

STUDY

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The social and employment situation of Roma communities in Slovakia



Policy Department for Economic, Scientific and Quality of Life Policies
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Authors: Martin KAHANEC, Lucia KOVÁČOVÁ,
Zuzana POLÁČKOVÁ, Mária SEDLÁKOVÁ
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The social and employment situation of Roma communities in Slovakia

Abstract

Originally commissioned for a delegation which had to be postponed due to the Coronavirus measures, this analysis prepared by the Central European Labour Studies Institute (CELSI) is being published to mark International Roma Day on 8 April 2020. The paper first presents key indicators on employment and poverty and reviews existing social and employment policies. Second, it discusses the situation of Roma children in education. Third, the paper presents achievements and lessons learned of EU funds used for marginalized communities and, finally, it reviews the work of other organisations (EFRA, Council of Europe, ERRC, and ECA) in assessing the situation of Roma people in Slovakia.

This document was requested by the European Parliament's Committee on Employment and Social Affairs (EMPL).

AUTHORS

Martin KAHANEC, Central European Labour Studies Institute, CEU, Mercator Visiting Fellow at Bruegel, GLO

Lucia KOVÁČOVÁ, Central European Labour Studies Institute

Zuzana POLÁČKOVÁ, Slovak Academy of Sciences

Maria SEDLÁKOVÁ, Central European Labour Studies Institute

ADMINISTRATOR RESPONSIBLE

Stefan SCHULZ

EDITORIAL ASSISTANTS

Irene VERNACOTOLA

Roberto BIANCHINI

LINGUISTIC VERSIONS

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To contact the Policy Department or to subscribe for email alert updates, please write to:

Policy Department for Economic, Scientific and Quality of Life Policies

European Parliament

L-2929 - Luxembourg

Email: Poldep-Economy-Science@ep.europa.eu

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LIST OF ABBREVIATIONS

CPPC	Centres of Pedagogic-Psychological Counselling
COLSAF	Central Office of Labour, Social Affairs and Family
ERDF	European Regional Development Fund
ESF	European Social Fund
ESIF	European Structural and Investment Funds
ECA	European Court of Auditors
ERRC	European Roma Rights Centre
FRA	European Union Agency for Fundamental Rights
MoLSAF	Ministry of Labour, Social Affairs and Family
MRC	Marginalized Roma Community
EU-MIDIS	European Union Minorities and Discrimination Survey
ERDF	European Regional Development Fund
ESF	European Social Fund
NEET	Not in Education, Employment, or Training
PRIM	Project of Inclusion in Kindergartens
SDE	Socially disadvantaged environment

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EXECUTIVE SUMMARY

This briefing paper on 'The social and employment situation of Roma communities in Slovakia' was commissioned by the Committee on Employment and Social Affairs of the European Parliament for the purpose of its delegation visit to Slovakia in April 2020. It provides MEPs with background information for their visit, including up-to-date information and analysis covering four key areas:

- Overview on social and employment policy with a focus on the Roma minorities and the implementation of Roma national strategy in the areas of household and employment policies. Social and economic integration and fighting poverty of the Roma communities;
- Situation of Roma children, integration in the educational system, especially segregated schooling;
- Achievements and lessons to learn for the use of EU funds and relevant programmes in Slovakia;
- Related work of the Fundamental Rights Agency, the Council of Europe, the European Court of Auditors and their findings on the Roma situation in Slovakia.

Based on extensive desk research of the available literature and descriptive analysis of the data available, this briefing note presents the following key findings:

Overview

Slovakia has one of the largest Roma communities in Europe, but there is a severe lack of systemic data on Roma population, including a lack of data on the economic integration of Roma.

The available data paint a grim picture, however. One in five Roma aged 16 years and older in Slovakia described their main activity as employed or self-employed; 43% of Roma living in Slovakia declare any paid work done in the last four weeks; and almost half of the Roma households in Slovakia declare themselves as unemployed (48%).

The data also shows a substantial difference between the outcomes of Roma women and men in the labour market: Roma women exhibit lower rates of paid work (32%) than Roma men (54%).

The proportion of young Roma not in work, education or further training is 65% in Slovakia compared to the Slovak NEET rate of those aged 16-24 at 14%. The worst situation is observed for young Roma women in Slovakia, of which 77% are not in work, education or further training, compared to 52% of young Roma men.

The Roma population suffers from a high risk of poverty and social exclusion: at-risk-of-poverty rate of Roma people in Slovakia reached 87% compared to 13% in general population

Almost half of the unemployed Roma participate in public works schemes, which often provide the only available income for Roma; however, these programs do not improve relevant skills for the participants who end up unable to escape the unemployment trap and find a job in the open labour market.

Social partners in Slovakia do not pay adequate attention to the labour market integration of Roma workers, who then lack collective representation in the labour market.

As many as 54% of Roma in Slovakia felt discriminated against because of their Roma origin in the last five years. They perceive discrimination mostly when they look for a job.

A large share, 48%, of all Roma settlements are located on the outskirts of a village or town, 34% inside a village or town, and 18% are outside of a village or town or are remotely located.

Education and schooling

In Slovakia, early school leaving is particularly common among the Roma and socially disadvantaged individuals; particularly young Roma women are overrepresented among NEETs. There is an increasing trend in the early school drop-out rate in Slovakia, increasing from 4.9% in 2008 to 8.6% in 2018.

The drivers of early school leaving are associated with the limited access to inclusive education at the primary and secondary level, inadequate educational and career guidance services, ill-functioning second chance education programs and lacking other supportive measures.

At the primary school level, Roma children encounter school segregation and discriminatory practices, extensive and unjustified enrolment in ethnically segregated special schools and classes.

Schools are not adequately-equipped to provide inclusive education due to a lack of professional pedagogical personnel (e.g. special education teachers) and pedagogical assistants. Another contributing factor is the low quality of professional preparation of teachers to enable them to create a safe and friendly school environment and develop school-parent cooperation in the context of the education of children and students from disadvantaged backgrounds.

Only one third of Roma children between the age of 4 (and the beginning of compulsory education at the primary level) attend pre-school facilities in Slovakia.

