



## PROGRESS REPORT 2012

### BASIC INFORMATION ON THE SITUATION OF THE ROMA MINORITY

Please provide any data, including where possible disaggregated data (by age, sex, etc.), collected in 2012, concerning:

- *Estimated total number and proportion of the Roma population in the country;*
- *Number of Roma living under the poverty line and the proportion to the overall population.*

*The required data from 2012 are not available. Documents, which can provide us the data on population, are: Atlas of Roma communities of Slovakia (2004), Report on the status and rights of national minorities in 2012 according to -article 4, paragraph 1, clause a)- the status of the Government Plenipotentiary of the Slovak Republic for National Minorities issued by the Government Plenipotentiary for National Minorities. (the mentioned preport indentifies other ethnic minorities as well, but in the table below, we are pointing out the Slovak majority and Roma minority).*

No of the whole population (by permanent residence)	2011		2001		1991	
	abs.	v %	abs.	v %	abs.	v %
	5 397 036	100,0	5 379 455	100,0	5 274 335	100,0
<b>Nationality</b>						
Slovak	4 352 775	80,7	4 614 854	85,8	4 519 328	85,7
Roma	105 738	2,0	89 920	1,7	75 802	1,4 <sup>1</sup>

*Data collection on the basis of ethnicity in Slovakia, are regulated by Acts 428/2000 Z.z. on protection of personal data and on amendments to certain laws, as amended, and Act. 365/2004 on equal treatment in certain areas and protection against Discrimination, amending and supplementing certain other laws (Antidiscrimination Act), as amended.*

*Slovak Republic is pointing out the fact that the Constitution of the Slovak Republic in Section 12 Subsection 3 contains the prohibition of the principle of assigned ethnicity and nationality. The principle: "Anybody has got the right to make decisions on his/her nationality membership. Any influencing of such decision-making is not allowed", is applicable pursuant to Section 12 Subsection 3 of the Constitution of the Slovak Republic. It is resulting from the above-said that the right of every citizen to be part of Roma national minority is exclusive right of citizens of the Slovak Republic; id est, the citizens of the Slovak Republic and any and all persons spotted on the territory of the Slovak Republic, are not obliged to acknowledge their membership to Roma national minority. The constitutional stipulation is compliable with Section 3 Subsection 1 of the Frame Agreement of the Council of Europe on the national minorities' protection. "Any person being a member of the national minority has the right to chose whether he/she is to be treated as the person being a member of the national minority, or not." The fact is of significant influence on source data collection. Concurrently, pursuant to Section 8 Subsection 1 of Act No 428/2002 Z. z. (Coll.) on personal data protection as amended by later legislation, personal data processing which reveals racial and/or ethnic origin, is deemed to be prohibited.*

*The Office of Plenipotentiary of the Slovak Government for Roma Communities have dealt intensely with the issues of ethnic data collection in co-assistance with external partners, while having been preparing the reviewed action plans for years 2010 – 2011, and the Strategy for Roma integration by 2020 (hereinafter the "Strategy"). Development in targeted public policies aimed at Roma population is deemed to be complicated on the background of a reported lack of ethnic data. The request to have precise data available which could be spread according to ethnic characteristics can be seen in almost all conceptual governmental documents directly and indirectly for many years already. Acquiring data on the living conditions and discrimination was met in Slovakia over the past years by the monitoring search of the European institutions and through specialised social science research within the Romany environment. The research was initiated and implemented by research*



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*institutions, academic workplaces, the European institutions, non-governmental and international organizations. Partial data on specific areas of the life of Roma population were provided in monitoring reports of the European institutions. Monitoring of Roma communities Slovakia-wide – ATLAS of Roma communities 2004 (hereinafter the “Atlas”)- is based on the supposition that the marginalised Roma communities are living in certain spatial units, enclaves, either within intra-communities, on the side, i.e., marginally, or in segregated settlements, and therefore, monitoring of Romany communities is enabled to be made. The procedure is not in contradiction with the principles enacted by the Constitution of the Slovak Republic and is in compliance with standards for personal data protection, because the monitoring is not reviewing ethnic identity of individuals, but it is covering just an “inventory” of the settlements.*

*Legal issues related to this kind of personal data processing, notably in the interest of the strategy monitoring and monitoring the strategies of the then integration policies, are subject to be dealt with by the Slovak Republic from the viewpoint of both interior and international levels. To get a picture, from 2012 the Office of Plenipotentiary of the Slovak Government for Roma Communities is taking part in sessions of the established work group – the platform involved in solving the said issues. Within the framework of the Project, the “Platform for Equality Data” was established the members of which are the specialists coming from central bodies of the state administration – the Statistical Office, the Office of Personal Data Protection, the Ministry of Labour, Social Affairs and Family of the Slovak Republic, the Labour Office of Social work and Family, the Office of Plenipotentiary of Slovak Government for Romany Communities, the Office of the Information and Prognoses in the System of Education, the National Centre of Health Information and the Public Health Office, further to this the representative of the Association of Towns and Communities of Slovakia (ZMOS), academic community experts (The Faculty of Philosophy at Comenius University, the Institute of Economics at the Slovak Academy of Sciences SAV), the United Nations Development Plan (UNDP) and non-governmental organisations dealing with the issue (The Milan Šimečka Foundation, the Centre of Ethnicity and Culture Research (CVEK), the Institute for Public Affairs (IVO), the Otherness Initiative – the civic association for protection of human rights and fundamental freedoms of citizens of homosexual orientation and minority of gays). Within the framework of the 5 priority the Platform for Equality Data has been implementing numerous activities to the extent of the Progress Project. The aim of the Platform is to make up a Slovakia-wide concept of equality data collection with the participation of representatives of all future groups of data users. )*

*Report on the Living Conditions of Roma households in Slovakia 2010 – UNDP: Good research frameworks have already been established for monitoring the living conditions of Roma communities in Slovakia. UNDP sample surveys (2005, 2010, 2011) derive from the so-called sociographic mapping of Roma communities in Slovakia (Atlas of Roma Communities in Slovakia 2004), which were based on the assumption that the marginalised Roma population lives in certain spatial enclaves. Such an approach to research is not in conflict with principles embedded in the Constitution of the Slovak Republic and is in accordance with standards for the protection of personal data, because sociographic mapping does not investigate the ethnic identity of individuals and does not collect personal data about individuals, but instead only works as a kind of “inventory” of settlements.*

### 1. INSTITUTIONAL SUPPORT FOR ROMA INCLUSION AND INTEGRATION

- *Please list the main official policy documents governing the inclusion and integration of Roma, including Decade Action Plan and National Roma Integration Strategy; please provide links to online documents.*

*1. On 26 March 2008 the Government of the Slovak Republic adopted by its Decree No. 183 The mid-term concept of Roma national minority development in the Slovak Republic. The concept produced the terms for making the National Action Plan of the Decade for involving Roma population topical for the years 2005 – 2015, notably by outlining the principles, goals and entire solving of development activities, adopted by Decree of the Government of the Slovak Republic No. 28 dd. 12 January 2005.*

*2. Strategy of the Slovak Republic for Integration of Roma up to 2020 : The EC Communication addressed to the European Parliament, Council, European Economic and Social Committee and to the Committee for Regions in April 2011 called EU*



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*Framework for National Roma Integration Strategies up to 2020 (hereinafter “EU Framework”)*<sup>9</sup> may be seen as a call to elaborate on the problem of Roma integration in the EU. Even though the EU declares that Member States carry the main responsibility for the implementation of integration policies, a coordinated approach and interest of EU bodies is critical, giving hope that up to 2020, more significant positive changes should occur, in particular in the access of the Roma population to four main areas: education, employment, healthcare and housing.

3. On 10 August 2011 the Government of the Slovak Republic adopted by its Decree No. 522 the 2005 – 2015 Reviewed National Action Plan of the Decade for involving Romany population for the years 2011 – 2015. The said National Action Plan dealt with basic elements within the integration process in its entirety – education, employment-rate, health policy, housing, etc. The said revision of the reviewed Action Plan was taking into account the adopted aquis communautaires of the Council of Europe and the European Union with the aim to make Romany integration process more efficient and to ameliorate their living standing.

4. On 11 January 2012 the Government of the Slovak Republic adopted by its Decree No. 1 The Strategy of the Slovak Republic for Romany integration by 2020, and concurrently determined the reviewed 2005 – 2015 National Action Plan of the Decade for involving Roma population, topical for the years 2011 – 2015 as the Action Plan of Slovakia’s Strategy for Roma integration by 2020 for areas: D.2.1 education; D.2.2 employment-rate; D.2.3 health policy; D.2.4 housing. Determination of further policies related to D. 2. 5. Finance; D. 2. 6. Non-discrimination and D. 2. 7. Approaches and access towards the majority society – the Initiative of Romany integration through communication; were part of the adopted document.

- Please describe what moves have been made by governments to involve (1) local authorities, (2) regional authorities, and (3) civil society including Roma organizations, in the design, implementation, and monitoring of the Roma inclusion strategy?

