

Minority Protection in Slovakia

AN ASSESSMENT OF THE STRATEGY FOR THE SOLUTION OF THE PROBLEMS
OF THE ROMA NATIONAL MINORITY AND THE SET OF MEASURES
FOR ITS IMPLEMENTATION – STAGES I AND II.

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1. EXECUTIVE SUMMARY

The Slovak Government's current policy towards its Roma minority is based upon a two-stage Strategy adopted in 1999–2000 (hereafter, "Strategy for Roma").¹ To enhance implementation, the former Government² adopted a set of "Priorities" in April 2002.

The Strategy, which is complemented by an Action Plan to combat discrimination, racism and intolerance, aims to set forth a comprehensive set of measures to address the problems faced by Roma. Although review and revision of the Strategy is in progress, the present version reflects insufficient research and planning, and implementation has consisted principally of short-term projects in a few priority areas; these projects do not yet add up to a coherent long-term policy. Funding from the State budget has also been insufficient. Moreover, Strategy implementation has offered few opportunities to Roma to participate as decision-makers and managers in developing solutions to the problems their communities face. Still, several promising NGO initiatives are now in the pilot phase, and, with greater State support, may offer opportunities for both further refinement of the Strategy and more direct participation from the Roma community.

Recent steps to improve the institutional framework for administering, coordinating and communicating policies and projects to improve the situation for Roma should be reinforced. In particular, the Office of the Plenipotentiary should be accorded additional political backing, manifested through the allocation of additional human and financial resources as well as statements of support from public officials at the highest levels.

Background

Previous governmental policies towards Roma had characterised their situation as a purely social problem, of "citizens requiring special care," with discrimination and the protection of Roma identity and culture receiving less attention. In implementation, these policies often suffered from lack of funding and weak institutional capacity.

¹ Strategy of the Government of the Slovak Republic for the Solution of the Problems of the Roma National Minority and the Set of Measures for Its Implementation – Stage I, adopted by Government Resolution No. 821 (27 September 1999); and Elaboration of the Government Strategy for Addressing Problems of the Romani National Minority into a Package of Concrete Measures for the Year 2000 – Stage II, adopted by Government Resolution No. 294 (3 May 2000).

² Parliamentary elections were held on 20–21 September 2002. For final results and the composition of the new Government, see "Slovak Party Leaders Meet with President," RFE/RL *Newsline*, 24 September 2002.

The Government elected in 1998 declared the integration of Roma as one of its main priorities and elaborated a two-stage strategy in 1999–2000. Government officials engaged in consultation with Roma representatives, civil society, and domestic as well as international experts during the drafting process, although some Roma representatives feel that the impact of their input on the final content was minimal.

Administration

Overall responsibility for implementing the Strategy is borne by the Deputy Prime Minister for Human Rights, Minorities and Regional Development (hereafter, “Deputy Prime Minister”), with support from the Section for Human Rights and Minorities (Office of the Government) as well as the Plenipotentiary for Roma Communities.

The Government has taken several steps to reinforce administrative capacity to implement and coordinate the Strategy, including through the establishment of an Inter-Ministerial Commission for Roma Community Affairs (IMC), chaired by the Plenipotentiary, and by strengthening and expanding the capacity of the Plenipotentiary.³ However, the ability of the Deputy Prime Minister and the Plenipotentiary to secure sufficient funding and compel effective implementation from the ministries and other State bodies tasked with responsibilities under the Strategy is still limited.

While the Government has produced several general reports on the Strategy, there is no mechanism for evaluating the impact or effectiveness of implementation systematically, and with structured input from civil society. The Plenipotentiary recently proposed a review of governmental efforts to improve conditions in Roma settlements.

Roma representatives are engaged with the Strategy mainly in an advisory capacity; many have called for greater involvement in project implementation and evaluation. There are no Roma in positions of responsibility within governmental bodies responsible for implementing components of the Strategy, with the notable exception of the Plenipotentiary. Generally speaking, NGO participation in implementing components of the Strategy and Phare-funded projects has been low.

³ A new, third, Statute of the Plenipotentiary has been proposed which would enhance her competence to coordinate and evaluate implementation of the Strategy by placing her under the direct responsibility of the Prime Minister rather than the Deputy Prime Minister; if adopted, the new Statute would also strengthen the Plenipotentiary’s position under the Law on Competencies and the Law on Public Service. The proposed Statute is at <http://www.vlada.gov.sk/orgovanova/dokumenty/novy_statut.doc>, (accessed 22 October 2002); see also Government Resolution No. 1069 (18 September 2002).

EU Support

The EU has provided significant financial support for projects to improve the situation of Roma, primarily to Government initiatives to improve access to education, ameliorate living conditions in segregated Roma settlements, and promote tolerance towards Roma and other minorities. Civil society organisations have called for greater transparency in procedures for allocating and evaluating expenditure of Phare (and governmental) funding. Roma representatives have criticised the fact that Roma NGOs have not been sufficiently involved in the implementation of Phare-funded projects.

The European Commission has welcomed the adoption of the Strategy, but has repeatedly called for further efforts to eliminate the “gap between good policy formulation and its implementation,” and for improved efforts to fight discrimination.⁴

Content and Implementation

The Strategy for Roma – Stage I outlines a series of general measures to be implemented in the areas of: human rights, minority rights and support for NGOs; training and education; language and culture; employment; housing; health; social services; and regional development. Stage II lists more specific tasks (with the exception of the last area). In many cases, implementation either has not started or is still in progress and there has been little evaluation of results to date.

A set of priority areas for action were identified in 2002,⁵ mainly in the areas of education, housing, and raising public awareness of Strategy initiatives and Roma issues. Specifically, the 2002 Priorities propose to support a comprehensive programme to improve conditions in Roma settlements and to train social workers for jobs in Roma communities.

The Strategy’s formal recognition of discrimination in the past is not matched by concrete measures to identify and sanction discriminatory acts in the present. An Action Plan to combat discrimination, racism, and intolerance⁶ is intended to fill this gap in the Strategy; the 2002–2003 follow-up Action Plan contains a separate section devoted to Roma, including a proposal to address discriminatory practices by local public administration in the area of social assistance. However, efforts in this area continue to be hampered in the absence of comprehensive anti-discrimination legislation.

⁴ See European Commission, *2000 and 2001 Reports on Slovakia’s Progress Towards Accession*, available at <<http://www.europa.eu.int/comm/enlargement/slovakia/index.htm>>, (accessed 30 September 2002).

⁵ Priorities of the Government of the Slovak Republic with regard to Roma Communities for 2002, adopted by Government Resolution No. 357 (10 April 2001).

⁶ Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance for the Period 2000–2001.

Insufficient legislation has posed a major obstacle to the implementation of measures in the area of education, such as the organisation of pre-school preparatory classes and the employment of Roma teacher's assistants. The expansion of these programmes – which have been successful in the pilot phase – will require additional State support. The Plenipotentiary has criticised the Ministry of Education for its failure to develop a systematic, long-term strategy for improving access to education for Roma, an area which is universally acknowledged to be key to improving the situation for Roma more broadly.

Many Roma lack educational qualifications and job training, and unemployment rates among Roma communities approach 100 percent in some regions. The Strategy has supported mainly short-term measures, such as “public benefit jobs,” which are not likely to stimulate initiative or offer additional job qualifications to Roma job-seekers. Moreover, even these measures have met with opposition from regional and local public administrations. Outside the scope of the Strategy, the National Labour Office has initiated several programmes that offer training, job counselling, and small grants to Roma entrepreneurs; though implementation is still at an early stage, these programmes are promising, as they engage Roma as active participants in enhancing their own employability.

Segregation and extremely poor living conditions pose a pressing existential problem for many Roma, particularly those living in segregated settlements. The 2002 Priorities aim to improve the infrastructure in these communities as a matter of urgency; efforts are under preparation. Many settlements are illegally-constructed, impeding infrastructural improvements and the extension of basic municipal services and utilities, and the Strategy has not addressed this issue. Central government bodies appear incapable of overcoming resistance to settlement improvement initiatives from local authorities and residents. However, the Plenipotentiary's recent initiative to train social workers to work as mediators between Roma communities and local public administration may bring about improvements in this area.

The Strategy proposes few measures to address serious healthcare issues arising from poor living conditions and limited access to healthcare. No measures have been proposed to respond to serious allegations of discrimination in access to healthcare and other public goods and services.

Additional research and monitoring is necessary to determine the extent of discrimination against Roma in the criminal justice system, which some international and domestic observers have identified as a serious problem. Information of this kind would greatly facilitate State efforts to ensure that Roma (as well as non-Roma) are treated fairly by law enforcement officers and the police as well as judges and prosecutors, and would complement existing Strategy initiatives to provide human rights training to these officials.

Enhanced legislation to identify and prosecute racially motivated violence has not been accompanied by sufficient training or other awareness-raising activities. Meanwhile, ongoing incidents involving police violence or intimidation of Roma tend to reinforce reluctance among Roma communities to bring complaints of racially motivated violence to the police; visible governmental efforts to improve policing in Roma communities is necessary.

The Plenipotentiary has established a Language Commission to produce a revised codification of Romanes for use in textbooks and other teaching materials; as codification would greatly facilitate efforts to support the use of Romanes in schools and in public life, the work of the Commission should receive full State support. Otherwise, efforts to promote tolerance and multiculturalism among teachers and in schools have been limited.

The Strategy identifies the need to involve Roma directly in efforts to address problems faced by their communities. However, it fails to propose concrete means of achieving such involvement; very few Roma are employed as civil servants or on governmental bodies for directing and coordinating Strategy implementation, and there are no projects to train or recruit Roma into such positions at present; some efforts have been made to recruit Roma in the police force.

Conclusion

The Strategy for Roma sets out a relatively comprehensive set of policy measures to address issues faced by Roma. During implementation, a number of gaps have become apparent, which should be addressed as part of a regular process of Strategy revision and updating.

First, there is a need for greater research and planning to ground Strategy initiatives more solidly in response to an accurate and detailed picture of the most important issues and problems. Second, there is a need for this information to be integrated, together with the experience gained from the implementation of pilot projects, to develop more coherent, longer-term strategies in key areas, as well as an overall policy concept; the Plenipotentiary must be granted the capacity and the authority to play this crucial coordinating role. Third, comprehensive anti-discrimination legislation is a necessary first step to undertaking necessary measures to combat discriminatory acts by private individuals as well as by State officials; the adoption of such legislation will need to be complemented by broader training for representatives of public administration as well as civil society, to ensure that it is effective in practice. Finally, the Government must demonstrate clear and unequivocal support for Strategy objectives and initiatives, to send a message to public officials at all levels as well as the broader public that implementation is to be taken seriously.

2. THE GOVERNMENT PROGRAMME – BACKGROUND

2.1 Background to Present Programme

In the years following 1989, a series of policy documents concerning Roma were adopted, most of which treated the “Roma issue” as a social problem, to be addressed through social assistance programmes.⁷ This approach – which was developed largely without participation from Roma representatives – neglected the ethnic dimension of the issues faced by Roma.

Representatives of civil society welcomed these incipient efforts, but highlighted the obstacles to effective implementation raised by the lack of a comprehensive strategy with concrete measures, weak institutional capacity, a failure to assign responsibility for implementation, and the lack of financial resources.⁸ Implementation of these programmes was also hampered by the constantly changing political environment as well as a lack of public support.

⁷ See Principles of Government Policy Regarding the Roma, adopted by Government Resolution No. 153 (April 1991); Concept of an Approach to Citizens Requiring Special Care, adopted by Government Resolution No. 310 (30 April 1996), at <http://www.vlada.gov.sk/uznesenia/1996/0430/uz_0310_1996.html>, (accessed 16 May 2002); and Conceptional Plans Regarding Solving Problems of the Roma, adopted by Government Resolution No. 796 (November 1997). The position of “Plenipotentiary for the Solution of the Problems of Citizens Requiring Special Assistance” was also created at the Ministry for Labour, Social Affairs and Family, reflecting the social assistance approach toward the Roma as a socially-handicapped group. Interview with the Head of the Parliamentary Committee for Human Rights, Bratislava, 14 March 2002.

⁸ For more, see M. Vašečka, *Country Report on Minority Practices in Pre-EU Accession Slovakia*, Bratislava, 2001, p. 14, <http://www.ivo.sk/subory/country_report_mr.pdf>, (accessed 26 April 2002); see also M. Vašečka, “Roma,” in *Slovakia 1998–1999. A Global Report on the State of Society*, G. Mesežnikov and M. Ivantyšyn (eds.), Institute for Public Affairs, Bratislava, 1999, pp. 759–760; M. Vašečka, “The Romanies in Slovakia,” in *National Human Development Report Slovakia 1998*, L. Vagač (ed.), United Nations Development Programme (UNDP), Bratislava, 1999; and UNDP, *Towards Diversity with a Human Face*, Roma Regional Human Development Report 2002 (draft), April 2002.

2.2 The Programme – Process

The Government elected in 1998 identified the integration of Roma as one of its priorities, as part of a general effort to improve the situation of minorities.⁹ The Deputy Prime Minister for Human Rights, Minorities and Regional Development, Pál Csáky (hereafter, “Deputy Prime Minister”), was accordingly tasked with elaborating a Strategy, which was drafted by the newly-appointed Plenipotentiary for Addressing the Issues of Roma.¹⁰ In a significant departure from previous practice, the Government opened consultations with Roma representatives as well as experts from civil society during the process of developing the Strategy.¹¹

The Strategy was adopted in two stages. First, in September 1999, the “Strategy for the Solution of the Problems of the Roma National Minority and the Set of Measures for Its Implementation” (hereafter, “Strategy for Roma – Stage I”) was adopted.¹² Relevant ministries and heads of regional and district State administration were then asked to submit concrete measures to implement the objectives outlined in the priority areas; these were integrated into the Strategy, as the “Elaboration of the Government Strategy for Addressing Problems of the Romani National Minority into a Package of Concrete Measures for the Year 2000” (hereafter, “Strategy for Roma – Stage II”), in May 2000.¹³

⁹ See *Programme Declarations of the Government of the Slovak Republic*, Section IV.1 “Democratic legal state,” 19 November 1998, <http://www.vlada.gov.sk/VLADA/VLADA_1998/PROG_VYHL/pvv98_en.rtf>, (accessed 24 April 2002).

¹⁰ See Government Resolution No. 127 (10 February 1999) on the Creation of the Office of the Plenipotentiary for Addressing the Issues of Roma. Vincent Danihel, a Roma lawyer, was appointed in March 1999. See also EU Accession Monitoring Program, *Monitoring the EU Accession Process: Minority Protection*, Open Society Institute, Budapest, September 2001, pp. 479–480 (hereafter, “*Minority Protection 2001*”).

¹¹ Working meetings were organised; the Plenipotentiary’s Advisory Board was also consulted. See Strategy for Roma – Stage I, pp. 13–14; see also the “List of Respondents,” pp. 25–26. The draft was also debated by the Council on National Minorities and Ethnic Groups. See Section 2.4.

¹² Strategy of the Government of the Slovak Republic for the Solution of the Problems of the Roma National Minority and the Set of Measures for Its Implementation – Stage I, adopted by Government Resolution No. 821 (27 September 1999), <http://www.government.gov.sk/INFOSERVIS/DOKUMENTY/ROMSTRAT/en_romstrategia.shtml>, (accessed 16 May 2002) (official English translation).

¹³ Elaboration of the Government Strategy for Addressing Problems of the Romani National Minority into a Package of Concrete Measures for the Year 2000 – Stage II, adopted by Government Resolution No. 294 (3 May 2000), <http://www.vlada.gov.sk/csaky/strategia_II_eng.doc>, (accessed 16 May 2002) (official English translation).

In an effort to improve implementation in the time remaining before the September 2002 elections, the Plenipotentiary¹⁴ selected a number of priority areas.¹⁵ The “Priorities with regard to Roma Communities” adopted in April 2002¹⁶ were discussed within the renewed Advisory Board of the Plenipotentiary, consisting of Roma representatives and other civil society experts; they were also sent out to Roma organisations for comments.¹⁷

The opportunity to provide direct input to the Government has been welcomed by Roma representatives. However, some feel that their ability to influence the content of the Strategy has been insufficient in practice.¹⁸ Other critics have pointed out that greater preparation, research and in-depth consultation with experts during the Strategy preparation process would have been desirable.¹⁹

2.3 The Programme – Content

The Strategy for Roma reflects a fairly comprehensive approach; it presents an overview of the problems faced by Roma and proposes solutions in a number of critical areas: employment, housing, health, social sector and education. It also proposes to strengthen efforts in the areas of human rights, minority rights, cooperation with NGOs, and regional development.²⁰

¹⁴ A new Plenipotentiary, Klára Orgovánová, was appointed on 1 July 2001.