Introduction of compulsory pre-school education for 5 year old children (to be in force in 2021) aims at increasing the number of Roma children in pre-school, but they do not address the low quality of teaching, shortage of professional pedagogical personnel, or other supportive measures that would foster regular attendance.

At the national level, there are no systematic public early childhood education and care programs targeting children aged 0-3 and fostering parenting competences.

Infringement proceedings regarding discrimination of Roma and access to education of Romani children were launched against the Slovak Republic in April 2015; similar procedures were launched against the Czech Republic (September 2014) and Hungary (May 2016).

In response, the respective national governments adopted a number of measures and legislative amendments. There is no systematic evidence about their effectiveness, but key stakeholders such as the European Roma Rights Centre have evaluated these measures and legislative changes as insufficient and ineffective.

Lessons from the use of EU funds

The implementation of activities to improve the lives of people from marginalized Roma communities (MRC) in the long-term is one of the main areas of EU fund support in Slovakia.

During the 2007-2013 programming period, the integration of MRC was recognized as a horizontal priority across all operational programs and the so-called "comprehensive approach to integration of MRCs" was adopted. For the programming period of 2014-2020, the assistance of ESIF explicitly addressing integration of MRCs is concentrated in two separate priority axes of the OP Human Resources, in the total amount of EUR 153 954 885.- (ESF) and EUR 228 707 577 (ERDF).

Despite the advanced stage of the programming period, the spending rate has remained low (as of 31.12.2019 it is 23.78% for ESF and 13.95% for ERDF).

Assistance of FEAD allocated for Slovakia for the 2014-2020 programming period is EUR 55 112 543. At the end of 2019, the spending rate reached about 45%.

The reasons for the low absorption rate may be interpreted by the high level of mistrust in ESIF implementation in Slovakia, the significant administration burden in ESIF implementation, but also by the resistance to these schemes at the local municipalities' level.

In spite of the difficult situation, there are several municipalities, which are successful in the integration of MRC. The common denominator of their success is the determination of the mayor, the support of the municipal council, and options for property ownership settlement.

In regards to the upcoming programming period, the assistance aiming integration of MRC is among the priorities, its scope and format is a subject of discussion.

Related work

The Fundamental Rights Agency, the Council of Europe, the European Roma Rights Centre, and the European Court of Auditors have engaged with the Roma situation in Slovakia within their missions and mandates.

There is a broad consensus that permeates through the work and actions of these various organizations and bodies that structural discrimination, school and spatial segregation, anti-Gypsyism, and inadequate policy efforts are some of the key factors precluding progress towards the social and labour market integration of Roma.

1. OVERVIEW ON SOCIAL AND EMPLOYMENT POLICY WITH A FOCUS ON THE ROMA MINORITIES AND THE IMPLEMENTATION OF ROMA NATIONAL STRATEGY. SOCIAL AND ECONOMIC INTEGRATION AND FIGHTING POVERTY OF THE ROMA COMMUNITIES

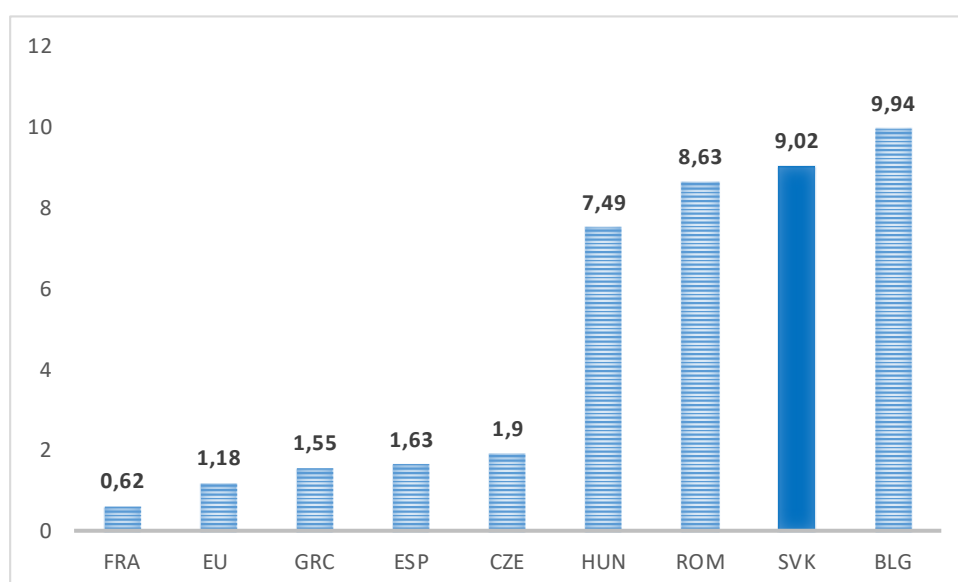
KEY FINDINGS

- Slovakia has one of the largest Roma communities in Europe, but there is a severe lack of systemic data on Roma population, including lack of data on the economic integration of Roma.
- One in five Roma aged 16 years and older in Slovakia described their main activity as employed or self-employed; 43% of Roma living in Slovakia declare any paid work done in the last four weeks; almost half of the Roma households in Slovakia declare themselves as unemployed (48%).
- The data also show a substantial difference between employed Roma women and men: Roma women exhibit lower rates of paid work (32%) than Roma men (54%).
- The proportion of young Roma not in work, education or further training is 65% in Slovakia compared to the Slovak NEET rate of those aged 16-24 at 14 %; The worst situation is observed for young Roma women in Slovakia, of which 77% are not in work, education or further training, compared to 52% of young Roma men.
- The Roma population suffers from a high risk of poverty and social exclusion: at risk of poverty rate of Roma people in Slovakia reached 87% compared to 13 % in general population.
- Almost half of the unemployed Roma participate in public works schemes, which often provide the only available income for Roma; however, these programs do not improve relevant skills for the participants who are unable to escape the unemployment trap and find a job in the open labour market.
- Social partners in Slovakia do not pay adequate attention to the labour market integration of Roma population; Roma population lacks collective representation in the labour market.
- 54% of Roma in Slovakia felt discriminated against because of their Roma origin in last five years and the most common discrimination is perceived when they look for work.
- There are 818 municipalities with the presence of Roma settlements in Slovakia, the total number of Roma settlements is 1043; 48% of all Roma settlements are located on the outskirts of a municipality, 34% in a municipality and 18% are outside of a municipality or are remotely located.