*The Office of Plenipotentiary of the Slovak Government for Roma Communities is the coordinator of the implementation process and the initiator of the framework for monitoring and evaluation with all partners, i.e. by state and local governments, civil society, academic institutions, international organizations and Roma, primarily responsible for monitoring the strategy at the level policies, programs and projects.*

*For the purposes of setting quality monitoring, The Office was based on the actual framework for monitoring and evaluation, which is developed in the strategy. In the internal capacity of the Office was created designs standardized form of monitoring and evaluation reports to be consulted with representatives of NGOs and the UNDP, who have experience in analytical activities, monitoring and evaluation. The outcome was the definition of the monitoring scheme divided into three main lines:*

*a) Technical and administrative line, which is a basal form through which monitors the implementation of specific activities over the target values for the parameters listed in the Revised Action Plan of the Decade of Roma Inclusion 2005 - 2015 for the years 2011 to 2014, including concrete shape in funds that were the period spent responsible institution. This inexpensive form provides a basic overview of the status of the activities and thus achieving the targets, while also providing initial reflection to office on the relevance of output indicators.*

*The Strategy was designed to more participatory sectoral levels. Accountability and implementation of activities within individual areas is further described in the Revised National Action Plan for the Decade of Roma Inclusion 2005 - 2015 and the implementation framework defines the roles and status of other key players, i.e. governments and non-governmental organizations in the implementation of the strategy. With this structure creates a space both for regular monitoring of obligations and responsibilities and provides a real insight into the areas where it is necessary to step up the level of responsible actors.*

*b) Qualitative line, which will be elaborated in Q3 2013 following the publication of a new edition of the Atlas of Roma communities. To adjust the quality of monitoring and eventual transformation of measures is crucial to have data documenting the current status of marginalized Roma communities.*

*c) Line of external monitoring, which reflects the intention of the Office to promote greater involvement and participation of non-governmental organizations, civil society and Roma in the process of monitoring and evaluation strategy. Through a call for applications for grants for the purpose of "Promoting social and cultural needs and solutions extremely unfavorable*



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situation of the Roma community" in the Ministry of Interior for 2013 was entitled to the specified activity *External evaluation and monitoring of the Strategy of the Slovak Republic for Roma integration in 2020*. The primary objective is to evaluate the success of the implementation of selected policies at the local level. <http://www.romovia.vlada.gov.sk/2419/dotacna-schema.php> Framework for monitoring and evaluation based on the results is also a fundamental building block for demonstrating utilization of funds with regard to the ongoing dialogue on better use of Structural Funds and Cohesion Fund to support Roma inclusion would most likely have to provide a basis for creating a new frame of reference the Use of EU Funds in the programming period 2014 - 2020 strategy. Office conducted between 2011 and 2012, two external evaluations of the implementation of the horizontal priority Marginalised Roma communities in the programming period 2007-2013, which was recovered in the process of monitoring and evaluation based on the recommended monitoring and evaluation system for the programming period 2014-2020, which takes into account the principle of a new intervention logic. Both ratings are published on the website of the Office [http://www.minv.sk/?hodnotenie\\_MRK](http://www.minv.sk/?hodnotenie_MRK)

- Please describe any changes in 2012 in the participation of Roma in decision-making processes/arrangements and public administration structures; please include quantitative and descriptive information to the extent possible.
- Please describe what has been done since the submission of the Decade Action Plan to put in place robust mechanisms to monitor and evaluate policy implementation? Did the government report internally, to the European Commission or any other body on implementation of its National Roma Integration Strategy or Decade Action Plan?

Activity reports were submitted annually to the Office of the Government, which created a mechanism for periodic inspection tasks. Since most of the measures defined in the AP (the Action Plan) was also reflected in the resolutions of the Government against the relevant ministries, including those responsible should by entitled to deduct their performance.

Alternative / shadow reports made by watch dog groups, witch generally represent Roma NGOs, provide incentives for updating plans at specific activities under each priority and cross-cutting areas.

Action plans as well strengthen the initiative in promoting and implementing research and analysis on the situation of Roma with regard to the MRC.

The added value of AP (the Action Plan) is the totaly intensify interventions directed at residents MRC, witch were implemented through pilot/innovative programs as well as the introduction of the system of measures.

- How does the national equal treatment/anti-discrimination body support the implementation of the Decade Action Plan/National Roma Integration Strategy? Please provide information on the number of complaints related to discrimination against Roma throughout 2012 and on measures undertaken by the national equal treatment/anti-discrimination body concerning these complaints.

Fundamental rights and freedoms are governed by the Constitution of the Slovak Republic. There are respective provisions of the international treaties, covenants and agreements enacted in the Constitution of the Slovak Republic, in relation to human rights and fundamental freedoms protection. Apart from this there are many instruments guaranteeing the protection of human rights and fundamental freedoms in the Constitution of the Slovak Republic; primarily in the case foreseen if such protection would not be secured by the interior state legal rules to the extent of human rights development. The Slovak Republic is acknowledging and complying with global rules of the international law, international conventions and treaties Slovakia is bound to and many other international obligations, pursuant to Section 1 Subsection 2.

Pursuant to Section 7 Subsection 5 of the Constitution of the Slovak Republic, international agreements on human rights and fundamental freedoms, international treaties not requiring the law in order to be exercised, and international agreements that are enacting the rights and/or duties, liabilities of both private individuals and legal persons, and that were ratified and





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*declared by the mode pursuant to the law, prevail the laws. There is enacted the prime standing of international agreements on human rights under the given provision, and concurrently, collision between the international agreements and interior state regulations has been excluded.*

- *Act No. 365/2004 Z. z. (Coll.) on equal treatment in some areas and on protection/prevention from discrimination and on the alteration and amendment to some laws (anti-discriminating law) as amended by later legislation, is of special importance to the extent of legal order (legislation) of the Slovak Republic. The law is governing the principle of equal treatment and discrimination ban due to sex, religion and /or faith, race, membership to nationality and/or ethnic group, health handicap, age, sexual orientation, marital status and family status, colour of the skin, mother tongue, partisanship, political or other way of thinking, national and social origin, assets, property, gender or other standing. The principle is précised by the legal amendment generally in employment and industrial relationship, and similar legal relations, social background, health care, providing the goods and services (thus, also in relation to housing) and in education. Concurrently, the given system is governing also the notions of discriminating acting, legal protection and acting in matters related to the breach of the equal treatment principle, and also the institute of temporary settlement measures. The Office of Plenipotentiary of the Slovak Government for Roma communities took an active part, jointly with the Ministry of Justice of the Slovak Republic, in draft amendment to Act No. 365/2004 Z. z. (Coll.) in 2012. The applied legislative draft amendment was targeted to precise the provision § 8a of the said Act – the institute of temporary settlement measures in order they would cover the areas of access to employment, education, health care, and housing especially to the full extent, with the aim to make legal amendment sufficiently entire instrument amendment stipulated to applicability of the Strategy of the Slovak Republic for Roman integration by 2020.*

*Documentation - Backing up the State Report processing related to the Action Plan fulfilment aimed at improvement of the Romanies' and Sints' standing in the Slovak Republic within the period of time from 2008 – 2013: Apart from the general amendment the anti-discriminating provisions also contain special generally binding legal rules of the Slovak Republic, regulating respective legal areas, for example, social scheme security, education, services, the goods selling, housing, access to labour market and equal treatment at work, health care etc. The below generally binding legal rules are given as Slovakia's illustrative example.*

- *Act No. 311/2001 Z. z. (Coll.) – the Labour Code as amended by later legislation. The law is stipulating a special amendment to discrimination prohibition to the extent of transposition of respective European Union Directives on equal treatment.*
- *Act No. 400/2009 Z. z. (Coll.) on state service and on amendment and alteration to some laws as amended by later legislation, similarly enacting discrimination prohibition and transposition of respective European Union Directives on equal treatment.*
- *Act No. 73/1998 Z. z. (Coll.) on state service of members of the Police Force, the Slovak Intelligence Service, the Corps of Prison and Justice Guards of the Slovak Republic and the Railway Police as amended by later legislation, stipulating discrimination prohibition and transposition of respective European Union Directives on equal treatment. The law is enacting the secured equal conditions for hiring in the state service, discrimination prohibition, policemen protection system, the right of policemen to get informed about the law provisions on equal treatment from the side of law and on amendment and alteration to some laws as amended by later legislation of service office, whereby there is especially stipulated the fact that the equal treatment principle breach is deemed to be the breach of service discipline at work.*
- *Act No. 305/2005 Z. z. (Coll.) on social and legal protection of children and social tutorship and on amendment and alteration to some laws as amended by later legislation. In §§ 5 to 9 of the Law there is determined the principle of equal treatment during the exercise and conduct of social protection of children, measures of social tutorship and children's rights' protection.*
- *Act No. 245/2008 Z. z. (Coll.) on up-bringing and education (school system [primarily in §§ 3 letter c), 144 paragraph 1 subparagraph a) in connection to § 145]. The Act is stipulating the principle of equal access to up-bringing and*



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*education, children's right for equal access, security of equal applicability of any and all rights in education, and the system of rights' protection and the principal of equal treatment with pedagogues.*