¹⁵ Evaluation of the Activities of the Government of the Slovak Republic in the Area of the Resolution of the Problems of the Roma Communities for the Year 2001, 27 February 2002, p. 2, <<http://www.ial.sk/appl/material.nsf/0/B3A021C510C0CFE5C1256B670045211D?OpenDocument>>, (accessed 16 May 2002) (in Slovak) (hereafter, “Evaluation of Roma Activities 2001”).

¹⁶ Priorities of the Government of the Slovak Republic with regard to Roma Communities for 2002, adopted by Government Resolution No. 357 (10 April 2002), <http://www.vlada.gov.sk/orgovanova/dokumenty/priority_vlady_2002_en.doc>, (accessed 30 September 2002) (official English translation).

¹⁷ Interview with the Plenipotentiary for Roma Communities, Bratislava, 8 May 2002.

¹⁸ Interviews with: the Director of the Good Roma Kesaj Village Foundation, Košice, 22 March 2002; the Chairman of the Association of Young Roma, Starý Smokovec, 23 March 2002; and the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002.

¹⁹ See the interview with Anna Jurová, an expert on Roma issues, in February 2001 (sic), in “Society is still not in a position to resolve the Romany issues,” Roma Press Agency, 18 July 2002, p. 7, <<http://www.rpa.sk/clanok.aspx?o=zc&n=119&l=en>>, (accessed 26 September 2002).

²⁰ Strategy for Roma – Stage I, p. 15.

Stage I presents the main issues and assigns a set of general tasks to be fulfilled by the relevant bodies in seven areas:

- Human Rights, Rights of Persons Belonging to National Minorities, and NGOs
- Education and Training
- Language and Culture
- Employment
- Housing
- Social Sector
- Health
- Regional Development

The Strategy for Roma – Stage II lists concrete tasks to be implemented in these areas (with the exception of the last area).

The Strategy for Roma acknowledges the discrimination and disadvantages faced by Roma in the past and calls for measures to prevent discrimination by public authorities.²¹ It states the need to reassess the situation with regard to protection against racially motivated violence, and proposes a few measures in this area. However, it fails to identify discriminatory practices underlying many of the problems currently faced by Roma. More specifically, the Strategy has been criticised for failing to identify and offer solutions to discriminatory practices in accessing social services and benefits, and for not proposing remedies to violations of basic civil rights.²²

However, to enhance its efforts in the area of non-discrimination and racism, the Government adopted a complementary “Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance for the Period 2000–2001” (hereafter, “Action Plan 2000–2001”).²³ The Action Plan 2000–2001 aimed to improve the general framework for combating

²¹ Strategy for Roma – Stage I, pp. 15, 16.

²² I. Zoon, *On the Margins. Access of Roma to Public Services in Slovakia*, Open Society Institute, New York, 2001, p. 3.

²³ Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance for the Period 2000–2001, approved by Government Resolution No. 283 (3 May 2000), <http://www.vlada.gov.sk/csaky/akcny_plan-en.doc>, (accessed 16 May 2002). The Action Plan was prepared by the Deputy Prime Minister for the International Year against Racism and Discrimination (2001).

discrimination, racism and intolerance through a public awareness campaign, human rights education and improving awareness of legal remedies; it was not aimed at Roma in particular. It proposed a broad range of measures for tolerance education in schools and training for professional groups (police, judges, prosecutors, prison and court guards, army, healthcare and social workers, and social officers in district and regional administration).²⁴

The follow-up Action Plan 2002–2003²⁵ is more thorough and proposes special measures to address intolerance against Roma, to be implemented by relevant ministries in cooperation with the Plenipotentiary. Among its tasks, it includes measures to address discriminatory practices by regional and district State administration in the area of social assistance.²⁶

Although the Strategy for Roma stresses the importance of implementing legal guarantees in the areas of human and minority rights,²⁷ and recognises the importance of measures to protect and preserve Roma language and culture,²⁸ it proposes few concrete initiatives to this effect.

The Strategy for Roma has been criticised by experts for failing to clearly define its objectives.²⁹ The 2002 Priorities, on the other hand, clearly establish directions for action. Some observers have asserted that the Strategy and 2002 Priorities continue to reflect a principally socio-economic approach.³⁰ In fact, the Priorities identify housing but also education and influencing public opinion as among the most acute problems to be addressed;³¹ the most significant initiatives are two programmes which aim to

²⁴ See Action Plan 2000–2001, pp. 10–11.

²⁵ The Action Plan 2002–2003 was adopted by Government Resolution No. 207 (6 March 2002), <http://www.vlada.gov.sk/csaky/akcny_plan_02_03_en.doc>, (accessed 16 May 2002).

²⁶ Action Plan 2002–2003, Section 6.

²⁷ Strategy for Roma – Stage I, p. 16.

²⁸ Strategy for Roma – Stage I, pp. 18–19.

²⁹ *2000 Regular Report from the Commission on Slovakia's Progress Towards Accession*, 8 November 2000, p. 21, at <http://europa.eu.int/comm/enlargement/report_11_00/pdf/en/sk_en.pdf>, (accessed 26 September 2002) (hereafter, “*2000 Regular Report*”). See also written comments provided by a Researcher at the Institute for Public Opinion, Bratislava, 5 July 2002.

³⁰ See the interview with Anna Jurová, in “Society is still not in a position to resolve the Romany issues,” p. 7.

³¹ The 2002 Priorities cover the following issues: (1) Education; (2) Support for the Construction of Municipal Rental Flats and Public Utilities; (3) Influencing Public Opinion; (4) Establishment of a “House of the Roma” in Bratislava; and (5) Research.

improve conditions in the Roma settlements and to train social workers.³² While the need to make efficient use of existing resources is understandable, the exclusive focus on Roma settlements has drawn criticism from some Roma representatives, who assert that this approach fails to reflect the diversity of Roma communities.³³ The 2002 Priorities are considered complementary to the Strategy; at the same time, they are intended to serve as the foundation for long-term action.³⁴

Finally, in addition to the tasks ensuing from the Strategy for Roma and the Action Plans, various ministries and other governmental bodies have undertaken initiatives which can also have a positive impact on the situation of the Roma.³⁵ However, despite several steps taken by the Government after 1998 to improve the legal framework for the protection and promotion of minority rights, a number of issues in this area remain unresolved; most notably, efforts to draft comprehensive anti-discrimination legislation are presently on hold.³⁶

2.4 The Programme – Administration/Implementation/Evaluation

The Government has made several attempts to enhance administrative capacity to implement and coordinate the Strategy, including through the establishment of an Inter-Ministerial Commission for Roma Community Affairs (IMC) and the allocation of additional support for the Plenipotentiary for Roma Communities. However, substantive participation in implementation from key ministries has been low, and there is no mechanism for requiring their more active involvement. Funding from the State budget has been insufficient – an additional indication that political will to

³² See “Comprehensive Development Programme for Roma Settlements,” at <http://www.government.gov.sk/orgovanova/dokumenty/rozvojovy_program_romskych_osad_en.doc>, (accessed 26 September 2002), and “Social Field Workers – A Pilot Programme,” <http://www.government.gov.sk/orgovanova/dokumenty/program_socialnych_terennych_prac_en.doc>, (accessed 26 September 2002); both proposed programmes are annexed to the 2002 Priorities.

³³ Interview with a Representative of the Roma Press Agency, Košice, 17 July 2002.

³⁴ 2002 Priorities, p. 1.

³⁵ E.g. a programme of the Ministry of Justice to provide adult education in prisons. OSI Roundtable, Bratislava, June 2002. *Explanatory Note: OSI held a roundtable meeting in Slovakia in June 2002 to invite critique of the present report in draft form. Experts present included representatives of the Government, the Commission Delegation, representatives of the Roma community and non-governmental organisations.* The National Labour Office has also realised measures to support employment for Roma, see Section 3.2.2.

³⁶ See Sections 3.2 and 3.4.

support effective implementation is missing. There are no mechanisms for evaluating the effectiveness of activities under implementation, though monitoring of efforts to improve conditions in Roma settlements will be initiated.

At present, Roma representatives participate in Strategy implementation in an advisory capacity, and many have called for broader dialogue and greater opportunities for participation at decision-making and project management levels. Recent efforts to improve communication with NGOs are welcome, although there is still significant room for improvement.

Overall responsibility for implementation of the Strategy for Roma is borne by the Deputy Prime Minister, who is assisted by the Section for Human Rights and Minorities (Office of the Government).³⁷ The Plenipotentiary is entrusted with drafting, coordinating and implementing concrete projects for Roma in line with the Strategy, as well as with collecting information on implementation.³⁸ The position of Deputy Prime Minister, Plenipotentiary, and the Section for Human Rights and Minorities are all based on the elected Government's programme declarations rather than law,³⁹ rendering their positions rather precarious.

The Deputy Prime Minister organised an audit, with support from the World Bank, in order to evaluate the capacity and activities of the Plenipotentiary and a number of improvements in Strategy coordination and implementation were initiated as a result.⁴⁰ A new Plenipotentiary was appointed in July 2001,⁴¹ and her mandate later

³⁷ Government Resolution No. 821/1999, Task B.1, p. 2.

³⁸ Government Resolution No. 821/1999, Tasks B.8-B.13, p. 3.

³⁹ For example, the position of the Plenipotentiary, unlike the Plenipotentiary on Data Protection, is not covered by the Law on Competencies (Law No. 575/2001, as amended in Law No. 143/2002); and the staff of the Section for Human Rights and Minorities is not covered under the Law on Public Service (Law No. 312/2001, entered into force 1 April 2002). Interview with the Director of the Section for Human Rights and Minorities, Office of the Government, Bratislava, 15 April 2002.

⁴⁰ Interview with an Official of the Section for Human Rights and Minorities, Bratislava, 17 March 2002.

⁴¹ The new Plenipotentiary, Klára Orgovánová, was selected in a tender monitored by the Council of Europe and the EU. Evaluation of Roma Activities 2001, pp. 1–2.

strengthened.⁴² In addition to an Office in Bratislava,⁴³ the Plenipotentiary also has a Regional Office with three full-time employees in Prešov (Eastern Slovakia), where more than two-thirds of Slovak Roma live. The Prešov Office monitors implementation of the Plenipotentiary's two priority programmes to improve conditions in settlements⁴⁴ and to train field social workers;⁴⁵ it also provides informal consultation services to Roma individuals on a broad range of topics.⁴⁶

The IMC was established with the general aim of strengthening cooperation among the ministries involved in Strategy implementation, monitoring the fulfilment of tasks, and evaluating the effectiveness of expenditures on Roma projects.⁴⁷ However, the IMC consists exclusively of representatives of the relevant ministries,⁴⁸ and has met

⁴² The Plenipotentiary is given responsibility for proposing, coordinating and monitoring activities aimed at improving the situation for Roma communities. See Statute of the Plenipotentiary for Roma Communities, adopted by Government Resolution No. 886 (19 September 2001), Art. 1(2) and Art. 3, <<http://www.vlada.gov.sk/orgovanova/statut.html>>, (accessed 24 April 2002); see also Information on the Strengthening of the Office of the Plenipotentiary for the Solution of the Problems of the Roma Minority through a Grant of the World Bank, 23 January 2002, <<http://www.ial.sk/appl/material.nsf/0/B22D2D7F3D4799C7C1256B41003655E6?OpenDocument>>, (accessed 26 September 2002).

⁴³ The Secretariat of the Plenipotentiary is placed under the Office of the Prime Minister, but its work is supervised by the Deputy Prime Minister. It has no separate budget line; its budget is belongs under that of the Office of the Prime Minister, though on occasion the Deputy Prime Minister has taken decisions on budgetary issues related to the Plenipotentiary's Secretariat. It employs 11 persons.

⁴⁴ Comprehensive Development Programme for Roma Settlements, see Section 3.2.3.

⁴⁵ Social Field Workers – A Pilot Programme, see Section 3.2.4.

⁴⁶ The Secretary is of Roma origin. The Staff's competence is rather general; concerning legal issues, for example, it must consult with the legal expert in the Bratislava Secretariat. Interview with the staff of the Prešov Office of the Plenipotentiary, 11 July 2002.

⁴⁷ For the Statute of the IMC, see <http://www.government.gov.sk/orgovanova/dokumenty/statut_medzirezort_komisie.doc>, (accessed 16 May 2002).

⁴⁸ The IMC consists of a Chairperson (the Plenipotentiary) and 13 representatives from the relevant ministries, at the level of State secretary, section directors or unit directors. The Statute does not provide for Roma or civil society representation; however, the IMC currently includes two Roma members. The full list of IMC members is at <http://www.government.gov.sk/orgovanova/dokumenty/clenovia_medzirezort_komisie.doc>, (accessed 16 May 2002). The IMC also has the mandate to cooperate with NGOs, including Roma NGOs.

infrequently.⁴⁹ The Plenipotentiary, as chair of the IMC, has no competence to require activity or reporting from individual ministries, and may make proposals to the Government only through the Deputy Prime Minister.⁵⁰ A low level of participation from some ministries, such as the Ministry of Education, has been noted.⁵¹

Stage I of the Strategy assigned few concrete tasks;⁵² however, 282 additional tasks were set forth in Stage II. These are to be realised primarily by ministries, Government agencies at the national level, regional and district level public administration bodies, and several local governments.⁵³ Most of these tasks were formulated by these bodies themselves and coordination has proven difficult.⁵⁴ Specific tasks were also assigned by the Government in support of the measures proposed in the 2002 Priorities.⁵⁵

In addition to the above-mentioned institutions, there are specialised sections responsible for minority policy within certain ministries, such as the Section of Minority Culture (Ministry of Culture) and the Department of Minority Education (Ministry of Education). Allegedly, very few Roma are employed at these and other relevant ministries. There is also the Council for National Minorities and Ethnic Groups – an advisory body on minority policy; however, its role in Strategy implementation has been limited.⁵⁶

⁴⁹ The first meeting of the IMC was held on 17 December 2001. According to its Statute (Art. 8), it should meet at least once every three months but, as of end September 2002, no further meetings had been held.

⁵⁰ Statute of the Plenipotentiary, Art. 5.

⁵¹ OSI Roundtable, Bratislava, June 2002.

⁵² See “Set of Measures for Implementation – Stage I,” Strategy for Roma – Stage I, Part 1, pp. 8-12; tasks are also assigned by Government Resolution No. 821/1999 (by which the Strategy for Roma – Stage I was adopted). Part 2 consists of an Explanatory Report, followed by the text of the Strategy itself.

⁵³ A non-binding recommendation is made for several municipalities to cooperate in the implementation of certain tasks. See e.g. Government Resolution No. 364 (25 April 2001), <[http://www.ial.sk/appl/material.nsf/0/74382D6F8D293FC8C1256A410024A7E4/\\$FILE/Zdroj.html](http://www.ial.sk/appl/material.nsf/0/74382D6F8D293FC8C1256A410024A7E4/$FILE/Zdroj.html)>, (accessed 26 September 2002).

⁵⁴ 2002 Priorities, p. 1.

⁵⁵ See Government Resolution No. 357 (10 April 2002), by which the 2002 Priorities and the two annexed programmes were adopted, which assigns specific tasks to various State actors (ministries, regional State administration as well as the Plenipotentiary and the Deputy Prime Minister) based on the directions for action outlined in the 2002 Priorities.

⁵⁶ Fourteen minority associations, including two Roma organisations, nominate members to the Council for National Minorities and Ethnic Groups, which is chaired by the Deputy Prime Minister.

Funding and reporting on expenditures

There are three main sources of State funding for the realisation of tasks under the Strategy: the General Treasury Reserve; funding from individual ministries; and Phare co-funding.

First, the Office of the Plenipotentiary is allocated a certain amount of funding for the implementation of projects from a special reserve of the General Treasury on the basis of a request from the Deputy Prime Minister. This request is based on project proposals received from various ministries and other governmental bodies. Under the September 2001 Statute, the Plenipotentiary is jointly responsible for the distribution of financial resources from the General Treasury.⁵⁷

Increasing amounts of State funding have been allocated to regional and district governments for projects to address the needs of Roma; from SKK 15 million (€359,540) in 1999,⁵⁸ funding increased to SKK 30 million (€719,080) in 2001, most of which was allocated to the priority area of improving housing and infrastructure in Roma settlements.⁵⁹ However, demand clearly exceeds available resources,⁶⁰ and the funding necessary to realise many of the tasks outlined in the Strategy has not been secured.⁶¹ In 2002, no funds were earmarked for the implementation of special programmes for Roma from the State budget; the Plenipotentiary therefore proposed an allocation of SKK 50 million (€1,198,466) from the General Treasury for priority

⁵⁷ Statute of the Plenipotentiary, Art. 3.