1.1. Introduction

Slovakia has one of the largest Roma communities in Europe (see Figure 1), **but there is a severe lack of systematic data on Roma population** and a vast difference between the number of self-identified Roma and other estimates. The UNDP data from 2014 estimated the number of Roma people at 402,840 (about 7.4% of total population)¹, compared to about 100,000 self-reported Roma from the 2005 Census². Most recent estimates of the share of Roma population in Slovakia place it at 9% (see Figure 1). In addition, **there is a lack of data on the economic integration of Roma**³. Most of them live in poverty and face social exclusion. The Roma national strategy warns about the multiple disadvantages the Roma population in Slovakia faces: poverty related to demographic trends, poverty caused by unemployment, and poverty related to low-qualified or low-paid jobs, compounded by the lack of formal education⁴.

Figure 1: Estimated share of Roma in the EU (2012) (%)



Source: Council of Europe; taken from Bednarik, M., Hidas, S and G.Machlica (2019) Enhancing the social integration of Roma in Slovak Republic

Note: The presented shares represent the average of different estimates

1.2. Development of employment and poverty

The Roma national strategy states three global aims to address the labour market participation of the Roma population by 2020. First, to improve the access to employment with particular emphasis on non-discriminatory access to the labour market, active labour market policies and programs, adult education and training and the promotion of self-employment. Second, to reduce the employment gap between the Roma and the majority population. Third, to reduce the rate of Roma unemployment by 50%, referring to the 2010 UNDP survey, according to which the unemployment rate for Roma men was 72% and for women 75%⁵.

¹ Source: UNDP (2014) ATLAS rómskych komunit na Slovensku 2013.

² Source: Kahanec and Sedláková (2016) The social and employment situation in Slovakia and outlook on the Slovak EU Presidency 2016.

³ Source: Kahanec, M. (2014) Roma integration in European labor markets.

⁴ Source: Strategy of Roma integration in Slovakia up to 2020.

⁵ Source: Strategy of Roma integration in Slovakia up to 2020.

According to the EU-MIDIS II survey, only **one in five Roma aged 16 years and older** in Slovakia **described their main activity as employed or self-employed** (see Table 1). For comparison, this number is lower than in Czechia or Hungary, where it is 29% and 36% respectively.

Table 1: Self-declared current main activity status, all persons in Roma households aged 16 years or over (%)^{a,b}

		Employed	Unemployed	Not working due to illness or disability	Domestic work	Retired	Other inactive (education, military service, other)
Slovakia	women	14	46	4	15	13	8
	men	26	50	4	(1)	11	8
	total	20	48	4	8	12	8
Czechia	women	21	30	5	18	18	8
	men	37	35	3	(1)	16	8
	total	29	32	4	9	17	8
Hungary	women	26	22	8	14	13	17
	men	45	24	5	(0)	16	9
	total	36	23	6	7	14	13

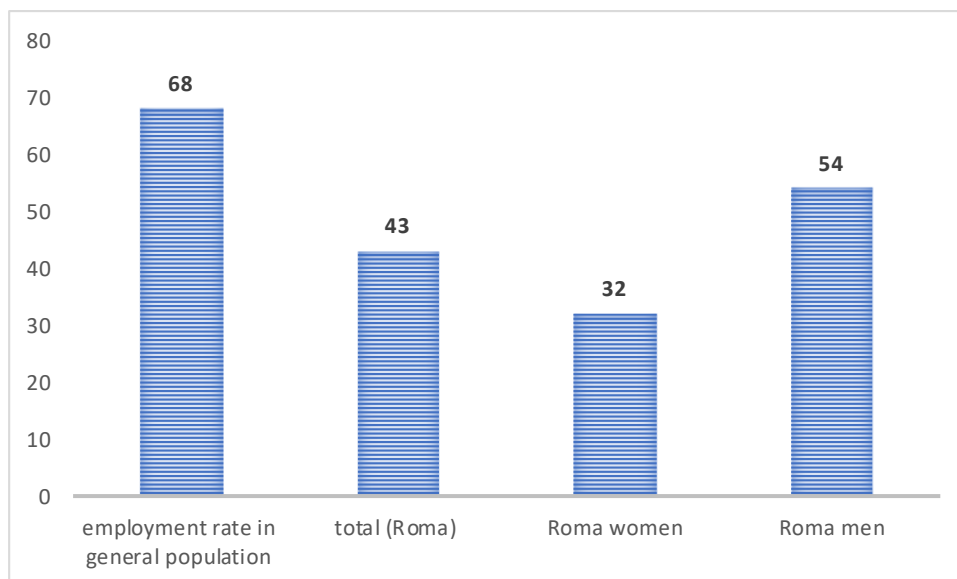
Source: EU (2016), Second European Union Minorities and Discrimination Survey, Roma – Selected findings, European Union, Agency for Fundamental Rights

Notes: a) Out of all persons aged 16 years or over in Roma households (n=22,097); weighted results. b) Results based on a small number of responses are statistically less reliable. Thus, results based on 20 to 49 unweighted observations in a group total or based on cells with fewer than 20 unweighted observations are noted in parentheses. Results based on fewer than 20 unweighted observations in a group total are not published

Almost half of the Roma households in Slovakia declare themselves as unemployed (48%) which is again the highest number in the region, compared to 32% in Czechia and 23% in Hungary. Although we cannot directly compare self-reported data on unemployment of Roma to the standard unemployment rate in the general population, for illustration, the unemployment rate in Slovakia reached 11.5% in 2015 and in 5.8% in 2019.

The data also show a **substantial difference between employed Roma women and men**. While 26% of Slovak Roma men declare that they are employed, only 14% of Roma women say they are employed or self-employed. Domestic work is more often declared as the main activity (15%) rather than employment or self-employment status among Roma women (Table 1).