- *Pursuant to § 29 subsection 1 of Act No. 245/2008 Z. z., (Coll.) primary school, in compliance with principles and goals applicable to up-bringing and education of the Law, is supporting development of pupils' personality based on the principle of humanism, equal treatment, tolerance, democracy and patriotism.*
- *Act No. 317/2009 Z. z. (Coll.) o pedagogues and specialised workers and on amendment and alteration to some laws as amended by later legislation. Pursuant to § 5 subsection 2 paragraph a) of Act No. 317/2009 Z. z. (Coll.) pedagogue is obliged to protect and respect the rights, complying with the secured right for equal access to health care and discrimination prohibition while being provided.*
- *Act No. 578/2004 Z. z. (Coll.) on health care providers, medical workers, and professional organizations in health system and on amendment and alteration to some laws as amended by later legislation. Pursuant to Annex 4 of the said law (the Code of Ethics applicable to medical workers), the general duties and liabilities of medical workers cover the liability and duty to save lives, to protect, to support and to revive the health, to prevent from diseases, to mitigate suffering regardless the nationality, race, religion, sexual orientation, political partisanship, social standing, moral and/or rational (mental) levels and reputation of patients.*
- *Act No. 448/2008 Z. z. (Coll.) on social services and on amendment and alteration to Act No. 455/1991 Zb. on trade licence business (trade licence law) as amended by later legislation. In § 5 there is stipulation altered to principle of equal treatment.*
- *Act No. 5/2004 Z. z. (Coll.) on employment-rate services and on alteration and amendment to some laws. Pursuant to the said law the objects clause of respective office's duties cover the duty to inform an applicant for employment (job) about his/her right for equal treatment in access towards employment. In § 14 of the Law there is a principle of equal treatment and discrimination prohibition enacted.*
- *Anti-discriminating principle, prevention from expressions of racism and discrimination is enacted in stipulated provisions of the Criminal Law. The Criminal Law stipulates criminal punishments for acting due to which human rights and fundamental freedoms respecting is breached based on racial discrimination. For example, in § 130 subsection 8 and 9 there is the notion of extremist material determined; in § 140 subsection d) and f) there is determined special motive of acting on principles of national, ethnic and/or racial hatred or hatred due to the colour of skin, as a rule, giving the grounds for the use of the qualified facts (body of a crime) with a stricter sanction; in § 140a of the Criminal Law there are stipulated crimes of extremism based on national, ethnic and /or racial hatred or hatred due to the colour of skin; from § 421 there are stipulated the grounds of crime committed by supporting and promotion of groups leading to oppression of fundamental rights and freedoms to inciting, defaming and menacing the persons for their belonging to any of the races, nation, nationality, colour of skin, ethnic group or origin of generation pursuant to § 424a of the Criminal Law.*
- *Pursuant to the Criminal Law amended by Act No 257/2009 Z. z. (Coll.) the crimes cover also the crimes of names, Production of extremist materials (§ 422a); dissemination of extremist materials (§ 422b); storing and keeping the extremist materials (§ 422c); inciting, defaming and menacing the persons because of their membership to certain race, nation, nationality, colour of skin, ethnic group or origin of generation (gender) (§ 424a). Moreover, the mentioned amendment to the Criminal Law altered the existing provisions of crimes of extremism in the Criminal Law (defaming of a nation, a race and belief - § 423). Provision § 140a of the Criminal Law concurrently stipulates that the crime of extremism is deemed to be every crime committed due to special motive pursuant to § 140 subsection d) and f) of the Criminal Law.*
- *Act No 383/1993 Z. z. (Coll.) on establishment of the Slovak National Centre for Human Rights as amended by later legislation, governing the alteration to monitoring and assessment of keeping the human rights and keeping the principle of equal treatment, collection of the information, educational activities, providing legal aid and legal representation. In the generally binding regulation there are stipulated respective European Union Directives on equal treatment.*



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*In the Slovak Republic, the Slovak National Centre for Human Rights is entrusted with the agenda covering the protection of equality of opportunities. The Slovak National Centre for Human Rights was established upon Act No. 383/1993 Z. z. (Coll.) on establishing the Slovak National Centre for Human Rights, applicable from 1<sup>st</sup> January 1994, under the international agreement between the Government of the Slovak Republic and the United Nations Organization on establishment of the Slovak National Centre for Human Rights. Being an independent entity, the Centre is fulfilling the irreplaceable tasks related to human rights and fundamental freedoms, including the children's rights, keeping the principle of equal treatment and under Act No 365/2004 Z. z. (Coll.) on equal treatment in some respect and on prevention from discrimination and on amendment and alteration to some laws as amended by later legislation, the Centre performs as the only Slovak institution for equality, i.e., reviewing the keeping of the principle of equal treatment in compliance with the anti-discrimination law. Pursuant to § 1 subsection 2 and 3 of Act No. 383/1993 Z. z. (Coll.) the Slovak National Centre for Human Rights is exercising independent search, reckon, research concerning discrimination; the Centre is ensuring legal aid to victims of discrimination and expressions of intolerance and is authorised to represent a party to the proceedings (trial) in matters related to the breach of principle of equal treatment.*

*With regard to the above-said principle of prohibition to process personal data in the legislation (legal order) of the Slovak Republic, the Slovak National Centre for Human Rights is not implementing the personal data processing separately in relation to members of Romany national minority, thus, the Centre is not allowed to provide statistical output either, based on the given element. The Slovak National Centre for Human Rights is following and reviewing the cases in their information system, which concern racial, national and ethnic origin to its entirety. In 2008 the Centre provided the aid, legal representation totally in 76 cases; in 2009 the Centre provided the aid, legal representation in 47 cases; in 2010 the Centre provided the aid, legal representation in 24 cases; in 2011 the Centre provided the aid, legal representation in 39 cases and in 2012 the Centre provided the aid, legal representation in 117 cases. The given cases are covering also the cases of Romanies discrimination and also the cases of discrimination due to other grounds. The Slovak National Centre for Human Rights, with respect to legislation related to provision of legal aid and representation in Act No. 383/1993 Z. z. (Coll.), is not keeping special statistical overview of successfulness in the aid provided, as the Centre is providing the legal aid and legal representation under the clients' requests and to the extent of clients' dispositions, thus, not only ex officio under their own search. Pursuant to § 10 subsection 1 paragraph a) of Act No. 365/2004 Z. z. (Coll.) it is up to clients' consideration, in proceedings related to the matters concerning the breach of the equal treatment principle, whether the client, being the party to the proceedings, let himself/herself be represented by the legal person, who is acknowledged with such authorisation under the special law.*

*The Slovak National Centre for Human Rights is communicating with the community of Romanies / Sints using any and all means accessible, making the phone calls, in person, including postal services, via e-mails, facsimile, through the Centre's website, educational activities and the information campaigns. Further to this, through the research and intel search aimed at providing data concerning human rights; the Centre is collecting and distributing the information further in this area, for example, the Centre is publishing Annual Report on keeping the Human Rights in the Slovak Republic. The Annual Report is covering the evaluation of keeping the principle of equal treatment and prohibition of discrimination.*

*In the Slovak Republic legal aid to persons dependent on it in need is provided by the Centre of Legal Aid established by Act No 327/2005 Z. z. (Coll.) on providing the legal aid to persons in material need and on amendment and alteration to Act No 586/2003 Z. z. (Coll.) on advocacy and on amendment and alteration to Act No. 455/1991 Zb. (Coll.) on trade licence (the trade licence law) as amended by later legislation altered by Act No 8/2005 Z. z. (Coll.). The said law was amended by Act No. 332/2011 Z. z. (Coll.) applicable from 1<sup>st</sup> January 2012.*

*The Centre is providing the legal consultancy and advisory and legal representation by their personnel and by advocates (attorneys-at-law) at the Slovak Advocates Chamber (Bar). The Office of Plenipotentiary of the Slovak Government for Roma communities jointly with the Centre of Legal Aid, and with the Slovak National Centre for Human Rights, cooperate also in the events of ensuring and providing high standard and accessible aid in individual cases respectively for a long time already. The competence of the Centre of Legal Aid was extended under Act No 332/2011 Z. z. (Coll.) also for providing the legal aid in the matters of asylum, or, in proceedings on administrative banishment (deportation) pursuant to special Act No 44/2011 Z. z. (Coll.) on the stay of foreigners and on amendment and alteration to some laws. Act No 327/2005 Z. z. (Coll.) determines the terms for legal aid provision, procedure of private individuals and respective bodies in proceedings on the claim for acknowledgment of legal aid and institutional ensuring of legal aid provision. The Centre of Legal Aid is established upon the given law as the state budgetary organization with the connection to the state budget, through the budgetary chapter of the Ministry of Justice of the Slovak Republic.*

*With regard to the given prohibition of personal data processing under the principle of ethnicity, comprised in the legal order (legislation) of the Slovak Republic, the Centre of Legal Aid is not authorised to conduct the registry-keeping and*



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*statistical system about the number of cases with a given element of providing the legal aid in compliance with the element of being the part of Romany national minority; however, under the exemption available, determined in the legal order (legislation) of the Slovak Republic, currently from 2012, the Centre is exercising the representation in the two cases. In the said matters there has not been resolved meritorious decision in the matter so far and legal representation keeps going on further.*