⁵⁸ Information of the Government of the Slovak Republic on the Status of Implementation of the Problems of the Roma National Minority for the Period November 1998 to May 2000, adopted on 17 May 2000, p. 5, <http://www.government.gov.sk/csaky/rom_p_stav_1998-2000.html>, (accessed 16 May 2002). The exchange rate is calculated at SKK 41.72 (Slovak Koruna) = €1.

⁵⁹ In 2001, the breakdown of funding for 90 projects was as follows: 62 percent was allocated to projects to improve the infrastructure of Roma settlements and to reconstruct primary schools; 23.3 percent to projects in the area of culture; 8.3 percent to employment projects; 3.7 percent to education and training projects; and 2.7 percent to projects in the field of social issues and healthcare. Evaluation of Roma Activities 2001, p. 13. See also a breakdown of grants for 2001 by topic at <http://www.vlada.gov.sk/orgovanova/dokumenty/sumar_projekty_2001.doc>, (accessed 26 September 2002).

⁶⁰ Already as of 15 February 2001, the database of the Secretariat of the Plenipotentiary showed 517 project proposals totalling SKK 1.1 billion (€26,366,251). Evaluation of Roma Activities 2001, p. 13.

⁶¹ Interviews with: the Head of the Parliamentary Committee for Human Rights, Bratislava, 11 April 2002; and a Representative of the Roma Press Agency, Košice, 17 July 2002.

projects;⁶² a total of SKK 22,374,860 (€536,310) had been allocated as of October 2002.⁶³ The Plenipotentiary has called for funding to be increased.⁶⁴

Second, funds may be allocated by individual ministries, either for the purpose of projects specifically for Roma or other projects which also include the Roma.⁶⁵ Individual ministries report to the Ministry of Finance and the National Audit Office on their expenditures.

By entrusting individual ministries and heads of State administration at the district level with the responsibility to allocate their own budgetary resources, the Government has sought to decentralise authority and involve public administration authorities at all levels in Strategy implementation; it has also hoped in this way to encourage cooperation at the local level between local governments, the Roma community and NGOs.⁶⁶ However, both the incentive and the means to implement projects to benefit Roma have often been lacking;⁶⁷ civil society representatives have reported a reluctance of many municipal and regional authorities to cooperate on Strategy implementation.⁶⁸ This may be due in part to the fact that – though accorded responsibilities under the Strategy – regional and district State authorities have not been provided with additional resources sufficient to fulfil these responsibilities.

⁶² “Proposal for the Structure of the General Treasury Administration Chapter – Social and Cultural Needs of the Roma Community and the Reserve for Projects Addressing Roma Community Problems in 2002,” 2002 Priorities, pp. 6–7.

⁶³ SKK 3,023,130 (€72,462) was allocated from the General Treasury by Government Resolution No. 358 (10 April 2002); SKK 3,180,000 (€76,222) by Government Resolution No. 459 (9 May 2002); SKK 5,669,500 (€135,894) by Government Resolution No. 627 (12 June 2002); SKK 4,063,000 (€97,387) by Government Resolution No. 789 (17 July 2002); and SKK 6,439,230 (€154,344) by Government Resolution No. 884 (21 August 2002). The Resolutions are at <http://www.vlada.gov.sk/orgovanova/zoz_uznesenia.html>, (accessed 23 October 2002).

⁶⁴ 2002 Priorities, p. 1; see also “*Orgovánová: Spolupráca s rómským etnikom bola pozitívna*” (Orgovánová: Cooperation with the Roma Ethnic Minority has been positive), *SME Online*, 5 September 2002, <http://www.sme.sk/clanok.asp?rub=online_zdom&cl=652680>, (accessed 26 September 2002).

⁶⁵ More than SKK 165 million (€3,954,938) from the budget of regional State administration and ministries was secured for regional and departmental programmes under Stage II. Strategy for Roma – Stage II, p. 2.

⁶⁶ Strategy for Roma – Stage I, pp. 13–14.

⁶⁷ Interview with the Director of the Good Roma Kesaj Village Foundation, Košice, 22 March 2002.

⁶⁸ G. Adam, Member of the Council for National Minorities, “The Activities of Non-Governmental Organisations to Address the Problems of the Romany Ethnic Minority,” presentation at the conference “Slovakia and the Roma: Partnership and Participation,” Bratislava, 2 May 2002, p. 2.

Finally, projects to support Strategy implementation may be funded through Phare programmes, to which the Government has allocated increasing amounts of co-financing.⁶⁹ These expenditures are monitored by the Central Financial and Contract Unit of the Office of the Government.

Monitoring and evaluation

Through the IMC, the Plenipotentiary annually compiles information on Strategy implementation, based on information from ministries and regional authorities; however, there is no mechanism to require implementing authorities to submit information on their efforts to fulfil their tasks under the Strategy.⁷⁰ The Deputy Prime Minister has produced two public reports based on this information.⁷¹ While mostly descriptive, these reports have offered some level of evaluation as well. For example, the 2001 report noted that lack of effective coordination had led to dispersion of efforts and resources.⁷²

The Plenipotentiary recently pointed out that cooperation with local mayors has been insufficient and has called for increased governmental involvement in Strategy implementation.⁷³

The Plenipotentiary has emphasised the importance of evaluating the effectiveness of efforts and has therefore proposed to conduct project monitoring, a sociographic survey of Roma settlements, and to prepare an analysis of governmental policies from 1948 to 1989.⁷⁴

⁶⁹ Under Phare 2000, for example, €309,000 was allocated by the Government as project co-financing; under Phare 2001, Government co-financing totalled €9,075,000. See Overview of the Projects Phare under the Auspices of the Deputy Prime Minister for Human Rights, Minorities and Regional Development, 22 August 2002, <http://www.government.gov.sk/csaky/phare_summary_en.doc>, (accessed 26 September 2002), (hereafter, "Overview of Phare Projects").

⁷⁰ Government Resolution No. 821/1999, Task B. 10; see also Statute of the IMC, Arts. 3(2) and 3(3).

⁷¹ Information of the Government of the Slovak Republic on the Status of Implementation of the Problems of the Roma National Minority for the Period November 1998 to May 2000; and Evaluation of Roma Activities 2001.

⁷² Evaluation of Roma Activities 2001, pp. 1–2.

⁷³ "Orgovánová: Cooperation with the Roma Ethnic Minority has been positive," *SME Online*, 5 September 2002.

⁷⁴ See the chapter on "Research," 2002 Priorities, pp. 5–6. SKK 870,000 (€20,853) has been allocated for the survey and analysis of governmental policies by Government Resolution No. 884 (21 August 2002), <http://www.vlada.gov.sk/orgovanova/dokumenty/uznesenie_884_2002.rtf>, (accessed 23 October 2002); project monitoring was not specifically mentioned.

NGO and Roma participation

Roma representatives have pointed out that few Strategy measures have been implemented at the local level and they attribute this to persistent negative attitudes toward Roma within local public administrations and lack of funding. They claim that this lack of activity contrasts sharply with Government statements that improving the situation for Roma is a priority.⁷⁵ According to some Roma representatives, local efforts to build an effective programme on a flawed and inefficient Strategy structure stand little chance of success.⁷⁶

Roma representatives have been especially critical of the low degree of participation from Roma NGOs in implementing components of the Strategy and Phare-funded projects,⁷⁷ and of the fact that non-Roma NGOs appear to have received much of the funding for projects to benefit Roma.⁷⁸ In fact, NGO participation has been low in general; although NGOs can also apply for grants through the Office of the Plenipotentiary, most of the funding for Strategy implementation has been allocated to State actors (primarily ministries and regional offices).

Roma and civil society representatives have participated in Strategy implementation and evaluation primarily in an advisory capacity, especially through the Advisory Board of the Plenipotentiary. Most members of this Advisory Board⁷⁹ are Roma. However, according to one Board member, there have been few consultations regarding implementation of the 2002 Priorities.⁸⁰ With the notable exception of the Plenipotentiary, there are no Roma directly responsible for implementing components of the Strategy or for coordinating implementation within the various relevant governmental bodies.⁸¹ There are no positions reserved for Roma or civil society

⁷⁵ Interviews with: the Director of the Good Roma Kesaj Village Foundation, Košice, 22 March 2002; and a Representative of the Association of Young Roma, Starý Smokovec, 23 March 2002.

⁷⁶ Interviews with: the Director of the Good Roma Kesaj Village Foundation, Košice, 22 March 2002; and the Head of Lunik IX Public Administration, 23 March 2002.

⁷⁷ Interviews with: the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002; a Representative of the Association of Young Roma, Starý Smokovec, 23 March 2002; and a Representative of the Roma Press Agency, Košice, 17 July 2002.

⁷⁸ J. Červeňák, "Vznikne na Slovensku rómsky tretí mimovládny sektor?" (Will a Roma Non-governmental Third Sector emerge?), *Romano Nevo L'il*, No. 392–399, 1999.

⁷⁹ For the composition of the Advisory Board of the Plenipotentiary, see <http://www.vlada.gov.sk/orgovanova/zoznam_cl_porad_zbor_orgov.html>, (accessed 16 May 2002).

⁸⁰ Interview with the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002.

⁸¹ Interview with the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002.

representatives in the IMC. The Plenipotentiary has appointed a Coordinator for Cooperation with NGOs. Still, many Roma representatives assert that there is a need for more concerted governmental efforts to develop cooperation with a broad cross-section of the Roma community.⁸²

Implementation of the Action Plan

The Deputy Prime Minister, together with the Section for Human Rights and Minorities, is responsible for implementation of the Action Plan. The Coordination Committee responsible for the Action Plan 2000–2001⁸³ has been replaced by an inter-sectoral group, consisting of representatives of ministries involved in implementing the Action Plan 2002–2003. As with the Coordination Committee, there are no Roma or civil society representatives in this group, apart from the Plenipotentiary. The Plenipotentiary has been tasked with coordinating the specific activities for the Roma under the Action Plan 2002–2003.⁸⁴ An evaluation of the Action Plan 2000–2001 concluded that it had registered some success, but emphasised the need for continued efforts to ensure full implementation.⁸⁵ Several NGOs are implementing projects under the Action Plan.⁸⁶ However, civil society representatives have criticised the low level of funding made available for implementation and the lack of a coherent, long-term communications strategy to combat racism and intolerance (see Section 3.4.4).

2.5 The Programme and the Public

The Strategy points out that care must be taken to ensure that special measures to improve the situation for Roma do not provoke negative reactions from local communities which are also suffering from economic hardship.⁸⁷ Some efforts have

⁸² Interviews with: the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002; the Director of the NGO “Projekt Schola,” Košice, 11 July 2002; and the Director of the Good Roma Kesaj Village Foundation, Košice, 11 July 2002.

⁸³ Evaluation of the Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance for the Period 2000–2001 (hereafter, “Evaluation of Action Plan 2000–2001”), 8 January 2002, p. 1, <http://www.vlada.gov.sk/csaky/akcny_plan_2000-2001.html>, (accessed 16 May 2002) (in Slovak).

⁸⁴ Section 6 “Implementation of activities aimed at dealing with the problems of Roma communities in the Slovak Republic,” Action Plan 2002–2003.

⁸⁵ Evaluation of Action Plan 2000–2001.

⁸⁶ E.g. the NGO People Against Racism received State support for a tolerance campaign. See Section 3.2.

⁸⁷ Strategy for Roma – Stage I, p. 15.

been made to present Strategy objectives and activities to the public through the media and conferences. The Plenipotentiary has also made attempts to involve NGOs, including Roma NGOs, in the implementation process.

The Plenipotentiary has appointed a Coordinator for Contacts with the Public and the Media to improve communications regarding the Strategy.⁸⁸ The Prešov Office also distributes information on the Strategy but has no specialised public relations staff.⁸⁹ Among other communications initiatives undertaken by the Plenipotentiary, such as the establishment of a website,⁹⁰ the Plenipotentiary has organised two information campaigns to disseminate information about the situation of Roma and about the Strategy; one was launched in Autumn 2001 with funding from the World Bank; the other on 8 April 2002 (International Roma Day).

The first formal public presentation on the Government's Strategy for Roma and achievements was organised in May 2002 by the Deputy Prime Minister.⁹¹ The event consisted of a series of official reports on the 2002 Priorities and proposed projects as well as on Phare-funded projects. However, there was no opportunity for public discussion.

2.6 The Programme and the EU

The EU has provided considerable financial support for projects to improve the situation of the Roma through the Phare National Programme, allocating a total of €16,050,000 between 1998 and 2001.⁹² Phare funding has supported projects in some of the priority areas identified by the Government, notably education, improvement of the situation in Roma settlements, and efforts to promote tolerance towards minorities.

⁸⁸ Evaluation of Roma Activities 2001, p. 2.

⁸⁹ Interview with the staff of the Prešov Office of the Plenipotentiary, 11 July 2002.

⁹⁰ <<http://www.vlada.gov.sk/orgovanova/>> and <<http://www.vlada.gov.sk/romovia/>>, (accessed 16 May 2002). Some Roma representatives have pointed out that the website must be complemented by other communications efforts, as few Roma living in Eastern Slovakia have access to the Internet.

⁹¹ The Conference "Slovakia and the Roma: Partnership and Participation" (Bratislava, 2 May 2002) was a high-profile event where the EU Commissioner for Enlargement Günter Verheugen, *inter alia*, was invited to make a statement.

⁹² In 2001 alone, € ten million was allocated, not including funding from the Phare Civil Society Development Programmes (€78,170 in total), nor other Phare funding. For a full list of Phare-funded projects in Slovakia as of May 2002, see DG Enlargement Information Unit, *EU Support for Roma Communities in Central and Eastern Europe*, May 2002, pp. 28–29, <http://europa.eu.int/comm/enlargement/docs/pdf/brochure_roma_may2002.pdf>, (accessed 22 August 2002); see also Overview of Phare Projects.

The European Commission noted the adoption of the Strategy favourably, but has repeatedly called for improved implementation. In 2001 the Commission also highlighted the need for improved efforts to fight widespread discrimination.⁹³ Subsequent Phare funding has been matched to these findings, supporting tolerance training, and efforts to further elaborate the Strategy as well as to improve implementation capacity,⁹⁴ *inter alia*.

There have been problems with financial administration and reporting of Phare funds. Due to suspicion of fraud as well as irregularities in reporting,⁹⁵ funds were frozen in July 2001, resulting in a serious disruption in project implementation.⁹⁶ An investigation by Phare's control unit (OMAS) did not find any irregularities in the management of Phare funds by the Section for Human Rights and Minorities.⁹⁷ However, it noted a need to improve the capacity of the Department of Project Coordination within the Section for Human Rights and Minorities, which is

⁹³ European Commission, *2001 Regular Report on Slovakia's Progress Towards Accession*, 13 November 2001, p. 24, <http://www.europa.eu.int/comm/enlargement/report2001/sk_en.pdf>, (accessed 26 September 2002) (hereafter, "2001 Regular Report").

⁹⁴ Efforts in this last area are being supported through a Twinning Project with France "Improvement of the Situation of the Roma in the Slovak Republic" (Phare 2000 allocation of €550,000), from January 2002 to December 2003. See <http://www.vlada.gov.sk/romovia/twinning/index_en.php3>, (accessed 30 September 2002). The Twinning Project also aims to develop short and medium-term strategies in the areas of education, employment, housing and health.

⁹⁵ New reporting guidelines in 2001 for Phare funds meant that more administrative capacity and better coordination between the various units involved in managing the funds were required. This led to irregularities in reporting. Written comments of the Director of the CSDF, Bratislava, 26 July 2002.

⁹⁶ Many organisations which were already involved in implementation or which had been selected found themselves without any resources. Interview with a Representative of the Sándor Márai Foundation, Dunajská Streda, 16 March 2002.

⁹⁷ OMAS Consortium, Middle Unit, *Interim Evaluation of the European Union Phare Programme, Country: Slovak Republic*, Interim Evaluation Report No. R/SR/JHA/01041, 25 September 2001 (hereafter, "2001 OMAS Report"). OMAS reviewed the Phare 1998, 1999 and 2000 Programmes, through September 2001. The report was not made public but copies may be obtained from the Department of Project Coordination. Information provided by the Director of the Department of Project Coordination, Section for Human Rights and Minorities, Bratislava, 9 May 2002.

responsible for administering Phare projects for minorities.⁹⁸ Phare funding was released in September 2002, once suspicions had been dispelled.⁹⁹

The OMAS Report also found that effective evaluation of Phare expenditures is hampered in general by broad definitions of project objectives and poorly-elaborated indicators of achievement.¹⁰⁰ Despite the numerous problems identified, implementation of the Phare projects was generally evaluated as “satisfactory” by OMAS,¹⁰¹ as well as by the Government.¹⁰² While OMAS did not find any irregularities in the organisation of Phare tenders,¹⁰³ Roma representatives and civil society experts have asserted that there is a lack of transparency in project selection.¹⁰⁴ Future reports on the effectiveness of Phare funding for Roma should move beyond an assessment of formal compliance with procedures to incorporate critiques from civil society organisations, particularly Roma organisations.