Figure 2: Paid work rate for Roma (20-64 years) in Slovakia, including self-employment and occasional work or work in the past four weeks (%)



Source: EU (2016), Second European Union Minorities and Discrimination Survey, Roma – Selected findings, European Union, Agency for Fundamental Rights

Notes: Data are compared with the Europe 2020 employment rate 2015 (Eurostat) (%). Data on Roma population are calculated out of all persons aged 20-64 years in Roma households (n=17,806); weighted results

The data on paid work from the EU-MIDIS II survey, which approximates the standard employment rate definition used by Eurostat show that overall, **43% of Roma living in Slovakia declare any paid work done in the last four weeks**. This is also the average rate for all nine EU states that participated in the EU-MIDIS II survey. Compared to the employment rate in the general population which has attained 68% in Slovakia, the paid work rate of Roma is thus substantially lower. It is important to mention that the increase in paid work rate (Figure 3) compared to the self-declared employment status, including self-employment (Table 1) is due to the nature of the EU-MIDIS II survey data, where on average, question on any paid work done in last four weeks increases self-reported employment data by 18 percentage points (FRA 2016).

Roma women declare lower rates of paid work (32%) than Roma men (54%), which is ascribed to the traditional division of roles in households, domestic work and childcare (Table 1; Gatti et al. 2016). In comparison, the female employment rate in the general population is also lower than the employment rate of men, but the gap is considerably smaller (61.2% and 73.9% in 2018, respectively). One of the key factors behind these employment gaps is longer parental leave in age cohorts between 25-34 years compared to the EU-28 countries (Kahanec and Sedláková 2016).

Youth unemployment is a persistent problem in Slovakia. The NEET rate (Not in Education, Employment, or Training) of young people between 15 and 34 years old reached 17.2% in 2018, compared to the EU average of 14.1%. A similar indicator was computed based on the EU-MIDIS II survey for Roma aged 16 to 24 years and shows that **the proportion of young Roma not in work, education or further training is 65%** in Slovakia. This is comparable to an average of 63% among all Roma populations surveyed. EU-MIDIS II compares this data to their own calculation of the Slovak NEET rate of those aged 16-24 at 14%. The situation is even **worse for young Roma women**, of which **77% are not in work, education or further training**, compared to 52% of young Roma men.

While the share of people at risk of poverty in the general population has been declining from 20.6% in 2008 to 16.3% in 2018, **the Roma population remains at high risk of poverty and social exclusion**. According to the EU-MIDIS II, **at risk of poverty rate of Roma people in Slovakia reached 87%** in 2014, compared to 13% in the general population. Income poverty and its rate appears to be related to the residential concentration of Roma and reaches 98% in areas populated almost exclusively by the Roma population.

1.3. Employment and labour market policies

The expenditures on active labour market policies in Slovakia remain low compared to the other EU members (Kahanec and Sedláková 2016). The most important ALMP programme in relation to the Roma integration appears to be public works schemes (Activation Work Programmes), since **almost half of the unemployed Roma participate in these programmes** (Bednarik et al. 2019). They focus on jobs in the public sector to help the unemployed maintain basic work-related skills and last between 6 to 18 months, during which a lump-sum benefit is received. Benefits from public works schemes are often the only available income of Roma (ibid.)

However, studies show that these programs do not provide relevant skills for the participants who are **unable to escape the unemployment trap and find a job on the open labour market** (c.f. Bednarik et al. 2019). In addition, Roma participate less in policies with higher potential of labour market integration (ibid.) Thus, experts call for **higher spending on ALMPs** that focus on long-term unemployed Roma, including the improvement of training, skills, on-the-job training supported by better and closer involvement of employers in Slovakia and individualised services of labour offices in the regions (Bednarik et al. 2019).

Data shows that **successful integration of Roma would help the labour market**: the estimated **impact of increasing employment rate and productivity of Roma to the level of the general population by year 2060 can increase GDP by more than 12%** (Bednarik et al. 2019). Employment and labour market policies also need to address the fact that **many Roma work in an informal economy** (Kahanec 2014; Gatti 2016), however, there is no specific measure targeting this at the moment.

1.4. Social Dialogue structures and the role of social partners

Slovakia has relatively well-established social dialogue structures at three levels: the national, sectoral, and company level. The tripartite involves the following three constituents: representatives of employers organized in employers' associations, trade unions, and the government. While the national tripartite committee serves mostly as an advisory body to the government, sector-level social dialogue dominates in the key sectors of the Slovak economy - automotive, steel, electronics, chemicals, construction and transport industries (Kahancová and Sedláková 2016). Nevertheless, sector-level collective bargaining has been losing its significance to the multi-employer and single-employer levels. The collective bargaining coverage rate that has decreased over time, reached 25% in 2015. Trade union density has been steadily declining and is currently 10.7%⁶.

Social partners have been actively trying to shape labour legislation; however, they have not focused their attention on addressing the labour market participation of Roma specifically.

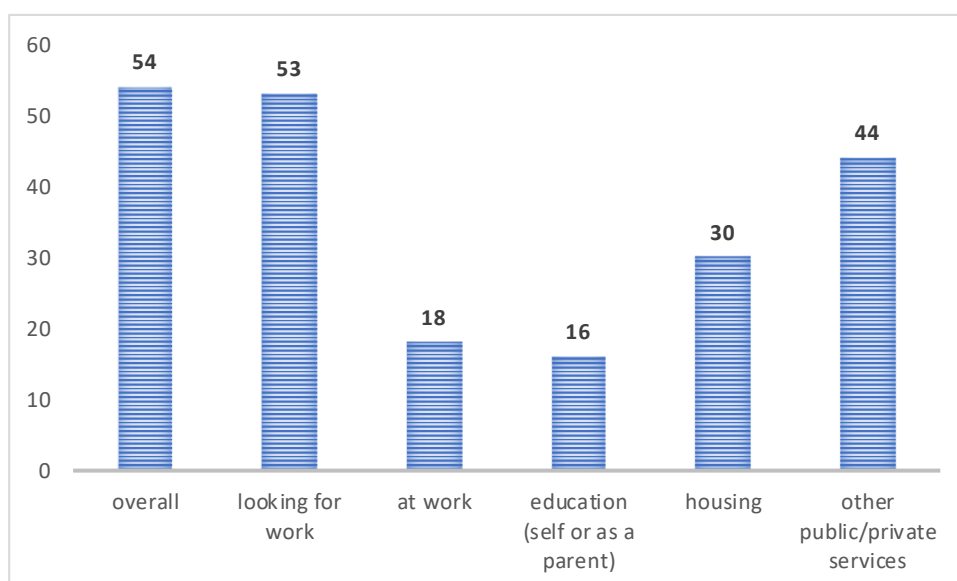
⁶ Source: ICTWSS Database Version 6.1 - November 2019, available at: https://aias.s3.eu-central-1.amazonaws.com/website/uploads/20191107 ICTWSS_6_1_Codebook.pdf.