*The Centre of Legal Aid is providing the legal aid to all private individuals regardless their membership to ethnic group, notably in the form of preliminary consultations, within the framework of consultancy days published at website portal or in the form of comprehensive legal aid after the claim for the legal aid provision was acknowledged. The Centre of Legal Aid is communicating with the applicants through all the forms of electronic contact, written contact, in person. There are any and all contact data and requested information for the applicants for legal aid published on the Centre's website portal.*

*Provision of a certain form of aid is governed by Act No 564/2001 Z. z. (Coll.) on Ombudsman (public defender of the rights). The Office of Plenipotentiary of the Slovak Government for Roma Communities co-works with the Ombudsman Office in the field of consulting and advisory governmental bodies, e.g., in the Council of the Government of the Slovak Republic for Human Rights, national minorities and generation (gender) equality, and also in individual cases accordingly. Pursuant to § 11 subsection 1 of the said law anybody may approach the Ombudsman, who assumes that in the proceedings, decision-making and/or inactivity (failure to act) of the public administration body the fundamental rights and freedoms were breached in contradiction with the legal order (legislation), or principles of a democratic and legal state. Pursuant to § 11 subsection 3 of the said law, the Ombudsman is authorised to process personal data inevitable for disposing of the inducement in compliance with the special law.*

*With regard to the fact that in the legal order (legislation) of the Slovak Republic the "forbidden" personal data of ethnicity are not the inevitable data for disposing of the inducement, the Ombudsman does not dispose of data requested in the subject-matter of the questionnaire. The Ombudsman in the Slovak Republic is independent constitutional body who, to the extent and in the mode determined by the law on the ombudsman, protects the fundamental rights and freedoms of private individuals and legal persons in the proceedings before the public administration bodies and further bodies of public power if their acting, decision-making and/or inactivity (failure to act) is in contradiction with the legal order (legislation). Pursuant to § 3 of the said law the competence of the Ombudsman concerns the area of public administration only, and is not the specialised body in the field of keeping the principle of equal treatment. Neither the Ombudsman is the body exercising the legal representation before the body of law advocating, nor before the competent court. The competence of the Ombudsman to dispose of the inducement is given under the fulfilment of the two basic conditions notably that the matter are fundamental rights and freedoms, and second, that the matter is the proceedings, decision-making and/or inactivity (failure to act) of public administration bodies. In order to comply with the conditions for the competence of the Ombudsman to the extent of the discrimination issue, it is necessary the matter would be the discrimination in connection with the breach of some of the fundamental rights or freedoms, which occurred due to acting, decision-making and/or inactivity (failure to act) of public administration bodies. Petitioners of inducements may approach the Ombudsman's Office in person on the registered office address, through electronic means of communication and/or in writing. The Ombudsman is providing the information about the conditions for filing the applications on the Ombudsman's Office website portal, including the contact data.*

*Many private individuals, especially of Romany ethnic origin, claimed for the protection against discrimination in the years 2011 and 2012 by filing the so-called anti-discriminating lawsuit to general courts, under respective provisions of Act No 365/2004 Z. z. (Coll.) on equal treatment in some areas and on protection against discrimination and on amendment and alteration to some laws (the anti-discrimination law).*

*In 2011 in the Slovak Republic there was reported the complaint filed by three citizens of Roma origin on the breach of provisions of the International Convention on removal of all forms of racial discrimination (reg. No 49/2011). In 2012, the Slovak Republic provided the standpoint to the acceptability of the complaint and to the merits of the complaint. The committee for removal of racial discrimination has not resolved in the matter yet.*

- *Please provide information on what has been done to allocate sufficient budgetary resources and concrete amounts for the implementation of the Decade Action Plan/National Roma Integration Strategy from national budgets. What is the total amount and percentage of the 2012 national budget dedicated to the implementation of the Decade Action Plan or National Roma Integration Strategy in your country? What kinds of sources (local, national and international) are considered for the implementation of the Decade National Action Plans/National Roma Integration Strategy in 2013?*





DECADE OF  
ROMA  
INCLUSION  
2005-2015

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*The revised National Action Plan for the decade of Roma Inclusion 2005 – 2015 for the period 2011 – 2015 adopted by the Government Resolution No. 255/2011 contains partially defined funding for several measures. The indicative amount covering the implementation of action plans is set at almost 142 million euro out of the state budget, including EU Structural funds and the Cohesion Fund. The funds defined are covered by the state budget except for tasks which are in the purview of the Ministry of Education, Science, Research and Sports of the Slovak republic in implementing measures (Education: 1. 3; 2. 2; 2. 6 and 2. 7. 3) where the additional (not covered) estimated impact on the budget is estimated at 4 100 000 euro in 2013 and 7 100 000 euro in 2014 respectively. Expenditures not covered by the budget in the period 2013 – 2014 will be addressed alternatively including the reassessment of the department priorities. Table detailing impacts on the budget of public administration in the frame of the Revised National action Plan for the Decade of Roma Inclusion 2005 – 2015 for the period of 2011 – 2015 is below.*

*In specifying further action plans it is crucial to include financial planning as well. Financial quantification is a necessary prerequisite for the implementation of activities. Decisive in this regard will be how the policy priorities as they are defined in the Strategy of the Slovak republic for Roma integration up to 2020 are to be implemented in the EU programming period for 2014 – 2020. Communication on the EU Framework on National Strategies for Roma integration up to 2020 appeals to Member States to use the Structural Funds to a far greater extent for Roma inclusion. Roma inclusion can thus be supported through the European Union's funds, in particular the European Social Fund (hereinafter “ESF”), the European Regional Development Fund (hereinafter “ERDF”), and the European Agricultural Fund for Rural Development (hereinafter “EAFRD”).*

*The priority areas of the Strategy are fundable from the EU Structural funds and the Cohesion Fund. In the area of education it is a combination of ESF and ERDF. An example could be made of funding a comprehensive net of pre-school education, where the largest costs are associated with building an adequate network of pre-school facilities, and training teachers and assistants. For the construction of kindergartens ERDF may be used. In the area of employment ESF may be used to fund various training programs as well as social innovations and active labor market measures. ERDF and EAFRD may be used to support local economies, founding SMEs, or microfinance. In the area of health, ESF and ERDF may fund health education, community health education workers, as well as the construction of community centers where such services are provided. Housing support from these funds is already available in the current programming period.*

### Summary of impacts of the public administration budget in the frame of Revised National Action Plan for the Decade of Roma inclusion 2005 – 2015 for the period 2011 – 2015

Impact on the public administration budget	Impact on the public administration budget (In euros)				
	2011	2012	2013	2014	2015
<b>Total expenditures of public administration</b>					
On that: for each public administration subject /program separately	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Office of the Government	833 878	833 878	833 878	833 878	833 878
Ministry of Education, Science, Research and Sport	7 923 170	10 023 170	11 023 170	13 023 170	15 023 170
Ministry of Health	3 000	1 680 000	1 790 000	2 075 000	2 425 000
Ministry of Labour, Social Affairs and Family	8 020 000	12 730 000	12 635 000	12 625 000	12 625 000
Ministry of Transport, Construction and Regional development	2 862 680*	3 005 814	3 156 105	3 313 910	3 479 605



## PROGRESS REPORT 2012

<b>Total Funds</b>	<b>16 784 070</b>	<b>28 276 886</b>	<b>29 442 179</b>	<b>31 874 986</b>	<b>34 386 653**</b>
Financing covered by the state budget	<b>16 784 070</b>	<b>28 276 886</b>	<b>29 442 179</b>	<b>31 874 986</b>	
Funds not covered by the state budget			4 100 000	7 100 000	

\* The amount was used in 2011 to support construction of lower-standard housing from the National Fund for Housing Development. To simplify calculations we have enlarged the amount by 5% in each following year.

\*\* No groundwork data for the national budget exists for 2015 yet.



## PROGRESS REPORT 2012

- Please list policies and programs that were designed and implemented at national or local level to support Roma education in 2012 with a special focus on the goals and implementation of the Decade National Action Plan/National Roma Integration Strategy (if applicable).
  - a) The concept of integrated education of Roma children and pupils, including the development of secondary and tertiary education – Decree No 498/2004 of the Government of the Slovak Republic<sup>2)</sup>;
  - b) The National Action Plan of the Decade of involving Roma population 2005 – 2015 – Decree No 28/2005 of the Government of the Slovak Republic;
  - c) The concept in pre-school (pre-primary) education in connection with the preparation of children to attend the primary school – Decree No. 222 of the Government of the Slovak Republic dd. 7<sup>th</sup> March 2007;
  - d) The concept of up-bringing and education of national minorities – Decree No 1100/2007 of the Government of the Slovak Republic;
  - e) The concept of up-bringing and education of Romany children and pupils including secondary and tertiary education – Decree No 206/2008 of the Government of the Slovak Republic;
  - f) The 2005 – 2015 Reviewed National Action Plan of the Decade of involving Romany population for the years 2011 – 2015 – Decree No 522/2011 of the Government of the Slovak Republic;
  - g) The Strategy of the Slovak Republic for integration of Roma by 2020 – Decree No. 1/2012 of the Government of the Slovak Republic.
- What were the outcomes of the policies and programs that your government implemented in 2012?

