the 2003 State budget, and in relation to the funds of the European Union. Identified as key priorities were the Comprehensive Roma Settlement Development Programme and the pilot Social Field Workers Programme. These efforts aimed at finding a comprehensive solution and involving all the parties concerned into the actual implementation of the programme. The abovementioned programmes were implemented as pilot programmes, coordinated by the Office of the Slovak Government's Plenipotentiary. Even though they were provided for under Government resolutions, their implementation at certain stages phases depended on the willingness of central state administration bodies and on the good will of self-governing authorities.

#### **3. 1. Comprehensive Roma Settlements Development Programme**

- introduced by Government Resolution No. 357/2002 on 10 April 2002
- implementation started in June 2002

A pilot programme aimed to deal with the situation in selected Roma settlements in a comprehensive manner, by means of activities in the area of housing and infrastructure building, education, identification of the opportunities for economic development of these municipalities, support for business activities and the related growth of employment.



A broader objective of the programme is to build civic amenities in selected settlements, ensure connection with the rest of the municipality, build infrastructure, alleviate and gradually eliminate social segregation, create conditions for their gradual integration and thus for sustainable improvements in the quality of life of the inhabitants of selected municipalities.

Selected localities for implementing the Comprehensive Roma Settlements Development Programme:

13 municipalities with Roma settlements

district of Spišská Nová Ves (Bystrany, Rudňany, Spišská Nová Ves)

districts of Prešov and Sabinov (Hermanovce, Jarovnice, Pečovská Nová Ves)

district of Vranov nad Topľou (Čičava, Hlinné, Jastrabie nad Topľou, Malá Domaša, Sol', Žalobín )

district of Gelnica (Nálepkovo)

### **3. 2. Social Field Workers Programme**

- introduced by Government Resolution No. 357/2002 on 10 April 2002
- implementation of the programme started in August 2002

Social field work is a prerequisite for implementing follow-up programmes. Social field work can be deemed to be completed only after the implementation of follow-up programmes. In the absence of such programmes, social field work cannot be considered to have fulfilled its objectives, i.e. to bring a long-term solution to the complicated situation of Roma settlements. Social field workers create the conditions and structures necessary to implement such programmes, and are personally involved in some of them. Their role is gradually changing from that of social workers to community organisers.

A total of 19 social workers were selected to conduct first-contact social counselling work for the citizens in need of social assistance. They cooperate with 40 helpers from local communities. They are remunerated from funds of the National Labour Office allocated for publicly beneficial works. The 19 selected social workers participated in a training programme organised through Partners for Democratic Change Slovakia, and spent a training period in the Czech Republic.

The programme is coordinated by the Secretariat of Government's Plenipotentiary for Roma Communities, in cooperation with the National Labour Office, the Ministry of Labour, Social Affairs and Family, and civil association ETP.

The programme is implemented in the district of Spišská Nová Ves (municipalities of Letanovce, Markušovce, Rudňany, town of Spišská Nová Ves), district of Sabinov (municipalities of Jarovnice, Krivany, Pečovská Nová Ves, Torysa), district of Prešov (Hermanovce, Svinia, Veľký Šariš), district Vranov nad Topľou (Čičava, Hlinné, Jastrabie nad Topľou, Malá Domaša, Sol', Žalobín) and district of Gelnica (municipality of Nálepkovo).

### **3. 3. Education and instruction**

Based on the approved Slovak Government's Priorities with Regard to Roma Communities in 2002, the following steps were taken:

- The Concept of Education and Instruction of Roma Children and Pupils was incorporated into the National Programme of Education and Instruction in the Slovak Republic (Slovak Government Resolution No. 1193/2001).
- A course on Roma studies at a Secondary Bilingual School in Bratislava (Slovak and English languages) was prepared.

- Preparations were made for creating gymnasium-type secondary schools in Zvolen and Košice.
- Preparations were made for introducing bachelor-level study of teacher's assistants and of social and missionary work in Roma communities at the Constantine the Philosopher University in Nitra.
- A Roma language grammar and a key for its use were published.
- A course on wood design and shaping was opened at the Secondary School of Art in Košice.
- The position of teacher's assistant was introduced under amendment to School Act No. 29/1984 Coll.
- The Roma Education, Information, Documentation, Advisory and Counselling Centre (ROCEPO) was created as part of the Methodological Centre in Prešov.

### **3. 4. Housing**

The Secretariat of the Slovak Government's Plenipotentiary for Roma Communities cooperated with the Ministry of Construction and Regional Development in implementing Government Resolution No. 335/2001 concerning the draft "Programme of Support for the Construction of Special-Standard Municipal Rental Flats for Housing Citizens in Material Distress and for the Construction of Infrastructure in Roma Settlements". Financial support was provided in 2002 for funding requests from municipalities to prepare building documentation for 919 flats.

### **3. 5. Influencing public opinion**

Media strategy of the Secretariat was aimed at improving the effectiveness of communication with the public regarding Roma issues, at a more objective information of the general public by public officials (representatives of state administration and self-government), and at improving information provided through the media – both as regards the quantity and the quality.

The Secretariat of the Slovak Government's Plenipotentiary for Roma Communities launched a campaign in 2001 on *We Are All Citizens of the Slovak Republic – the Solution to the Relationship between the Roma and the non-Roma is through Co-operation*, funded from a World Bank grant. The activities carried out in the campaign framework are targeting state administration officials on the one hand, and the general public on the other hand.

- *Campaign Čačipen – Pravda (8 – 30 April 2002)*
- Training course for press secretaries and spokespersons of ministries and other State institutions in the Slovak Republic
- Dialogues with editors-in-chief of printed media
- Seminar for journalists and editors of Slovak national printed and electronic media
- Information manual for journalists "Media in Relation to the Roma"
- Series of lectures on "Roma in Slovakia and a View from Elsewhere", designed for university students and general public
- Training meeting of journalists in the Spiš region for journalists from national and local Slovak media
- Cooperation between Roma and non-Roma media
- Competition for journalists – "Baroro – Kamienok"

#### 4. Human rights

One of important steps taken by the Government of the Slovak Republic with a view to strengthening education to mutual respect and tolerance to minorities was the **Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Expressions of Intolerance in 2000–2003 and its continuation in the 2002–2003 period**. The Action Plan comprises a variety of actions of relevant sectors, non-governmental organisations and other social subjects. The activities are aimed at such areas as education, culture, upgrading of Roma communities, combating extremism and similar phenomena, preventing discrimination, racism, xenophobia and similar intolerance in various areas. **The Action Plan is evaluated after each semester.**

#### 5. Overview of funds allocated for implementing the Strategy of the Slovak Government Addressing the Problems of the Roma National Minority in 2001 and Slovak Government's Priorities with Regard to Roma Communities for 2000.

##### 2001

**5.1. A reserve** for addressing the problems of the Roma community and Social and Cultural Needs of the Roma Community – General Treasury Administration chapter (allocation of SKK 30 million)

##### The funds were used for:

- **completing the building of infrastructure in Roma settlements, reconstruction and construction of buildings such as schools and community centres** SKK 9,282,460
- **education and instruction** SKK 1,116,000
- **employment with emphasis on retraining** SKK 2,539,740
- **development of culture, health condition and social field** SKK 7,718,800

**5.2.** Support for the **construction of special-standard municipal rental flats** for housing citizens in material distress and for the construction of **infrastructure** in Roma settlements (State Fund for Housing Development of the Ministry of Construction and Regional Development).

Financial support of SKK 17,029,400 and SKK 25,580,200 was provided in 2001 to build 56 flats and infrastructure in 15 municipalities, respectively.

**5.3. Implementation of the tasks under the Strategy**, secured by the ministries and regional authorities (evaluation in the Annex). Data are not complete because some ministries and regional authorities did not specify the planned and actually spent amounts, since the data in their reports are not broken down to reflect ethnicity.

from State budget funds	SKK 120,707,090
from other funds	SKK 19,291,000

#### 5.4. Implementation of PHARE projects for national minorities in 2001

**5.4.1. Improving the situation of Roma in the Spiš region** – SR 9813.04  
PHARE 1998

The objective of the project was to improve the situation of the Roma minority in the Spiš region by involving members of the Roma minority in developing, implementing, running and monitoring the project.

The objectives of the project were:

- to improve the level of education and cultural life (reconstruction of kindergartens and community centres)
- to enhance the awareness of fundamental human and civil rights and obligations among the Roma population (through social workers in the regions who run various hobby groups and information meetings in community centres)
- to create jobs for Roma (for approximately 50 members of the Roma minority)
- to improve the standard of living (in cooperation with the Slovak Government and local self-governing authorities, depending on the availability of governmental funds)

Subsidy from PHARE: EUR 450,000

Co-financing: EUR 100,000

Status: The project was implemented and completed in December 2001

## 2002

**5.5. A reserve** for addressing problems of the Roma community and Social and Cultural Needs of the Roma Community - General Treasury Administration chapter (allocation of SKK 50 million)

### **The funds were used for:**

- |   |                |
|---|----------------|
| - Comprehensive Roma settlement development programme and Social Field Workers Programme  | SKK 2,451,690  |
| - subsidy provided to municipal authorities to procure design documentation for the construction of municipal rental flats (919 flats) and infrastructure | SKK 10,991,200 |
| - influencing of public opinion, media activities   | SKK 1,490,000  |
| - research  | SKK 870,000    |
| - State budget subsidies for projects in the area of housing, infrastructure, culture, education and instruction, dealing with emergencies                | SKK 34,197,110 |

**5.6. Support for the construction of special-standard municipal rental flats** for housing citizens in material distress and for the construction of **infrastructure** in Roma settlements (State Fund for Housing Development of the Ministry of Construction and Regional Development).

Financial support of SKK 99,160,240 and SKK 72,509,860 was provided in 2002 to build 425 flats and infrastructure in 34 municipalities, respectively.

## **5.7. Implementation of PHARE projects for national minorities in 2002**

### **5.7.1. Minority Tolerance Programme – SR 9905.02**

PHARE 1999

The programme designed for all national and ethnic minorities in the Slovak Republic was divided into 3 subprojects:

#### ***1. Training programme for local authorities and opinion makers***

Key problems of coexistence between the Roma and the majority population were defined through research into interethnic relations in the areas with high concentrations of persons

belonging to the Roma national minority. The results were used in the training courses for public administration, local government, law enforcement, criminal justice, etc. Another 20 training courses will be organised through co-financing from the Slovak Republic; support is envisaged for several projects prepared in cooperation with citizens' associations and local government authorities.

## **2. Public information campaign about minorities in the media**

The project focused on increasing tolerance to minorities through public information campaign in electronic media. It consisted of a series of documentaries about European models of coexistence with minorities, and about minorities living in Slovakia. Co-financing from the Slovak Republic was used to organise accompanying events, trailers for documents and discussions, TV spots, radio spots, posters, etc.

## **3. Improving the standard of language teaching and learning in schools that provide instruction in minority languages, and creating the Roma Education, Information, Documentation, Advisory and Counselling Centre**

The objectives were:

- to improve the situation of national minorities through promoting the development of their education with special emphasis on Roma minority
- to create better conditions for teaching and learning in schools providing instruction in minority languages

Co-financing from the Slovak Republic covers the reconstruction of selected primary schools and the running of the newly created Roma Education, Information, Documentation, Advisory and Counselling Centre.

Subsidy from PHARE: EUR 1,800,000

Co-financing: EUR 500,000

Status: The PHARE-funded part of the project was completed in December 2002. Implementation of project activities funded from the State budget of the Slovak Republic is in progress.

## **5.7. 2. Improvement of the Situation of the Roma in the Slovak Republic – SK 0002 PHARE 2000**

The objectives of the project are:

- to increase mutual tolerance between Roma and non-Roma communities in municipalities by means of training social field workers, Roma and non-Roma leaders, administrative staff in the area of minority issues and problem-solving. In this respect, 10 community centres are to be established;
- facilitating access to the labour market for young Roma. Improving professional competence of labour market advisors, professional training of apprentices and young people aged 15 to 18 who did not complete school attendance. A module programme will be offered to the unemployed Roma in the 18 to 26 age bracket;
- enhance the process of education and instruction at all levels of schools: preschool education for children, support for primary school system through preparatory classes and intensive daylong care and alternative methods of education.

Subsidy from PHARE: EUR 3,800,000

Co-financing: EUR 309,000

Status: Some twinning activities were implemented in 2002; the remaining activities were opened for public tendering. As of January 2003, all projects reached the implementation stage.

### **5.7.3. Support to the Roma Minority in the Educational Field – SR 0103.01 PHARE 2001**

Objectives of the project are as follows:

- Improving preschool education in preschool facilities with a large number of Roma children.
- Improving basic education through daylong instruction and reintegration modules in the process of education.
- Establishment and running of community centres.

Co-financing from the Slovak Republic is designed to provide for:

- the reconstruction of school and community centre premises, financing operating costs of community centres during the duration of the project
- the salaries of social workers in community centres during the duration of the project
- technological support for community centres and primary schools.

Subsidy from PHARE: EUR 1,700,000

Co-financing: EUR 675,000

Status: The Financing Memorandum relating to the project was signed in 2002; the signature of the memorandum was followed by public tendering. The implementation continued in 2003.

### **6. Infrastructure Support for Roma Settlements - SR0103.02**

The objective of the project is to build basic infrastructure in the settlements in the region of East Slovakia and to conduct community work in these localities.

The following municipalities were included into the project:

Arnutovce, Banské, Belina, Brzotín, Draňov, Drienovec, Ďurkov, Hermanovce, Huncovce, Jarovnice, Kecerovce, Klenovec, Letanovce, Markušovce, Ostrovany, Pečovská Nová Ves, Rakúsy, Slavošovce, Soľ, Spišský Štiavnik, Stráne pod Tatrami, Svinia, Šimonovce, Šumiac, Telgárt, Trenč, Varhaňovce, Veľká Lomnica, Zborov, Zbudské Dlhé

Subsidy from PHARE: EUR 8,300,000

Co-financing: EUR 8,400,000

Status: The Financing Memorandum relating to the project was signed in 2002, followed by tender proceedings. The implementation continued in 2003.

### **7. Further Integration of the Roma Children in the Educational Field and Improved Living Conditions – SR 2002/000.610.03 PHARE 2002**

Main objectives of the project are as follows:

- Building a successful integrated Roma education system by means of setting up classes in special primary schools
- Helping the municipalities prepare for the construction of infrastructure

Co-financing of the project by the Slovak Republic is intended to cover part of the costs connected with the setting up of 20 classes in special primary schools.

Subsidy from PHARE: EUR 1,000,000

Co-financing: EUR 50,000

Status: The project prepared in the course of 2002 was approved with the signature of the Financing memorandum on 10 January 2003.

## 8. Positive and negative aspects of the fulfilment of *Strategy* and *Elaboration of the Strategy*

### 8.1. Strategy evaluation system

Considering the current state of Roma affairs and the fact that they represent one of the Government's priorities, it is necessary to take more vigorous steps towards addressing the most problematic issues. This calls for a better coordination of individual sectors and their mutual information about the existing or envisaged programmes. This also applies to the competent institutions at the regional level. One of the prerequisites for improving the effectiveness of work and cooperation is a more frequent evaluation of Government-approved tasks.

Proposed measures:

- to evaluate the fulfilment of the Strategy at the regional and sectoral levels at least twice a year,
- to make sure that the evaluation is based on concrete data,
- to analyse the achievements and failures, and to bring them to the attention of not only the competent bodies, but also of the general public,
- to recognise and promote successful activities in the regions,
- to use the media and political support to create a favourable environment for fulfilling relevant tasks.