In general, trade unions represent workers; hence, with the high unemployment rate of Roma and large share of undeclared work, the **Roma population lacks collective representation on the labour market.**

1.5. Public perception of Roma in society and in the workplace

The EU-MIFID II survey data show that overall, **54% of Roma in Slovakia felt discriminated against because of their Roma origins in the last five years** in at least one area of life and 30% in the past twelve months. **Most Roma feel discriminated against when they are looking for work.** This is consistent with the findings of the Institute of Financial Policy (2014), which showed that applicants with Roma names had less than half the chance of being invited to a job interview than participants with non-Roma names, even though both groups - Roma and non-Roma shared the same personal and professional characteristics, including educational attainment. Another substantial area where the Roma feel discriminated against is 'other private and public services', a category that includes administrative offices or public services, public transport, shops, hotels or restaurants and bars.

Figure 3: Prevalence of discrimination based on Roma background in the past 5 years in different areas of life (%)



Source: EU (2016), Second European Union Minorities and Discrimination Survey, Roma – Selected findings, European Union, Agency for Fundamental Rights

Notes: Out of all Roma respondents at risk of discrimination on grounds of Roma background in at least one of the domains of daily life asked about in the survey ('the past 5 years': n=7,745; weighted results)

1.6. Reality in Roma settlements

Based on the data from the **Atlas of Roma communities**⁷, which was last updated in **2019**, there are **818 municipalities** with the presence of Roma settlements in Slovakia. Furthermore, 200 of these municipalities register two or more settlements in their territory; **the total number of Roma settlements** was determined **to be 1043** based on the results of the Atlas⁸.

⁷ Source: <https://www.minv.sk/?atlas-romskych-komunit-2019>.

⁸ For the purposes of the Atlas of Roma communities, a settlement is defined as a concentration of a minimum of 30 people or five houses, which provide sub-standard quality of living and are inhabited by people who are considered Roma by majority.

Based on the data from the Atlas, it can be stated that **48% of all settlements** (498) **are located on the outskirts of a municipality, 34% inside a municipality** (351 settlements) **and 18% are outside of a municipality or are remote** (194 settlements); there is no road or walkway leading to 17 of these settlements.

A common problem in these settlements is access to **drinking water**. In spite of the fact that in approximately 77% of all settlements (810 settlements), more than 50% of the population of the settlement has access to public water supply, the public water supply is used by more than 50% of the population of the settlement only in 64% of the settlements (677 settlements). However, in 13% of the settlements, more than 50% of the population gets water from a public tap on the street, and in **5% of the settlements** (56 settlements), **more than 50% of the population of the settlement uses non-standard water sources such as a river or puddles**.

There is also a problematic situation in connection with the **sewer system** and treatment of sewage. In case of approximately 44% of all settlements (464 settlements) more than 50% of the population of the settlement has access to the public sewer system, however, it is used by more than 50% of the population of the settlement only in the case of 33% of the settlements (350 settlements). In fact, in **44% of settlements** (463 settlements), **more than 50% of the population of the settlement does not use any sewage system, septic tank, or treatment mechanism and the sewage is freely discharged**.

The **electrical grid** is accessible to more than 50% of the population in 97% of the settlements. Based on the data from the Atlas of Roma communities, it is possible to conclude that there are still 67 settlements where the connection on the electrical grid is used by less than 10% of the population of the settlement and **53 settlements, where the connection to the electrical grid does not exist**.

Gas (or green sources) as a source of heat is virtually not used; in case of 83% of the settlements (872), more than 50% of the population uses solid fuel for heating. Waste management is also a problem; 38% of the settlements have no solid waste landfill in their vicinity.

A major problem is the **ownership of the land** under the individual settlements and the ownership of the individual dwellings. Difficulties with the land ownership is also one of the basic obstacles in the implementation of investment projects in the municipalities. Based on the information from the Atlas of Roma communities, **approximately two thirds of the people living in Roma settlements** (about 170 000 people) **live in houses or apartments with a conscription number**, therefore it is possible to conclude that these are legal buildings. Even though these may be legal dwellings, ownership of these dwellings may not be resolved, or quality of the dwellings may be substandard. A situation when the dwelling is legal, and the ownership is settled, but the ownership of the property under the dwelling is unresolved, is also not exceptional. The remaining third of the population of the Roma settlements (about 90 000 people) live in houses without a final building approval certificate; these are usually shanties, camper vans, or other structures not suitable for housing, therefore, it is possible to conclude that these people are living in irregular housing.

1.7. Examples of successful projects

Examples of good integration practice can be divided into three levels. The first of these is legislation, which makes it easier to employ people from MRCs (Marginalized Roma Community) environments, the second are the so-called national projects, which are usually financed from the ESIF, and the third are individual initiatives of individual municipalities, NGOs, or business entities.

1.7.1. Legislative level

In 2018, the Act on Social Economy and Social Enterprises was adopted, setting conditions for establishing **social enterprises, including work integration ones**. As of March 15, 2020, 93 social enterprises were registered in the register of social enterprises⁹ of which 92 were of the work-integration type. The possibility of registration is used also by the so-called **municipal social enterprises**. Examples of these are the municipal enterprise "*Hrhovské služby*" (Hrhov services) (the municipality of **Spišský Hrhov**, which is internationally known¹⁰ as an example of good practice in the integration of people from the MRC environment). It employs 50+ people, mostly Roma, and it is seen as an inspiration for other municipalities. Another example is the municipal enterprise in **Raslavice**, which employs 20+ people, most of whom are women from the MRC environment.