### *Selected Outcomes Action Plan Strategy of the Slovak Republic for Roma integration in 2020:*

*Support for comprehensive integration of gender sensitive and multicultural education in secondary schools.*

*In 2012, SPI developed within the state education program content and goals of multicultural education - compulsory cross-cutting themes that are to varying degrees of education available on the NPI.*

- ISCED 3A - 4.year High School and Secondary School <http://www.statpedu.sk/sk/Statny-vzdelavaci-program/Statny-vzdelavaci-program-pre-gymnazia/ISCED-3a/Prierezove-temy/Multikulturalna-vychova.alej>

*Intensify support staff dedicated to teaching children the CAP and students with disabilities, including children with conduct disorder of the CAP.*

*Financial benefit in the form of salary bonuses.*

*From 1 January 2012 entered into force § 14d of the Act no. 553/2003 Coll z. the remuneration of certain employees performing work in the public interest and on amendments to certain laws, as amended, which regulates the conditions and criteria for granting the premium for teachers working with students with disabilities or with pupils from socially disadvantaged backgrounds.*

- Please describe how these policies and programs impact the cross-cutting issues of the Decade. In particular, how did they promote gender equality, combating discrimination and reducing poverty?

*On 11 January 2012 the Government of the Slovak Republic adopted by its Decree No. 1 The Strategy of the Slovak Republic for Romany integration by 2020, and concurrently determined the reviewed 2005 – 2015 National Action Plan of the Decade for involving Roma population, topical for the years 2011 – 2015 as the Action Plan of Slovakia's Strategy for Roma integration by 2020 for areas: D.2.1 education; D.2.2 employment-rate; D.2.3 health policy; D.2.4 housing. Determination of further policies related to D. 2. 5. Finance; D. 2. 6. Non-discrimination and D. 2. 7. Approaches and access towards the majority society – the Initiative of Roma integration through communication; were part of the adopted document.*

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<sup>2)</sup> “SR“ –abbreviation stands for the Slovak Republic



## PROGRESS REPORT 2012

*At the present time, the Slovak Republic is finalizing the plans in the three latest areas above. The given strategy comprises the building principles and implementation principles compliable with the recommendations of the Action Plan of the Organization for Security and Cooperation in Europe with the aim to ameliorate the standing of Romanies and Sints. The strategy itself has been built on principles of global solutions, de-stigmatization, desegregation, degotoization. The implementation principles have been determined on the basis of solidarity, legitimacy, partnership, global entirety, concepts, systematic access controlling and permanent sustainability, respecting the regional and sub-ethnic characteristics, generation equality, reliability, providence and predictability.*

*Despite the fact that the Slovak Republic is preparing a special action plan for non-discrimination to the extent of the strategy, there were anchored anti-discriminating tools and temporary equalizing balance measures in education, health policy, employment-rate and housing in the strategy action plans within D.2.1 to D.2.4.*

*In the notification "National strategies for Roman integration: the first step within the European Union framework implementation" dd. 21 May 2012, the Commission of the European Union assessed the Measures taken to back up the human rights and non-discrimination, while Slovakia's strategy in relation to human rights and non-discrimination was assessed as the area corresponding to requirements of the European Union. Moreover, the Slovak Republic is preparing the Slovakia-wide strategy for human rights protection within the governmental policy, with the aim to ensure the improvement of interior human rights protection to the full extent of societal relations. Draft design and applicability of preventive measures will be the important part of the Slovakia-wide strategy.*

*Slovakia's strategy for Roman integration by 2020 is based on any and all recommendations and conclusions of the Council of Europe and of the European Union to the extent of global approach in its entirety the irreplaceable part of which is also active involvement of Romanies in producing and introducing the goals of it at every level. Slovakia's strategy for Romanies integration by 2020 was developed on the basis of notification of the Commission of the European Union, entitled "The European Union Framework for interior strategies for Romanies integration by 2020" No KOM (2011) 173 in completed and final wording, adopted by the Council of Europe this 24 June 2011 under No. EUCO 23/11.*

*Just in the published notification "The National strategies for Romanies integration: the first step within the European Union framework implementation" dd. 21<sup>st</sup> May 2012, the Commission of the European Union also assessed the local and regional self-governance authorities involved in civic society, especially Romanies involved and civic Romany society involved in the process of strategy implementation. The Commission of the European Union declared that the said measures adopted by the Slovak Republic were given in the Strategy, requested by the European strategy framework.*

- *Please identify the most important mainstream and targeted national, EU and other funded schemes launched in last year that will contribute to Roma inclusion/integration in education. Please specify the activity, the funding source (national budget, international donors, ESF, ERDF, etc.), the operational program, the amount allocated, the goals to be reached, and the indicative number and share of Roma beneficiaries.*

Please provide information about the list achievements in the following fields in 2012:

*Data collection on the basis of ethnicity and Slovakia regulate Laws. 428/2000Z.zo protection of personal data and on amendments to certain laws, as amended, and Act. 365/2004. Out. on Equal Treatment in Certain Areas and Protection against Discrimination, amending and supplementing certain other laws (Antidiscrimination Act), as amended.*

*Slovak Republic is pointing out the fact that the Constitution of the Slovak Republic in Section 12 Subsection 3 contains the prohibition of the principle of assigned ethnicity and nationality. The principle: "Anybody has got the right to make decisions on his/her nationality membership. Any influencing of such decision-making is not allowed", is applicable pursuant to Section 12 Subsection 3 of the Constitution of the Slovak Republic. It is resulting from the above-said that the right of every citizen to be part of Romany national minority is exclusive right of citizens of the Slovak Republic; id est, the citizens of the Slovak Republic and any and all persons spotted on the territory of the Slovak Republic, are not obliged to acknowledge their membership to Romany national minority. The constitutional stipulation is compliable with Section 3 Subsection 1 of the Frame Agreement of the Council of Europe on the national minorities' protection. "Any person being a member of the national minority has the right to chose whether he/she is to be treated as the person being a member of the national minority, or not." The fact is of significant influence on source data collection. Concurrently, pursuant to Section 8 Subsection 1 of Act No 428/2002 Z. z. (Coll.) on personal data protection as amended by later legislation, personal data processing which reveals racial and/or ethnic origin, is deemed to be prohibited.*





## **PROGRESS REPORT 2012**

- *Number of Roma children attending pre-school, elementary, secondary, and tertiary education; number of Roma children not in school*
- *Number of Roma teaching assistants in pre-school, elementary, secondary, and tertiary education*
- *Number of Roma children moving from segregated “Roma” pre-schools, primary and secondary schools, to mainstream schools*
- *Number and proportion of Roma children in special schools/classes*
- *Number of Roma children attending preparatory class before elementary, secondary, and tertiary education*
- *Access to counseling services for Roma families with children.*
- *Inclusion tools in elementary and secondary education (teacher assistants, individualized education plans, tutoring, extracurricular activities, other inclusion measures),*
- *Dropout rates of Roma in primary, secondary, and tertiary education*
- *Number of Roma in primary and secondary adult education*
- *Number of Roma students receiving scholarship and other support in primary, secondary and tertiary education.*



DECADE OF  
ROMA  
INCLUSION  
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## PROGRESS REPORT 2012

### 3. EMPLOYMENT

- Please list the policies or programs that were designed and implemented to support Roma employment in 2012 with a special focus on the goals and implementation of the Decade National Action Plan or the National Roma Integration Strategy (if applicable).

1. Strategy of the Slovak Republic for Romany integration by the year 2020, adopted by the Government of the Slovak Republic this 11st January 2012 (Decree No 1/2012);

2. The Reviewed 2005 – 2015 National Action Plan of the Decade to the involvement of Romany population for the years 2011 – 2015, adopted by the Government of the Slovak Republic this 10<sup>th</sup> August 2011 (Decree No 522/2011);

3. The Operational Programme named Employment-rate and Social Inclusion (OP ZaSI) is co-financed by the European Social Fund. It was adopted by the Government of the Slovak Republic in December 2006; the Ministry of Labour, Social Affairs and Family of the Slovak Republic submitted it to the European Commission in March 2007. The European Commission adopted the Operational Programme for the Employment-rate and social inclusion this 26<sup>th</sup> October 2007.

- What are the outcomes of the policies and programs that your government implemented in 2012?
- Please describe how these policies and programs impact the Decade cross-cutting issues. In particular, how did they promote gender equality, combating discrimination and reducing poverty?

The institutionalized setting of participation of Romanies involved in designing, drafting, developing, implementation and evaluations of the policies can be seen basically in outlook of the below-mentioned global principles comprised in the above-given programmes related to the integration governmental policies of the Slovak Republic:

\* Back-up of generation (gender) aspect in projects financed from the European Union funds, the Ministry of Labour, Social Affairs and Family in order the generation-targeted projects were not segregated ethnically speaking and concurrently they are supposed to support maximum involvement of Romany females.

\* Database back-up of non-governmental organizations dealing with the issues of generation (gender) equality in the environment of Romany communities with the aim to support them in integrating Romany females into the society at every level.

\* Back-up of equal representation of Romanies and especially Romany females in the centrally implemented programmes (health assistant, teacher assistant, country social worker on assignments, community worker, etc.).

\* Back-up of equal representation of Romanies and especially Romany females in public administration.

\* Back up of larger involvement of Romanies and Romany females in each respective study specialisations to the extent of system of education (secondary schools, tertiary education – universities).