### 8.2. Financial means

Proposed measures:

- to allocate financial means for the tasks that the previous Strategy identified as the tasks not requiring financial backing,
- to perform an on-going evaluation of the use of financial means,
- to ensure better targeting of financial means.

### 8.3. Professional staff

The quality of evaluation reflected not only the actual state of implementation, but also the level of professionalism or lack of it among the officials responsible for implementing the tasks.

Proposed measures:

- to upgrade the skill level of the officials dealing with Roma issues by means of training courses, workshops and seminars,
- to appoint to these positions persons belonging to the Roma national minority who meet educational requirements and perceive their work as a mission,
- to create wider opportunities for exchanging experience among officials responsible for implementing the Strategy at the level of individual sectors and regions.

#### *Annex No. 4*

### **BASIC POSITIONS OF THE SLOVAK GOVERNMENT'S ROMA COMMUNITIES INTEGRATION POLICY**

(approved by the Resolution No 278 of the Slovak Government on 23 April 2003)

**Developing national or ethnic identity and its protection are a natural right of minorities. Tendencies to maintain or revive historic regional or ethnic communities became stronger in European countries in the last decade. The interests of the communities and their need of having own tradition, language, culture, as well as the efforts of the majority communities and national governments to create a counterweight to the increasingly stronger European integration by supporting minorities and regional communities are the reasons behind it. The care for existing minorities is in a way an indication of the future of whole nations. The current European Union (EU) reform includes a strong supporting and protecting dimension with respect to minorities. This fact is important also with respect to their participation and influence in the EU bodies and institutions.**

The degree of minorities integration and their coexistence with the majority society are the condition for a successful functioning of Slovakia in the EU. Countries going through the integration process that failed to resolve the situation of their minorities will have only limited chances to succeed in the community of European countries. Productive integration through political participation, education and employment is the premise for a conflict free coexistence. The price to be paid for postponed solutions would be too high.

The search for a model of coexistence of a part of the Roma minority with the majority as well as the choice of integration procedures and steps are a difficult multifaceted problem the solution of which is a subject of ongoing discussions also in other European countries. In a uniting Europe the Roma face similar challenges as other ethnic groups. They are, however, considered an all-European specific non-territorial minority. Its specific nature is the reflection of a different history, extermination practices in the WWII, assimilation programmes of the communist era as well as a residue of a non-systemic and superficial approach in the post-communist period. Poverty, dependence on the social system together with the historic legacy of the past have resulted into the current social exclusion with elements of discrimination. While the essence of the Roma issue is of a socio-economic nature and it is linked with poverty the approach to the potential of their human and economic development assumes a full enjoyment of human rights.

Experience shows that strong assimilation pressures neglecting specific features, regardless of how well meant, fail to produce the desired results. A real integration and inclusion of the Roma ethnic group, and thus also an improvement of their standard of living, can be achieved, on the one hand, on the basis of the broadest possible consensus and a political will, on the other hand. Successive, properly timed and comprehensive approaches that will offset unequal opportunities and that put into effect equality of opportunities are the starting points for long lasting all-society solution.

It is clear that the existence of a political vision of the final situation enjoying the acceptance of the whole society and being the product of an agreement reached between the minority and the majority is the premise of a successful integration. The proposed solutions must be reached by a political consensus and must not become a means of political struggle. For the process of shaping solutions to be successful it has to be open to a public and expert discussion.

Therefore the specification of *Basic Positions of Slovak Government's Roma Communities Integration Policy* reflecting not only the specific aspects and conditions of Roma



communities in Slovakia but also the international political context seems to be the first and fundamental task in the search for positive and mutually acceptable solutions of the current situation of the Slovak Roma.

## 1. The approach to tackling the Roma issues after the 2002 elections

After the September 2002 parliamentary elections the Government declared in its Memorandum: *“The Government considers tackling the Roma issues its priority and it shall continue to support concrete development programmes for ensuring the improvement of the situation and integration of the Roma in the society including its adequate financial coverage. The Government shall prepare the continuation of the strategy for tackling the situation of the Roma community and in order to strengthen the implementation effectiveness and efficiency of individual plans it shall complete the development of technical and specific capacities directly in the regions where larger numbers of citizens belonging to the Roma minority live. The Government shall continue implementing the current useful projects in the area of education, housing, infrastructure and social sector while taking into account the aspects of a harmonious coexistence of Roma and non-Roma citizens.”*

This material is a set of solutions and concrete steps translating the declared political will of the Government into real life. It needs to be supported with **financial, institutional and human capacities**. A state authority having the adequate scope of competences and sufficient administrative capacities ensuring its capability to administer and **implement** the policy at a regional level shall be responsible for the solution of the issue.

## 2. The objectives of the integration policy

*Integration* is a balanced stable possibility of an ethnic group to participate in the social and economic life of a country on the basis of equal opportunities without jeopardising its identity (linguistic, cultural) that enriches the cultural wealth of the society with its specific features.

In our situation *the social exclusion* of a part of the Roma population means a general disadvantaged status mainly in the field of education, employment, housing, health and social care and access to services.

The strategic goal in addressing the issue of poverty and social exclusion is the support to the process of *social inclusion* through policies focused on achieving equal opportunities in the social field, employment, health care, housing and education. Social inclusion can be supported by guaranteeing adequate conditions and resources for a life in dignity, equal access to quality services (legal protection, education, health care, social care, culture, etc.), employment as a right and equal opportunities for all, tackling disadvantaged situations in education, and ensuring adequate housing for all.

**The Government of the Slovak Republic considers integration of the Roma, as an emancipated national minority, with the Slovak society an important task in the public policy domain. Creating conditions for integration is not a special service for the Roma it is mainly a contribution to the society as a whole. In the process of integration the minority must receive a permanent support from the state. It is a task the minority cannot manage alone. The state must create affirmative action for disadvantaged groups and, thus, support acquiring of education, skills and employment. The public opinion around the Roma is based on the understanding that an active and targeted support for the Roma minority to give them equal opportunities is a kind of an “original sin” committed on the democratic principle of the equality of citizens.**

*Integration based policy* means to make the best of the results achieved in the governmental policies applied, to define and intensify programmes aiming at ensuring real equal opportunities for the persons belonging to the Roma minority. Achieving integration requires continuing the creation of real opportunities for equal participation in the political, social and economic life of the society. The Romany culture is a part of the common cultural wealth of the Slovak Republic.

The ways in which the policy goals are being achieved are based on the human rights principles enshrined in the Constitution of the Slovak Republic and international human rights conventions signed and ratified by the Slovak Republic. These rights guarantee the Roma minority, *inter alia*, the right to participate in addressing the matters concerning the national minority and to freely decide on one's own national origin.

The policy is based on the belief that the key components of the problems persons belonging to the Roma minority face are perpetuating negative stereotypes, insufficient unbiased information on this national minority, prejudice and the resulting intolerance on the side of the majority population. Therefore the effort to change the attitude of the majority to the Roma minority is the long-term objective of the activities under this policy.

A legal framework for the protection of minority rights is necessary but not sufficient for a stable integration. A broader context of development means possibilities, choice, participation and responsibility.

The policy is based on partnership with the NGOs the activities of which are a significant and irreplaceable contribution to the solutions of the Roma community situation in the Slovak Republic.

However, integration is a two-way street. It requires changes on both sides - both from the majority and also from minority groups. Co-operation must be based on the understanding that integration is in the interest of both. Moreover, a successful integration is possible only when the international communities will share the responsibility with national governments, civic society and private sector in finding solutions for such an endangered group as the Roma.

### **3. Affirmative action - achieving equal opportunities**

Adopting temporary affirmative action is a vehicle for achieving equality and a life in dignity as proved by the practice spread in many developed democratic countries. In international law that is an important source of anti-discrimination legislation affirmative action is considered *legitimate measure* aiming at achieving *de facto* equality for disadvantaged groups. The UN Human Rights Committee holds that "*the principle of equality sometimes requires States Parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant (on Civil and Political Rights)*".<sup>5[1]</sup> Similarly, Article 2 paragraph 2 of the International Convention on the Elimination of all Forms of Racial Discrimination encourages the State Parties *to take special measures for the purpose of guaranteeing full and equal enjoyment of human rights and fundamental freedoms*. Under Article 4 paragraph 2 of the Framework Convention for the Protection of National Minorities <sup>6[2]</sup> the parties undertake "*to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national*

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<sup>5[1]</sup> General Comments , 18 UN Human Rights Committee.( Non-Discrimination: 10/11/89, ICCPR General Comment 18, paragraph 10)

<sup>6[2]</sup> Framework Convention for the Protection of National Minorities published by Notification of the Ministry of Foreign Affairs of the SR No. 160/1998. The date of effect for the Slovak Republic is 1 February 1998 and the date of validity 4 June 1998.

minority and those belonging to the majority.” and further that “*In this respect, they shall take due accord of the specific conditions of the persons belonging to national minorities.*” EU Council Directive No. 43/2000 of 29 June 2000 laying down the principle of equal treatment between persons irrespective of racial or ethnic origin requires positive actions by states in order to ensure “*full equality in practice*” in a similar spirit. This may include adopting or maintaining “specific measures to prevent or compensate for disadvantages linked with racial or ethnic origin”. In its latest Recommendation No. 7 on combating racism and racial discrimination adopted on 17 December 2002 the European Commission against Racism and Intolerance recommends adopting of temporary special measures designed to prevent or compensate for or to facilitate their full participation in all fields of life for groups suffering from discrimination on grounds of their ethnic or racial origin . These measure should not be continued once the intended objectives have been achieved.

Under the principles enshrined in international law these affirmative actions are in compliance with *the principle of equality and the right to non-discrimination* if these special measures are adopted :

- a) with the approval of the persons belonging to the groups they concern,
- b) on the basis of a sole objective, which is achieving equality,
- c) on a temporary basis,
- d) suspended when the proclaimed goal has been achieved,
- e) not a consequence of maintaining unequal or different standards.

If the adopted measures focusing on equal opportunities satisfy these requirements they do not constitute discrimination against the rest of the population. **The implementation of temporary affirmative action does not constitute the improvement of the situation of one group of persons but it concerns facilitating equal opportunities with the objective to achieve *de facto* equality, which is the fundamental requirement for the enjoyment of other human rights and freedoms.** In case of affirmative action focusing on the Roma the measures are of *temporary nature* and they do not impose quotas of permanent character. Therefore it is not possible to conclude that they would contradict Article 12 paragraph 2 or the provisions of Article 34 paragraph 3 of the Constitution of the Slovak Republic. Discriminatory differentiation is a measure that has no objective or rational justification or that supports an illegitimate goal or that violates the principle of proportionality between the goal and the means employed to achieve it.

The Government realizes that a substantial percentage of persons belonging to the Roma minority currently fails to enjoy the same starting position as the majority population in Slovakia for various historic and other reasons. Their opportunity to be included and to participate in the life of the country is not equal. The principle of equal opportunities is the crucial prerequisite for the exercise of all fundamental human rights and freedoms. The experience gained from the implementation of previous strategies has proved that it is necessary to adopt measures for achieving equal opportunities in the whole ambit of public administration.

Political will, highly professional co-ordination of adopted measures with a strong emphasis on regionalisation and direct participation by the Roma is an important dimension in adopting affirmative actions. Adopting affirmative actions must be accompanied with majority population awareness-raising aiming at convincing them of the need and contribution of such measures for the whole society and of the reasons for their implementation.

## **A. Education**

Education seems to be the priority key to solving various problems linked with the situation of the Roma population. At the same time it is obvious that the education is only the

necessary condition and in order to achieve a *de facto* materialisation of it all the actors directly or indirectly concerned with the issue must become one concert.

Based on the experience gained from the implementation of various steps in the area of education in 1998-2002 the issues of equal opportunities and access to education seem to be very important. The creation of integrated education guarantees equality of the participation in creating common values of the society. The school is for the Roma children from segregated settlements a complex, unknown and formalised environment difficult to get incorporated into. The difficulties in the education are mainly caused by the fact that the “present school” fails reflect the multicultural composition of the Slovak society.

### **1. The educational structure of the Roma population**

The level of education and the educational structure of the population are the reflection and also the result of concrete steps implemented in the educational system. In the 1991 census 76.68 % of the Roma had basic education as the highest level of completed education. 8.07 % identified vocational school without a school leaving examination. Only 0.60 % of the Roma had secondary technical education. Only 0.84 % of the Roma had full secondary education as the highest level of education completed. Out of all the ethnic groups living in Slovakia the Roma had the lowest percentage of university students.

### **2. Unequal opportunities of Roma children in access to education**

The Constitution of the Slovak Republic guarantees everyone the right to education (Article 42). Everyone has the right to education regardless of sex, race, colour, language, belief and religion, political affiliation or other conviction, national or social origin, nationality or ethnic origin, property, descent or any other status. (Article 12, paragraph 2 of the Constitution).

Surveys as well as experience gained in the 1998 – 2002 period show that inequality of Roma children opportunities is caused mainly by:

- - curricula and teaching methods mainly reflect the values and expectations of the majority population thus failing to provide sufficient room for the development of the talents and capabilities of the Roma children,
- - the teachers are not sufficiently prepared to cope with teaching in a multicultural class
- - children are not sufficiently prepared to understand the teaching instructions given by the teacher in the official language, they have poor motivation, they lack positive models oriented on education
- - the distance of the schools from municipalities is several kilometres and taking into account the low social and economic status of the families it represents a substantial barrier and often also the reason for putting the children to special schools which are closer to their residence,

**The disproportionately high representation of Roma children in special schools is a separate problem requiring immediate action. It is necessary to adopt effective measures in the field of school readiness testing, pre-school education, preparatory grades and the content of education in the sector of the Ministry of Education.**

The objective of this material is to propose concrete measures to ensure *equal opportunities* to Roma children through many temporary measures in the area of school legislation and also to create institutionally and financially room for educating the Roma children in their mother tongue.

## 2.1 Educating in the language of national minorities

Article 34 paragraph 2 of the Constitution guarantees the citizens belonging to national minorities their right to education in their language. The Slovak Constitution and the obligations the Slovak Republic acceded to in the framework of the European Charter of Regional and Minority Languages<sup>7[3]</sup> guarantee the persons belonging to national minorities the right to be educated in their mother tongue. The Slovak Republic has, *inter alia*, undertaken to,

- a. ensure that the *teaching of the relevant regional or minority languages becomes an integral part of the curricula at the primary school level*;  
This commitment was adopted for the Bulgarian, Czech, Croatian, German, Polish and the Romany.<sup>8[4]</sup>
- b. ensure that teaching of the Romany language becomes an *integral part of the curricula at secondary school and secondary technical schools*.<sup>9[5]</sup>

The Ministry of Education as the competent body of state administration has the responsibility to create room for Roma children in case of their interest to be educated also in the Romany language in long-term, i.e. the period 2004-2010. Materialising this responsibility requires in addition to a reliable survey of needs in this area also amending Section 3 paragraph 1 of Act No. 29/1984 Coll. on the system of primary and secondary schools (the School Act) as amended or adopting of a new law. According to the Programme Memorandum of the Government of the Slovak Republic and the Plan of Main Tasks of the Ministry of Education drafting of the legislative concept of a new education law is under preparation with the deadline of 30 September 2003.