Given the short period of time since the adoption of the Act, there is no assessment of its impact. However, on the basis of the statements of the social enterprises, it is possible to conclude that the existence of the Act has provided a range of support mechanisms (as financial aid, fiscal benefits, measures improving access to the market) that significantly simplify the daily functioning of social enterprises in Slovakia and hence the inclusion of people from MRCs.

It is also worthwhile to mention a recent update of Act 245/2008 Coll on Education (School Act) from June 2019. It introduced **compulsory preschool education for the children aged five**. The preschool education does not count toward the compulsory school attendance which lasts 10 years in Slovakia, yet the new measure is expected to increase the readiness of children from MRCs for elementary school. The update will come into effect on January 1, 2021. The main challenge for the proper application of this measure is the capacity of preschool facilities, which are rather limited in number of localities.

1.7.2. National (large-scale) projects

Healthy Communities (*Zdravé komunity*)

Project 'Healthy Regions' is focused on the implementation and development of **health mediation in MRCs**; the activities are aimed at identifying social determinants of health, at overcoming barriers in access to healthcare, at increasing health literacy (including raising the awareness in the area of health care for people from MRC), and at improving health-related behaviour. In the framework of the project, **253 health mediation assistants** and 25 coordinators are employed. Most of the **employees are Roma directly from the local communities** and for many, the work on the project is the first paid employment of their lives. Employees of the programme are systematically trained, the programme also achieves a strong emancipation effect for a number of its employees, and dozens of employees increased/completed their formal education due to their employment in the programme. An interesting point of the programme is that the workers in the programme are de facto employees in public interest (employees of an allowance organisation of the Ministry), which provides them with relatively stable working conditions.

The project is co-funded by the ESF and implemented by an allowance organisation Healthy Regions of the Ministry of Health of the Slovak Republic.

Field social work programme (*Terénna sociálna práca*)

⁹ It can be assumed that many more organizations, which show signs of social entrepreneurship, exist in Slovakia, but only those are listed in the register, which have registered pursuant to the Act on Social economy and social enterprises. Due to their registration, they have access to more types of support.

¹⁰ Source: <https://www.nytimes.com/2017/09/09/world/europe/slovakia-roma-spissky-hrhov-integration.html>.

Field social work programmes are implemented directly in MRCs with the main **aim to assist people from MRC to access public services and be assisted in the areas where no other assistance accessible for people from MRC exists**. A strong element of the programme is the individual empowerment of people from MRC. The programme, in a form of various technical settings, has existed since 2002. There are currently approx. **980 field social workers/field workers**, many of whom are Roma. The field social workers are employed by local authorities; however, the programme is implemented centrally (part of the programme is realized by the implementing agency of the Ministry of Labour, Social Affairs and Family and part by the Office of the Slovak Government Plenipotentiary for Roma communities) with the support of ESF. The Programme is currently active **in 380 locations**.

Community centres programme (*Komunitné centrá*)

With the aim of establishing a network of **community centres active in MRC**, the first large-scale program called "Community centres" was launched in 2013, under which 166 community centres were supported. Subsequently, the role of the community centres was stipulated in the Act of Social Services¹¹, and the community centres were qualified as **accredited social service**. According to the legislation, the community centre (among other activities) **provides basic social counselling, organizes after-school activities for children, assists children from the community in achieving good school performance** and organizes harm-prevention activities. Currently **175 community centres** are operating thanks to ESF assistance. In order to improve community centre facilities, the financial scheme, co-financed by ERDF, supporting construction/reconstruction of community centres in localities with MRC presence was established. So far, 61 community centres have been supported under the scheme.

Local municipal civil patrol services (*Miestne občianske poriadkové služby*)

The programme of municipal civil patrol services is currently implemented **in 212 locations**, each of which has a separate project co-financed from the ESF. The goal of the local municipal civil patrol services is **to monitor the compliance to the rules of civil coexistence and reduce the likelihood of risk-taking behaviours** in the community. The program is considered an important source of job opportunities for people from MRC. **Employees** of the local municipal civil patrol services **are in most cases men living directly in the MRC**. In comparison with the programme Healthy Regions or Field social work, the employees of the patrol services are not provided any further education from the central level and their work is not methodically managed.

1.7.3. Individual initiatives

In addition to programmes co-financed by public sources (in particular the ESF), recently, **individual initiatives of commercial subjects targeting people from MRCs have started to appear**.

These are primarily related to **employment** and respond specifically to the current shortage of labour. An important role is played by the Pontis Foundation (the administrator of the Business Leaders Forum initiative), which has prepared a series of seminars on the employment of the Roma for business companies. An example of a good practice initiative is **the company Stiga from Poprad**, which has been implementing a programme of supported employment for the people from the MRC environment in cooperation with the non-profit organization People in Need.

¹¹ See Act 448/2008 Coll on Social Services.

The **company Whirlpool** (also from Poprad) implements a so-called work incubator, which is a gateway to employment, for prospective employees with low education and without established work habits. The services of the incubator are to a large extent intended for the people from MRC.

Regarding **housing programmes**, an important initiative is **project DOM.ov**, a **joint venture of three NGOs¹² and the commercial bank Slovenska sporitelna** (part of the Erste Group). The aim of the initiative is to help individual families from MRC to get **affordable and decent housing**. Based on the **year-long participation of the savings program**, a participating family is eligible to **apply for a mortgage** (the mortgage is provided by Slovenska sporitelna) which is **used for the construction of a house**. The house **is low-cost and is constructed by family members**, who are supervised by a construction instructor. Instructors are contracted by the project DOM.ov. Project DOM.ov also assists in communicating with the relevant authorities in the process of obtaining all necessary permits. Newly constructed houses are inspected by the Construction Authority in order to receive an official permit to inhabit them. The program is present in **8 localities**.

¹² Org. For Better life, org. People in Need and org. ETP.