Both OMAS and Roma representatives have highlighted the lack of sustainability of Phare-funded projects as a major source of concern. To address this issue, OMAS recommended that the Government guarantee continuity within the Department of Project Coordination¹⁰⁵ and noted that more active involvement from the Roma community would also boost sustainability.¹⁰⁶

⁹⁸ 2001 OMAS Report, p. 2.

⁹⁹ Ten percent of the funds (€ five million) had been withheld. They were released on 25 September 2002, after Slovakia’s Supreme Audit Office concluded that there had been no misuse and that police, working jointly with a team from the European Commission’s European Anti-Fraud Office (OLAF), reached the same conclusion. “EU Releases Frozen Phare Funds to Slovakia,” RFE/RL *Newsline*, 26 September 2002.

¹⁰⁰ 2001 OMAS Report, p. 10.

¹⁰¹ 2001 OMAS Report, p. III. This overall positive evaluation of Phare-funded projects was made despite the fact that, under the Spiš project (Phare 1998 Pilot Project “Improvement of the Situation of the Roma in the Spiš Region”), for example, the reconstruction of a kindergarten in the town of Markušovce was not realised by the firm from Banská Bystrica which won the tender, so the funding (€49,000) had to be returned to Phare in Brussels. Interview with the Director of the Department of Project Coordination, Section for Human Rights and Minorities, Bratislava, 9 May 2002. The 2001 OMAS Report does, however, mention problems with the construction of the kindergarten. 2001 OMAS Report, pp. 2–3.

¹⁰² Overview of Phare Projects, p. 1; see also the presentation by the Director of the Department of Project Coordination, Section for Human Rights and Minorities, at the conference “Slovakia and the Roma: Partnership and Participation,” Bratislava, 2 May 2002.

¹⁰³ 2001 OMAS Report, p. III.

¹⁰⁴ NGOs are selected in a closed tender upon invitation by the Government.

¹⁰⁵ 2001 OMAS Report, p. 20.

¹⁰⁶ To improve sustainability of the Spiš project, for example, it suggested that local authorities support the kindergarten and community centre buildings. 2001 OMAS Report, p. III; see also pp. 17–18.

Roma have also asserted that they should be more involved in decisions regarding the allocation and use of Phare funding to benefit Roma communities, and in implementing Phare projects.¹⁰⁷

According to an EU representative, the bureaucratic requirements of preparing and administering a Phare proposal make it difficult for medium and small NGOs, including most Roma NGOs, to participate in Phare tenders.¹⁰⁸ Mechanisms should be developed to make funding more accessible to NGOs, especially Roma NGOs, including by offering training on Phare grants procedures and participation in tender commissions.¹⁰⁹ This would also make funding more available to NGOs beyond Bratislava, who have tended to be excluded from EU funding to date.¹¹⁰

NGOs (including Roma NGOs)¹¹¹ have received Phare funding through the Civil Society Development Foundation (CSDF), and the CSDF has made it a practice to offer practical assistance in project preparation. However, OMAS identified a need for improvement in monitoring and reporting on these grants; its recommendations have been taken into account by the CSDF since May 2002.¹¹²

¹⁰⁷ Interview with the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002.

¹⁰⁸ Interview with an Official of the Delegation of the European Commission to Slovakia, Bratislava, 10 July 2002.

¹⁰⁹ Roma representatives are included on steering committees for monitoring implementation of Phare projects. Interview with the Director of the Department of Project Coordination, Section for Human Rights and Minorities, Bratislava, 9 May 2002.

¹¹⁰ G. Adam, "The Activities of Non-Governmental Organisations to Address the Problems of the Romany Ethnic Minority," p. 2.

¹¹¹ In 2001, €1,465,00 was allocated to minority projects; while most of the funding was allocated to projects for Roma (26 projects), the exact share of Roma NGOs which received funding is not known. 2001 OMAS Report, pp. 3–5, 12; see also list of projects in Annex 6. See also the website of the CSDF (*Nadácia pre podporu občianskych aktivít*–NPOA) at <www.changenet.sk/npoa>, (accessed 26 August 2002).

¹¹² 2001 OMAS Report, p. III. The recommendations included the introduction of changes to the management of financial reports, processing guidelines and internal reporting mechanisms. According to the CSDF, the recommended changes were introduced at the end of May 2002. Written comments of the Director of the CSDF, Bratislava, 26 July 2002.

3. THE GOVERNMENT PROGRAMME – IMPLEMENTATION

3.1 Stated Objectives of the Programme

The aim of the Government Strategy, as set forth in the Stage I document, is to “creat[e] conditions for Roma national minority problem resolution in areas where the situation is critical – unemployment, housing, health status, social sector and the school system, or where there are grounds for improvement – human rights, rights of persons belonging to national minorities, cooperation with NGOs and regional development.”¹¹³ Stage II of the Strategy focuses on implementation of these objectives through concrete measures.

The 2002 Priorities document also proposes measures to be implemented in a reduced set of priority areas for action; no new objectives are defined.

3.2 Government Programme and Discrimination

The Strategy acknowledges that Roma have experienced discrimination in the past and aims to prevent future discrimination by public administration authorities.¹¹⁴ At the same time, it appears to assign at least partial responsibility for this to Roma themselves: “[s]ome aspects of life of a certain part of this minority cause social distance in the majority society, which is then unjustly applied to the whole minority.”¹¹⁵

The Strategy outlines several measures to fight discriminatory practices by providing human rights training (with special attention to the Roma minority) to members of professional groups such as the police, prison guards and court officials, and local authorities.¹¹⁶ Human rights training for professional groups and public awareness-raising activities were proposed in the context of the Action Plan 2000–2001 and its follow-up as well. Those activities which have been implemented – such as an anti-racism campaign organised by the NGO “People Against Racism” – report successful

¹¹³ Strategy for Roma – Stage I, p. 15.

¹¹⁴ Strategy for Roma – Stage I, pp. 15, 16.

¹¹⁵ Strategy for Roma – Stage I, p. 15.

¹¹⁶ Government Resolution 821/1999, Tasks B.15 (Minister of Justice), B.16 (Minister of Interior); see also Strategy for Roma – Stage II, pp. 6–8.

results,¹¹⁷ despite relatively low levels of funding.¹¹⁸ (For more on implementation of the Action Plans, see Sections 3.2.5 and 3.3.)

The Strategy also recommended research and monitoring on discrimination and that consideration be given to making amendments to legislation and to the system for social protection if necessary (see Section 3.2.4).¹¹⁹ Subsequent Government research has concluded that existing legislation does not comply with the EU Race Equality Directive,¹²⁰ but efforts to adopt comprehensive anti-discrimination legislation have stalled.¹²¹

There is no specialised body to monitor and investigate discrimination. The Ministry of Labour, Social Affairs and Family (hereafter, “Ministry of Labour”) took some steps

¹¹⁷ According to a survey realised after phase one of the campaign, it reached 44 percent of Slovak residents, 67 percent of which evaluated it positively. Evaluation of Action Plan 2000–2001, p. 12.

¹¹⁸ SKK 499,100 (€11,963) was allocated in total for two campaigns and the creation of a website, <www.racism.sk>. Information provided by an Official of the Section for Human Rights and Minorities, Bratislava, 12 June 2002. See also Evaluation of Action Plan 2000–2001, p. 12.

¹¹⁹ See Government Resolution 821/1999, Task B. 14, p. 4; see also Strategy for Roma – Stage II, p. 5; see also Government Resolution 821/1999, Recommendation C.1, p. 5.

¹²⁰ Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Interview with an Official of the Section for Human Rights and Minorities, Bratislava, 17 March 2002. For a comprehensive review of Slovak legislation compared to the Directive, see Ján Hrubala, *Legal analysis of national and European anti-discrimination legislation. A comparison of the EU Racial Equality Directive & Protocol No. 12 with anti-discrimination legislation in Slovakia*, European Roma Rights Center/Interights/Minority Policy Group, Budapest/London/Brussels, September 2001, at <<http://www.migpolgroup.com/uploadstore/Slovakia%20electronic.pdf>>, (accessed 22 October 2002); see also *Minority Protection 2001*, pp. 440–442.

¹²¹ This is not a specific task of the Strategy or the Action Plan. See, however, the Action Plan 2002–2003, Section 8, where efforts to draft legislation on equal treatment and an “Equal Treatment Centre” are mentioned. The Section for Human Rights developed a proposal in cooperation with NGOs and international organisations, which was adopted by the Government in May 2002; however it was not considered prior to the September 2002 elections. Memorandum on Anti-Discrimination Legislation, Centre for Legal Analysis/Kalligram Foundation, July 2002, <http://www.cla.sk/projects/project.php?melyik=anti_discrimination&nyelv=en&direkturl=anti_discrimination/cla_analysis/anti_discrimination_memo_july_02.htm>, (accessed 22 October 2002). The draft legislation comprised of two statutes: an Act on Equal Treatment, <<http://www.ial.sk/appl/material.nsf/0/AF1121D2FA91FE33C1256B6D003E92C4?OpenDocument>>, (accessed 26 September 2002), and a proposal to establish a Centre for Equal Treatment, at <<http://www.ial.sk/appl/material.nsf/0/9982E11807844812C1256B6D003F73EF?OpenDocument>>, (accessed 26 September 2002).

toward establishing such a body, but this initiative, too, is on hold until after the September 2002 elections.

The appointment of a Parliamentary Commissioner for Human Rights (Ombudsman) in March 2002¹²² offers one avenue for dissemination of information about discrimination and receipt of complaints.¹²³

In the meantime, awareness of existing channels for submitting complaints is low, and there has been little practical governmental assistance for the preparation, filing and pursuit of discrimination claims.¹²⁴

3.2.1 Education

Education has been identified by the Government as a priority area for action.¹²⁵ In the Strategy, the fact that many Roma do not complete basic education is attributed not to discrimination, but to the “rigid school system,” low attendance at kindergarten, and language problems, and thus measures have sought to address these issues in particular. Though most measures are still in the pilot phase, several initiatives, such as the organisation of pre-school preparatory classes (or so-called “zero classes”) and the employment of Roma teacher’s assistants, have achieved promising results.

The Strategy sets forth the principal goal of “creat[ing] conditions for changing the education system so that Romani children can be as successful as the others,”¹²⁶ which it aims to achieve by adopting “fast solutions to the most critical issues.”¹²⁷ The

¹²² The Law on the Parliamentary Commissioner was adopted on 4 December 2001. After an unsuccessful first attempt in February 2002, Parliament elected Pavol Kandráč – the candidate of the opposition Movement for a Democratic Slovakia (HZDS) of former Prime Minister Mečiar – on 19 March 2002. Two of the governing coalition parties allegedly voted for this candidate. See “Slovak Government Disunity Marks Ombudsman Vote,” *Transitions Online*, 19–25 March 2002.

¹²³ However, there have been delays in setting up his office. Interview with the Head of the Parliamentary Committee for Human Rights, Bratislava, 11 April 2002.

¹²⁴ US Department of State, *Country Reports on Human Rights Practices – 2001, Slovak Republic*, Section 5, <<http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8338.htm>>, (accessed 30 September 2002).

¹²⁵ Strategy for Roma – Stage I, p. 17; 2002 Priorities.

¹²⁶ Strategy for Roma – Stage II, p. 10.

¹²⁷ Strategy for Roma – Stage I, p. 17.

Ministry of Education is assigned the task of elaborating mid- and long-term concepts for education¹²⁸ for Roma at all levels of education except the tertiary level.

Regional and district authorities have been tasked with drafting plans for the education of Roma children in their areas.¹²⁹ The Ministry is still working on a Concept for the Education and Instruction of Roma Children as part of broader efforts to develop a long-term concept for education more generally, to cover the next 15 to 20 years (also known as the “Millennium Project”);¹³⁰ as the Concept has not yet been completed, no funding has yet been requested or set aside for its implementation.¹³¹

Another task of the Ministry of Education was to conduct “sectoral research on the situation of the Romany child and pupil in the school education and training system with the aim of determining the reasons for difficulties experienced by Roma children in the field of education.”¹³² Since 2000, the Methodological Centre in Prešov has been implementing this initiative on the basis of which pilot kindergartens and elementary schools with a high concentration of Roma children have been selected for participation in Phare projects.¹³³

Concrete activities are focussed on the pre-school and primary levels, and consist largely of expanding existing pilot initiatives to establish pre-school preparatory classes

¹²⁸ Strategy for Roma – Stage I, pp. 8, 9; see also Strategy for Roma – Stage II, p. 10.

¹²⁹ Strategy for Roma – Stage I, p. 9.

¹³⁰ Government Resolution 821/1999, Task B.17, p. 4. The Strategy for Roma – Stage II (p. 10) tasked the Ministry of Education with completing the concept.

¹³¹ Evaluation of Roma Activities 2001, p. 7. The Ministry was tasked by the Government with completing the Concept by 15 June 2002. See Government Resolution No. 357 (10 April 2002), Task B.1. See also 2002 Priorities, p. 2. However, the Ministry’s efforts to develop its concept are supported by the Twinning Project with France, which is assisting the Government in fleshing out the Strategy for Roma more broadly. In the area of education more specifically, early indications are that the Concept will include pre-school education, the integration of Roma children in primary schools, and the increase in the number of Roma students in secondary schools and universities. See the Report on Education from the opening seminar held in Bratislava on 13–14 June 2002, p. 2, <<http://www.vlada.gov.sk/romovia/twinning/dokumenty/education.doc>>, (accessed 30 September 2002).

¹³² See Government Resolution 821/1999, Task B.18, p. 5; see also Strategy for Roma – Stage I, p. 18.

¹³³ László Szigeti, State Secretary at the Ministry of Education, “The Education Development Programme for the Roma,” presentation at the conference “Slovakia and the Roma: Partnership and Participation,” Bratislava, 2 May 2002.

and to train and employ Roma teacher's assistants,¹³⁴ as well as to introduce improved Romanes-language curricula. All of these measures are intended to help improve school attendance and educational achievement among Roma children. While the Strategy mentions that few Roma reach secondary schools and universities,¹³⁵ it does not propose measures to address this problem directly.¹³⁶

Roma teacher's assistants

In 2001, in line with the Strategy for Roma, the Ministry of Education commissioned the Wide Open School Foundation to design a programme to support the training and employment of Roma teacher's assistants.¹³⁷

In parallel, a project of the National Labour Office aims to train and hire Roma teacher's assistants in cooperation with a Roma NGO, the Association of Young Roma (see Section 3.2.2), as part of a creative solution to hire the assistants under the National Employment Action Plan rather than through the Ministry of Education, as this was not possible under existing legislation (see below); again, training is being provided by the Wide Open School Foundation.

This initiative has received favourable evaluations in its pilot phase.¹³⁸ Teacher's assistants have helped facilitate communications between children and teachers and also between teachers and parents; through Roma assistants, many parents have reportedly become more involved in their children's education. According to some observers, Roma assistants have not always been accorded a sufficient role in class, which does not provide a good model for Roma children.¹³⁹ With

¹³⁴ The Ministry is also tasked with continuing to support the Education Centre at the Secondary School of Romani Arts in Košice. Strategy for Roma – Stage I, pp. 8, 9; see also Strategy for Roma – Stage II, p. 10.

¹³⁵ Strategy for Roma – Stage I, p. 18.

¹³⁶ However, a sub-project of the Phare 1999 "Minority Tolerance Programme" aims to increase the share of minorities in high schools and universities (with a special focus on Roma). See Overview of Phare Projects, p. 2.

¹³⁷ The budget for training assistants was estimated at €160,000; a further €170,000 was estimated for teaching equipment for the university departments, methodological centres and ten pilot elementary schools involved. 2001 OMAS Report, p. 9; see also Information on Projects related to the Roma Issue with a Focus on the Educational Process (draft), No. 857/2001, Ministry of Education, Bratislava, 5 September 2001, p. 4 (on file with EUMAP).

¹³⁸ *Poverty and Welfare of Roma in the Slovak Republic*, World Bank, Foundation SPACE, INEKO, The Open Society Institute, Bratislava, 2002, p. 57, <<http://www.worldbank.sk/Data/povertyinslovak.pdf>>, (accessed 30 September 2002). Interview with the Director of Projekt Schola, Košice, 11 July 2002.