It is not possible to ensure the exercise of this right in the short term also because of lack of qualified teachers capable of teaching in the Romany language. Therefore it is necessary to devise temporary measures with the objective to train sufficient number of teachers teaching in the Romany language in the period 2004 – 2010.

## 3. Education as a mean to preventing and coping with negative attitudes and prejudice on the side of the majority

**Negative attitudes of a part of the majority to the Roma minority play an important role in the current unsatisfactory situation of the Roma minority. The content and methods of child education from early age on are one of the most effective means to achieve the identified integrating goal. Two significant components should be present in the content and method of education: education to human rights and education taking into account the principles of multiculturalism.**

### 3.1 Education to human rights

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<sup>7[3]</sup> The European Charter for Regional or Minority Languages published by Notification of the Ministry of Foreign Affairs of the SR No. 588/2001 Coll. The Charter came into validity for Slovakia on 1 January 2002.

<sup>8[4]</sup> Article 8, subparagraph b. ( Part III) of the Charter

<sup>9[5]</sup> It also results from the obligations attached to the Declaration of the Slovak Republic when signing the European Charter for Regional or Minority Languages of 2001. (ETS No. 148) - namely from the obligation under Article 8, subparagraphs ciii and d iii. (Part III) of the European Charter for Regional or Minority Languages.

In December 1994 the UN General Assembly announced the Decade for Human Rights Education from 1 January 1995 to 31 December 2004 in its Resolution 1994/184 on the basis of Paragraph 33 of the Vienna Declaration and the Action Plan adopted by the UN General Assembly at the 1993 Human Rights World Conference. National governments are playing an active role in the effective implementation and strengthening of human rights education at all levels of education. Active cooperation with national human rights institutions and NGOs is indispensable for the achievement of this task.

**Education to tolerance, mutual respect and understand in the framework of the 2000 - 2001 Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance and also the education in the framework of the 2002-2003 Action Plan are the first steps to materialising the goals of the UN Decade.**

The level of human rights education at all levels of education *cannot be considered satisfactory* as confirmed by evaluation reports made by international human rights organisations.<sup>10[6]</sup> It is necessary that the Ministry of Education as the sectoral state administration body drafts and financially covers the National Education Plan in the Area of Human Rights as a systemic measure to eliminate the existing shortcomings in the 2004-2006 period.

### **3.2 Multicultural education**

The prerequisite for creating room for the integration of minorities, in particular the Roma into the society is the change of negative attitudes in a part of the majority population. It can be achieved through a systemic change in the content of education. On one level it concerns a consistent education to human rights and tolerance. At the lower level understanding must be achieved that the minority Romany culture is a part of the common culture of the society. This objective can be achieved through systemic multicultural education.

Though several projects<sup>11[7]</sup> have been carried out in this area no sufficient systemic conditions for implementing multicultural education covering the whole country have been created so far in Slovakia.

#### **Middle-term (2003-2006) and long-term (to 2010) measures that have to be adopted in the sector of the Ministry of Education:**

1. to elaborate a policy of Romany children and youth integrated education with the objective to facilitate equal opportunities of Romany children in access to education,
2. to adopt temporary affirmative action tackling segregation and also real accessibility of education for Roma children in the context of decentralisation in the school system,

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<sup>10[6]</sup> The recent ones include for instance: the 2002 UN Committee on Economic, Social and Cultural Rights Report on Slovakia, (E/C.12/1/Add.81, 19/12/2002) paragraph 34, the 2000 UN Committee on the Rights of the Child Report on Slovakia, (CRC/C/15/Add.140. 23/10/2000) paragraph 15, the 2001 UN Committee for the Elimination of Racial Discrimination Report on Slovakia , (CERD/C/304Add.110, 01/05/2001) paragraph 15.

<sup>11[7]</sup> For instance the distribution of the Katici publication by Katarina Taikon Swedish-Roma author or the PHARE project called "Increasing the standard of teaching and learning at schools with the minority language as the language of instruction, and establishing the Roma Education, Information, Documentation, Advisory & Counselling Centre", which is a part of the *Minority Tolerance Programme* coordinated by the Human Rights and Minorities Section of the Office of the Government under the sponsorship of the Deputy Prime Minister for Human Rights, Minorities and Regional Development.

3. to cover the teacher's assistants activities financially at all those kindergartens and primary schools that are attended by a high percentage of Roma children. Teacher's assistants<sup>12[8]</sup> are a means of giving Roma children equal opportunity to make it in a broader context of the society,
4. to create conditions for further education of teachers and teacher's assistants from schools with high concentration of the Roma with a special emphasis on the co-operation between the teacher and the assistant,
5. to draft a development policy for the Roma youth having secondary and university level of education,
6. to adopt temporary affirmative action in the field of enrolment of Roma pupils and students to secondary schools and secondary vocational schools,
7. to establish a scholarship fund for secondary school and university Roma students,
8. to draft a report on the conditions of education and training of Roma children from segregated Roma settlements,
9. to regularly monitor the successfulness and school attendance of Roma children in the school system,
10. to ensure the implementation of alternative forms of pre-school education of children.
11. to draft a new act on education and training that will also include the implementation of commitments in the area of education resulting from the European Charter of Regional or Minority Languages,
12. 12. to devise temporary affirmative actions with the objective to train sufficient number of teachers teaching in the Romany language,
14. to draft a National Human Rights Education Plan for all levels of education in the meaning of paragraph 11 of the 1995-2004 UN Action Plan for the Decade for Human Rights Education. The National Plan should be the starting line for a sustainable human rights education also for the period after the lapse of the decade in 2004,
15. to guarantee the principles of multicultural education in a systemic way,
16. to motivate the pupils attending the final grades of primary schools to continue their studies at secondary schools and secondary vocational schools and to ensure their systemic training for the enrolment interview at secondary schools and secondary vocational schools, and to ensure the training of primary school teachers and teacher's assistants in this context,
17. to create conditions for distance or evening studies with the objective to complete the study and to pass the school-leaving examination,
18. to influence the regular school attendance with financial tools,
19. to create the possibility for granting a school aids or boarding financial support to children from poor families,
20. to determine the condition of school buildings, in particular of kindergartens, primary schools and secondary schools, in order to ensure funds for their reconstruction,
21. to build and reconstruct kindergartens and primary schools in localities with higher population growth.

### **The 2003 priorities:**

- to draft and adopt a policy of Romany children and youth integrated education including a proposal of temporary affirmative action,

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<sup>12[8]</sup> This also emanates from the recommendations in the National Action Plan for Children in Slovakia, part Education, paragraph (1.1) adopted with Resolution of the Government No. 837/2002 on 7 August 2002.

- to cover the teacher's assistants activities financially and capacity-wise at all those kindergartens and primary schools that are attended by a high percentage of Romany children,
- to support the drafting of a set of tests taking into account cultural differences and to gradually re-integrate Roma children from special schools,
- to draft a development policy for Roma youth having secondary and university education,
- to establish a scholarship fund for the support of studying Roma children,
- to draft a report on the education and training of Roma children from segregated Roma settlements.

## **B. Employment and the social sector**

### **1. Employment**

The employability rate of citizens is one of the fundamental premises for social and labour integration. Traditional skills of the Roma do not offer a potential solution for their unemployment - they are only of marginal interest for the labour market. Though some data indicate discrimination against the Roma in the labour market it is not the only reason for their problems in job-seeking. Low level of education and skills is their major weakness in the skills competition in the labour market. In addition, employers' attitudes to employing persons belonging to this ethnic group have a negative and undesirable effect on the employment rate of this minority.

#### **1. 1. Discrimination against the Roma in the labour market**

Article 35 of the Constitution guarantees everyone the right to work. Everyone has the right to work regardless of sex, race, colour, language, belief and religion, political affiliation or other conviction, national or social origin, nationality or ethnic origin, property, descent or any other status. (Article 12, paragraph 2 of the Constitution) The persons belonging to the Roma minority are *de facto* discriminated against in the access to employment as stated in evaluation reports made by international human rights organisations.<sup>13[9]</sup>

This disadvantaged position has different causes, e.g. the employers refuse to employ the Roma on grounds of their ethnic origin or the employers refuse to employ the Roma because they lack the necessary qualification. These facts should be seen in a broader context. The past assimilation practices combined with insufficient level of access to education have significantly diminished the chances of the Roma to establish their economic and political presence in the transition period.

The situation of Roma women requires special attention as their position in the labour market is made more difficult by their discrimination firstly on grounds of ethnic origin, and secondly on grounds of gender.

The objective pursued by the temporary affirmative actions taken by the Ministry of Labour, Social Affairs and Family should be creating equality of opportunities in the labour market for the Roma while special attention should be paid to the situation of women.

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<sup>13[9]</sup> The last ones included e.g. the 2002 UN Committee on Economic, Social and Cultural Rights Report on Slovakia, (E/C.12/1/Add.81, 19/12/2002) paragraph Slovak 9, indirectly also the 2001 UN Committee for the Elimination of Racial Discrimination Report on Slovakia (CERD/C/304Add.110, 01/05/2001) paragraph 13, the 2000 UN Committee on the Rights of the Child Report on Slovakia, (CRC/C/15/Add.140, 23/10/2000) paragraph 24.



## **Priorities in achieving an improvement of the Roma population situation in the labour market:**

1. increasing the employability of registered unemployed including the Roma, in particular the long-term unemployed ones, through development of programmes facilitating acquiring and maintaining of skills and of reskilling programmes,
2. integration of persons facing social exclusion including the persons belonging to the Roma ethnic minority in the labour market by creating rules regulating the concurrence of income from employment and income from public resources,
3. to support job creation for risk groups, including the Roma, in the labour market,
4. to involve mainly young people, including the young Roma, in social and voluntary activities,
5. to support alternative employment services and social integration of groups of citizens who require more care in the labour market, including the Roma.

## **2. The social sector**

**In addition to a high unemployment rate the social situation of the Roma in Slovakia is also determined by the low level of education and housing Act No. 195/1998 Coll. on social assistance that distinguishes material need caused by subjective and objective reasons had a very negative effect mainly in the Roma settlement communities. In the first half of 2002 the number of recipients of social assistance benefits increased by 2,928 compared with the first half of 2001, i.e. 642,069 persons which is 11.9 % of the population at an unemployment rate of some 20 %.**

**From 1 January 2003 amended act on social assistance limiting the income of families in material need on objective grounds to SKK 2,900 compared with SKK 3,490, and to SKK 1,450 from SKK 1,745 on subjective grounds is being applied. Children are always classified on objective grounds, in case of independent minor up to SKK 1,000 and in case of dependent child up to SKK 1,600. The social assistance benefit must not exceed a total of SKK 10,500. It is a fixed amount independent from the number of the members of the family. On the one hand this step has increased the difference between the amount of a social assistance benefit and the minimum wage which is set at a level of SKK 5,570 , and thus strengthened the motivation to get employed, on the other hand, the possibility to find a job remained unrealistic in regions where the general level of unemployment is around 25 - 30 per cent.**

The amendment of the social assistance act in effect from 1 January 2003 links receiving of social assistance benefits with smaller public services performed for the municipality and its locality. On the one hand, the measure helps to acquire work habits, on the other hand it does not resolve the problem in municipalities with larger Roma communities because the number of available jobs is too low to satisfy all citizens. The amendment of the social assistance act linking payment of child benefits with regular school attendance had a positive effect on reducing absenteeism in school age children. Ensuring regular school attendance (when the school is in another distant municipality) is often beyond the financial possibilities of some Roma families because of the material need in which they live. The experience gained in 2000-2001 has confirmed the urgent **need of social work in field.**

The temporary affirmative actions of the Ministry of Labour, Social Affairs should, in the short-term and medium term (2003 - 2006), focus on:

1. 1. creating legislative conditions for social work in field at the level of local state administration and self-governments, incorporating social work in field in the catalogue of works for public service,
2. 2. adopting measures for improving the efficiency of the institute of special recipient,
3. 3. decentralised granting of social assistance and, thus, allowing the individual regions to adjust the programmes of social assistance to local and regional conditions,
4. 4. creating legislative conditions for social work at the level of NGOs and other non-profit institutions and for supporting social counselling agencies,
5. 5. creating a network of mainly Roma advisors for addressing the problems of the Roma community at regional and local self-government levels taking into account the planned closure of district authorities,
6. 6. drafting a study on the impact and effect of the social system reform on the Roma community and a study mapping the Roma family at the Research Institute of Labour, Social Affairs and Family in 2003-2006 and to allocate sufficient funds for this purpose.

#### The 2003 priorities:

- to draft a temporary affirmative action programme aiming at ensuring equal opportunities for the persons belonging to the Roma minority in the social sector,
- to cover the implementation of the Social Field Workers Programme in terms of legislation and funds,
- to create a consultant network at the level of higher territorial units,
- to draft a report on the impact and effect of social system changes on the Roma community in selected Roma settlements in which the Social Field Workers Programme and the Comprehensive Development Programme are being implemented.

### C. Housing

The housing conditions of the Roma living in integrated and segregated areas differ significantly. 620 Roma settlements of an urban and also rural type with a total number of inhabitants of 139,560 making 24,342 families living in 15,016 dwellings were registered in Slovakia at the end of 2001. Out of the total of 620 Roma settlements 154 are located outside towns and villages and 466 settlements are located at the periphery or very close to towns or villages. The number of shacks is 4,511 (the 2001 Annual Report on Housing Agglomerations at a Low Socio-Cultural Level – (Roma settlements)).

The Slovak Republic is bound by the obligation resulting from the International Covenant on Economic, Social and Cultural Rights, namely, to ensure everyone an **adequate standard of living** (Article 11 paragraph 1 of the Covenant). The exercise of this right shall take into account legal certainty of housing, ensuring access to services and infrastructure, price affordability of housing, habitability, accessibility, appropriate location of housing allowing access to employment, health services, schools, kindergartens and other social facilities.<sup>14[10]</sup> One of the supporting programmes ensuring the enjoyment of the right to adequate standard of housing is the Ministry for Construction and Regional Development SR subprogramme of social acquisition of rental flats. The programme is being implemented on the basis of Resolution of the Government of the SR No. 335/2001 to the *Proposal of Support for the*

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<sup>14[10]</sup> General Comments No. 4 of the UN Committee for Economic, Social and Cultural Rights on the right to adequate housing. (E/1992/23), paragraph 8

*Construction of Communal Rental Flats of Different Standard designed to House Citizens in Material Need and also the Technical Infrastructure in Roma Settlements.* The rules for the construction of communal rental flats of different standard and also the technical infrastructure in Roma settlements lay down that a municipality will get a state subsidy up to 80 % of purchase costs and 20 % are usually represented by the work of future users contributed to their construction. Currently the Ministry for Construction and Regional Development SR does not have sufficient funds allocated for constructing new buildings under the housing development programmes in 2003 and this result in the slowing down of the implementation of projects prepared.

**The implementation of the programme proves that in the sector of the Ministry of Construction and Regional Development and the Ministry for the Environment there is a need to adopt temporary affirmative actions and projects focusing on :**

1. continuing the "Support Programme for the Construction of Communal Rental Flats of Different Standard designed to House Citizens in Material Need and also the Technical Infrastructure in Roma Settlements" *including its funding from the state budget to ensure its permanent implementation,*
2. making the granting of state subsidies for building of flats to municipalities conditional upon drafting comprehensive development programmes linked with the National Development Plan of the Slovak Republic and the De Minimis Assistance Programme for the development of districts with high unemployment rate,
3. linking together the Comprehensive Roma Settlement Development Programme, Support Programme for the Construction of Communal Rental Flats of Different Standard linked with the National Development Plan of the Slovak Republic and the De Minimis Assistance Programme for the development of districts with high unemployment rate.