2. SITUATION OF ROMA CHILDREN IN EDUCATION: BARRIERS IN THE ACCESS TO INCLUSIVE EDUCATION

KEY FINDINGS

- Infringement proceedings regarding discrimination of Roma and access to education of Roma children were launched against the Slovak Republic in April 2015; similar procedures were launched against the Czech Republic (September 2014) and Hungary (May 2016).
- In response, the respective national governments adopted a number of measures and legislative amendments.
- There is no systematic evidence about their effectiveness, but key stakeholders such as the ERRC evaluate these measures and legislative amendments as insufficient and ineffective.
- There is an increasing trend in early school drop-out rate in Slovakia as the rate increased from 4.9% in 2008 to 8.6% in 2018.
- Early school leaving is particularly common among the Roma and socially disadvantaged youth; young Roma women are particularly overrepresented among the NEETs.
- Drivers of early school leaving are associated with limited access to inclusive education at primary and secondary school level, inadequate educational and career guidance services, ill-functioning second chance education programs and lacking supportive measures such as mentoring.
- At the primary school level, Roma children encounter school segregation and discriminatory practices, including extensive and unjustified enrolment in ethnically segregated special schools and classes.
- Schools are not well-equipped to provide inclusive education due to a lack of professional pedagogical personnel (e.g. special education teachers) and pedagogical assistants; school personnel is also poorly prepared to work with children and students from disadvantaged background.
- Only one third of Roma children between the age 4 and the beginning of compulsory education at the primary level attend pre-school facilities in Slovakia.
- Introduction of compulsory pre-primary education for 5 years old children (to be in force in 2021) aims at increasing the number of Roma children in preschool.
- At the governmental level, there is no systemic early childhood education and care programs targeting children aged 0-3 and fostering parenting competences.

2.1. Overview of the Commission infringement procedure against Slovakia and comparison to the cases of Hungary and Czech Republic

Infringement proceedings are established by Article 258 of the Treaty on the Functioning of the European Union. They provide the Commission with a legislative tool to ensure compliance of Member States with EU law.

On April 19, 2015, **infringement proceedings were launched against the Slovak Republic** that call into question Slovakia's compliance with Article 21 (1) of the Charter of Fundamental Rights of the EU, which prohibits discrimination based on any ground such as race or ethnic origin; and the Race Equality Directive (2000/43/EC (RED)) Articles 2.2a, 2.2b, 2.3, 3.1.g, which prohibit discrimination in access to education on the grounds of race or ethnicity.

Prior to that, in September 2014, the European Commission started an **infringement procedure against the Czech Republic** for breaching the EU Anti-Discrimination Law by discriminating Roma children in education. In May, 2016, the European Commission (EC) launched a **similar procedure against Hungary**.

All three countries were called on to stop discriminating against Roma children in education and to adjust their laws accordingly. Should this not be achieved satisfactorily, the cases could end up before the European Court of Justice.

Slovakia has taken **four legislative measures in response** to the infringement procedure: (i) extension of the powers of the state school inspection to oversee the functioning of diagnostics centres (Centres of Pedagogic-Psychological Counselling, CPPC); (ii) limiting the placement of a child enrolled in a so-called specialized class (catch-up class) of a regular school to one year; (iii) amending the School Act to stipulate that a child whose special educational needs stem merely from being raised in a socially disadvantaged environment cannot be placed into a special school or special class; and (iv) changing the methodology of determining whether a child is from SDE (as a basis for a special state subsidy) to one based on diagnosing by the CPPC, rather than based on whether the child's family is in material need¹³.

Aside from these four legislative measures, the Ministry of Education, Science, Research, and Sport implemented **several ESIF-funded (The European Structural and Investment Funds) national projects to foster desegregation**, such as the 'More Successful at School' project that funds primarily teacher assistants and other supportive school personnel for disadvantaged children (among them Roma, but also children with disabilities) with a budget of 50 million EUR¹⁴.

In the **Czech Republic**, the Education Act was amended in 2016 and several reforms to foster inclusion were enacted, such as the abandonment of the categorization of children, pupils and students according to types of disadvantage and the establishment of a new monitoring body, the National Institute for Education. Since the 2017/2018 school year, a compulsory year of free preschool has been introduced. However, the number of Roma children educated according to reduced curricula remains

¹³ Source: Civil society monitoring report on implementation of the national Roma integration strategies in Slovakia, available at: <https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/basicpage/3034/rcm-civil-society-monitoring-report-1-slovakia-2017-eprint-fin.pdf>.

¹⁴ Ibid.

disproportionately high and about a quarter of Roma pupils are educated in a segregated setting. This is partly due to the fact that the residential segregation of Roma has practically not been addressed¹⁵.

In **Hungary**, as of 2015 (prior to the procedure), three-year kindergarten education is now compulsory. However, the accessibility and quality of preschools varies. The Sure Start children's centres, aiming to integrate children into local communities, were set up in settlements with a high share of Roma population and child poverty. In spite of these efforts, children in Hungary are increasingly segregated on the grounds of their socio-economic or ethnic backgrounds¹⁶.

Gabriela Hrahaňová, director of the European Roma Grassroots Organisations (ERGO), stated in an interview, however: **"infringement procedures of the European Commission against the Czech Republic, Hungary and Slovakia concerning segregation in education have not brought any results.** Above all, structural anti-Gypsyism has not been addressed in most Member States. A lot of commitment and action from decision-makers are needed to achieve more equality for Roma in the coming years."¹⁷

Concerning Slovakia, a note of the European Roma Rights Centre concludes that these legislative changes adopted in response to the infringement procedure have been highly insufficient, as they alone cannot secure equal access of Roma children to education if not accompanied by any concrete and sustainable de-segregation policies and measures¹⁸.

2.2. Early school leaving

Over the last ten years, there has been an increasing trend in the early school drop-out rate in Slovakia. Even though **in 2008 the early school drop-out rate in Slovakia was 4.9%, the rate increased to 8.6% in 2018**¹⁹. The evidence shows that the early school dropouts is particularly common among the young Roma²⁰ and socially disadvantaged communities²¹. Although there is no ethnic data on the attendance level in secondary education, according to the research of the Institute of the Financial Policy, only every second Roma student aged 17-18 years studies at secondary school²². Regarding this, **the young Roma are also overrepresented among the NEETs** and early school dropouts affect Roma women more than Roma men (see section 1.2 on NEET rates).