¹³⁹ Interview with the Director of Projekt Schola, Košice, 11 July 2002.

proper legal and financial support, as well as more extensive evaluation of results to identify and address issues such as these, the programme can be expected to achieve positive results.

Pre-school preparatory classes

Pre-school preparatory classes for Roma children (also referred to as “zero classes”) are intended to help Roma children prepare for the first grade of elementary school (and thus to improve performance and reduce drop-out rates). Zero classes were first launched in Košice in the 1992/1993 school year as a pilot project;¹⁴⁰ to date, 85 zero classes have been introduced in 61 elementary schools, with a total of 1,057 participants.¹⁴¹

Zero classes have also been welcomed as a remedy to the lack of pre-school education in some areas,¹⁴² and have posted positive results in improving attendance and performance.¹⁴³ However, some observers have suggested that, in order to be truly effective, the zero classes should be integrated into a more comprehensive governmental strategy; in this view, plans to introduce six months compulsory pre-school education is a step in the right direction but is not sufficient to address inequalities in the educational system as a whole.¹⁴⁴ Others have noted that zero classes have been implemented without sufficient methodological and training support to teachers.¹⁴⁵

The expansion of these two initiatives has been impeded by legal obstacles. For example, the employment of Roma teacher’s assistants had been found to violate the equality principle and existing legislation did not permit the implementation of positive measures. In 2001, the position of pedagogical assistant was established by the Ministry of Education, but assistants can be employed through the Ministry only after

¹⁴⁰ Concept of Education and Instruction of Roma Children and Pupils, p. 12 (on file with EUMAP).

¹⁴¹ These initiatives have also been supported under the Phare 2000 Programme “Improvement of the Situation of the Roma in the Slovak Republic and Society.” See 2001 OMAS Report, p. 9; see also Evaluation of Roma Activities 2001, p. 9.

¹⁴² Interview with the Director of Projekt Schola, Košice, 11 July 2002.

¹⁴³ See *Poverty and Welfare of Roma in the Slovak Republic*, p. 56.

¹⁴⁴ Written comments of a Representative of the NGO “Spolu do budúcnosti,” 15 July 2002.

¹⁴⁵ Interview with the Director of Projekt Schola, Košice, 11 July 2002.

an amendment to the Law on Public Service was passed in Summer 2002.¹⁴⁶ Similar legal obstacles prevented the systematic establishment of pre-school classes.

Roma representatives criticise the fact that the Strategy does not recognise discrimination as a factor contributing to poor school performance and high drop-out rates among Roma children, and thus stipulates no measures to combat discriminatory phenomena such as segregation and the disproportionate placement of Roma children in special schools for the mentally and physically handicapped.¹⁴⁷ The majority of Roma children from settlements attend special schools.¹⁴⁸

The Strategy does recognise that graduates of special schools are disadvantaged in the job market, and calls for the establishment of “flexible equalising basic school classes” with fewer pupils, as well as for educational psychological counselling centres.¹⁴⁹ It also recognises the need for a multicultural and tolerant school environment,¹⁵⁰ and for further research.¹⁵¹ With assistance from Phare, the Ministry of Education is re-evaluating existing school entrance tests for children from disadvantaged backgrounds, with an eye to reducing the number of Roma children being placed in special schools. A similar initiative will receive support under the new Phare 2001 project.¹⁵²

A recent governmental evaluation acknowledged that most Strategy measures in the area of education are still at the pilot stage and have been realised by NGOs, and that Phare support has been key.¹⁵³ The fact that the Ministry of Education has not taken

¹⁴⁶ Written comments of an Official from the Delegation of the European Commission to Slovakia, Bratislava 15 July 2002. See “EK: SR musí novelizovať školský zákon aj kvôli Rómom” (European Commission: The Slovak Republic must amend the Law on Schools because of the Roma), *SME Online*, 20 June 2002; see also “Peniaze na rómskych asistentov dostaneme” (We will get the funding for Roma assistants), SITA (Slovak News Agency), 20 June 2002. See Law No. 408 (27 June 2002) amending Law No. 313/2001 on Public Service, <http://www.vlada.gov.sk/orgovanova/dokumenty/novela_skolskeho_zakona.pdf>, (accessed 23 October 2002).

¹⁴⁷ Interview with the Director of Projekt Schola, Košice, 18 April 2002; see also *Minority Protection 2001*, pp. 442–447.

¹⁴⁸ See UNDP, *Towards Diversity with a Human Face*, Roma Regional Human Development Report 2002 (draft), April 2002, pp. 40–42; see also Roma Rights Center, *Human Rights Report on the Situation of Roma in Eastern Slovakia 2000–2001*, Košice, pp. 37–45.

¹⁴⁹ Strategy for Roma – Stage I, p. 18.

¹⁵⁰ Strategy for Roma – Stage I, p. 17.

¹⁵¹ Strategy for Roma – Stage II, p. 11.

¹⁵² Written comments of an Official from the Delegation of the European Commission to Slovakia, Bratislava 15 July 2002.

¹⁵³ Evaluation of Roma Activities 2001, p. 7.

any real steps to implement the Strategy for Roma in the field of education has also been criticised.¹⁵⁴

Many observers have emphasised that the scale and the importance of the problems facing Roma in the area of education demand the implementation of a well-planned, consistent, comprehensive and sustained strategy. This strategy should:

- Cover all levels of education, including access to universities;
- Integrate the experience gained during the implementation of pilot projects by civil society organisations;
- Complement measures to improve school attendance and performance with measures to address the problem of segregation and ensure that additional measures proposed do not reinforce existing patterns of segregation;
- Build in mechanisms to ensure that assignment of competencies in the area of education to regional and local public administration does not create obstacles to implementation.

3.2.2 Employment

The Strategy for Roma – Stage I recognises the problem of extremely high levels of unemployment among Roma, which is estimated at nearly 100 percent in some areas of Eastern Slovakia.¹⁵⁵ However, it does not set forth a comprehensive approach to address this problem. While it notes the need to create incentives for Roma job-seekers, few concrete initiatives have been implemented under the Strategy in this area.

The Strategy attributes high unemployment to: low skills, poor health, low morale, and discriminatory attitudes.¹⁵⁶ It does not address discrimination against Roma in the

¹⁵⁴ 2002 Priorities, p. 2; see also Evaluation of Roma Activities 2001, p. 7.

¹⁵⁵ See Evaluation of Roma Activities 2001, p. 8; see also Strategy for Roma – Stage II, p. 24; and also *Poverty and Welfare of Roma in the Slovak Republic*, pp. 14, 27–30.

¹⁵⁶ Strategy for Roma – Stage I, pp. 19–20.

labour market,¹⁵⁷ though there are many indications that this is a serious problem;¹⁵⁸ many young educated Roma claim that they have almost no chance of finding a job.¹⁵⁹

Measures proposed under the Strategy include:

- Provision of “public benefit jobs;”
- Educational initiatives to benefit the unemployed (mainly young Roma);
- Improvement of the general economic situation through regional policies;
- Re-assessment of the possibility of granting incentives for employers who hire Roma;
- Job counselling for Roma entrepreneurs to promote private business development.

The 2002 Priorities do not include any measures in the field of employment, apart from the programme to train field social workers, whose competencies will include dealing with employment issues (see Section 3.2.4).

The Ministry of Agriculture as well as several regional governments are tasked under the Strategy with creating public benefit jobs (mostly in unskilled labour) for the long-term unemployed. However, only the Nitra region has allocated funding for implementation (SKK 120,000, or €2,876). Reportedly, a number of local governments actively oppose the initiative. The regional government for Bratislava has supported job counselling for Roma entrepreneurs.¹⁶⁰

A “Public Benefit Works” programme, complementary to public benefit jobs programmes under the Strategy, was initiated in 2000 by the Ministry of Labour. In 2001, the National Labour Office (NLO) spent SKK 1.4 billion (€33,557,047) to create or preserve 48,000 jobs.¹⁶¹ The Government has recommended that a further SKK 2,874,000 (€68,888) be allocated by the NLO to district offices in 2002 for such

¹⁵⁷ The Ministry of Labour is tasked under the Strategy with conducting research on discrimination, in cooperation with the Ministry of Interior. However, no funding has been allocated for this task.

¹⁵⁸ M. Vašečka, “Roma,” in: *Slovakia 1998–1999. A Global Report on the State of Society*, p. 180; see also Good Roma Kesaj Village Foundation, *The White Book 2000*, Košice, 2000.

¹⁵⁹ Interview with a Representative of the Association of Young Roma, Bratislava, 23 March 2002.

¹⁶⁰ SKK 160,000 (€3,835) was allocated for this purpose.

¹⁶¹ Edit Bauer, State Secretary of the Ministry of Labour, “Social Programme for Roma,” presentation at the conference “Slovakia and Roma: Partnership and Cooperation,” Bratislava, 2 May 2002, p. 3.

jobs.¹⁶² However, this programme is not targeted at Roma specifically and local municipalities may decide not to hire Roma candidates.¹⁶³

According to critics, public benefits jobs are ineffective in creating work incentives or addressing long-term unemployment: they generally last only three months, allow few opportunities for participants to develop work skills, and offer salaries that are not much higher than social assistance benefits.¹⁶⁴ One observer has noted that public benefits jobs programmes actually increase the incentive for Roma to remain on social assistance.¹⁶⁵

Some of the most promising initiatives to improve employment prospects for Roma are being implemented by the NLO, outside the scope of the Strategy.

Initiatives of the National Labour Office

The NLO has recently begun to implement a number of programmes aimed at addressing unemployment among Roma, allocating significant resources for this purpose from its own budget.¹⁶⁶ The NLO is implementing three types of programmes for the Roma: (1) training for Roma teacher's assistants; (2) off-the-job employment training; and (3) employment counselling. It also seeks to locate jobs for Roma who have completed training programmes. For example, in 2001 the NLO helped arrange for the employment of 116 trained Roma teacher's assistants.¹⁶⁷ Off-the-job training and personal counselling reportedly provided assistance to 699 persons.¹⁶⁸

In 2002, the NLO approved a twelve-month project to provide training to an additional 237 Roma assistants, in cooperation with the Association of Young Roma, as part of the National Employment Action Plan. The assistants will first

¹⁶² Government Resolution No. 884 (21 August 2002), Recommendation C.1.

¹⁶³ See e.g. A. Koptová and S. Schmidt, *The Truth about Roma?*, Good Roma Kesaj Village Foundation, Košice, 2001, pp. 66–70.

¹⁶⁴ For more on the Public Benefit Works Programme, see *Poverty and Welfare of Roma in the Slovak Republic*, pp. 30–31; see also I. Radičová, "Rómovia = problém" (Roma = Problem), *Sociológia*, No. 5, 2001, pp. 436–437.

¹⁶⁵ According to the newly-amended Law on Social Assistance (entered into force 1 July 2000), persons who have not worked for more than two years have their social assistance cut; however, public benefits jobs count as employment for these purposes. Written comments of a Representative of the Association of Roma and Roma Advisor, Banská Bystrica, 7 July 2002.

¹⁶⁶ NLO initiatives do not form part of the Strategy for Roma. Interview with a Representative of the NLO, Bratislava, 10 May 2002.

¹⁶⁷ Total funding provided by the NLO: SKK 24 million (€575,264).

¹⁶⁸ Total funding provided by the NLO for these programmes: SKK 8,060,356 (€193,201).

receive training from the Wide Open School Foundation and will then be employed in seven regions (see also Section 3.2.1).¹⁶⁹

The NLO has undertaken a number of other initiatives as well, including the provision of concrete assistance and training to Roma who wish to set up small businesses. Persons who prepare an adequate business plan can apply for small NLO grants of up to SKK 200,000 (€4,794). Projects to provide job training and counselling to unemployed Roma have been implemented in Prešov (Eastern Slovakia)¹⁷⁰ and in Banská Bystrica.¹⁷¹

While it is too early to assess the impact of these initiatives on unemployment rates among Roma communities, they reflect a clear tendency to promote active participation from Roma and Roma organisations in addressing the issue. These pilot projects should be examined carefully as the process of developing a comprehensive strategy to reduce unemployment moves forward.¹⁷²

3.2.3 Housing and other goods and services

Housing

The Strategy for Roma – Stage I identifies improvement of the housing conditions for Roma living in settlements as one of the most important issues to be addressed.¹⁷³ It asserts that, as “Roma settlements will never disappear, it is important to change the quality of living standards [...]”.¹⁷⁴ The Strategy also proposes to implement projects to support “the comprehensive re-socialisation of the Romany community living in [...] settlements, which in addition to the housing issue include also education and

¹⁶⁹ The project “Roma Assistant 2002–2003” is to receive nearly SKK 25 million (€599,233) from the NLO. Information distributed at the press conference of the Association of Young Roma, Bratislava, 10 July 2002 (on file with EUMAP).

¹⁷⁰ Seventeen training sessions for approximately 270 persons were organised for a total amount of SKK three million (€71,908). Interview with a Representative of the NLO, Bratislava, 10 May 2002.

¹⁷¹ The NLO has allocated SKK seven million (€167,785) for the project. Interview with a Representative of the NLO, Bratislava, 10 May 2002.

¹⁷² This would be particularly useful in the context of the Phare 2000 Twinning Project, which aims to improve the Government’s Strategy for Roma with regard to employment, *inter alia*.

¹⁷³ Strategy for Roma – Stage I, p. 20. The population of Roma settlements has grown dramatically as Roma move back to them due to the lack of affordable housing; according to estimates by local authorities, the number of Roma living in settlements grew from 14,988 in 1988 to 123,034 in 1997. *Poverty and Welfare of Roma in the Slovak Republic*, pp. 2–3, 11.

¹⁷⁴ Evaluation of Roma Activities 2001.

training, employment, counselling, etc.”¹⁷⁵ The importance of active involvement in these efforts and in the development of comprehensive, long-term policy solutions by members of the Roma community is emphasised.¹⁷⁶

Most concrete efforts to implement Strategy objectives in the area of housing are still in the pilot phase. To date, most effort has been focused on urgent measures to construct affordable social housing and to improve the infrastructure in segregated settlements.

The Strategy does not address certain key issues. For example, no measures have been proposed to facilitate the acquisition of legal title to the land on which Roma settlements are built; at the moment, most settlements are illegal. Nor does the Strategy outline efforts to address discrimination in housing, which some experts claim has had an impact on the increasing segregation of Roma in settlements.¹⁷⁷ Polls generally indicate that the overwhelming majority of the population supports the segregation of Roma communities,¹⁷⁸ and active opposition to housing initiatives has presented a serious obstacle to the effective use of EU¹⁷⁹ and State funding initiatives in this area.

Social housing programme

In April 2001, the Government approved a programme to support the construction of low-income social housing and to improve the infrastructure

¹⁷⁵ Strategy for Roma – Stage I, p. 21.

¹⁷⁶ Strategy for Roma – Stage I, p. 21.

¹⁷⁷ Ina Zoon, *On the Margins*, pp. 80–83. There have been numerous reports regarding the adoption of discriminatory housing regulations and policies to exclude Roma by blocking the construction of flats, refusing permanent residence documents to Roma, etc. See *Minority Protection 2001*, pp. 451–456; Roma Rights Center, *Human Rights Report on the Situation of Roma in Eastern Slovakia 2000–2001*, pp. 6–8; and *White Book 2000*.

¹⁷⁸ However, some sources indicate that public opinion has softened. According to a poll carried out in 2001, 66 percent of the population would not want to have a Roma neighbour, compared to 86 percent in a 1999 poll. The poll also indicated that persons under the age of 30 are more tolerant towards Roma than older persons. US Department of State, *Country Reports on Human Rights Practices – 2001, Slovak Republic*, Section 5.

¹⁷⁹ Information from Klára Orgovánová, quoted by O. Štefucová, *Kampaň pre zblíženie rómskej a nerómskej komunity na Slovensku* (The campaign to reduce the gap between the Roma and non-Roma communities in Slovakia), 5 April 2002, Radio Free Europe, <<http://www.slobodka.org/programs/dompolitika/2002/04/20020405075116a.sp>>, (accessed 23 October 2002).