\* Removing multilateral discrimination of females and reducing generation (gender) inequalities in both private and public lives of the marginalized Romany communities and back-up of economic independence and self-dependence of Romany females through education towards generation (gender) equality in co-assistance and collaboration with non-governmental organizations dealing with generation (gender) equality.

\* To establish respective committees and workgroups in the fields of production, implementation, monitoring and assessment of integration programmes with respective representation of specialists coming from Romany communities, non-governmental organizations dealing with the issues of Romany communities integration.

Besides the global principals, in respective action plans there are determined special goals and tasks reflected in the given global goals, for example the improved access to openings and vacancies with a special emphasis on non-discriminating access with the aim to reduce discrepancies and differences in employment-rate between Romanies and majority population.



## PROGRESS REPORT 2012

- *Please identify the most important mainstream and targeted national, EU and other funded schemes launched in last year that will contribute to Roma inclusion in the area of employment. Please, specify the activity, the funding source (national budget, international donor, ESF, ERDF, etc.), the operational program, the amount allocated, the goals to be reached, and the indicative number and share of Roma beneficiaries.*

*One of prior axes of the Operational Programme related to Employment-rate and Social Inclusion within the framework of the programmatic period of time 2007 – 2013 is the back-up of social inclusion of persons, jeopardized by social exclusion, or, the socially excluded, through the mediation of development in care services with a special emphasis put on marginalized Romany communities. Further of the prior axes of the given Operational Programme within the programmatic period of 2007 – 2013 is the back-up of producing the equal opportunities in access towards the labour market and integration back-up of socially vulnerable groups to the labour market with special emphasis put on the marginalized Romany communities.*

*Within the framework of the said Operational Programme the below-said projects were implemented:*

- *The National Project named The Country (territorial) social work in communities (hereinafter NP TSP) is implemented in the period of years 12/2011 – 12/2015 and co-financed from the European Social Fund (ESF) and the state budget in the amount of 29,999,999.46 euro. As of 31<sup>st</sup> December 2012 there were involved in the National Project related to the Country (territorial) social work in communities: 238 communities, 288 country social workers, 330 assistants to the country social workers, and fourteen (14) regional coordinators. The number of persons of the target group involved in the project activities reached 45,070 and through the country social workers and assistants to the country social workers 146,004 interventions were provided in favour of the target group.*
- *The National Project III-2/A “Education and Preparation for the Labour Market” – the goal of the project is to contribute to employment-rate growth, based on qualified and flexible work force. Over the entire implementation of the project it is requested to cast and employ 230 citizens from the marginalized Romany communities. In 2012 there were 686 applicants for employment /job classified for the educational courses, including 44 Romanies (the given number is monitored through the anonymous questionnaire).*
- *The National Project III-2/B “The Increase of Employment-rate of socially vulnerable applicants for employment /job” – the project goal is to increase the employment-rate and openings through providing the professional consultancy and advisory services and education and preparation for the labour market for the socially vulnerable applicants for employment /job. Over the entire project implementation it is requested to cast /employ 1,500 citizens, living in the marginalized Romany communities (hereinafter MRC). In 2012 there were 460 applicants for employment /job classified, including 166 coming from the marginalized Romany communities.*
- *The National Project related to Community Centres – system setting, support and development of activities (the Project is under the preparation stage, the planned amount of subsidies to be allocated is of EUR 17,970, 000), The Social Development Fund.*

Please provide information about the list of achievements in the following fields in 2012:

- *Successful measures tackling discrimination of Roma in the labor market*

*Support the transition of disadvantaged jobseekers from the register of job seekers into the labor market through the intermediate labor market.*



## PROGRESS REPORT 2012

*Support the creation of equal opportunities in access to the labor market and support integration of disadvantaged groups into the labor market, with particular regard to the MRC.*

*The Social Development Fund announced 9.28 2012 interim call for grant applications (OP E & SI - FSR - 2012/2.2/01) aimed at creating jobs and secure employment for about 400 disadvantaged job seekers and people of marginalized Roma communities. The framework calls Active: 2.2.2 Support for the creation of new jobs, including self-employment promotion projects and innovative approaches for disadvantaged job seekers and members of marginalized groups. Closing Date is 31.10.2013 challenges. The allocation of resources for the call is € 5,706,481. Eligible applicants in the first three rounds of challenges are only applicants whose application is part of the approved local comprehensive approach strategies and those applicants who are listed as partners in approved applications for aid under local strategies for a comprehensive approach. In the fourth round of the call can be supported by all eligible applicants.*

- *Use of active labor market measures for improving the situation of Roma in the labor market and evaluation of the effectiveness of these programs (participation in re-qualification courses, public work programs, etc),*

*Providing preventive measures focused on the prevention of unemployment in disadvantaged groups (with the aim to decrease inter-generation reproduced unemployment and to increase the number of secondary-education graduates from families in material need, with low qualification and long-term unemployed persons).*

*Providing information and consultancy services to secondary-school pupils and their legal representatives.*

*Students of primary and secondary schools and also members of Roma communities during calendar year 2012 in accordance with § 42 of the Act on Employment Services offices LSAF continuously provided information and advisory services in career choices, which are an important part of influencing the labor market. And mainly because of the provision of information and advisory services focused on career choice is very important, especially at times of compulsory schooling, they play an important role in the guidance of the pupil creating the foundations for his lifelong work and professional development.*

- *Improved labor market skills of long-term unemployed Roma*
- *Improved employment rates of long-term unemployed Roma*

*To support the transfer of disadvantaged job-seekers from the jobseekers' register to the labor market through the labour inter-market programme.*

*Supporting the activities, measures, services or temporary employment of disadvantaged job-seekers who receive the material-need benefit as a part of the labor intermarket programme and engaging non-state employment services in the realization of the labor inter-market programme in line with the Act on Employment Services.*

*Ministry of Labour, Social Affairs and Family of the Slovak Republic with a view labor market reforms prepared in 2011 proposal for a legislative for the introduction of interim labor to support the reintegration of long-term unemployed into the labor market in application of the compensation part of the costs of employer incentives and long-term unemployed persons in receipt assistance in material need and inactive people take jobs as well as motivating the employers take their to work. Given that this issue with the system of assistance in material need and the suspension of reform changes in area benefits provided assistance in material need, the reform process was labor suspended. Ministry of Labour, Social Affairs and Family of the Slovak Republic prepared a draft legislative framework for effective involvement of non-public employment services to the gradual integration of disadvantaged groups into the labor market. Due to lack of financial resources was put on hold the reform process. (City Banska Bystrica pilot project from benefits to paid work. Part of the project will verify the operation of "interim labor ", whose principles are based on international experience and the expected framework of the implementation of" interim labor "in Slovakia. Through him to verify the possibility of long-term temporary employment registered job applicants, persons in receipt social assistance benefits, associated with activities aimed at increasing their employability. 30.8.2012 to the number of registered jobseekers, which employed a total of 40 projects, of which 6 positions were created specifically for people from marginalized Roma communities (source: ITMS))*





## PROGRESS REPORT 2012

### 4. HOUSING

- *Please list the policies or programs that were designed and implemented to support housing for Roma (or the housing of marginalized people, including Roma) in 2012 with a special focus on the goals and implementation of the Decade National Action Plan and the National Roma Integration Strategy (if applicable).*

*The starting point document determining the goals in housing development from the side of the state is the Concept of the State Housing Policy by 2015, adopted by the Government of the Slovak Republic in Decree No 96 dd. 3<sup>rd</sup> February 2010. The long-term concept of housing for the marginalized groups of the inhabitants and model of its financing, adopted by the Government of the Slovak Republic in 2005, is applicable document aimed at solving the issue of housing for the members of socially excluded Romany communities in municipal and communal concentrations, spatially separated and segregated settlements. Other documents referred to in Question: Please list the main official policy documents governing the inclusion and integration of Roma, including Decade Action Plan and National Roma Integration Strategy; please provide links to online documents.*

*In compliance with the purposes of the Concept of the State Housing Policy it is the task of the state to produce economic and legislative conditions for the accessibility of housing to as many groups of inhabitants as possible. Concurrently it is necessary to create the housing conditions primarily for socially vulnerable inhabitants. The Ministry of Transport, Construction and Regional Development of the Slovak Republic (hereinafter the MDVRR SR) is the central body of state administration, responsible for the state housing policy heading.*

*Participate in the forthcoming pilot project approach support housing infrastructure from EU structural funds using financial engineering instrument JESSICA (JointEuropeanSupportforSustainableInvestment in City Areas). Actively contribute to the success of construction, thereby creating an offer housing for MRC, which would fit their needs mobility, education and vocational integration (the diversity of housing from a minimum to a better, respectively adequate social and financial options)*

- *What are the outcomes of the policies or programs that your government implemented in 2012?*

*Ensure the provision of funds for program construction of municipal rental apartments, intended for people living in poverty.*

**Providing subsidies for housing.**

*This program was last year supported 23 projects which promote the acquisition of lower-standard 251 with a total subsidy of 3,883,130 €. To this must be added the subsidy for technical equipment to apartments in 12 locations in the amount of 341 640.00 euros. These grants are awarded in accordance with law 443/2010 Coll z. on subsidies for housing development and social housing.*

## PROGRESS REPORT 2012

Within the framework of the Programme for Housing Development, within the monitored period of time the Ministry of Transport, Construction and Regional Development of the Slovak Republic allocated the below funds for the construction of rental apartments and technical equipment with the aim to ameliorate societal and cultural levels of Romany settlements:

Year	Number of subsidized constructions	Number of rental apartments of common standard	Subsidies allocated (provided) in euro
		Number of rental apartments of lowered standard	
2008	156	2,755	33,099,804.19
	36	633	8,530,239.60
2009	122	2,339	28,105,540.00
	23	314	5,065,150.00
2010	122	2,103	25,744,410.00
	19	241	4,058,850.00
2011	110	1,420	16,130,720.00
	16	169	2,862,680.00
2012	84	1,037	12,155,730.00
	23	251	3,883,130.00

Year	Number of subsidized apartments	Allocated (provided) subsidies for the construction of technical equipment for the increase of societal and cultural levels of Romany settlements in euro
2008	264	530,604.80
2009	50	259,050.00
2010	182	423,620.00
2011	64	96,610.00
2012	92	227,420.00

- Please describe how these policies and programs impact the Decade cross-cutting issues. In particular, how did they promote gender equality, combating discrimination and reducing poverty?