**The 2003 priorities:**

- to continue in the building of social flats in Roma settlements,
- on the basis of the National Development Plan to elaborate the principles of regional policy taking into account marginalized groups of the Roma population,
- to ensure potable water source in Roma settlements

## **D. Health**

The most sensitive indicator of population health is the so called life expectancy calculated from the current mortality population ratios. According to demographic estimates the life expectancy in the Roma is significantly shorter than in the other population. If the calculated life expectancy for men in Slovakia is 66.5 years than for the Roma men this values is estimated by 12 years less (54.5). A significant difference is also estimated in life expectancy of women with an average for women in Slovakia being 76.5 while in Roma women this indicator is by 10 years less (68.5). Child mortality compared with the mortality of all children up to five years of age in Slovakia is also significantly higher.

The life in Roma settlements – rural settlements with overcrowded dwellings, absent innocuous potable water, sewage system or cesspits for waste water, accumulating solid quickly decaying communal waste and no adequate access road - is high risk.

The main factors determining the lower quality of Roma population health are today:

- - lower level of education which may be the source of insufficient level of health and social awareness,
- - low personal hygiene standard,
- - low communal hygiene standard,
- - the already mentioned low housing standard and hazardous environment linked with polluted and devastated environment,
- - unhealthy eating habits, unsuitable nutrition,
- - increasing rate of alcohol and tobacco products consumption also during pregnancy,
- - growing drug addiction and thus higher risk of HIV and hepatitis B and C infection.

## 1. Unequal approach in health care

**Article 40 of the Constitution of the Slovak Republic ensures everyone the right to protection of his or her health and the right to free health care and medical equipment for disabilities under the terms to be laid down by a law. Everyone has the access to the right to the protection of health and health care regardless of sex, race, colour, belief and religion, political affiliation or other conviction, national or social origin, nationality or ethnic origin, property, descent or any other status (Article 12, paragraph 2 of the Constitution). Under Article 1 paragraph 1 of the Charter of Patient's Rights adopted by Resolution of the Government No. 326/2001 of 11 April 2001 everyone has the right to respect of his or her fundamental rights and freedoms while being given health care. Paragraph 2 of the same Article lays down the right to access to health care without any discrimination and Article 2 paragraph 4 the right to equal access to health care.**

However, the Roma citizens have been disadvantaged in the provision of health care e.g. with segregating measures in hospitals when the Roma patients are placed separately from the non-Roma patients or when they are given special consulting hours. The approach of some health care workers violates the rights of the Roma to human dignity on the grounds of their ethnic origin.

The equal access to health care is enshrined in the Constitution of the Slovak Republic. In Article 12.<sup>15[11]</sup> Article 12 of the International Covenant on Economic, Social and Cultural Rights, which is a part of the legal order of the Slovak Republic, lays down the obligation of State Parties to recognise the right of everyone to enjoy the highest attainable standard of physical and mental health. The basic obligations of states in the recognition of this right *that must be unconditionally ensured by the state* regardless of its economic situation include the obligation to ensure access to health facilities, goods and services without any discrimination: (*de iure and also de facto*), in particular for the most endangered and marginalized groups of population.<sup>16[12]</sup> In addition the state has the obligation to ensure that *no third persons* may violate the right to health within the jurisdiction of that state.<sup>17[13]</sup>

## 2. Financially and practically accessible provision of health care

In its Section 2, Act No. 272/1994 Coll. on the protection of human health defines health as a condition of full physical, mental and social comfort and not only an absence of a

<sup>15[11]</sup> International Covenant on Economic, Social and Cultural Right of 1966 published in the form of a decree. Decree of the Ministry of Foreign Affairs No. 120/1976 Coll.

<sup>16[12]</sup> General Comments 14 of the UN Committee for Economic, Social and Cultural Rights on the right to the highest attainable health standard. ( E/C.12/2000/4) paragraph 43.

<sup>17[13]</sup> Paragraph 51 of the quoted comments.

disease; it is the result of relations between the human organism and the socio-economic, physical, chemical and biological factors of the environment, work environment and way of living (paragraph 1). Under this provision the protection of health is a set of measures composed of the prevention of the emergence and propagation of diseases and the limitation of occurrence and of health disorders, improvement of health through care for sound living conditions and a healthy way of living and the performance of state health supervision (paragraph 2). Under Section 10 of this act state administration authorities and municipalities have the obligation to create prerequisites for sound living conditions, working conditions and a sound way of living, to carry out disease prevention measures imposed by bodies of health protection and to co-operate with them in the implementation of their tasks.

Section 3 of Act No. 277/1994 Coll. on health care as amended stipulates the obligations of the state in the provision of health care that should be at a professional level, continuous, systematic and *accessible*. The recognition of the right to the highest attainable standard of physical and mental health requires health care provision *accessible in a safe physical distance for all population segments, in particular the most endangered and marginalized groups like ethnic minorities, indigenous people, women, children, adolescents, older persons, persons with disability and HIV/AIDS infected people.*<sup>18[14]</sup>

Most Roma settlements are located several kilometres from health care facilities. This fact together with the low social and economic status and other reasons affects the unequal access of the Roma to health care. *Identical treatment is, however, not sufficient* to achieve real *de facto* equality. In order to make health care really accessible to the Roma the sector under the Ministry of Health should adopt temporary affirmative actions covering primary health care including preventive care, and thus influence the existing unequal status of the Roma.

### 3. The protection of reproduction health

**The rights linked with reproduction health are an important component of human rights in the field of health. A systemic approach to the protection of the reproduction health is missing in the Slovak Republic. Considering the social and economic exclusion of a significant number of persons belonging to the Roma minority this shortcoming in the public policy has an even more significant impact on this minority. Especially education in the field of family planning is insufficient. The fact that sexual education is a part of the education at higher grades of primary schools, which a significant percentage of Roma pupils fail to achieve, is also a problem. Provision of information concerning the reproductive rights of women, in particular to Roma women in an easy to understand and acceptable form is insufficient.**

#### 3.1 Provision of information concerning family planning

All information on family planning methods or sexually transmitted diseases must be available in an *acceptable form*. Article 34 paragraph 7 of the Constitution of the SR guarantees the right of persons belonging to a national minority to receive information in their other tongue. This right is regulated only in Act No. 270/1995 Coll. on the state language of the Slovak Republic in its Section 8 paragraph 4 under which “Communication of medical staff with the patients is usually conducted in the state language; if the person concerned is a citizen or alien not in command of the state language it is also conducted in a language in which it is possible to communicate with the patient”. The 1994 Cairo UN International

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<sup>18[14]</sup> paragraph 12 subparagraph b of the quoted comments. This also results from paragraph 19 of the UN Committee on the Rights of the Child Report on Slovakia. (CRC/C/15/Add. 140)

Conference on Population and Development Action Plan also formulates these requirements on states. (Chapter 7, provision 7.5).

**To achieve *de facto* access to health care and health of the Roma it is necessary to adopt temporary medium-term (2003 - 2006) and long-term (till 2010) affirmative actions falling under the competence of the Ministry of Health:**

1. to incorporate the system of temporary affirmative actions focusing on the sufficient motivation of doctors, in particular doctors of the first contact, who provide health care including the reproduction health education to the Roma in the framework of the amendment process of Act No. 98/1995 Coll. on the Rules of Medical Treatment as amended,
2. to carry out a health survey among the inhabitants of Roma settlements, The survey should be carried out in co-operation with local doctors and inhabitants of the communities who enjoy the trust of their fellow-citizens. A pilot project in 5 areas should be carried out with the objective to gain the trust of the people prior to the survey,
3. to improve the co-ordination of programmes in the field of health and health care of the Roma by allocating a person or institution that would be responsible for all the projects concerning the health of the Roma,
4. to include the funding of the Programme for Upgrading the Environment, Hygiene Standard and Infectious Disease Prevention among the Inhabitants of the Roma Settlements approved by Resolution of the Government of the Slovak Republic No. 550 of 17 May 2002 in the state budget in 2004. The percentage of vaccinated inhabitants of the Roma settlements shall be increased from 70 to 95 % in the coming five years,
5. to draft a programme for improving the work of field workers of state health care institutions including also expanded health assistance network of Roma settlements,
6. to support and enlarge the network of health assistants who would provide health care in particular to children and mothers also as field work in the Roma settlements,
7. to expand the programmes focused on the prevention of all forms of discrimination, racism and intolerance in health care,
8. to elaborate a Comprehensive Systemic Human Rights Education Programme for health care workers and students of such vocations,
9. to adopt a comprehensive national reproductive health programme while special attention should be paid to women from marginalized groups,
10. to draft a model of mobile health units operating in remote localities responsible also for the education, vaccination and counselling in addition to the responsibility for acute cases in compliance with the decentralisation process in the health care sector.

**The 2003 priorities:**

- to draft a health care accessibility system together with financial coverage for marginalized Roma communities
- to elaborate a Health Condition Report of the population living in the Roma settlements

## E. Human rights

### 1. Discrimination against the persons belonging to the Roma minority

Article 12, paragraph 1 of the Constitution enshrines the freedom and equality of people in dignity and in rights while under paragraph 2 "fundamental rights shall be guaranteed in the Slovak Republic to everyone regardless of sex, race, colour, language, belief and religion, political affiliation or other conviction, national or social origin, nationality or ethnic origin, property, descent or any other status." Persons belonging to the Roma minority are in an unequal position with respect to the majority mainly in the field of education, housing, employment and health care as observed in evaluation reports drafted by international intergovernmental and non-governmental human rights organisations<sup>19[15]</sup> and important EU progress reports<sup>20[16]</sup>. Measures aiming at gradual elimination of inequality should take two lines - prevention and sanctioning of these negative phenomena.

#### 1.1 1.1 Prevention of discrimination

The focus on the prevention of this negative phenomenon mainly through systemic education of professional groups and influencing the majority population opinion in a positive way is an important condition for successfully coping with this negative phenomenon. The 2000-2001 Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance adopted by the Government with its Resolution No. 382/2000 on 3 May, is a tool of the Government for achieving this goal. The 2002 - 2003 Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance adopted by the Government with its Resolution No. 207/2002 on 6 March 2002 (hereinafter the "2002-2003 Action Plan") is its current continuation.

The 2002 – 2003 Action Plan activities are translated into concrete steps in several areas: the prevention of all forms of discrimination, racism, xenophobia, and anti-Semitism in various areas of life, education, cultural activities aiming at bolstering up Roma communities and combating extremism and similar manifestations of intolerance. The Action Plan implementation progress is evaluated every six months. Systemic education of persons belonging to professional groups who have influence on the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other manifestations of intolerance while performing their occupation in an important tool of the 2002-2003 Action Plan. (Training of Police Force officers, judges, candidate judges and officers of the Corps of Prison and Court Guard, prosecutors and prosecutor candidates, Armed Forces officers, educational workers and future educational workers, social services staff and staff of the social affairs departments at district or regional authorities.)

The first 2002-2003 Action Plan Progress Report adopted with Resolution of the Government No. 136 of 26 February stated that the state administration bodies concerned provided education and training in their sectors mainly in the form of seminars and discussions. Only a *relatively small number of persons belonging to professional groups* takes part in these activities because of financial restrictions and other reasons. Therefore it is

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<sup>19[15]</sup> The last ones include e.g. the 2002 UN Committee on Economic, Social and Cultural Rights Report on Slovakia. (19/12/2002) paragraph 9, 2000 UN Committee on the Rights of the Child Report on Slovakia reports submitted by states parties (CRC/C/15/Add.140. 23/10/2000) paragraph 19, 2001 Human Rights Watch Report on Slovakia or in general Regional Human Development Report, the Roma in Central and Eastern Europe, 2003, UN Development Programme.

<sup>20[16]</sup> Regular Report on Slovakia's Progress towards Accession of 9 October 2002, p. 28.

necessary to redesign them into a sustainable and systemic project with the objective to educate the highest possible percentage of, if not all, employees in the given sectors. When planning training activities it is necessary to monitor the percentage of “trained” staff out of the total number of employees in the sector taking into account the regional representation. The “Liaison Project” carried out under the auspices of the Ministry of Education is a good example of systemic training. The subject of the project is education of selected secondary school teachers of history and other subjects, which include instructions on the Holocaust. After this training the teachers act as multipliers who train other teachers with a similar focus in their region, this, the percentage of final project recipient is significantly increased.

### **1.2 1.2 Sanctioning of discrimination**

The existence of a comprehensive and effective anti-discrimination legislation is the fundamental condition for eliminating and preventing all forms of discrimination. The first draft act on the application of the equal treatment principle (the so called Anti-Discrimination Act) was approved by the Slovak Government with its resolution No. 557 on 29 May 2002. In the 1998-2002 term the National Council did not debate the draft law. In November 2002 the Human Rights and Minorities Section of the Office of the Government prepared an amended draft law on the application of the equal treatment principle, which is in the inter-ministerial commenting procedure and shall be prepared for the session of the Government beginning of April 2003.

The reason for the submission of the draft law on the application of the equal treatment principle is the absence of a compact legislation that would cover discrimination in a comprehensive way. The relevant provisions have a purely declarative nature, they lack uniformity, they are scattered in the whole legal order and they fail to provide for a uniform level of protection. Discrimination as such is not a crime. Under the currently valid legislation the victims of discrimination have no effective legal remedy available even if they could prove that they were discriminated against while exercising one of the fundamental rights or a right guaranteed by law. Therefore the draft of the anti-discrimination act introduces such legal remedies. The draft law grants the victims of discrimination the right to sue the discriminator and to request refraining from such conduct and, if possible, reinstating. The draft law also provides for the possibility to claim appropriate satisfaction and compensation for other than proprietary harm in cash, the amount of which shall be determined by the court taking into account the seriousness of the harm suffered and the circumstances under which discrimination occurred. The draft law also introduces a new legal institute in the legal order, namely the transfer of the burden of proof on the respondent. This institute means that it shall be for the respondent to prove that there has been no discrimination; it is not sufficient to present only a declaration as to this fact. This shall apply to cases when the person who claims to be discriminated against establish before a court facts from which it may be presumed that there has been discrimination.

The proposed anti-discrimination law is based EU Council Directive No. 43/2000 of 29 June 2000 laying down the principle of equal treatment between persons irrespective of racial or ethnic origin and EU Council Directive No. 78/2000 of 27 November 2000 that lays a general framework for equal treatment in employment and gainful activity. The proposed legislation regulates the area of discrimination in a consistent way, thus making access to legal remedies possible for the victims. There is reason to believe that the special legislation will have also a preventive effect.

The draft anti-discrimination act includes also an amendment of Act No. 308/1993 Coll. as amended on the establishment of the Slovak National Centre for Human Rights. The



Slovak National Centre for Human Rights would support practical implementation of the anti-discrimination law mainly by:

1. continually monitoring and evaluating the observance of the equal treatment principle,
2. participating in dispute resolution, providing legal assistance to victims of discrimination,
3. issuing expert opinions in cases of equal treatment upon request by natural persons or legal entities or out of own initiative, developing a national information network on racism, xenophobia and anti-Semitism with a link to the European Information Network ,
4. carrying out surveys and research for the provision of data in the field of human rights, collecting and disseminating information in this area,
5. preparing educational activities, participating in information campaigns, providing library and other services.