(public utilities) in Roma settlements.¹⁸⁰ Municipalities have been eligible to receive loans from the State Housing Development Fund at advantageous rates, as well as subsidies from the Ministry of Construction and Regional Development to cover up to 80 percent of the purchase price of a low-income social housing unit (flat/block of flats) in Roma settlements; the remaining 20 percent is to be covered by an in-kind contribution (generally of labour) from those who will occupy the housing units. The flats will be owned by local governments. The Office of the Plenipotentiary and the Ministry of Construction and Regional Development organised a series of seminars for 350 mayors to explain the new scheme. In the district of Stará Tehelná (Prešov), for example, 88 flats were completed (out of 176 planned) in October 2001, and allocated primarily to Roma families.¹⁸¹ In the village of Rudňany 51 new flats are being built in 2002.¹⁸²

However, as of April 2002, only five local authorities had applied for subsidies to build municipal rental flats, and only 15 had requested subsidies for the construction of public utilities.¹⁸³ According to the Plenipotentiary, the principal reason for the low rate of participation is that local governments lack necessary human and financial resources to administer projects; as a consequence, the Plenipotentiary has requested special funding to assist municipalities in project preparation and implementation;¹⁸⁴ funding to this has effect has been allocated.¹⁸⁵

¹⁸⁰ Government Resolution No. 335 (11 April 2001). See the task of the Ministry of Construction and Regional Development to propose a programme for the construction of rental blocks of flats for individuals with low incomes, "among whom Romani citizens can also be included." Strategy for Roma – Stage II, p. 29; see also 2002 Priorities, pp. 3–4; and Evaluation of Roma Activities 2001, pp. 8–10.

¹⁸¹ The municipality also contributed. Evaluation of Roma Activities 2001, p. 9.

¹⁸² Information on the Implementation of Housing Policy for Roma for the Least Developed Roma Communities.

¹⁸³ 2002 Priorities, pp. 3–4. In 2001, subsidies amounting SKK 19,225,000 (€460,810) were allocated to implementation of this programme. *Informácia o realizácii bytovej politiky Rómov s najviac zaostálych rómskych komunit* (Information on the Implementation of Housing Policy for Roma for the Least Developed Roma Communities), 27 February 2002, p. 1, <<http://www.ial.sk/appl/material.nsf/0/098A7666D0792F52C1256B6700457AAD?OpenDocument>>, (accessed 23 October 2002).

¹⁸⁴ 2002 Priorities, p. 4.

¹⁸⁵ See e.g. Government Resolution No. 627 (12 June 2002) which allocated SKK 5,669,500 (€135,894) from the General Treasury Reserve to Banská Bystrica, Košice and Prešov Regional Offices to support the preparation of project documentation by local districts and municipalities.

According to some observers, the Government favours social housing initiatives because they are “easy to sell to the media and Roma communities as well.”¹⁸⁶ In many cases, however, local governments and communities have opposed them.¹⁸⁷ For example, in Hunčovce (Eastern Slovakia), the local council rejected the mayor’s proposal to construct social housing for Roma, even though State funding had already been allocated.¹⁸⁸ In Dobšina, a petition organised by the Real Slovak National Party (PSNS) was signed by local inhabitants (including Roma) to protest against plans to build flats for Roma.¹⁸⁹

There have been a number of other obstacles to effective implementation as well, including lack of construction permits and lack of land suitable for construction. A major obstacle to these projects is presented by the fact that legal ownership of the land on which most settlements are built has not been established; often, the local government cannot (or will not) implement infrastructural improvements until this question is addressed.¹⁹⁰

As social housing units may be constructed in a location determined by the municipality, the programme also opens the possibility that new segregated settlements could be created, or existing patterns of segregation reinforced.¹⁹¹ The OMAS Report suggested that consideration should also be given to programmes to relocate Roma to majority communities rather than investing considerable amounts to improve the infrastructure in segregated settlements.¹⁹² Still, there are plans to expand activities in this area with Phare 2001 and Government funding.¹⁹³

¹⁸⁶ Interview with a Representative of the Sándor Márai Foundation, Dunajská Streda, 16 March 2002.

¹⁸⁷ Information on the Implementation of Housing Policy for Roma for the Least Developed Roma Communities, p. 1.

¹⁸⁸ Interview with the Head of the Parliamentary Committee for Human Rights, Bratislava, 11 April 2002.

¹⁸⁹ See “Fears of Fears,” Roma Press Agency, 26 July 2002.

¹⁹⁰ *Poverty and Welfare of Roma in the Slovak Republic*, p. vii.

¹⁹¹ Evaluation of Roma Activities 2001, p. 9.

¹⁹² 2001 OMAS Report, p. IV.

¹⁹³ The project “Infrastructure Support for Roma Settlements” was prepared by the Department of Project Coordination, in close cooperation with the new Plenipotentiary. Phare has allocated €8,300,000 while governmental co-financing amounts to €8,400,000.

Despite considerable funding allocated to district and municipal offices through tax incentives, little improvement in settlement conditions can be observed.¹⁹⁴ According to some observers, the key factor is political will: where local authorities have the will to make improvements, progress has been achieved; however, in many places mayors hesitate to make improvements out of the fear that if conditions improve in a given settlement, more Roma will come to settle there.¹⁹⁵

Programme to improve conditions in Roma settlements

Under the 2002 Priorities, a Comprehensive Development Programme for Roma Settlements is proposed, in line with the Strategy.¹⁹⁶ The programme aims to address housing issues; improve infrastructure in settlements; provide support for education and employment; and support local businesses and field social workers, drawing upon the experience of past projects. The importance of partnership between local Roma and non-Roma communities is emphasised. SKK 210,000 (€5,034) has been allocated¹⁹⁷ for the preparation of a list of villages to participate in the pilot phase of the programme.

Considerable Government support has been allocated to the Phare 2001 project “Infrastructure Support for Roma Settlements,” though this project is still in the tender phase.¹⁹⁸

There is an urgent need for a mechanism to oversee and evaluate the utilisation of funding allocated for infrastructure improvement initiatives, particularly in light of the fact that funding allocations are set to increase. It will also be necessary to ensure more effective cooperation and coordination between central and local authorities in developing and implementing housing policies.

¹⁹⁴ “*Na podielových daniach mali Spišiaci za Rómov stovku miliónov korún*” (The Spiš region collected one hundred million crowns for Roma through distributional taxes), Roma Press Agency, 25 June 2002.

¹⁹⁵ Interview with the Director of the Good Roma Kesaj Village Foundation, Košice, 11 July 2002.

¹⁹⁶ The Strategy emphasises the importance of supporting the links between housing policy, job creation, protection of the environment, preservation of cultural heritage, etc., when addressing conditions in Roma settlements. Strategy for Roma – Stage I, p. 21. See also the Comprehensive Development Programme for Roma Settlements.

¹⁹⁷ Government Resolution No. 884 (21 August 2002).

¹⁹⁸ Phare allocation of €8,300,000, Government allocation of €8,400,000.

Other goods and services

Despite continuing reports of discrimination against Roma in access to public goods and services,¹⁹⁹ the Strategy does not propose steps to address the issue. The Slovak Trade Inspection has not proven effective in uncovering or addressing discriminatory practices in this area.²⁰⁰

3.2.4 Healthcare and other forms of social protection

Healthcare

The Strategy acknowledges that there has been no systematic research on the healthcare issues faced by Roma communities, despite abundant anecdotal evidence of extremely poor health conditions in settlements, in particular.²⁰¹ However, it does not propose strategic research or analysis; nor does it address issues of discrimination in access to healthcare, a problem which has been highlighted by NGOs and Roma leaders.²⁰²

The Strategy stipulates several tasks to the Ministry of Health,²⁰³ and the Ministry has allocated funding for the implementation of projects to provide health education in schools (SKK 250,000, €5,992) and among Roma children (SKK 750,000, €17,977). An initiative to teach Roma about marriage and family planning received SKK 500,000 (€11,985). Finally, SKK 800,000 (€19,175) funding was provided to regional and district offices for vaccinations programmes and to test drinking-water supplies.²⁰⁴

¹⁹⁹ M. Vaščka, "Rómovia" (The Roma), in *Slovensko 2000. Súhrnná správa o stave spoločnosti* (Slovakia 2000. A Global Report on the State of Society), G. Mesežnikov and M. Kollár (eds.), Institute for Public Affairs, Bratislava, 2000, p. 180; see also *White Book 2000*; and Roma Rights Center, *Human Rights Report on the Situation of Roma in Eastern Slovakia 2000–2001*.

²⁰⁰ In the first half of 2001, the Slovak Trade Inspection carried out 11,397 checks and found that 7,350 violations had occurred (64.50 percent). However, the report did not mention any cases of discrimination. Slovak Trade Inspection Report, 2001, <<http://www.soi.sk/kcinnost/zoznam/vysledkyprvypolrok.htm>>, (accessed 26 September 2002).

²⁰¹ See e.g. Strategy for Roma – Stage I, p. 22; Evaluation of Roma Activities 2001, p. 12; *Poverty and Welfare of Roma in the Slovak Republic*, p. vii, p. 40; Roma Rights Center, *Human Rights Report on the Situation of Roma in Eastern Slovakia 2000–2001*, p. 8.

²⁰² See *Poverty and Welfare of Roma in the Slovak Republic*, p. 40; see also *Minority Protection 2001*, pp. 447–450.

²⁰³ Strategy for Roma – Stage I, pp. 22–23; Strategy for Roma – Stage II, pp. 39–41.

²⁰⁴ Strategy for Roma – Stage II, p. 39–40.

The 2002 Priorities do not set forth any specific healthcare initiatives, although efforts to improve the infrastructure in Roma settlements are expected to have a positive impact on healthcare in those communities as well.

The Ministry of Health has not initiated any additional programmes under the Strategy.²⁰⁵ However, under the Action Plan, it is tasked with introducing anti-discrimination training into the curricula for training healthcare workers.²⁰⁶ No information was available on the degree to which this task has been implemented, and with what results.

Social protection

The Strategy notes that the transition to a market economy has had a significant impact on the most vulnerable segments of the population, including Roma. The principal measures proposed include training for social workers to work within Roma communities and the employment of Roma Advisors in district and regional offices (see Section 3.4.3).²⁰⁷

Stage I of the Strategy proposed research on social exclusion and possible modifications to the social protection system.²⁰⁸ The Action Plan 2002–2003 proposes monitoring of administration of social assistance by regional and district public administrations to prevent discriminatory practices, though not with respect to Roma specifically.²⁰⁹ It also proposes anti-discrimination training for relevant public officials also at the district and regional levels.²¹⁰

“Field social workers”

The position of “field social worker” was first established in 1996/1997.²¹¹ Under the Strategy, a number of steps were taken to facilitate the work of social workers employed in regions where Roma live. First, their job descriptions were adjusted to allow them to focus on fieldwork within communities rather than on administrative tasks connected to the distribution of unemployment and social

²⁰⁵ Information provided by the Spokesperson of the Ministry of Health, Bratislava, 20 May 2002.

²⁰⁶ Government Resolution No. 207/2002, Task 2.20, p. 3.

²⁰⁷ Strategy for Roma – Stage II, p. 35.

²⁰⁸ Government Resolution 821/1999, Task B. 19 (of the Ministry of Labour, Social Affairs and Family), p. 5.

²⁰⁹ Action Plan 2002–2003, Parts 6.2.2 and 6.2.3.

²¹⁰ Government Resolution No. 207/2002, Task 2.5, p. 1.

²¹¹ Government Resolutions No. 310/1996 and 796/1997.

benefits.²¹² Second, in the 2000/2001 school year, a new programme to train social workers for work especially with Roma communities was launched at the Department of Romani Studies of the Pedagogical Faculty in Nitra, including mandatory Romani language classes; however, the programme has now been streamlined and students can specialise in work with Roma communities only in the fourth year; the Romani language classes have become optional.²¹³

Under the 2002 Priorities, social workers are receiving special training to help them better address the needs of Roma communities, and to facilitate communications between settlements and the municipal administrations and communities to which they are linked.²¹⁴ These field social workers provide assistance on a range of issues, including healthcare and employment. The selection and training process, which began in July 2002, is being carried out by an NGO, in cooperation with the Prešov Office of the Plenipotentiary. Twenty newly-trained field social workers, approximately half of whom are Roma, are expected to start work in Autumn 2002.²¹⁵

3.2.5 The criminal justice system

The Strategy and the Action Plan stipulate systematic and regular human rights and tolerance training for judges and candidate judges, prosecutors and prosecutor trainees, and prison officials.²¹⁶ According to a governmental report, several seminars on related

²¹² Their job description was also changed so that they could address not the problems of “citizens requiring special assistance” but rather the problems of the Roma. Government Resolution No. 821/1999, Task B.6, p. 3.

²¹³ Interview with a Professor at the Pedagogical Faculty of Constantine the Philosopher University in Nitra, Bratislava, 10 July 2002.

²¹⁴ Social Field Workers Programme – A Pilot Programme.

²¹⁵ Interview with the staff of the Prešov Office of the Plenipotentiary, 11 July 2002. Funding has been allocated by the Government for their training and remuneration until the end of 2002 for a total amount of SKK 1,106,690 (€26,527). See Government Resolution No. 884 (21 August 2002).

²¹⁶ See Strategy for Roma – Stage II, p. 8; see also Government Resolution 283/2000 (Action Plan 2000–2001), Task C.10 of the Ministry of Justice, and Task D.1 of the Prosecutor General, pp. 4, 5. The Action Plan 2002–2003 proposes to step up systemic and regular training for these various professional categories.

topics were organised in 2000 and 2001 by the Ministry of Justice²¹⁷ and the Office of the General Prosecutor.²¹⁸

Some international organisations and Roma representatives have asserted that Slovak Roma face discriminatory treatment in the criminal justice system,²¹⁹ including more frequent and longer periods of pre-trial detention. However, delays in court procedures are a general problem;²²⁰ there is no official Government data to either confirm or disprove allegations that Roma suffer from particularly harsh treatment. Additional research and monitoring is necessary to determine whether and to what extent discrimination is a problem in this area; in any case, the *perception* of disparate treatment among Roma should be addressed, as widespread distrust and suspicion of law enforcement officials and institutions among Roma communities will limit the effectiveness of any anti-discrimination legislation that might be adopted.

3.3 Protection from Racially Motivated Violence

The Strategy identifies racially motivated violent crime against Roma as a problem, noting that most offences are not reported.²²¹ The Strategy introduces a number of measures to address violence by private individuals as well as law enforcement officials, and steps have been taken to facilitate recognition of racial motivation in law and in practice. However, additional measures are required to reduce distrust for law enforcement agencies among Roma communities; unless this is done, improved legislation will remain under-utilised.

Violence by private individuals

The Strategy tasks the Ministry of Interior with monitoring localities where tension and conflict have been noted, especially with regard to skinhead attacks on Roma, and

²¹⁷ Evaluation of Action Plan 2000–2001, p. 4.

²¹⁸ Written comments of the Office of the General Prosecutor, Bratislava, 30 July 2002.

²¹⁹ See e.g. Implementing Roma Rights in Europe: Written Submission by the European Roma Rights Center to the Parliamentary Assembly of the Council of Europe, 4 March 2002, pp. 15–16, at <http://errc.org/publications/legal/PACE_March_4_2002.doc>, (accessed 26 September 2002).

²²⁰ The European Court on Human Rights receives the highest number of complaints per million inhabitants from Slovakia; most of these pertain to court delays. “Human Rights Court Receives Highest Number of Complaints from Slovakia,” RFE/RL *Newsline*, 11 July 2002. See also *Monitoring the EU Accession Process: Judicial Capacity*, Open Society Institute, Budapest, 2002, available at: <<http://www.eumap.org>>.

²²¹ Strategy for Roma – Stage I, p. 15. In 2001, 40 racially motivated crimes were registered by the police, of which 23 were resolved. Evaluation of Roma Activities 2001, p. 6.

with taking appropriate action as necessary.²²² The Action Plan 2002–2003 adds that the Ministry should act to secure the adoption and implementation of measures designed to prevent and prosecute neo-Nazi acts and racial violence.²²³

The Ministries of Interior and Justice were to collaborate in enacting necessary changes to the legal system “in cases of yet non-punishable racially-motivated crimes;”²²⁴ accordingly, an amendment to the Criminal Code was adopted to sanction hate speech on the Internet.²²⁵ The earlier introduction of enhanced sentencing for crimes committed with a racial motivation significantly strengthened the legislative framework in this area.²²⁶

According to Government statistics, the number of persons convicted of racially motivated crimes in the period 1996–2001 has been decreasing.²²⁷ However, NGO reports suggest that the incidence of such crimes has not decreased. This may indicate low awareness of new legislation, or reluctance to utilise it. On 31 August 2001, a court in Žilina sentenced three men who had participated in the widely-publicised fatal attack against A. Balážová to three to five years’ imprisonment; however, their crimes were not recognised as racially motivated.²²⁸ Police were also criticised for failing to establish a racial motivation in a February 2002 attack against Roma residents in the village of Gánovce (near Poprad).²²⁹

The Action Plan calls for special attention to the application of legislation against racism and intolerance; in response, the Office of the General Prosecutor has organised

²²² Strategy for Roma – Stage II, pp. 5–6.