The institutionalized setting of participation of Romanies involved in designing, drafting, developing, implementation and evaluations of the policies can be seen basically in outlook of the below-mentioned global principles comprised in the above-given programmes related to the integration governmental policies of the Slovak Republic:

\* Back-up of generation (gender) aspect in projects financed from the European Union funds, the Ministry of Labour, Social Affairs and Family in order the generation-targeted projects were not segregated ethnically speaking and concurrently they are supposed to support maximum involvement of Romany females.

\* Database back-up of non-governmental organizations dealing with the issues of generation (gender) equality in the environment of Romany communities with the aim to support them in integrating Romany females into the society at every level.

\* Back-up of equal representation of Romanies and especially Romany females in the centrally implemented programmes (health assistant, teacher assistant, country social worker on assignments, community worker, etc.).

\* Back-up of equal representation of Romanies and especially Romany females in public administration.

\* Back up of larger involvement of Romanies and Romany females in each respective study specialisations to the extent of system of education (secondary schools, tertiary education – universities).



## PROGRESS REPORT 2012

*\* Removing multilateral discrimination of females and reducing generation (gender) inequalities in both private and public lives of the marginalized Romany communities and back-up of economic independence and self-dependence of Romany females through education towards generation (gender) equality in co-assistance and collaboration with non-governmental organizations dealing with generation (gender) equality.*

*\* To establish respective committees and workgroups in the fields of production, implementation, monitoring and assessment of integration programmes with respective representation of specialists coming from Romany communities, non-governmental organizations dealing with the issues of Romany communities integration.*

*Besides the global principals, in respective action plans there are determined special goals and tasks reflected in the given global goals, for example the improved access to openings and vacancies with a special emphasis on non-discriminating access with the aim to reduce discrepancies and differences in employment-rate between Romanies and majority population.*

- *Please identify the most important mainstream and targeted national, EU and other funded schemes launched in last year that will contribute to Roma inclusion in the area of housing? Please, specify the activity, the funding source (national budget, international donors, ESF, ERDF, etc.), the operational program, the amount allocated, the goal to be reached, and the indicative number and share of Roma beneficiaries.*
  - *The Housing Development Programme – the Ministry of Transport, Construction and Regional Development of the Slovak Republic (MDVRR SR) and the Ministry of Lands, Agriculture and Countryside Development of the Slovak Republic (MPRV SR)<sup>3</sup>*

*On 15<sup>th</sup> June 2011 the Government of the Slovak Republic adopted by Decree No. 392/2011 the “Draft Pilot Approach to the Support of Housing Infrastructure from the European Union structural funds”.*

*In October 2012 the material of the Ministry of Lands, Agriculture and Countryside Development of the Slovak Republic (hereinafter the MPRV SR) “The Draft Implementation Mechanism of the Pilot Approach to the Support of Housing Infrastructure from the European Union structural funds” was adopted by Decree No 526/2012 of the Government of the Slovak Republic. The Draft Implementation Mechanism of the Pilot Approach to the Support of Housing Infrastructure from the European Union structural funds” comprises also the Pilot Project of the Rental Apartments’ Construction for the marginalized groups from the European Regional Development Fund ERDF funds. An amount of EUR 18,529 million is supposed to be allocated from the Regional Operational Programme (ROP) and the Operational Programme of the Bratislava District (OPBK), designed for the implementation of the pilot approach to the support of housing infrastructure from the European Union structural funds for the years 2013 to 2015.*

*Support to the housing for the marginalized groups was enabled upon the updating of Section 7 of the Regulation of the European Parliament and the Council (EC) 1080/2006 (Regulation of the European Parliament and the Council (EU) 437/2010 dd. 19<sup>th</sup> May 2010. The implementation of the rental apartments’ construction for the marginalized groups within the Regional Operational Programme is drafted through the appeal for the applications to be submitted for non-repayable loan (financial contribution) to the extent of the support 4.1b Regional Operational Programme with an amount of allocated subsidies of 7.00 million EUR (out of which an amount of EUR 5.95 million are the EU funds; EUR 0.70 million are the state budget funds; EUR 0.35 million are the own resources of the recipients).*

*In the appeal there will be applied the standard financing structure for communities, i.e., 85 per cent of the European Regional Development Fund ERDF: 10 per cent state budget: 5 per cent recipient’s own resources. Maximum amount of total justified expenses will be limited to 70 per cent out of total expenses designed for the project; and remaining portion of 30 per cent (i.e., 30 per cent + 5 per cent out of 70 per cent of total expenses designed for the project), the recipient will ask for the loan from The State Housing Development Fund-raising (ŠFRB) (purpose: “construction of rental apartments”), or, from other funds.*

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<sup>3</sup> ) MPRV SR – abbreviation stands for the Ministry of Lands, Agriculture and Countryside Development of the Slovak Republic



## PROGRESS REPORT 2012

*Concurrently the Government of the Slovak Republic by Decree No 526/2012 imposed the Minister of Transport, Construction and Regional Development of the Slovak Republic to allocate in the budget of the State Housing Development Fund-raising for 2013, an amount of 3 million EUR for the purpose of “the construction of rental apartments co-financed from the European Union funds.”*

*The justified activity will be the construction of standard rental apartments’ houses of approximately twelve (12) housing units (apartments) of common standard (maximum 60 sq m, the procurement price of which is amounting maximum to EUR 633,600, i.e., maximum 52,800 EUR /per one housing unit (apartment), i.e., maximum 880 €/m2).*

*Rental apartments in the rental houses must be built up on the settled lands the owner of which, or, the long-term (indefinite period of time) the tenant is the Lessor (community).*

*With regard to the necessity to produce the conditions for positive social inclusion the rental houses will be built up in a broader centre of a community, or, in the event of many rental houses equally spread on the territory of a community in order the spatial exclusion of the marginalized group would not occur due to the construction of rental houses on the suburbs or out of a community.*

Please provide information about the following fields in 2012:

*Data collection on the basis of ethnicity and Slovakia regulate Laws. 428/2000Z.zo protection of personal data and on amendments to certain laws, as amended, and Act. 365/2004. Out. on Equal Treatment in Certain Areas and Protection against Discrimination, amending and supplementing certain other laws (Antidiscrimination Act), as amended.*

*Slovak Republic is pointing out the fact that the Constitution of the Slovak Republic in Section 12 Subsection 3 contains the prohibition of the principle of assigned ethnicity and nationality. The principle: “Anybody has got the right to make decisions on his/her nationality membership. Any influencing of such decision-making is not allowed”, is applicable pursuant to Section 12 Subsection 3 of the Constitution of the Slovak Republic. It is resulting from the above-said that the right of every citizen to be part of Romany national minority is exclusive right of citizens of the Slovak Republic; id est, the citizens of the Slovak Republic and any and all persons spotted on the territory of the Slovak Republic, are not obliged to acknowledge their membership to Romany national minority. The constitutional stipulation is compliable with Section 3 Subsection 1 of the Frame Agreement of the Council of Europe on the national minorities’ protection. “Any person being a member of the national minority has the right to chose whether he/she is to be treated as the person being a member of the national minority, or not.” The fact is of significant influence on source data collection. Concurrently, pursuant to Section 8 Subsection 1 of Act No 428/2002 Z. z. (Coll.) on personal data protection as amended by later legislation, personal data processing which reveals racial and/or ethnic origin, is deemed to be prohibited.*

- *Number of Roma benefited by infrastructural development. How is desegregation, apriority issue in the EU Framework for National Roma Integration Strategies, dealt with in infrastructure development?*
- *Number of Roma affected by urban social restoration programs*
- *Number of Roma affected by colony / settlement elimination / development programs*
- *Number of Roma affected by the regulation of property ownership regimes*
- *Number of Roma affected by evictions*
- *Number of Roma included in social housing programs*





DECADE OF  
ROMA  
INCLUSION  
2005-2015

## PROGRESS REPORT 2012

### 6. HEALTH

- Please list the policies and programs that were designed and implemented to support the improvement of health care services for the Roma population in 2012 with a special focus on the goals and implementation of the Decade National Action Plan/National Roma Integration Strategy (if applicable)

Within the reviewed period of the years 2008 to 2013, the Health Care Ministry has been devoted to and is devoted to the issues of health care for Romany communities, through the mediation of fulfilment of respective tasks resulting from the implementation of the 2<sup>nd</sup> stage of the Programme on health back-up of socially vulnerable communities Slovakia-wide for the years 2009 – 2015 (hereafter the “Programme”). Respective tasks in particular that have been defined within the Programme are interwoven in numerous adopted documents of the Government of the Slovak Republic<sup>4</sup>, in particular the matter is:

- The National Action Plan related to the Decade of involving the Romany population 2005 – 2015 (the Decree of the Government of the Slovak Republic dd. 12<sup>th</sup> January 2005);
  - The Revised 2005 – 2015 National Action Plan related to the Decade of involving Romany population for the years 2011 – 2015 (Decree No 522 of the Government of the Slovak Republic dd. 10<sup>th</sup> August 2011);
  - The Strategy of the Slovak Republic for Romanies integration by 2020 (Decree No 1 of the Government of the Slovak Republic dd. 11<sup>th</sup> January 2012).
- What are the outcomes of the initiatives (policy, program, activity) that your government implemented in 2012?
  - Please describe how these policies and programs impact the Decade cross-cutting issues. In particular, how did they promote gender equality, combating discrimination and reducing poverty?