The prepared draft anti-discrimination law takes into account the material need of having a complex piece of legislation and also recommendations to adopt comprehensive anti-discrimination legislation as stated in the Regular Report on Slovakia's Progress towards Accession of 9 October 2002, p. 24.

### **1.2.1 Legal assistance to victims of discrimination in the application of legal remedies**

The persons belonging to the Roma minority are the socially weakest strata of the Slovak population. Because of the low economic and social status their capacity to defend themselves against discrimination and to use legal remedies for protection is substantially limited. The programme of free legal assistance for socially weaker citizens which already exists in the area of civil law, family law and labour relations under the auspices of the Ministry of Justice is a suitable complement to the prevention and effective protection laid down in the law. Free legal advice is only provided in some larger cities during a few days in a week at given hours.<sup>21[17]</sup> (Free legal consultancy is also the activity of some NGOs.) Considering the regional distribution of existing legal advisory centres there is reason to believe that the socially weaker citizens living in remote settlements have significantly more difficult access to them.

## **2. The Roma and racially motivated violence**

The reports by domestic and international human rights intergovernmental and non-governmental organisations<sup>22[18]</sup> point out the phenomenon of racially motivated violence against the Roma. The government is aware of this problem and this is reflected in the commitments resulting from the *2002-2003 Action Plan*. Concrete measures and solutions take this into account. The Commission for Addressing Racially Motivated Violence established with Order of the Minister for the Interior of the SR No. 61/2002 is responsible for the exchange of information on and knowledge of racially motivated crime occurrence with an emphasis on all forms of violence and co-ordination of a joint procedure in eliminating all forms and manifestations of racial discrimination on a state wide level. Representatives of NGOs are also members of the commission. In order to improve the effectiveness of activities

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<sup>21[17]</sup> Free legal assistance provided under the auspices of the Ministry of Justice is usually offered at regional courts. (Trnava, Nitra, Trenčín, Žilina, Banská Bystrica, Prešov (district court), Košice (regional prosecution), Bratislava (MoJ))

<sup>22[18]</sup> E.g. 2001 UN Committee for the Elimination of Racial Discrimination Report on Slovakia (CERD/C/304Add.110, 01/05/2001) paragraph 10, 1997 UN Human Rights Committee report (CCPR/C/79/Add.79, 04/08/97) paragraph 15, 2001 Human Rights Watch Report on Slovakia .

it is necessary to establish **commissions also at the level of regional and possibly also district Police Force headquarters** (in districts with more frequent occurrence of racially motivated crime).

In addition to preventing racially motivated crime, active confidence building between the Roma communities and the police should be the objective of the long-term strategy. Creating of the function of a **police expert for the work with Roma communities** is also one of the conditions necessary for achieving the defined goal. Such an expert would not only pass the obligatory police officer training but also attend specialised training focusing on the acquisition of knowledge on the Romany culture, tradition and language. This expert would serve in the public order service and he/she would operate in districts with a higher concentration of the persons belonging to the Roma minority. While performing his/her duty they would focus on solving problems linked with attacks on Roma communities, conflicts between the majority and minority and criminality inside the community. He/she would develop activities aimed at crime prevention be it crime committed on he Roma, among the Roma or by the Roma. In his/her job they would actively co-operate with the police officer tasked with extremism cases at the district and/or regional level. The police expert competence would also include activities focusing on the prevention and assistance in detecting the crime of usury occurring in Roma communities. Resolving the wide-spread problem of usury would, however, also require a long term approach and active co-operation of the victims with the prosecution and judiciary.

Raising public awareness of the risk and unacceptability of such conduct is also a way of preventing racially motivated violence. Informing the public, and thus also the potential perpetrators, on a regular basis and **media presentation** of cleared racially motivated violence cases by the relevant sectors, Ministry for the Interior and the Police Force of the SR are an effective preventive measure.

### **3. Strengthening of trust in penal justice among the persons belonging to the Roma minority**

As a standard, the relations between the persons belonging to the Roma minority and criminal justice staff are not positive. Mediation and probation service represents an alternative way of tackling crime the objective of which is to contribute to the strengthening of trust in penal justice. The institute of mediation and probation service strives to achieve the correction of criminal offenders, attempts to motivate them to take responsibility for their actions and to participate in designing the proposals for handling the damage caused. It takes into account the interest of the victims of crime and offers them a possibility of getting involved in the design of the manner in which damage caused by the crime is handled. In mediation a civil servant trained for this purpose facilitates the search for alternative resolution of the dispute while duly taking into account the interests and needs of the perpetrator, the victim and the society. In this way he/she creates conditions for effective and fair decisions on alternative sentence. The agreement by all parties to the dispute is a necessary condition for mediation. The purpose of the probation service is to create conditions for the application of alternative sentences. During a sentence combined with probation, the probation service officer shall encourage the offender to lead a life that is in compliance with the laws in addition to executing supervision over the offender. He/she also co-operates with the family and social environment in which the offender lives and/or works. The probation and mediation service pays special attention to the care for juvenile accused and the accused of an age close to juvenile. Amendment to the Criminal Procedure Code with Act No.

422/2002 Coll. established a legal framework for mediation by introducing the institute of dispute settlement and conciliation under conditions laid down by the law.<sup>23[19]</sup>

The current pilot probation and mediation service project of the criminal Law Section at the Ministry of Justice in co-operation with NGO representatives takes these facts into account. The pilot probation and mediation service project is based on the plan of the Government to newly codify the Criminal Code and Criminal Procedure Code with the aim to change the philosophy followed in imposing criminal sanctions. In the new philosophy emphasis should be put on the individual approach in criminal matters using the possibility of alternative sentences. A task force at the Ministry of Justice works with the Office of the Plenipotentiary of the Government of the SR for Roma Communities together on the pilot project because one of the pilot projects is implemented in a district with a numerous Roma community - Spišská Nová Ves. The task force has prepared a Draft Probation and Mediation Service Act that should come into effect on 1 January 2004 and which should create the institutional background for mediation and conciliation in criminal matters. Probation and mediation service has the potential to significantly strengthen the trust in penal justice among the persons belonging to the Roma minority. Persons belonging to the Roma minority trained and later represented among the probation and mediation service officers would help to achieve the goals of the probation and mediation services in combination with addressing the Roma challenge.

#### **Measures in the sectors of state administration:**

1. In order to improve the effectiveness and efficiency of discrimination prevention each relevant sector should draft a sustainable plan for a systemic education of selected professional groups focusing on the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other manifestations of intolerance from 2004 and prospects to 2010 and cover it financially in the 2004 budget.
2. Improving the effectiveness of discrimination behaviour sanctioning requires, on the one hand, adopting the draft anti-discrimination legislation, and, on the other hand, it is necessary to link the existing initiative of the Ministry of Justice and the NGOs in the framework of the Comprehensive Roma Settlement Development Programme and to create and financially cover free legal consultancy for socially weaker citizens in co-operation with the Slovak National Human Rights Centre, law schools, universities, Police Force Academy.

In order to improve preventing and sanctioning racially motivated crime it is necessary to adopt and financially cover concrete medium-term (2003 - 2006) and long-term (till 2010) actions falling under the competence of the Ministry for the Interior and the Ministry of Justice:

1. to create a commission for racially motivated crime of the Police force also at a regional level,
2. to elaborate an analytical material concerning the function of a police specialist for the work with Roma communities,
3. to increase the risk linked with racially motivated crime through its higher media coverage,
4. to ensure the functioning of the Probation and Mediation Service in terms of legislation, institutions and funds with the objective to strengthen the trust of the Roma in penal justice in the 2004-2006 period,

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<sup>23[19]</sup> Section 309 and subseq. of Act No. 422/2002 Coll. amending and supplementing Act No. 141/1961 Coll. on criminal proceedings before courts as amended and on the amendment and supplement of certain other acts.

- 5.
6. to draft and financially cover in the 2004 budget a sustainable plan for a systemic education of selected professional groups focusing on the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other manifestations of intolerance from 2004 and prospects to 2010 .

**The 2003 priorities:**

- to assess the implemented educational projects in the area of the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other manifestations of intolerance with respect to the percentage of relevant professional groups trained,
- to draft a policy for an expanded system of free legal consultancy for socially weaker citizens taking into account regions with a higher concentration of the Roma minority,
- to elaborate an analytical material concerning the function of a police specialist for the work with Roma communities,

**F. The development of the Romany culture**

The right to the development of own culture is necessary for national and ethnic minorities to have a full and free life in the countries where they live. The reason for this important status, which this right enjoys in international human rights agreements, is also laid down in Article 34 paragraph 1 of the Constitution. The Slovak Republic has many obligations in financing minority cultures resulting from the European Charter of Regional or Minority Languages the Slovak Republic has undertaken. The Minority Culture Financing Act currently being prepared at the Ministry of Culture is a systemic step in this field. Its drafting is based on the Plan of Legislative Work of the Government adopted with Resolution No. 1358 of 11 December 2002. This act should also implement the commitments resulting from the European Charter of Regional or Minority Languages, which include for instance:

- - Article 11 paragraph 1, subparagraph ei) to support and/or facilitate founding and/or maintaining at least one daily in regional or minority languages,
- - subparagraph eii) to apply the existing measures on the financial support also to the production of audio-visual products in regional or minority languages,
- - Article 12 paragraph 1 to support cultural activities and facilities, in particular libraries, videotheques, cultural centres, archives, academies, theatres, etc.

The approach of the media to the Roma co-shapes the attitude of the society to the Roma. This attitude of the majority community is also reflected in the way how information is presented and also in the content of information presented. The legal provisions on the access of minorities to public means are also insufficient. According to the 2001 Plan of Legislative Tasks of the Government of the SR, Act No. 254/1991 Coll. on the Slovak Television as amended and Act No. 255/1991 Coll. on the Slovak Radio as amended should be replaced with new regulations that must include the obligation of public media to offer programmes in regional or minority languages<sup>24[20]</sup>, to support and/or enable regular broadcasting of radio and television programmes in regional or minority languages and to support or ease the production and distribution of audiovisual pieces in regional or minority languages.<sup>25[21]</sup>

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<sup>24[20]</sup> Obligation under Article 11 paragraph 1 subparagraph a) of the European Charter of Regional or Minority Languages.

<sup>25[21]</sup> Obligations under Article 11 paragraph 1 subparagraph b), c) , d) of the European Charter of Regional or Minority Languages.

In order to improve the situation of the Roma in the field of culture it is necessary to adopt and financially cover concrete medium-term actions falling under the competence of the

Ministry of Culture:

1. to draft a National Minority Act and National Minority Culture Financing Act in compliance with the obligations in the European Charter of Regional or Minority Languages,
2. to lay down in a legislative way the access of the Roma minority to public information means in compliance with the obligations undertaken when signing the European Charter of Regional or Minority Languages.
3. to support the Romany culture mainly through the Ministry of Culture by:
  - 3.1 3.1 financially supporting the publishing of Roma periodicals and non-periodicals. It is necessary to grant a contribution for publishing at least one Romany periodical in the framework of the grant system,
  - 3.2 3.2 creating a Roma national minority department at the National Educational Centre focusing on methodological assistance to national minority associations.

**The following actions to be ensured outside the sector of the Ministry of Culture include:**

1. creating Roma national minority departments at regional educational centres,
2. regular TV broadcasting of a Roma magazine from three regions on a weekly basis,
3. regular radio broadcasting of a Roma magazine from three regions on a weekly basis.

**The 2003 priorities:**

- to financially support regular publishing of at least one Romany bi-weekly in the framework of the grant system.

#### **G. Financial coverage for the 2003 priorities implementation**

It is anticipated that the implementation of the proposed 2003 priorities of the government will be financially covered from the titles of the individual ministries in the state budget. The following Table presents a proposal for using funds from the Title of the General Treasury Administration - Cultural Needs of the Roma Community and the Reserve for Tackling the Problems of the Roma Community.

#### **The structure of the Title of the General Treasury Administration - Social and Cultural Needs of the Roma Community and the Reserve for Tackling the Problems of the Roma Community for 2003**

Programme	Amount
The Comprehensive Roma Settlement Development Programme	18 mill. SKK
Scholarship Fund	1 mill. SKK
Secondary School of Arts at Košice	2 mill. SKK
Supporting secondary schools	10 mill. SKK

Social Field Workers Programme	4 mill. SKK
Influencing public opinion	5 mill. SKK
<i>Projects</i>	10 mill. SKK
TOTAL	<b>50 mill. SKK</b>

**Annex No. 5**  
**Information**  
**about the measures taken with a view to enhancing positive effects of changes in the**  
**system of benefits in material distress for certain groups of the population**

The objective of the Proposal of the Measures Taken with a View to Enhancing Positive Effects of Changes in the System of Benefits in Material Distress for Certain Groups of the Population, approved by Government Resolution No. 165 of 25 February 2004 is to increase the motivation of persons in material distress to improve their social situation through the effort of their own, to motivate the employers to create new jobs by employing persons from disadvantaged groups of unemployed citizens, to secure the activation of persons in material distress, to improve the level of information concerning the possibilities created under the law on employment services, and to fight against and prevent usury.

By the same Resolution the Government instructed the Minister of Labour, Social Affairs and Family to submit, by 5 March 2004, information about the implementation of adopted measures in cooperation with the ministers of the sectors concerned.

**Implementation of measures**

**1. Indexation of the activation allowance**

Proposal: Indexation of the activation allowance/protective contribution for benefit recipients from SKK 1,000 to SKK 1,500 a month

Coordinator: the Ministry of Labour, Social Affairs and Family

**Implementation:**

The Ministry of Labour, Social Affairs and Family prepared a proposal to increase the amount of activation allowance and of protective contribution granted under Act No. 599/2003 Coll. on Assistance in Material Distress amending and supplementing certain other laws, as amended by Act No. 5/2004 Coll., to SKK 1,500/month. The expected entry into effect of the amended law is 1 April 2004.

**2. Steps to prevent usury**

**Proposal: Identifying municipalities/communities with a high incidence of usury and using the option of a more frequent payment of benefits, or payment through a special beneficiary; ensuring presence of the police during the payment of benefits; introducing an allowance/contribution for special beneficiaries to cover the costs incurred by this activity. Paying the entire benefit or part of the benefit through the special beneficiary in the form of benefits in kind.**

Coordinator: the Ministry of Labour, Social Affairs and Family + the Ministry of Interior (identification of municipalities/communities with a high incidence of usury)

**Implementation:**

**The most appropriate preventive measure in the regions with suspected usury cases is to grant the benefits in material distress or allowances through municipalities as special beneficiaries. This form had already been used in the past, but only in a limited**

**number of cases. The discussions that have thus far been held with the municipalities in the regions of Prešov and Košice indicate that 72 of them are ready to perform the function of special beneficiaries. The Ministry of Labour, Social Affairs and Family of the Slovak Republic is drawing up a decree on granting subsidies to special beneficiaries to cover their costs connected with the provision of benefits in material distress, and is developing a methodology for its practical implementation with a view to appointing personnel to perform this agenda. Even now the municipalities can perform these activities through the activation work programme for the unemployed in cooperation with the offices of labour, social affairs and family.**

In those cases where it will not be possible to provide the benefit through a special beneficiary, the benefit will be paid in at least three monthly instalments. In this connection, the Centre for Labour, Social Affairs and Family discussed on 8 March 2004 an addendum to the agreement on the payment of social benefits with the Slovak Postal Service. The administrator of the information system is making necessary adjustments to the software. The first such payment can be made in April 2004.