²²³ Government Resolution No. 207/2002, Task 2.19, p. 3.

²²⁴ Strategy for Roma – Stage II, Task 3, p. 6.

²²⁵ Amendment to the Criminal Code, adopted on 19 June 2002. Written comments of the Ministry of Justice, Bratislava, 15 July 2002.

²²⁶ Written comments of the Section for Foreign Relations and Human Rights, Ministry of Justice, Bratislava, 16 July 2001. See also *Minority Protection 2001*, p. 463.

²²⁷ In 2001, there were seven convictions, compared to 13 in 2000, 11 in 1999, 23 in 1998, 68 in 1997, and 50 in 1996. Information provided by the Ministry of Justice, Bratislava, 15 July 2002.

²²⁸ “Útok na Balážovcov: súd rasový motív neuznal” (The Attack on the Balážovs: The court did not recognise a racial motive), *SME*, 30 August 2001. However, a fourth defendant was convicted of racially motivated manslaughter in March 2001. See *Minority Protection 2001*, pp. 463–464.

²²⁹ “Facts about Gánovce,” Roma Press Agency, 20 June 2002.

human rights training for prosecutors, with a special focus on combating racially motivated crime.²³⁰

The Ministry of Interior has prepared a report on extremist organisations,²³¹ according to which 3,400 right wing extremists are currently active in Slovakia.²³²

The Strategy also required the Ministry of Interior to discontinue the practice of registering the ethnic origin of those convicted of crimes, as this had been observed to stir animosity against Roma when published in the media.²³³ However, there have been reports that such data has been posted on the website of the Ministry of Justice.²³⁴

An informal Commission for Racially Motivated Crime was established at the Ministry of Interior. The Commission includes experts from the Presidium of the police force as well as NGO representatives among its members.²³⁵ Its principal aim is to investigate allegations of racially motivated crime, but it also deals with prevention.²³⁶ According to NGOs, the Commission had met only infrequently until recently.²³⁷

Several NGOs have taken independent action to raise awareness of existing legislation and to provide legal assistance to those wishing to bring charges. Notably, the NGO “People Against Racism” has launched an anonymous hotline for victims of racially motivated attacks.²³⁸ Between May 2001 and May 2002, the line received 170 calls,

²³⁰ Written comments of the Office of the General Prosecutor, Bratislava, 30 July 2002; see also Evaluation of Action Plan 2000–2001, pp. 9–10.

²³¹ Ministry of the Interior, *Annual Report on the State and Development of Extremism on the Territory of the Slovak Republic*, Bratislava, April 2002, <<http://www.minv.sk/en/index.htm>>, (accessed 23 October 2002).

²³² Human rights NGOs have generally welcomed this report, though they have noted that it was mainly descriptive, failing to cover the activities of neo-nazi and skinhead organisations in sufficient detail. Press Statement of People Against Racism, 11 April 2002.

²³³ See Strategy for Roma – Stage II, Task 5, p. 6.

²³⁴ See e.g. the 2001 Statistical Yearbook of the Ministry of Justice, <www.justice.gov.sk>, (accessed 21 October 2002). See also “Slovak Romany Organisations Say Justice Ministry Violating Law,” RFE/RL *Newsline*, 19 September 2002.

²³⁵ These NGOs are: People against Racism, the Citizen and Democracy Foundation, the Open Society Foundation–Slovakia, and ZEBRA (Association of Africa-Slovak Families). The Commission deals with prevention and also training of the police. Evaluation of Action Plan 2000–2002, p. 8.

²³⁶ “*Rezort vnútra prizval k spolupráci MVO*” (The Ministry of Interior has called for cooperation with NGOs), *Changenet News*, 18 February 2002, <www.changenet.sk>, (accessed 26 September 2002).

²³⁷ Written comments of a Representative of People Against Racism, Bratislava, 17 June 2002.

²³⁸ See “Hotline Against Racism Introduced in Slovakia,” RFE/RL *Newsline*, 27 September 2001.

and offered legal assistance in 30 cases; however the hotline has not received any governmental support.²³⁹

Violence by police

The Strategy reports that the police have been taking more energetic measures against skinheads since 1998,²⁴⁰ but civil society representatives assert that police action to prevent racially motivated crime remains rare.²⁴¹ Domestic NGOs have sought to attract media coverage of racist attacks as a means of exerting pressure on police forces to investigate cases.

In 2001, there were 4,156 complaints against the police, out of which 2,742 were investigated and 20 percent were found admissible.²⁴² Allegations of abuse of power by the police constitute the most common complaint; 69 such cases were reported in 2000.²⁴³ Complainants also frequently allege inappropriate behaviour or tolerance of racist or neo-nazi groups by policemen.²⁴⁴ However, Roma in particular are often afraid to bring charges against policemen, for fear that they will find themselves the target of counter charges.²⁴⁵

Regarding the highly publicised Sendrei case, in which a Romani man was beaten to death in police custody, three policemen and the mayor of the village of Magnezitovce were charged with assault on 9 July 2001. On 8 October 2002, the remaining four police officers were charged.²⁴⁶ Following this case, the Minister of Interior announced

²³⁹ Information provided by a Representative of People Against Racism, Bratislava, 15 May 2002; written comments of a Representative of People Against Racism, Bratislava, 17 June 2002.

²⁴⁰ Strategy for Roma – Stage I, p. 15.

²⁴¹ See “*Policajt a zákon: kto znamená viac?*” (The Police and the Law: which is more important?) *Národná obroda*, 10 July 2001; see also the interview with the President of People Against Racism, Radio Twist, news at 6, 25 February 2002; and also *Romano Nevo L'il*, No. 526–532, 2002, p. 12.

²⁴² See “*Policajní šéfovia čelia trestným oznámeniam*” (Police chiefs have to face criminal charges), *SME*, 27 April 2002, p. 2.

²⁴³ “*Policajt a zákon: kto znamená viac?*” (The Police and the Law: which one is more important?) *Národná obroda*, 10 July 2001.

²⁴⁴ Written comments of the Office of the General Prosecutor, Bratislava, 30 July 2002.

²⁴⁵ See, e.g. “Romanian Leader Says Community Lives in Fear of Slovak Police,” RFE/RL *Newsline*, 18 April 2001.

²⁴⁶ “Slovak Police Charged Over Rom’s Torture, Death While in Custody,” RFE/RL *Newsline*, 9 October 2001.

that all police would undergo training on the use of force, and that only graduates of special police schools would be accepted as police candidates.²⁴⁷

These initiatives are in line with tasks assigned under the Strategy, requiring the Ministry to introduce new courses on human rights and communications (with special emphasis on the Roma minority) at police academies.²⁴⁸ The Action Plans also propose police training,²⁴⁹ as well as additional logistical support and equipment for police units dealing with racially motivated crime;²⁵⁰ little information is available on implementation.

In fact, the Ministry of Interior has adopted a police training concept and has provided training on the identification of racially motivated crime.²⁵¹ For example, an 18-month project was implemented in cooperation with the Dutch police, providing training on policing in minority communities. The project also promoted the employment of minority policemen.²⁵² At present, an estimated 20 Roma are employed within the national police force, and 50 within municipal police departments.²⁵³ However, some have expressed scepticism about the degree to which these initiatives form part of a broader policy to recruit Roma.²⁵⁴ Indeed, some Government officials maintain that a systematic policy to recruit and hire Roma policemen would violate the principle of equality.²⁵⁵

The Commission for the Solution of the Problem of Racially Motivated Violence at the Ministry of Interior also deals with training of police (see above).

3.4 Promotion of Minority Rights

The former Government placed the promotion and protection of minority rights among its priorities,²⁵⁶ and logged some progress in strengthening the legal framework. Though there is no comprehensive minority law, Slovakia has ratified both the

²⁴⁷ "Slovak Police to be Re-trained in Use of Force," RFE/RL *Newsline*, 13 July 2001.

²⁴⁸ Strategy for Roma – Stage II, Tasks 8 and 9, pp. 5–6.

²⁴⁹ Government Resolutions No. 283/2000, Task C. 16, p. 5; No. 207/2002, Task 2.15, p. 3.

²⁵⁰ Government Resolution No. 207/2002, Tasks 2.17, 2.18, p. 3.

²⁵¹ Evaluation of Action Plan 2000–2001, p. 7.

²⁵² Evaluation of Action Plan 2000–2001, p. 8.

²⁵³ Interview with the Chairman of the Commission for the Solution of the Problem of Racially Motivated Violence, Ministry of Interior, Bratislava, 25 August 2002.

²⁵⁴ Press Release of People Against Racism, 29 May 2002.

²⁵⁵ Written comments of the Office of the General Prosecutor, Bratislava, 30 July 2002.

²⁵⁶ Strategy for Roma – Stage I, p. 12; see also Programme Declarations of the Slovak Government.

Framework Convention for the Protection of National Minorities (FCNM) and the European Charter for Regional or Minority Languages (ECRML).²⁵⁷

Further, the Strategy states that “Roma [...] represent a specific national minority” and acknowledges that the degree to which they enjoy access to minority rights in practice is still insufficient.²⁵⁸

3.4.1 Education

The Constitution guarantees members of national minorities the right to education in their mother tongue;²⁵⁹ however, education legislation does not extend this right to Roma unequivocally,²⁶⁰ which the Council of NGOs of Roma Communities has challenged before the Constitutional Court.²⁶¹ The case is pending.

The Strategy acknowledges that State efforts to support minority education for Roma have been insufficient, and states that, depending on the need and interest of the Roma community, it will promote Romanes as a supplementary language of instruction. It proposes to do this through the implementation of pilot initiatives such as the employment of Roma assistants;²⁶² it does not propose to establish schools or classes providing Romani language education, though it (as well as the 2002 Priorities) plan to

²⁵⁷ In the May 2001 census, 89,920 persons declared themselves to be Roma (1.7 percent of the population, compared to 83,988 or 1.4 percent in 1991). At the same time, 99,448 persons declared Romanes to be their mother tongue. See the 2001 Census results, at <<http://www.statistics.sk/webdata/slov/scitanie/namj.htm>>, (accessed 26 September 2002). The Government estimates the actual size of the Roma population to be between 360,000 and 400,000. Evaluation of Roma Activities 2001, p. 1. Unofficial estimates place the Roma population closer to 500,000.

²⁵⁸ Strategy for Roma – Stage I, p. 15.

²⁵⁹ Constitution of the Slovak Republic, adopted on 3 September 1992, Art. 34(2a), at <<http://www.concourt.sk>>, (accessed 26 September 2002).

²⁶⁰ The Law on Primary and Secondary Schools (350/1994), which enables ethnic minorities to exercise this right, is extended to all minorities, but though Act 29/1984 on the Network of Primary and Secondary Schools explicitly guarantees education in the mother tongue to the Czech, Hungarian, German, Polish and Ukrainian/Ruthenian minorities, it does not mention the Roma.

²⁶¹ See “*Právo na vzdelanie v materinskom jazyku si Rómovia uplatňujú na Ústavnom súde*” (Roma are claiming the right to education in the mother tongue at the Constitutional Court), *SME Online*, 9 February 2002, <<http://www.sme.sk/clanok.asp?cl=234179>>, (accessed 26 September 2002).

²⁶² Strategy for Roma – Stage I, p. 18.

continue and expand support to the Secondary School of Arts in Košice.²⁶³ Specialised secondary schools to improve the quality of education in and about Roma language and culture are also under consideration in Banská Bystrica and Košice.²⁶⁴ Finally, the Government has promised support for a programme in Roma culture for first-grade teachers at the University of Nitra.²⁶⁵

At present, few Roma enjoy access to education in Romanes.²⁶⁶ According to some experts, providing the option of Romanes-language education could improve education levels in Roma communities.²⁶⁷ Roma representatives emphasise that even if State-supported education in Romanes is not feasible at present, children should be able to use their mother tongue at school without feeling ashamed; the development of a strong network of Roma assistants and the introduction of language courses in Romanes in schools would be an important first step.²⁶⁸

The Strategy also aims to ensure multicultural education for all students and recognises the need to promote tolerance by providing information about Roma culture and history in schools, *inter alia*.²⁶⁹ However, there have been relatively few programmes in support of these goals; Roma history and culture are not yet part of the regular curricula of elementary and secondary schools. The Ministry of Education has added a one-hour course on discrimination in the general curriculum; Roma activists claim that this is insufficient to counter widespread discriminatory attitudes.²⁷⁰ The Ministry has

²⁶³ Strategy for Roma – Stage I, p. 8; 2002 Priorities, p. 3.

²⁶⁴ Interview with the Director of the Good Roma Kesaj Village Foundation, Košice, 22 March 2002.

²⁶⁵ “Univerzita Konštantína Filozofa sa dostala po Nitre a Spiši aj do Lučenca” (After Nitra and Spiš, the University of Constantine the Philosopher is coming to Lučenec), Roma Press Agency, 18 July 2002.

²⁶⁶ In addition to the Secondary School of Arts in Košice, Romanes is also used at the Romani Culture Department at Nitra University as well as at the Research and Advisory Centre in Spišská Nová Ves, by Roma assistants, and as a supporting language in nursery schools and pre-school preparatory classes with a high concentration of Roma pupils. Interview with a Professor at the Pedagogical Faculty of Constantine the Philosopher University in Nitra, Bratislava, 22 July 2002. See *Report submitted by the Slovak Republic pursuant to Article 25, Paragraph 1, of the Framework Convention for the Protection of National Minorities*, Article 14, at <http://www.riga.lv/minelres/reports/slovakia/Article_14.htm>, (accessed 26 September 2002).

²⁶⁷ Interview with the Head of the Parliamentary Committee for Human Rights, Bratislava, 11 April 2002.

²⁶⁸ Interviews with: the Director of the Good Roma Kesaj Village Foundation, Košice, 22 March 2002; the Director of Projekt Schola, Košice, 11 July 2002; and a Representative of the Roma Press Agency, Košice, 17 July 2002.

²⁶⁹ Strategy for Roma – Stage I, p. 17.

²⁷⁰ OSI Roundtable, Bratislava, June 2002.

also supported a number of workshops, essay contests and other activities to raise awareness of discrimination among schoolchildren, and has supported the preparation and publication of a new book on Roma history by an expert of the State Pedagogical Institute.²⁷¹ The book, which is to be used in elementary schools, is scheduled for publication in 2002; information on the degree to which Roma experts participated in the preparation of the book was not available for this report.

Some Phare projects include components promoting or supporting the Roma identity or education in Romanes. For example, the Phare 1999 programme proposes the establishment of a Roma education, information, documentation and advisory centre; Phare 2000 aims to support Roma identity through pre-school education, elementary education, “zero classes,” and training for teachers working with Roma, *inter alia*.²⁷² There has been little evaluation of the efficacy of these programmes to date, as they are still either under preparation or being implemented. Results should be scrutinised carefully, with participation from Roma experts, to determine which elements could be incorporated into developing governmental policies to improve minority education for Roma.

3.4.2 Language

Though a significant number of Roma speak Romanes as their mother-tongue,²⁷³ the Strategy makes no provision to support its use in public life. It has been claimed that the lack of a codified form of Romanes constitutes an obstacle to minority language rights for Roma.²⁷⁴

The Office of the Plenipotentiary has established a Language Commission to examine and revise (as necessary) the codification of the Romani language; the last codification effort took place in 1971. It has already recommended the publication of a Slovak–Romani Vocabulary and a Romanes grammar book. As the Commission’s work is essential to

²⁷¹ The Ministry of Education allocated SKK 500,000 (€11,985) for its publication.

²⁷² See also Section 3.2.1.

²⁷³ The Government estimates that as many as 80 percent of Roma use the Romani language in everyday life. Evaluation of Roma Activities 2001, p. 8.

²⁷⁴ Most existing research on Romanes was issued in a Romani-Czech version, since codification efforts took place under the former Czechoslovakia, and most experts were based in the present Czech Republic. According to the “Information on State of Preparation of Romany Language Recodification,” the Eastern Slovakian Romani dialect (which is used as a colloquial language by about 80 percent of Roma in Slovakia) should serve as the basis for the orthography of the Romani language. Information on the State of Preparation of Romani Language Recodification, 23 January 2002, <<http://www.ial.sk/appl/material.nsf/0/2D1A8F8DBD52AED2C1256B410035F905?OpenDocument>>, (accessed 26 September 2002).

ensuring that Roma enjoy access to minority language rights in practice, human and financial resources should be allocated to support its work as a matter of priority.