The institutionalized setting of participation of Romanies involved in designing, drafting, developing, implementation and evaluations of the policies can be seen basically in outlook of the below-mentioned global principles comprised in the above-given programmes related to the integration governmental policies of the Slovak Republic:

\* Back-up of generation (gender) aspect in projects financed from the European Union funds, the Ministry of Labour, Social Affairs and Family in order the generation-targeted projects were not segregated ethnically speaking and concurrently they are supposed to support maximum involvement of Romany females.

\* Database back-up of non-governmental organizations dealing with the issues of generation (gender) equality in the environment of Romany communities with the aim to support them in integrating Romany females into the society at every level.

\* Back-up of equal representation of Romanies and especially Romany females in the centrally implemented programmes (health assistant, teacher assistant, country social worker on assignments, community worker, etc.).

\* Back-up of equal representation of Romanies and especially Romany females in public administration.

\* Back up of larger involvement of Romanies and Romany females in each respective study specialisations to the extent of system of education (secondary schools, tertiary education – universities).

\* Removing multilateral discrimination of females and reducing generation (gender) inequalities in both private and public lives of the marginalized Romany communities and back-up of economic independence and self-dependence of Romany females through education towards generation (gender) equality in co-assistance and collaboration with non-governmental organizations dealing with generation (gender) equality.

\* To establish respective committees and workgroups in the fields of production, implementation, monitoring and assessment of integration programmes with respective representation of specialists coming from Romany communities, non-governmental organizations dealing with the issues of Romany communities integration.

<sup>4</sup>) "SR" –the abbreviation stands for the Slovak Republic



## PROGRESS REPORT 2012

*Besides the global principals, in respective action plans there are determined special goals and tasks reflected in the given global goals, for example the improved access to openings and vacancies with a special emphasis on non-discriminating access with the aim to reduce discrepancies and differences in employment-rate between Romanies and majority population.*

- *Please specify if there are health mediators employed. If so, please specify what type of contract the health mediators have, how often do they have to renew it. Are there any trainings for health care providers in addressing the needs of Roma.*

*In the years 2009 – 2011 there were totally involved in the Programme twelve (12) RÚVZ - the Regional Public Health Authorities RPHA; and concurrently, there were thirty (30) KPZV - the Community Workers in Health Education CWHE working country-wide, including ten (10) coordinators and twenty (20) assistants to coordinator. To the extent of the 2<sup>nd</sup> stage implementation for the years 2013 – 2015 it is planned to enhance the network of KPZV - the Community Workers in Health Education CWHE in 2013 in the way to have them 120 by the end of 2013.*

- *Please identify the most important mainstream and targeted national, EU and other funded schemes launched in last year that will contribute to Roma inclusion in the area of health. Please, specify the activity, the funding source (national budget, international donors, ESF, ERDF, etc.), the operational program, the amount allocated, the goals to be reached, and the indicative number and share of Roma beneficiaries.*

*In the past, i.e., in 2003 the Ministry of Health of the Slovak Republic developed the project named “The Amelioration of the access of Romany minority to the health care in the Slovak Republic”, the goal of which was to improve the accessibility of health care for the marginalized Romany communities, in the form of pilot testing of selected tools (everyday work in communities, through well-trained country health assistants directly in locations of Central and Eastern Slovakia; to ensure the educational aids, to reconstruct and to repair local health facilities jointly with minimum equipment and to ensure mobile units). The project was financed from the funds of the PHARE Programme, from the Finance Memorandum 2003. The Project implementation was launched in September 2005 and the implementation stage lasted by 31<sup>st</sup> December 2006. Subsequently the Project was completed as at 31<sup>st</sup> January 2007. The assessment of the Project is published on website [www.health.gov.sk](http://www.health.gov.sk).*

*Within the framework of the coordination of activities and funds while spending the funds of the Operational Programme of Health System, co-financed from the European Regional Development Fund (ERDF) within the programmatic period of 2007 – 2013, the funds were allocated for reconstruction and modernization of the existing medical facilities of day clinic health care, in the interest of improvement of socio-economic standing of Romany communities. Within the framework of new programmatic period for the years 2014 – 2020 the Health Ministry of the Slovak Republic suggested to back up the below-said activities from the European Union structural funds:*

*- To stabilize, to optimize and to extend the network of KPZV<sup>5)</sup> - the Community Workers in Health Education CWHE to the extent of implementation of the Programme of support of health of socially vulnerable communities in Slovakia for the years 2013 – 2015, i.e., to increase the present number of thirty (30) KPZV- the Community Workers in Health Education CWHE in the way that total number of 120 workers would be reached; this concerns the financial coverage of their regular monthly bonuses, levies, travelling costs allowances and the material.*

*- Within the framework of the investment costs to support financially the material and technical equipment of respective Health Consulting Offices Slovakia-wide, subordinated to RÚVZ - the Regional Public Health Authorities RPHA; for example, the purchasing of transportation vehicles for ensuring the transport of inhabitants in the marginalized Romany communities to medical facilities, thanks to which better accessibility would be reached and ensured in using the services of*

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<sup>5)</sup> abbreviation KPZV stands for the Community Worker in Health Education CWHE



## PROGRESS REPORT 2012

*day clinic health care and/or hospital health care; or, the purchase of aids for not complicated determination of increased cholesterol for instance.*

- *To continue in financial back-up at reconstruction and modernization works in the existing medical facilities of day clinic health care as it is currently implemented within the framework of the Operational Programme the Health System.*
- *To support financially a regular disinfection from termites, mice, rats, spiders, insects, etc./ disinfestation in segregated Romany communities minimum twice a calendar year, under the condition of ensuring the regular collection and liquidation of waste dumps.*
- *To support financially the completion of engineering networks in segregated Romany communities. Subsequently the Health Ministry of the Slovak Republic will exercise the inspections aimed at analysing the potable water quality.*
- *To back up financially the project named “The Viva Book: Health – Support of Health Prevention and Health Protection of the marginalized Romany communities (The University in the settlement)” the goal of which is to ensure education of inhabitants in these communities in respect to health, notably through innovative form of education, i.e., 12 – 13 documentary films-making to be gradually broadcast in the Slovak Television weekly – the feature journal of national minorities “So vakeres”. The TV programme is broadcast bilingually, i.e., in the spoken Romany language with Slovak subtitles. One feature documentary programme duration is about 26 minutes and there would be the report scheduled in the scenario in duration of 4 – 8 minutes each and it would deal with health issues, focused on multifaceted aspects (for example, obligatory and preventive vaccination, contagious diseases, up-bringing children and youngsters, teenagers to parental responsibilities, family rules, reproduction health, maternity and care of a baby, sexual and reproduction behaviour – anti-conception, prevention from drug addictions and socio-pathology phenomena, including violence committed on women and domestic violence, sexual abuse, trafficking, drug dealing, trading with women, children, etc.) The broadcast feature documentary programmes would be DVD recorded to be disseminated further to schools. Community centres, to practitioner doctors, to upper territorial units, i.e., self-governance authorities. The Project would be professionally supervised.*
- *To support financially the continuous KPZV education - the Community Workers in Health Education CWHE.*

Please provide information about the following fields in 2012:

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## **PROGRESS REPORT 2012**

- *Number of Roma covered by the national health insurance system*
- *Number of fully immunized Roma children*
- *Rate of infant and maternal mortality among the Roma population compared to the population as a whole*
- *Number of Roma women receiving pre and post natal health care; number who should receive such care but do not*
- *Roma life expectancy*



## **PROGRESS REPORT 2012**

**Please list any other activities, initiatives and/or policies implemented in 2012 that were not part of the Decade of Roma Inclusion priority areas, but you consider relevant to Roma Inclusion (educational and institutional support for Roma culture and language, affirmative measures undertaken for Roma Youth; ensuring the right to freedom of movement within the EU; non-discrimination in the visa-free travel regime, etc.).**