Based on information from the Police Corps, the criminal offence of usury defined in Section 253 paragraph 1 of the Criminal Code committed by the Roma within the Roma communities occurred in twelve cases. Total documented financial profit obtained from usury has reached almost SKK 8.9 million. This criminal activity was found in nine municipalities. The highest incidence of usury was recorded in the district of Michalovce (4 municipalities) and the district of Komárno (3 municipalities). The highest concentration of usury per municipality was recorded in the district of Poprad in the community of Liptovská Teplička.

With a view to a more accurate identification of suspects in the municipalities/communities with a high incidence of usury, the Police Corps Presidium prepared and approved a project of the fight against the criminal offence of usury. The project entails the tasks for public order police in connection with securing public order, life, health and property of citizens in the places and at the time of the payment of social benefits.

From the long-term perspective, cooperation will be established and strengthened with the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities, and with non-governmental organisations and institutions cooperating with Roma communities.

### **3. Bonus for the organisers of major activation projects + expanding the range of expenditures that are payable from public funds**

Proposal: to change the methodology for calculating the allowance for the organisers of activation projects so as to take special account of large projects (over 100 persons).

Coordinator: the Ministry of Labour, Social Affairs and Family

#### **Implementation:**

The Centre for Labour, Social Affairs and Family developed an independent project designed to encourage activation efforts by offering municipalities and legal or natural persons, running activation programmes for more than 100 job seekers, an allowance for purchasing necessary work tools. Under the aforesaid project, the offices of labour, social affairs and family will provide such entities an allowance for the purchase of necessary work tools amounting to SKK 300 per one job seeker, in the form of advance payment of 80% of the allowance amount. The implementation of the project will start in March this year.



#### **4. Increase the incentives to employ particularly disadvantaged long-term unemployed**

Proposal: if, according to Section 50 of the act on employment services, the employer undertakes to hire a person who has been registered as the long-term unemployed for more than 24 months, the competent office of labour, social affairs and family will arrange for the training of that long-term unemployed before he takes up employment, corresponding to the employer's choice, and cover the costs of that training by up to SKK 10,000.

Coordinator: the Ministry of Labour, Social Affairs and Family

##### **Implementation:**

To ensure the implementation of this measure, the Centre for Labour, Social Affairs and Family will prepare a special methodological guideline for the offices of labour, social affairs and family by 20 March 2004. The funds for training and preparing for labour market participation of persons registered as the long-term unemployed for more than 24 months will be drawn from National Project No. 3 – Training and preparing the unemployed for the labour market, initiated by the offices of labour, social affairs and family in February 2004. A special methodological guideline will be implemented from 1 April 2004.

#### **5. Specific treatment of adult children through reinforcing the use of graduate practice**

Proposal: to extend the provision of the allowance for graduate practice under the amended law on employment services to all job seekers under 25 years of age, to extend the definition of graduate practice in the relevant law (by deeming participation in the activation work programme as graduate practice), to increase the amount of lump-sum allowance provided to school graduates performing graduate practice from SKK 1,000 to SKK 1,500/month, and to consider abolishing the six-month time limit for the performance of graduate practice.

Coordinator: the Ministry of Labour, Social Affairs and Family

##### **Implementation:**

The Ministry of Labour, Social Affairs and Family prepared a draft amendment to Act No. 5/2004 Coll. on employment services with the aim of extending the definition in Section 51 to include among the categories of graduate practice also the acquisition or upgrading of professional skills or practical experience by all job seekers under 25 years of age, regardless of whether they have completed systematic vocational training or whether they have already worked for an uninterrupted period of at least 6 months. The draft also proposes to increase the amount of lump-sum allowance provided during graduate practice from SKK 1,000 to SKK 1,500/month, and abolishes the 6-month time limit for the performance of graduate practice. The 6-month time limit for the performance of graduate practice is replaced with the limitation of 20 hours/week. The expected entry into effect of the draft law is 1 April 2004.

#### **6. To systematically enforce the new package of social laws**

Proposal: New social laws enable the unemployed or socially needy persons to improve their social situation by making active efforts at dealing with their situation, in particular by active job search. The current level of information about available options of obtaining help is inadequate. The most important task therefore is:

- to improve the level of information of the unemployed and socially needy persons about available options for improving their situation
- to improve the capacity of the authorities to enable the unemployed and socially needy persons to take advantage of options available under the law

Coordinator: the Ministry of Labour, Social Affairs and Family

**Implementation:**

This task is implemented by providing methodological guidance to the offices of labour, social affairs and family, and by informing the unemployed in material distress about the possibilities of improving their social situation through participation in the activation work programme. From 1 April 2004, the offices of labour, social affairs and family will:

1. making monthly or weekly visits, depending on the actual offer of jobs under the activation work programme, to the municipalities with large Roma communities and Roma settlements, and informing their dwellers who are engaged in search of employment and receive benefit in material distress about
  - the possibility to perform activation work,
  - the entities where they can perform activation work,
2. identifying the entities that could provide activation work or graduate practice to job seekers,
3. to inform every job seeker under 25 years of age, who meets the definition of a school graduate under Section 52 paragraph 2 of Act No. 5/2004 Coll. on employment services as amended by Act No. .../2004 Coll., about the possibility of and the conditions for performing graduate practice, in particular through
  - information and counselling provided by the offices of labour, social affairs and family,
  - vocational counselling,
  - periodic visits of job seekers to the offices labour, social affairs and family,
  - activities referred to in point 1.

Information is provided to the public also through the Press Department of the Ministry of Labour, Social Affairs and Family (for instance the press conference on 4 March 2004) and the Department of Public Relations of the Centre for Labour, Social Affairs and Family (for instance the press conference on 5 March 2004).

**7. Secondary schools – significant strengthening of social scholarships and material security of secondary school pupils**

Proposal: to publish without delay a new decree of the Ministry of Education

Coordinator: the Ministry of Education + the Ministry of Labour, Social Affairs and Family

**Implementation:**

The Ministry of Education in cooperation with the Ministry of Labour, Social Affairs and Family are drawing up an amendment to Decree No. 88/1984 Coll. on the provision of scholarships to secondary school pupils; under the amendment, entitled to scholarship will be all pupils whose families receive assistance in material distress (approx. 28,000 pupils). The amount of scholarship will be differentiated depending on the school outcomes of the pupils (i.e. average grade of below or above 2.0) and will represent SKK 1,000 or SKK 800,

respectively. The proposed entry into effect of the amendment is 1 May 2004. In view of the possibility of funding the scholarship programme from the ESF, the Ministry of Education will prepare a national project on covering the costs involved that should also take effect from 1 May 2004. The addendum to the Sectoral Operational Programme “Human Resources” will be correspondingly adjusted.

#### **8. Primary schools – meals and school aids in the areas with a high percentage of children in material distress**

Proposal: to grant the primary schools, among whose pupils is a significant percentage of children in material distress, necessary funds for the provision of meals, school aids and healthcare, or to grant, during a transitional period of max. 2 months, a lump-sum allowance to parents to cover their expenses incurred in connection with school attendance of their children

Coordinator: the Ministry of Education + the Ministry of Labour, Social Affairs and Family

Implementation:

The Ministry of Labour, Social Affairs and Family is drafting a decree on the provision of subsidies to municipalities, with the aim of covering the costs of meals (morning snack and lunch), and for purchasing school aids for children in preschool facilities and schools. The subsidy will be provided in two forms, namely

- a. for all the children attending preschool facilities or children in compulsory school attendance, if at least 70% of children in preschool facilities or schools come from families receiving assistance in material distress, or
- b. individually for children in preschool facilities or children in compulsory school attendance who live in families receiving assistance in material distress.

**The subsidies will be provided from the budget chapter of the Ministry of Labour, Social Affairs and Family. The Ministry is preparing a methodological guideline to help the offices of labour, social affairs and family, municipalities and schools implement the decree.**

#### **9. Price structure of utilities – water, gas, electricity,**

Proposal: To discuss the adjustment of advance payments with the Office for the Regulation of Network Industries to bring them in line with real increases in the prices of utilities (water, gas electricity).

Coordinator: the Ministry of Economy + the Ministry of Labour, Social Affairs and Family SR + the Ministry of Finance

**Implementation:**

The Ministry of Economy in cooperation with the Ministry of Labour, Social Affairs and Family will ensure that advance payments do not be raised disproportionately to the increases in energy prices.

## **10. Improved access to the reimbursement of travel costs to persons in search for employment**

Proposal: to take steps to improve information about the possibility to apply for a travel allowance; to ensure real access of settlement dwellers to the allowance, e.g. through the visits to settlements by the staff of the offices of labour, social affairs and family, or through entrusting the administration of the allowance to municipal authorities; or, if necessary, consider an amendment to the decree implementing the law on employment services concerning the amount of reimbursement

Coordinator: the Ministry of Labour, Social Affairs and Family

Implementation:

To improve the knowledge of job seekers about the possibility to apply for the reimbursement of a part of travel expenses incurred by travelling to the place of job interview with the prospective employer or competition pursuant to Section 32 paragraph 10(d) of Act No. 5/2004 Coll. on employment services, or a part of travel expenses connected with the participation of job seekers in the activities defined in the individual action plan to promote employment of job seekers under Section 43 paragraph 7 of Act No. 5/2004 Coll. on employment services, the Centre for Labour, Social Affairs and Family will ensure that the offices of labour, social affairs and family, with effect from March 2004:

- a) the framework of their information, guidance and professional counselling services provide information to
  - the registered job seekers about the entitlement to be reimbursed part of travel expenses incurred by search for work,
  - the newly registered job seekers about the entitlement to contributions under active labour market measures at the time of their registration,
  - the recipients of benefits in material distress about the entitlement to contributions in the framework of active labour market measures
- b) organise regular information days about the entitlement to contributions under active labour market measures and about the possibility of the participation of the Roma in projects and programmes directly in Roma settlements. To this end, the offices of labour, social affairs and family will use the services of specially trained social field workers.

The Ministry of Labour, Social Affairs and Family will amend the decree implementing Act No. 5/2004 Coll. on employment services (Section 32, paragraph 10(d) to allow the reimbursement of travel costs exceeding SKK 100 (up from the initial SKK 250).

## **11. Repressive steps against usury**

Proposal: to actively fight against usury especially through application of the Criminal Code provisions on unlawful business activities, usury and tax avoidance and through active protection of witnesses

Coordinator: the Ministry of Interior

Implementation:

Based on the analysis of gathered information, the Police Corps are using and will continue to use all lawful means to suppress the criminal offence of usury and other related criminal activities. Usury will always be considered in the light of all relevant criminal offences, taking account of all the provisions of the Code of Criminal Procedure and other

generally binding legal provisions. The Police Corps as the State law enforcement authority shall always strive to ensure protection of persons who have suffered harm as a result of criminal offences or who witnessed such offences, and will thus always establish whether there are lawful reasons for their protection (as concealed witnesses, witnesses at risk, protected witnesses).

## **12. Social Development Fund**

Proposal: to speed up the launching of the Social Development Fund in order to enable a speedy operation of community partnerships for dealing with social inclusion and to start working with inhabitants of the most depressed settlements

Coordinator: the Ministry of Labour, Social Affairs and Family

### **Implementation:**

The Social Development Fund – an instrument for financing small projects through grants was established with effect from 1 March 2004. The projects implemented in the framework of the Fund are designed to encourage socially weaker and vulnerable groups to take an active part in their own upgrading. The Fund will operate in three main areas, namely: 1. Economic development and employment promotion; 2. Physical infrastructure and public and social services; 3. Social services. In the initial stage it will focus on the first area.

## **13. To identify the ways of involving the inhabitants of Roma settlements in afforestation activities, cleaning of forests or in building the environmental infrastructure**

Coordinator: the Ministry of Environment + the Ministry of Agriculture + the Ministry of Labour, Social Affairs and Family

### **Implementation:**

The Ministry of Labour, Social Affairs and Family reached an agreement with the Ministry of Agriculture, Ministry of the Environment, Association of Towns and Villages of the Slovak Republic and the Centre for Labour, Social Affairs and Family, to extend the activation work programme for job seekers by including into the programme the activities connected with the removal of wood debris from forests, collecting brushwood and/or performing other activities in accordance with local needs. It was also agreed that part of the collected material can be used for the needs of the municipality or the community. At a coordination meeting held on 3 March 2004 at the Ministry of Agriculture, the representatives of forestry companies and organisations were asked to specify the number of possible jobs in their respective areas of operation, and to inform the towns and villages of these opportunities. The organisers of these activities will maintain a register of persons involved in this kind of work, and forestry companies and organisations will regularly inform the Ministry of Agriculture about the volume of the work performed.

To ensure that all the offices of labour, social affairs and family apply identical procedures, the Centre for Labour, Social Affairs and Family prepared a specimen “Agreement on Extending the Activation Work Programme to Include the Activities Connected with Cleaning the Forests of Brushwood” and sent it on 10 March 2004 to all the offices of labour, social affairs and family, instructing them to start organising activation work for job seekers receiving benefits in material distress in cooperation with municipalities, starting on 15 March 2004.

Over and above the scope of this measure, the Ministry of Agriculture envisages the possible performance of activities in the framework of seasonal works in agriculture – such as moving grass, maintaining field roads, cleaning permanent grass growths from propagating wood species, etc. on the basis of agreements between municipalities and business entities in the field of agriculture.

For the sake of clarity of the terminology, the Ministry of Labour, Social Affairs and Family proposes to exclude from the measure those afforestation activities that have a business character and do not meet the criteria for smaller-scale communal services.