There is little awareness of language rights among Roma communities.²⁷⁵ Only eight Roma settlements meet the 20 percent threshold set by the Minority Language Law;²⁷⁶ furthermore, the use of minority languages in contacts with regional authorities is covered neither by the Minority Law nor by the ECRML.²⁷⁷ Moreover, very few Roma are employed in State administration. Thus, opportunities for using the Romani language in public life are likely to remain minimal in the immediate future,²⁷⁸ and a long-term strategy and policy is necessary.

3.4.3 Participation in Public Life

The Strategy for Roma emphasises the need for provide opportunities for Roma to participate in resolving their own problems;²⁷⁹ however, it fails to propose concrete means to promote their participation. The Advisory Committee on the FCNM has asserted that “shortcomings that remain as concerns the effective participation of the Roma in social and economic life and the negative impact that these shortcomings have on the social and economic living-conditions of this minority in general and of Roma women in particular.”²⁸⁰

²⁷⁵ The ECRML grants Romanes the official status of a “regional or minority language.” Alleged contradictions between the Charter and domestic legislation could represent an obstacle to effective implementation of the ECRML. Information provided by the Center for Legal Analyses/Kalligram Foundation, Bratislava, 15 July 2002.

²⁷⁶ Act 184/1999 On the Use of Languages of National Minorities, adopted on 10 July 1999.

²⁷⁷ Information provided by the Section for Human Rights and Minorities, Bratislava, 10 October 2002.

²⁷⁸ See Advisory Committee on the Framework Convention for the Protection of National Minorities, Opinion on Slovakia, adopted on 22 September 2000, Art. 10, para. 36, <<http://www.humanrights.coe.int/minorities/Eng/FrameworkConvention/AdvisoryCommittee/Opinions/Slovakia.htm>>, (accessed 26 September 2002); see also *2001 Regular Report*, pp. 23–24.

²⁷⁹ Strategy for Roma – Stage I, p. 23.

²⁸⁰ Opinion on Slovakia, Art. 15, para. 47.

There are no Roma in the Parliament²⁸¹ or in positions of responsibility within the Government, including within bodies responsible for implementing policies concerning the Roma, with the notable exception of the Plenipotentiary for Roma Communities. Participation in local political life is higher,²⁸² and several Roma parties and candidates hope to win representation at the local elections in December 2002.

The Strategy established the position of "Roma Advisor" at the level of regional State administration.²⁸³ However, no additional funding was allocated, and these responsibilities were taken up by existing staff, who received no additional training. Moreover, it is not explicitly stated that these positions should be occupied by Roma, and it is up to each office to decide whether they want to hire a Roma Advisor or not. To date, only three Advisors have been established at the regional level. A position of district advisor was also established following lobbying by several Roma NGOs.²⁸⁴ According to NGO sources,²⁸⁵ only two are of Roma origin (one regional Advisor and one district Advisor).

The 2002 Priorities propose the establishment of a bilingual (English-Slovak) secondary school to train future civil servants, to include a course in Roma studies.²⁸⁶ This measure and other positive measures of this kind should receive support, as they will increase the number of qualified and trained Roma employed in the civil service over time, which would in turn greatly facilitate communications between State administrations and Roma communities.

Roma participate in an advisory capacity in the Plenipotentiary's Advisory Board, the Council for National Minorities, and the Advisory Commission which allocates funding from the Ministry of Culture. The Ministry of Interior has also established a special advisory position for Roma issues. Roma members of the IMC represent the ministries which delegated them rather than the Roma community *per se*. Although

²⁸¹ Two Roma parties qualified to take part in the 2001 Parliamentary elections; several mainstream political parties also presented Roma candidates. However, none managed to obtain a seat in the new Parliament. See K. Magdolenová, "Analysis: Roma and the 2002 Elections in Slovakia," Roma Press Agency, 7 October 2002, <<http://www.rpa.sk/clanok.aspx?o=zc&n=320&l=en>>, (accessed 23 October 2002).

²⁸² See *Minority Protection 2001*, p. 474; see also, M. Vašečka, "Roma," in *Slovakia 1998–1999. A Global Report on the State of Society*, p. 764.

²⁸³ See Government Resolution No. 821/1999, Task B.7 (to be covered by existing staff of regional offices), p. 3; see also Strategy for Roma – Stage II, Regional Offices, Task 1, p. 35.

²⁸⁴ Interview with the Advisor for Roma Issues in Spišská Nová Ves, 3 April 2002.

²⁸⁵ Interview with the Chairman and the Deputy Chairman of the Council of NGOs of Roma Communities, Bratislava, 10 July 2002.

²⁸⁶ 2002 Priorities, p. 3.

there are no official data, it is widely believed that Roma are severely under-represented in the civil service, the criminal justice system, and the police, *inter alia*.

Increasing numbers of Roma are participating in the development and implementation of policy towards Roma through NGOs. The Strategy recognises the importance of this development, and promises support to NGO activities.²⁸⁷ Considering the acknowledged necessity for cooperation with the civil society sector if the Strategy is to be implemented in full, there is a need for more effective mechanisms to facilitate the solicitation and processing of NGO input in the course of regular Strategy review and updating.

3.4.4 Media

The Strategy sets forth the objective of supporting projects for and about the Roma in the mass media²⁸⁸ as well as the creation of Roma editorial boards in State-owned media.²⁸⁹ However, according to some Roma professionals it gives too little attention to fostering Roma and Romani-language media.²⁹⁰

Accordingly, the Plenipotentiary signed an agreement on cooperation on an anti-discrimination campaign with the Director of Slovak public television in March 2002.²⁹¹ There is currently a 30-minute Romanes-language programme for the Roma minority, which is broadcast within the national Hungarian programme as well as on the regional public television station in Prešov, which is also preparing an additional weekly regional television programme.

The 2002 Priorities aim to address negative majority opinions about Roma through mass media campaigns, several of which have already been implemented. For example, from October 2001 to April 2002, the Plenipotentiary implemented a campaign entitled “We are all Citizens of the Slovak Republic,” targeting journalists, State administration officials, and local governments as well as the broader public, in an effort to overcome negative stereotypes about Roma.²⁹² As part of this campaign, a second campaign, entitled “*Čačipen*” (“truth” in Romanes), was launched on 8 April

²⁸⁷ Strategy for Roma – Stage I, p. 16; Strategy for Roma – Stage II, p. 5.

²⁸⁸ Strategy for Roma – Stage II, p. 20.

²⁸⁹ Strategy for Roma – Stage I, p. 19.

²⁹⁰ Interview with a Representative of Jekhetane and *Romano Nevo Lil*, Bratislava, 10 July 2002.

²⁹¹ Interview with the Plenipotentiary for Roma Communities, Bratislava, 8 May 2002.

²⁹² See 2002 Priorities, p. 4. The campaign received support from the World Bank.

2002 (International Roma Day).²⁹³ It covered many activities throughout the country with the aim to narrow the distance between Roma and non-Roma. The Action Plan 2002–2003 has recommended sustained follow-up to these campaigns, but it is not clear whether State support is forthcoming. Civil society representatives have criticised the lack of a sustained governmental strategy to promote tolerance in the media.²⁹⁴ Clear and visible governmental support – both financial and political – will also be essential to the success of campaigns of this nature.

The Strategy tasks the Ministry of Culture with supporting the publication of Roma journals and newspapers,²⁹⁵ and in 2002, SKK 1,650,000 (€39,549) was allocated for this purpose. Civil society representatives assert the need for a longer-term strategy to support minority media; at present, funding is allocated on an annual basis, impeding effective long-term planning.²⁹⁶ Roma print media can not survive without State support.²⁹⁷

On 15 April 2002, the first independent Roma Press Agency opened in Košice, on the basis of successful models in Hungary and the Czech Republic. It provides regular feature stories on issues of importance to the Roma community – often written by Roma journalists – to mainstream newspapers and periodicals. In this way, the Agency aims actively to promote a more positive image of the Roma community in the mass media.²⁹⁸

3.4.5 Culture

The Strategy for Roma states the need to “positively encourage the development of Roma culture by adopting a mechanism of regular and early subsidy from the State

²⁹³ See Klára Orgovánová, in O. Štefucová, “*Kampaň pre zblíženie rómskej a nerómskej komunity na Slovensku*,” Radio Free Europe, 5 April 2002.

²⁹⁴ Written Comments of a Representative of People Against Racism, Bratislava, 17 June 2002.

²⁹⁵ Strategy for Roma – Stage I, p. 9.

²⁹⁶ Interview with a Representative of Jekhetane and *Romano Nevo L'il*, Bratislava, 10 July 2002.

²⁹⁷ There is at present one weekly – *Romano Nevo L'il* (published in Romanes and in Slovak), one monthly for Roma youth (*Ternipen*), and one bi-monthly for children (*Štarprajtanoro*).

²⁹⁸ See “Slovakia’s First Romany Press Agency Opens,” RFE/RL *Newsline*, 16 April 2002. The RPA’s website is at <<http://www.rpa.sk>>, (accessed 26 September 2002).

budget [...].”²⁹⁹ Initiatives singled out to receive State support include the Romathan theatre ensemble in Košice³⁰⁰ and a “House of the Roma” in Bratislava.³⁰¹

In line with the objectives of the Strategy, the Ministry of Culture provides support for the cultural activities of many Roma NGOs. In 2001, SKK 5,799,000 (€138,998) was allocated for Roma projects; an additional SKK 500,000 (€11,985) was allocated for research (to non-Roma organisations); in 2002, SKK 7,353,000 (€176,246) was allocated for projects of Roma organisations.³⁰² An evaluation of the extent to which these activities attract interest from the majority community as well would help determine whether they foster appreciation for Roma culture within society as a whole.

4. EVALUATION

The adoption of the Strategy was an important indication of the Government’s intention to address issues faced by the Roma community, as part of its broader efforts to improve minority protection. Implementation is still at an early stage, but already a number of areas for improvement can be identified.

The Strategy aims to address complex problems in a wide range of areas, including education, employment, housing, social services, and healthcare. At the same time, it extends recognition to the Roma language and culture and recognises the need to promote their development. Yet, while comprehensive in scope, the Strategy does not deal with the various issues identified in depth. Given the complexity and scope of problems in each of these areas, the Strategy will need to be reviewed and revised, with an eye to developing a series of “sub-strategies” in each of these areas, on the basis of extensive research, substantial and substantive participation from Roma communities, and allocation of necessary human and financial resources.

As an example, though it recognises discrimination, the Strategy does not go deep enough; it does not identify the specific discriminatory practices experienced by Roma in many areas of life, nor does it outline specific remedies. Efforts to adopt anti-

²⁹⁹ Strategy for Roma – Stage I, p. 19.

³⁰⁰ In 2002, the theatre received SKK 6,850,000 (€164,190); an additional SKK 1.5 million (€35,954) was allocated for reconstruction. Telephone interview with the General Director of the Section for Minority Culture, Ministry of Culture, Bratislava, 24 October 2002.

³⁰¹ 2002 Priorities, p. 4. However, as of July 2002, no project proposal had been presented to the Government.

³⁰² Telephone interview with the General Director of the Section for Minority Culture, Ministry of Culture, Bratislava, 24 October 2002.

discrimination legislation have not yet won the necessary political support. Given low levels of awareness of existing legislation and deep-seeded mistrust for State institutions, including law enforcement officials, among Roma communities, the adoption of such legislation will need to be complemented by implementing guidelines, training, and awareness-raising activities. This could be achieved through intensive training programmes on the new legislation for public officials and civil society representatives and the continuation of existing efforts to improve awareness of human rights norms among law enforcement and court officials.

The 2002 Priorities represent a positive initiative to clarify Strategy goals and deepen the level of engagement in certain specific areas. Addressing poor living conditions in Roma settlements will bring about an immediate and tangible improvement in the quality of life for many Roma. However, a parallel, long-term policy should be elaborated to address the more deeply-rooted problem of segregation; it may not be cost-effective to create new infrastructure in isolated Roma settlements if the long-term goal is to promote integration into affordable and decent housing within majority communities.³⁰³ Civil society representatives have also pointed out that an exclusive focus on Roma living in settlements is reminiscent of earlier policies that treated the “Roma issue” as a purely social problem.

Administration

Effective Strategy implementation requires active involvement from a broad range of State actors at all levels. Accordingly, the current system of administration and management is rather decentralised, and most of the concrete measures listed on the Strategy – Stage II were proposed by ministries or regional and local public administration. However, it would be advisable to balance receptivity to the needs of local communities against the need for overall policy coherence and consistency – which can best be provided by clearly-articulated governmental policies.

At the central level, the Deputy Prime Minister holds political responsibility for Strategy implementation, while the Plenipotentiary is in charge of administration, coordination and monitoring. However, neither can compel ministries to fulfill their tasks under the Strategy and their ability to offer incentives is also weak; the amount of State funding at the disposal of the Deputy Prime Minister and the Plenipotentiary is far below the level of demand. Again, ministries and other State bodies participate at their discretion, and according to their ability (and will) to allocate additional funding from their own budgets. In ministries and local public administrations which themselves lack funding, administrative capacity and staff skilled in project management, Strategy implementation has suffered. The emergence of political and

³⁰³ 2001 OMAS Report, p. IV.

popular opposition to certain Strategy initiatives has emerged as a significant obstacle to implementation in some areas.

Some of these obstacles can be addressed through clear and unequivocal expressions of support for Strategy goals and objectives from officials at the highest levels. State bodies which are convinced of the political necessity and wisdom of taking visible steps to demonstrate that they are making efforts to fulfil the Strategy will find the resources to do so. In many cases, creativity and political will are more important than funding; by the same token, increasing funding without ensuring political support and receptivity is not likely to produce positive results.

In addition to improved administration and coordination, there is a need to develop monitoring and evaluation mechanisms to facilitate regular and systematic review and updating of the Strategy. Proposed project monitoring and research on activities to improve conditions in Roma settlements constitute a positive step in this direction.

Minority participation and representation

The creation of advisory bodies to solicit input on policy development and implementation from Roma representatives has created new opportunities for Roma to articulate the needs of their communities *vis-à-vis* the Government.

However, while the Strategy for Roma emphasises the need for Roma to take “co-responsibility for their destiny,”³⁰⁴ it fails to specify mechanisms for involvement of this nature; as Roma do not share full responsibility for Strategy development and management; they are not able to shoulder responsibility for its implementation either. Where project management capacity is lacking, efforts should be focusing on providing the necessary training to place Roma representatives in positions of leadership in the preparation and administration of governmental programmes to fulfil the Strategy. Where necessary qualifications are lacking, efforts should be focused – as has been recommended by the Plenipotentiary – on providing educational and training opportunities for Roma who would like to take up careers in the civil service.

Greater involvement *from* the Roma community is key to the long-term success of the Strategy *for* Roma. Engaging Roma as equal partners in the process of developing and implementing solutions to the issues faced by their communities is necessary for the achievement of broader Strategy aims to cultivate leadership, responsibility, and initiative among Roma communities.

³⁰⁴ Strategy for Roma – Stage I, p. 16.

5. RECOMMENDATIONS

To the Government

- Send strong, clear and consistent messages to ministries and other bodies tasked with responsibilities under the Strategy that these responsibilities are to be taken seriously.
- Equip Strategy coordination bodies with authority to require reporting (including financial reporting) on tasks under the Strategy; to review and evaluate implementation efforts; and to offer recommendations for improvement.
- Further enhance the capacity of the Plenipotentiary to oversee the development and implementation of consistent, coherent and long-term policies in each of the areas outlined under the Strategy; consider establishing the position of Plenipotentiary in law, to ensure continuity in Strategy implementation over time.
- Support in-depth research and analysis in problem areas, as a necessary step toward developing more effective, targeted policies and programmes.
- Provide training to develop project management, administration, and budgeting skills within individual ministries as well as among local public administrations.
- Develop specific mechanisms to promote increased Roma participation in Strategy implementation and assessment, including through training in policy-making and project management.
- Adopt comprehensive anti-discrimination legislation in line with the EU Race Equality and Employment Directives.
- Adopt guidelines and training for public officials and social workers on the implementation of anti-discrimination provisions, with a view to increasing institutional capacity to ensure equal access to public goods and services in practice.
- Develop training programmes to prepare Roma for employment in public administration and other areas, and develop policies to encourage employment of the graduates of these programmes as civil servants.
- Revise the Strategy to incorporate measures to settle ownership of the land on which Roma settlements are located; consider the development of a policy to promote integration into majority communities rather than reinforcement of existing patterns of segregation.

- Complement measures to improve access to education for Roma through pre-school preparation and extra classroom assistance with efforts to recognise and cultivate Romani language and culture, particularly in areas where many Romani children study.
- Develop specific programmes to support Roma media and training for Roma journalists as a crucial means of promoting enhanced appreciation for Roma culture within the broader community.