*Annex No. 6*

Funding provided for cultural activities, periodicals and non-periodicals from the transfer Minority Culture in **1999-2002**

Funding provided for cultural activities, periodicals and non-periodicals from the transfer Minority Culture in **1999**

Nationality	Cultural activities		Periodicals (P)		Non-periodicals (NP)		P and NP		Total	
	SKK	% of total annual funding	SKK	% of total annual funding	SKK	% of total annual funding	P and NP total in SKK	% of total annual funding	SKK	% of total annual funding
<b>Bulgarian</b>	488 175	49,8	432 000	44,07	60 000	6,12	492 000	50,19	<b>980 175</b>	2,1
<b>Czech</b>	661 000	31,8	970 000	46,67	447 400	21,52	1 417 400	68,19	<b>2 078 400</b>	4,4
<b>Croatian</b>	1 153 400	100	0	0	0	0	0	0	<b>1 153 400</b>	2,4
<b>Hungarian</b>	7 848 135	32,96	9 770 000	41,03	6 195 800	26,02	15 965 800	67,05	<b>23 813 935</b>	50,5
<b>Moravian</b>	762 000	78,4	210 000	21,61	0	0	210 000	21,61	<b>972 000</b>	2,1
<b>German</b>	978 200	49,15	883 000	44,36	120 000	6,02	1 003 000	50,38	<b>1 981 200</b>	4,2
<b>Polish</b>	350 175	57,01	264 025	42,9	0	0	264 025	42,9	<b>614 200</b>	1,3
<b>Roma</b>	2 787 750	35,53	4 908 800	62,56	150 000	1,91	5 058 800	64,47	<b>7 846 550</b>	16,6
<b>Ruthenian</b>	625 000	26,04	1 775 000	73,96	0	0	1 775 000	73,96	<b>2 400 000</b>	5,1
<b>Russian</b>	204 200	34,65	385 000	65,34	0	0	385 000	65,34	<b>589 200</b>	1,3
<b>Ukrainian</b>	1 119 990	48,91	1 136 000	49,61	34 000	1,49	1 170 000	51,1	<b>2 289 990</b>	4,9
<b>Jewish</b>	910 000	47,39	0	0	1 010 200	52,61	1 010 200	52,61	<b>1 920 200</b>	4,1
<b>others</b>	487 200	100	0	0	0	0	0	0	<b>487 200</b>	1,0
<i>Total</i>	<b>18 375 225</b>	<b>39</b>	<b>20 733 825</b>	<b>43,99</b>	<b>8 017 400</b>	<b>17</b>	<b>28 751 225</b>	<b>60,99</b>	<b>47 126 450</b>	100

Funding provided for cultural activities, periodicals and non-periodicals from the transfer Minority Culture in 2000

Nationality	Cultural activities		Periodicals (P)		Non-periodicals (NP)		P and NP		Total	
	SKK	% of total annual funding	SKK	% of total annual funding	SKK	% of total annual funding	P and NP total in SKK	% of total annual funding	SKK	% of total annual funding
<b>Bulgarian</b>	500 000	55,55	400 000	44,45	0	0	400 000	44,45	<b>900 000</b>	2,0
<b>Czech</b>	981 700	47,16	1 100 000	52,84	0	0	1 100 000	52,84	<b>2 081 700</b>	4,5
<b>Croatian</b>	965 000	73,11	0	0	355 000	26,9	355 000	26,9	<b>1 320 000</b>	2,9
<b>Hungarian</b>	9 631 000	41,85	6 543 000	28,43	6 840 000	29,72	13 383 000	58,15	<b>23 014 000</b>	50,0
<b>Moravian</b>	590 000	59,6	400 000	40,4	0	0	400 000	40,4	<b>990 000</b>	2,2
<b>German</b>	1 267 500	61,3	800 000	38,7	0	0	800 000	38,7	<b>2 067 500</b>	4,5
<b>Polish</b>	610 000	73,5	220 000	26,5	0	0	220 000	26,5	<b>830 000</b>	1,8
<b>Roma</b>	2 728 980	45,07	2 843 000	46,95	483 000	7,98	3 326 000	54,93	<b>6 054 980</b>	13,2
<b>Ruthenian</b>	647 000	27,07	1 573 000	65,82	170 000	7,12	1 743 000	72,94	<b>2 390 000</b>	5,2
<b>Russian</b>	180 000	31,03	400 000	68,97	0	0	400 000	68,97	<b>580 000</b>	1,3
<b>Ukrainian</b>	715 000	28,62	1 540 000	61,65	243 000	9,73	1 783 000	71,38	<b>2 498 000</b>	5,4
<b>Jewish</b>	210 000	11,8	70 000	3,93	1 500 000	84,27	1 570 000	88,2	<b>1 780 000</b>	3,9
<b>others</b>	978 350	70,54	408 650	29,46	0	0	408 650	29,46	<b>1 387 000</b>	3,0
<i>Total</i>	<b>20 004 530</b>	<b>43,59</b>	<b>16 297 650</b>	<b>35,51</b>	<b>9 591 000</b>	<b>20,9</b>	<b>25 888 650</b>	<b>56,41</b>	<b>45 893 180</b>	100



Funding provided for cultural activities, periodicals and non-periodicals from the transfer Minority Culture in 2001

Nationality	Cultural activities		Periodicals (P)		Non-periodicals (NP)		P and NP		Total	
	SKK	% of total annual funding	SKK	% of total annual funding	SKK	% of total annual funding	P and NP total in SKK	% of total annual funding	SKK	% of total annual funding
<b>Bulgarian</b>	493 000	100	0	0	0	0	0	0	<b>493 000</b>	1,12
<b>Czech</b>	1 095 000	49,75	1 106 000	50,25	0	0	1 106 000	50,25	<b>2 201 000</b>	5 02
<b>Croatian</b>	1 346 000	79,18	0	0	354 000	20,82	354 000	20,82	<b>1 700 000</b>	3,88
<b>Hungarian</b>	10 540 000	44,47	7 504 000	31,66	5 695 000	24,03	13 199 000	55,69	<b>23 739 000</b>	54,1
<b>Moravian</b>	0	0	400 000	100	0	0	400 000	100	<b>400 000</b>	0,91
<b>German</b>	1 130 000	61,75	700 000	38,25	0	0	700 000	38,25	<b>1 830 000</b>	4,17
<b>Polish</b>	445 000	61,3	281 000	38,7	0	0	281 000	38,7	<b>726 000</b>	1,65
<b>Roma</b>	2 408 000	48,7	2 150 000	43,47	388 000	7,84	2 538 000	51,31	<b>4 946 000</b>	11,29
<b>Ruthenian</b>	580 000	26,18	1 500 000	67,72	135 000	6,09	1 635 000	73,81	<b>2 215 000</b>	5,05
<b>Russian</b>	105 000	20,2	415 000	79,8	0	0	415 000	79,8	<b>520 000</b>	1,12
<b>Ukrainian</b>	787 000	32	1 460 000	59,35	213 000	8,66	1 673 000	68,01	<b>2 460 000</b>	5,61
<b>Jewish</b>	379 000	23,3	50 000	3,07	1 197 000	73,62	1 247 000	76,69	<b>1 626 000</b>	3,71
<b>others</b>	512 000	51,72	348 000	35,15	130 000	13,13	478 000	48,28	<b>990 000</b>	2,25
<i>Total</i>	<b>19 820 000</b>	<b>45,24</b>	<b>15 914 000</b>	<b>36,32</b>	<b>8 112 000</b>	<b>18,43</b>	<b>23 990 000</b>	<b>54,75</b>	<b>43 846 000</b>	100

Funding provided for cultural activities, periodicals and non-periodicals from the transfer Minority Culture in 2002

Nationality	Cultural activities		Periodicals (P)		Non-periodicals (NP)		P and NP		Total	
	SKK	% of total annual funding	SKK	% of total annual funding	SKK	% of total annual funding	P and NP total in SKK	% of total annual funding	SKK	% of total annual funding
<b>Bulgarian</b>	660 000	66,66	240 000	33,34	0	0	240 000	33,34	<b>900 000</b>	1,47
<b>Czech</b>	1 304 800	50,2	1 294 000	49,8	0	0	1 294 000	49,8	<b>2 598 800</b>	3,85
<b>Croatian</b>	1 629 000	86,7	0	0	250 000	13,3	250 000	13,3	<b>1 879 000</b>	2,78
<b>Hungarian</b>	14 743 300	37,67	11 650 000	29,76	12 749 000	32,57	24 399 000	62,33	<b>39 142 300</b>	58
<b>Moravian</b>	325 000	32,5	400 000	40	275 000	27,5	675 000	67,5	<b>1 000 000</b>	1,48
<b>German</b>	1 553 000	65,44	820 000	34,56	0	0	820 000	34,56	<b>2 373 000</b>	3,51
<b>Polish</b>	900 000	69,23	400 000	30,77	0	0	400 000	30,77	<b>1 300 000</b>	1,93
<b>Roma</b>	5 313 900	72,75	1 750 000	23,96	240 000	3,29	1 990 000	27,25	<b>7 303 900</b>	10,83
<b>Ruthenian</b>	1 386 000	40,78	1 723 000	50,69	290 000	8,53	2 113 000	59,22	<b>3 399 000</b>	5,03
<b>Russian</b>	114 000	21,92	406 000	78,08	0	0	406 000	78,08	<b>520 000</b>	0,77
<b>Ukrainian</b>	940 000	36,29	1 445 000	55,79	205 000	7,92	1 650 000	63,71	<b>2 590 000</b>	3,84
<b>Jewish</b>	264 000	12,78	100 000	4,84	1 701 900	82,36	1 801 900	87,2	<b>2 066 400</b>	3,06
<b>others</b>	1 725 000	86,55	198 000	9,94	70 000	3,51	268 000	13,45	<b>1 993 000</b>	2,95
<i>Total</i>	<b>30 858 000</b>	<b>45,77</b>	<b>20 426 000</b>	<b>30,27</b>	<b>15 780 900</b>	<b>23,95</b>	<b>36 587 300</b>	<b>54,22</b>	<b>67 064 900</b>	100

*Annex No. 7*

**NATIONAL COUNCIL OF THE SLOVAK REPUBLIC**

**ACT 191**

**of 7 July 1994**

**on Denomination of Municipalities in National Minority Languages**

The National Council of the Slovak Republic has adopted the following law:

Section 1

(1) Municipalities, in which citizens of a national minority form at least 20 % of the population (hereafter only "municipality"), are denominated in the language of the national minority on separate road signs denominating the beginning and end of a municipality.

(2) Road signs are placed according to paragraph 1 under road signs bearing the name of the municipality which is always stated in the official language. 1)

(3) The list of the denominations of municipalities in languages of national minorities is given in an enclosure to this law; denominations of municipalities have a local character.

(4) The Ministry of Internal Affairs of the Slovak Republic will provide by generally obligatory regulation a road sign for purposes of informative denomination of municipalities in languages of national minorities, which will differ from a road sign with the name of a municipality.

Section 2

In official relations, especially in public documents, stamps of municipalities, cartographic works and postal communications, names of municipalities are exclusively in the official language.

Section 3

(1) A municipality may decide by means of a vote of its inhabitants on changing the denomination of a municipality given in an enclosure of this law and may determine the denomination of the municipality in the language of a national minority in this form, if the denomination is not stated in the enclosure to this law.

(2) Voting according to paragraph 1 is valid, if a majority of the inhabitants of a municipality authorized to vote pursuant to special regulation took part in it. 3) The decision of the municipality according to paragraph 1 is accepted, if at least 80 % of inhabitants who participated in the voting voted for it in a valid manner.

(3) Provisions of paragraphs 1 and 2 do not refer to municipalities whose name was changed in the period 1867 - 1918 or 1938 - 1945.

Section 4

Bodies of the state administration 4) are obliged to ensure denomination of municipalities pursuant to this law.

## Section 5

**This law comes into effect on the date of its promulgation, with the exception of Section 4, which comes into effect on November 1, 1994.**

Michal Kováč in his own hand  
Ivan Gašparovič in his own hand  
Jozef Moravčík in his own hand

- 1) Section 3 of Law of the Slovak National Council No. 517/1990 Coll. on territorial and administrative division of the Slovak Republic.  
Section 3 paragraph 4 of Law of the Slovak National Council No. 428/1990 Coll. on the official language in the Slovak Republic.
- 2) Section 4 paragraph 2 letter b) of Law of the Slovak National Council No. 369/1990 Coll. on communal establishment.
- 3) Section 2 of Law of the Slovak National Council No. 364/1990 Coll. on elections to self-administration bodies in the wording of subsequent regulations.
- 4) Section 48 of the Decree of the Federal Ministry of Internal Affairs No. 99/1989 Coll. on rules of road traffic in the wording of subsequent regulations.

### ENCLOSURE

THE LIST of denominations of municipalities in languages of national minorities according to districts.

District	Name of the municipality in official language	Denomination of the municipality in language of national minority
Bardejov	Andrejová	
	Becherov	
	Cigel'ka	
	Frička	
	Chmeľová	
	Jedlinka	
	Mikulášová	
	Nížný Tvarožec	
	Ondavka	
	Petrová	
	Regetovka	
	Šarišské Čierne	
	Varadka	
	Vyšná Polianka	

	Vyšný Tvarožec	
Bratislava-vidiek	Malinovo	Éberhard
	Nová dedinka	Dunaújfalú
	Senec	Szenc
	Tomášov	Fél
	Tureň	Zonctorony
	Veľký Biel	Magyarbél
	Vlky	Vök
Dunajská Streda	Báč	Bacsfa
	Baka	Baka
	Baloň	Balony
	Bellova Ves	Vitény
	Blahová	Sárrét
	Blatná na Ostrove	Sárosfa
	Bodíky	Nagybodak
	Boheľov	Bögellő
	Čakany	Csákany
	Čenkovce	Csenke
	Čiližská Radvaň	Csilizradvány
	Dobrohošť	Doborgaz
	Dolný Bar	Albár
	Dolný Štál	Alistál
	Dunajská Streda	Dudaszerdahely
	Dunajský Klátov	Dunatókés
	Holice	Egyházgelle
	Horná Potôň	Lógerpatony
	Horné mýto	Felsővámos
	Horný Bar	Felbár
	Hubice	Gomba

	Jahodná	Eperjes
	Janíky	Jányok
	Jurová	Dericsika
	KPůčovec	Kulcsod
	Kostolné Kračany	Egyházaskarcsa
	Kráľovičove Kračany	Királyfiakarcsa
	Kútniky	Hegyéte
	Kvetoslavov	Úszor
	Kyselica	Keszölcés
	Lehnice	Lég
	Lúč na Ostrove	Lúcs
	Macov	Macháza
	Mad	Mad
	Malé Dvorníky	Kisudvarnok
	Medved'ov	Medve
	Mierovo	Béke
	Michal na Ostrove	Szentmihályfa
	Nový Život	Illésháza
	Ňárad	Csiliznyárad
	Ohraby	Csállókőzkurt
	Okoč	Ekecs
	Ol'za	Olgya
	Orechová Potôň	Díósförgepatony
	Padáň	Padány
	Pataš	Csilizpataš
	Povoda	Pódatejed
	Rohovce	Nagyszarva
	Sap	Szap
	Šamorín	Somorja
	Štvrtek na Ostrove	Csallókőzcsutórtők
	Topoľníky	Nyárad
	Trhová Hradská	Vásárút

	Trnávka	Csallókőztárnok
	Trstená na Ostrove	Csallókőznádasd
	Veľká Paka	Nagypaka
	Veľké Blahovo	Nagybony
	Veľké Dvorníky	Nagyudvarnok
	Veľký Meder	Nagymegyer
	Vieska	Kisfalud
	Vojka nad Dunajom	Vajka
	Vrakúň	Nyékvárkony
	Vydrany	Hodos
	Zlaté Klasy	Nagymagyar
Galanta	Boldog	Boldogfa
	Čierna Voda	Feketenyék
	Čierny Brod	Vizkelet
	Diakovce	Deáki
	Dlhá nad Váhom	Vághosszúfalu
	Dolné Saliby	Alsószeli
	Dolný Chotár	Alsóhatár
	Galanta	Galánta
	Horné Saliby	Felsőszeli
	Hrubá Borša	Nagyborsa
	Hrubý Šúr	Hegysúr
	Jankovce	Jánosháza
	Jelka	Jóka
	Kajal	Nemeskajal
	Kostolná pri Dunaji	Egyházfa
	Košúty	Kosút
	Kráľov Brod	Királyrév
	Kráľová nad Váhom	Vágkirályfa
	Mostová	Hidaskurt
	Neded	Negyed

	Reca	Réte
	Selice	Szelőce
	Šaľa	Vágselly
	Topoľnica	Tósnyárasd
	Trnovec nad Váhom	Tornóc
	Trstice	Nádszeg
	Váhovce	Vága
	Veľká Mača	Nagymácséd
	Veľké Úľany	Nagyfődémes
	Vlčany	Farkasd
	Vozokany	Vezekény
	Žihárec	Zsigárd
Humenné	Brestov nad Laborcom	
	Brezovec	
	Čabalovce	
	Čabiny	
	Čertižné	
	Čukalovce	
	Habura	
	Hrabová Roztoka	
	Kalinov	
	Klenová	
	Krásny Brod	
	Medzilaborce	
	Michajlov	
	Nagov	
	Nechválova Polianka	
	Nižná Jablonka	
	Nová Sedlica	
	Oľka	
	Oľšinkov	



	Palota	
	Parihuzovce	
	Pčoliné	
	Pichne	
	Radvaň nad Laborcom	
	Repejov	
	Rokytov pri Humennom	
	Rokytovce	
	Runika	
	Ruská Volová	
	Ruský Potok	
	Sukov	
	Svetlice	
	Topoľa	
	Ubl'a	
	Uličské Krivé	
	Valentovce	
	Výrava	
	Vyšná Jablonka	
	Zbudská Belá	
Komárno	Bajč	Bajcs
	Bátorove Kosihy	Bátorkeszi
	Bodza	Bogya
	Bodzianske Lúky	Bogyarét
	Brestovec	Szilás
	Búč	Búcs
	Čalovec	Megyercs
	Čičov	Csicsó
	Dedinka Mládeže	Ifjúságfalva
	Chotín	Hetény
	Imeľ	Imely

	Iža	Izsa
	Kameničná	Keszegfalva
	Klížska Nemá	Kolózsnéma
	Komárno	Komárom
	Kravaj nad Dunajom	Karva
	Marcelová	Marcelháza
	Martovce	Martos
	Moča	Dunamocs
	Modrany	Madar
	Nesvady	Naszvad
	Okoličná na Ostrove	Ekel
	Patince	Pat
	Pribeta	Perbete
	Radvaň nad Dunajom	Dunaradvány
	Sokolce	Lakszakállas
	Svätý Peter	Szentpéter
	Tôň	Tany
	Trávník	Fuss
	Veľké Kosihy	Nagykeszi
	Virt	Virt
	Vrbová nad Váhom	Vágfuzes
	Zemianska Oľča	Nemesócsa
	Zlatá na Ostrove	Csallóközáranyos
Košice-vidiek	Buzica	Buzita
	Cestice	Szeszta
	Čečejevce	Csécs
	Debrad'	Debród
	Drienovec	Somodi
	Dvorníky-Včeláre	Szádudvarnok-Méhész
	Háj	Áj
	Host'ovce	Bódvavendégi

	Chorváty	Tornahorváti
	Janík	Jánok
	Kechnec	Kenyhec
	Komárovce	Komaróc
	Milhost'	Migléc
	Mokrance	Makranc
	Moldava nad Bodvou	Szepsi
	Nižný Lánec	Alsólánc
	Peder	Péder
	Perín-Chym	Perény-Hím
	Rešica	Reste
	Turňa nad Bodvou	Torna
	Turnianska Nová Ves	Tornaújfalu
	Veľká Ida	Nagyida
	Zádiel	Szádelő
	Žarnov	Zsarnó
Levice	Bajka	Bajka
	Beša	Bese
	Bielovce	Ipolybél
	Bory	Bori
	Čata	Csata
	Demandice	Deménd
	Dolné Semerovce	Alsószemeréd
	Farná	Farnad
	Hokovce	Egeg
	Hontianska Vrbica	Hontfuzesgyarmat
	Horná Seč	Felsőszecse
	Horné Smerovce	Felsőzemeréd
	Horné Turovce	Felsótúr
	Horný Pial	Felsőpél
	Hronovce	Lekér

	Ipeľské Úľany	Ipolyfödemes
	Ipeľský Sokolec	Ipolyszakállos
	Jur nad Hronom	Garamszentgyörgy
	Kalná nad Hronom	Kálna
	Keť	Kéty
	Lok	Lók
	Lontov	Lontó
	Málaš	Málas
	Malé Ludince	Kisölved
	Mýtne Ludany	Vámosladány
	Nýrovce	Nyír
	Ondrejovce	Endréd
	Pastovce	Ipolypásztó
	Plášťovce	Palást
	Pohronský Ruskov	Oroszka
	Sazdice	Százd
	Slatina	Szalatnya
	Starý Hrádok	Óvár
	Šahy	Ipolyság
	Šalov	Garamsalló
	Šarovce	Sáró
	Tehla	Tóhól
	Tekovské Lužany	Nagysalló
	Tekovský Hrádok	Várad
	Tupá	Tompa
	Turá	Tóre
	Veľké Ludince	Nagyölved
	Veľké Turovce	Nagytúr
	Vyškovce nad Ipľom	Ipolyvisk
	Vyškovce nad Hronom	Nagyod
	Zalaba	Zalaba
	Zbrojníky	Fegyvernek

	Želiezovce	Zselíz
	Žemliare	Zsemlér
Lučenec	Belina	Béna
	Biskupice	Fulekpuspóki
	Boľkobece	Bolyk
	Čakanovce	Csákányháza
	Čamovce	Csoma
	Fišakovo	Fulek
	Fišakovské Kováče	Fulekkovácsi
	Holiška	Galsa
	Jelšovce	Jelsóc
	Kalonda	Kalonda
	Mučín	Mucsiny
	Nitra nad Ipľom	Ipolynyitra
	Nové Hony	Keresztúr
	Panické Dravce	Panyidaróc
	Pinciná	Pinc
	Pleš	Pilis
	Prša	Perse
	Radzovce	Ragyolc
	Rapovce	Rapp
	Šávoľ	Sávoly
	Šíd	Síd
	Šurice	Sóreg
	Trebeľovce	Terbeléd
	Trenč	Tórincs
	Veľká nad Ipľom	Vilke
	Veľké Dravce	Nagydaróc
Michalovce	Malé Raškovce	Kisráska
	Zemplínske Kopčany	Hegyí

Nitra	Branč	Berencs
	Čechynce	Csehi
	Čifáre	Csiffár
	Dolné Obdokovce	Alsóbodok
	Horná Kráľová	Felsőkirályi
	Host'ová	Nyitrageszte
	Jelenec	Gímes
	Klasov	Kalász
	Kolíňany	Kolon
	Ladice	Lédec
	Nitrianske Hrnčiarovce	Nyitragerencsér
	Pohranice	Pográny
	Telince	Tild
	Veľký Cetín	Nagycétény
	Žirany	Zsére
Nové Zámky	Andovce	Andód
	Bajtava	Bajta
	Bardoňovo	Baracska
	Belá	Béla
	Bešeňov	Zsitvabesenyő
	Bíňa	Bény
	Bruty	Bart
	Dubník	Csúz
	Dvory nad Žitavou	Udvard
	Gbelce	Kőbólkút
	Chľaba	Helemba
	Kamenica nad Hronom	Garamkövesd
	Kamenín	Kéméd
	Kamenný Most	Kőhidgyarmat
	Komča	Kamocsa

	Leľa	Leléd
	Lubá	Libád
	Malá nad Hronom	Kicsind
	Malé Kosihy	Ipolykeszi
	Mužla	Muzsla
	Nána	Nána
	Nová Vieska	Kisújfalu
	Nové Zámky	Érsekújvár
	Pavlová	Garampáld
	Pozba	Pozba
	Rúbaň	Fur
	Salka	Szalka
	Sikenička	Kisgyarmat
	Strekov	Kurt
	Svodín	Szőgyén
	Šarkan	Sárkányfalva
	Tvrdošovce	Tardoskedd
	Veľký Kýr	Nagykér
	Zemné	Szimó
Rimavská Sobota	Abovce	Abafalva
	Barca	Baraca
	Bátka	Bátka
	Blhovce	Balogfalva
	Bretka	Beretke
	Čakov	Čakó
	Číž	Csíz
	Dolné Zahorany	Magyarhegymeg
	Dražice	Perjése
	Drňa	Darnya
	Držkovce	Deresk
	Dubno	Dobfenék

	Dubovec	Dobóca
	Dulovo	Dúlháza
	Figa	Fuge
	Gemer	Sajógómőr
	Gemerček	Kisgómőri
	Gemerská Panica	Gómőrpanyit
	Gemerská Ves	Gómőrfalva
	Gemerské Dechtáre	Détér
	Gemerské Michalovce	Gómőrmihályfa
	Gemerský Jablonec	Almágy
	Gortva	Gortvakisfalud
	Hajnáčka	Ajnácskő
	Hodejov	Várgede
	Hodejovec	Kerekgede
	Hostice	Gesztete
	Hubovo	Hubó
	Husiná	Guszona
	Chanava	Hanva
	Chrámec	Harmac
	Chvalová	Felfalu
	Ivanice	Iványi
	Janice	Jéné
	Jestice	Jeszte
	Kaloša	Kálosa
	Kesovce	Sajókeszi
	Konrádovce	Korlát
	Král'	Sajószentkirály
	Lenartovce	Lénártfalva
	Lenka	Lenke
	Leváre	Lévárt
	Levkuška	Lőkősháza
	Lipovec	Lipóc



	Martinová	Martonfalva
	Neporadza	Naprágy
	Nová Bašta	Újbást
	Otročok	Otrokocs
	Ožďany	Osgyán
	Padarovce	Pádár
	Pavlovce	Pálfalva
	Petrovce	Péterfalva
	Polina	Alsófalu
	Radnovce	Radnót
	Rakytník	Rakottyás
	Rašice	Felsőrás
	Riečka	Sajórecske
	Rimavská Seč	Rimaszcs
	Rimavská Sobota	Rimaszombat
	Rimavské Janovce	Jánosi
	Rumince	Runya
	Skerešovo	Szkáros
	Slizké	Szilistye
	Stará Bašta	Óbást
	Stránska	Oldalfalva
	Studená	Mesveshidegkút
	Sútor	Szútor
	Šimonovce	Simonyi
	Širkovce	Serk
	Štrkovec	Kővecses
	Tachty	Tajti
	Tomášovce	Balogtamási
	Tornaľa	Tornalja
	Uzovská Panica	Uzapanyit
	Valice	Alsóvály
	Včelnice	Méhi

	Včelkov	Vecseklő
	Veľký Blh	Nagybalog
	Vieska nad Blhom	Balogújfalu
	Višnové	Visnyó
	Vlkyňa	Velkenye
	Vyšné Valice	Felsővály
	Zábor	Zádorháza
	Zacharovce	Zeherje
	Žiar	Zsór
	Žíp	Zsip
Rožňava	Ardovo	Pelsőcardó
	Bôrka	Barka
	Brzotín	Berzéte
	Čoltovo	Csoltó
	Čučma	Csucsom
	Dlhá Ves	Hosszúsó
	Drnava	Dernő
	Gemerská Hôrka	Gömörhorka
	Gemerský Sad	Gömörliget
	Hrhov	Tornagörgő
	Hrušov	Körtvélyes
	Hucín	Gice
	Jablonov nad Turňou	Szádalmás
	Jovice	Jólész
	Kečovo	Kecső
	Kováčová	Koskovácsvágása
	Krásnohorská Dlhá Lúka	Várhosszúrét
	Krásnohorské Podhradie	Krasznahorkaváralja
	Kružná	Körös
	Kunova Teplica	Kuntapolca
	Licince	Lice

	Lipovník	Hárskút
	Lúčka	Lucska
	Meliata	Melléte
	Pašková	Páskaháza
	Plešivec	Pelsóc
	Rožnava	Rozsnyó
	Rudná	Rudna
	Silica	Szilice
	Silická Brezová	Borzova
	Silická Jablonica	Jablonca
	Slavec	Szalóc
Stará Ľubovňa	Jarabina	
	Legnava	
	Obručné	
	Ruská Voľa nad Popradom	
	Stráňany	
	Údol	
Svidník	Belejovce	
	Bodružal	
	Bystrá	
	Cigla	
	Dobroslava	
	Dubová	
	Havaj	
	Havranec	
	Jurkova Voľa	
	Kečkovce	
	Kožuchvce	
	Krajná porúbka	
	Kurimka	

	Malá Poľana	
	Medvedie	
	Miková	
	Nižná Jedľová	
	Nižná Pisaná	
	Nižný Mirošov	
	Nižný Orlík	
	Nová Polianka	
	Oľšavka	
	Potôčky	
	Pstriná	
	Roztoky	
	Staškovce	
	Vagrinec	
	Vápeník	
	Varechovce	
	Veľkrop	
	Vladiča	
	Vojtovce	
	Vyšná Jedľová	
	Vyšná Pisaná	
	Vyšný Mirošov	
	Vyšný Orlík	
Trebišov	Bačka	Bacska
	Bara	Bári
	Beša	Bés
	Biel	Bély
	Boľ	Boly
	Borša	Borsi
	Boľany	Battyán
	Brehov	Imreg

	Budince	Budaháza
	Černochovej	Csarnahó
	Čičarovce	Csicser
	Čierna	Ágcsernyó
	Čierna nad Tisou	Tiszacsernyő
	Dobrá	Dobra
	Drahňov	Deregyő
	Ižkovce	Iske
	Kapušíanske Kľačany	Kelecsény
	Klin nad Bodrogom	Bodrogszög
	Kraľovský Chlmec	Királyhelmece
	Krišovská Liesková	Mokcsamogyros
	Ladmovce	Ladmóc
	Leles	Lelesz
	Malá Třňa	Kistoronya
	Malé Trakany	Kistárkány
	Malý Horeš	Kisgéres
	Malý Kamenec	Kiskővesd
	Maťovské Vojkovce	Mátyócvajkóc
	Oborín	Abara
	Poľany	Pólyán
	Pribeník	Perbenyik
	Ptrukša	Szirénfalva
	Rad	Rad
	Ruská	Dobóruszka
	Sirník	Szurnyeg
	Slovenské Nové Mesto	Újhely
	Soľnička	Szolnocska
	Somotor	Szomotor
	Strážne	Órós
	Streda nad Bodrogom	Bodrogszerdahely
	Svätá Mária	Szentmária

	Svätuše	Szentes
	Svinice	Szinyér
	Veľké Kapušany	Nagykapos
	Veľké Raškovce	Nagyráska
	Veľké Slemenice	Nagyszelmenc
	Veľké Trakany	Nagytárkány
	Veľký Horeš	Nagygéres
	Veľký Kamenec	Nagykövesd
	Viničky	Szőlőske
	Vojany	Vaján
	Vojka	Véke
	Zatín	Zétény
	Zemplín	Zemplén
Veľký Krtíš	Balog nad Ipľom	Ipolybalog
	Bátorová	Bátorfalu
	Bušince	Bussa
	Čebovce	Csáb
	Čeláre	Csalár
	Dolinka	Inám
	Ďurkovce	Gyurki
	Glabušovce	Galábocs
	Chrastince	Haraszi
	Ipeľské Predmostie	Ipolyhidvég
	Kamenné Kosihy	Kókeszi
	Kiarov	Ipolykér
	Kleňany	Kelenye
	Koláre	Kóvár
	Kosihovce	Dacsókeszi
	Kosihy nad Ipľom	Ipolykeszi
	Kováčovce	Szénkovácsi
	Muľa	Rárósmulyad

	Nenince	Lukanénye
	Olováry	Óvár
	Opatovská Nová Ves	Apátújfalú
	Sečianky	Szécsénke
	Seľany	Szelény
	Širákov	Sirák
	Trebušovce	Terbegeg
	Veľká Čalomija	Nagycsalomja
	Veľká Ves nad Ipľom	Ipolynagyfalú
	Veľké Zlievce	Felsőzellő
	Vinica	Ipolynyék
	Vrbovka	Ipolyvarbó
	Želovce	Zsély
Žiar nad Hronom	Krahule	Blaufuss
	Kunešov	Kuneschhau