Nevertheless, there are no reliable research findings about the drivers of early school leaving among the Roma youth in Slovakia since no systemic monitoring and research about the topic has been carried out. Gender-specific factors of early school dropouts among young Roma women and reasons behind the currently increasing trend in early school dropout rates are underexplored as well.

¹⁵ Source: Civil society monitoring report on implementation of the national Roma integration strategies in Czech Republic, available at: <https://op.europa.eu/en/publication-detail/-/publication/51003529-b1ac-11e9-9d01-01aa75ed71a1/language-en/format-PDF/source-113947200>.

¹⁶ Source: Civil society monitoring report on implementation of the national Roma integration strategies in Hungary, available at: <https://op.europa.eu/en/publication-detail/-/publication/b5fa7f29-b1aa-11e9-9d01-01aa75ed71a1/language-en/format-PDF/source-121387732>.

¹⁷ Source: <https://www.brusselstimes.com/all-news/eu-affairs/67303/roma-integration-still-far-away-in-eu/>.

¹⁸ Source: http://www.errc.org/uploads/upload_en/file/slovakia-cerd-submission-5-november-2017.pdf.

¹⁹ Source: Donlevy, Day, Andriescu, Downes (2019). Assessment of the implementation of the 2011 Council Recommendation on policies to reduce early school leaving.

²⁰ Source: Ministry of Education of the Slovak Republic (2018) Národný program rozvoja výchovy a vzdelávania.

²¹ Source: Institute for Educational Policy and Value for Money (2019). Revízia výdavkov na skupiny ohrozené chudobou alebo sociálnym vylúčením.

²² Source: Hidas, Lafférsová and Machlica (2018). Inklúzia Rómov je celospoločenskou výzvou.

On a policy level, there is a lack of educational policy tools with a potential to mitigate early school leaving. **First, in general a low quality of education, which includes a lack of inclusive education tools utilised in pre-primary, primary and secondary level** (see below), presents a major factor behind low academic performance of Roma pupils and students. This in turn leads to low self-motivation and self-esteem of students, grade repetition and eventually to early school leaving. These factors are intertwined with other aspects such as early pregnancies, a lack of parental and family support, a need to earn money to support a family, and others (Miškolci, Kubánová and Kováčová, 2019).

Second, career and educational guidance services are currently underdeveloped and ill-functioning. These measures serve as preventive interventions for early school leaving and have a positive impact on decisions over pursuing education (De Witte and Cabus, 2013). Effective career guidance services are particularly important for students with an ethnic background or for other vulnerable cohorts facing multiple barriers in the access to education and the labour market.

Third, the access of Roma pupils and students to secondary education is very limited due to travel costs and segregation in housing, which increases travel costs and proximity to the school facilities. Importantly, the motivation to attend secondary school regularly is low among the Roma students from disadvantaged backgrounds which is associated with the above-mentioned ill-functioning career guidance services, and the low quality of inclusive education and supportive measures such as flexible school schedules, tutoring, etc. Besides that, there is no stipend provided for socially disadvantaged students or any form of affirmative action or intervention that would aim at increasing the number of Roma in secondary and higher education (Lajčáková, 2015).

Fourth, the system of second-chance education does not work properly and does not offer proper educational options for early school leavers to complete their formal education, or acquire skills needed for successful work integration (Kešelová, Ondrušová and Urdziková, 2018). Those students who do not graduate primary school successfully are frequently offered to attend two-year programmes (so called “F” programs) provided by the secondary vocational schools. However, the “F” programs are characterised by several deficiencies, particularly: (1) graduates of the program only receive a lower secondary vocational educational level (ISCED 2c)²³ which means that the graduates cannot pursue further education at the secondary level (ISCED 3); (2) the employment rate of graduates is very low; (3) only 33% of students successfully complete these programmes²⁴.

The cross-sectional problem related to the above-mentioned barriers in the access to education and labour market is a poor cooperation between regional, local and national stakeholders. The social field workers and public servants of the local Labour Offices are not cooperating with the stakeholders in education effectively. As a result, Roma youth (NEETs) are not actively approached to return into the system of training and education. Similarly, Roma NEETs are not provided with individually tailored interventions that would enable them to foster their skills and education. In addition, Active Labour Market Policies seem to add a creaming off effect since the most vulnerable groups of unemployed, especially the Roma with low educational attainment, are not eligible for

²³ Completion of the “F” program, the lower secondary vocational level (ISCED 2c), is not equivalent to completion of the primary school level (lower secondary educational level ISCED 2) which means that the graduates of the “F” programmes cannot apply for the regular program at the secondary school and further pursue their education and attain higher educational level. There has been an initiative of the Ministry of Education to include the training on the completion of primary school level into the “F” program which would allow graduates to pursue higher education. Nevertheless, to the best of our knowledge, no legal amendment has been made in this respect.

²⁴ Source: Institute for Educational Policy and Value for Money (2019).

different employment schemes and, thus, participate mainly in Activation Work Programmes, which do not contain skill-upgrading elements.

2.3. Main barriers in the access to inclusive education

Poor academic performance and high early school drop-out rates are results of a set of factors related to the school environment and quality of learning. Kindergartens and primary schools in Slovakia **lack professional pedagogical staff, including special education teachers, school psychologists, speech therapists, and social pedagogues**, as well as **pedagogical assistants**. These professionals could provide pupils/students and their families with complex services, set individual plans and address the individual difficulties the disadvantaged children encounter in the process of learning and socialising in the school environment.

Salaries of professional pedagogical staff is covered by financial contributions for students with special education needs, however, the recent funding system does not allow schools to hire them. The support in special education is partially provided by the Centre for Pedagogical and Psychological Counselling and Prevention (their district offices), nevertheless they reportedly lack the capacity to provide teachers with individual training and consultation.

The same applies to the **pedagogical assistants** that are funded by the financial contributions for pupils from socially disadvantaged backgrounds. The amount of contribution per pupil is low and, as a result, schools often cannot cover the labour costs of full-time assistants.

In addition, there is a lack of pedagogical assistants and hence, the demand of schools for these professions are not addressed (Hapalová, 2020)²⁵. This has, however, several negative consequences: the role of pedagogical assistants is crucial for creating a safe and supportive school environment. They assist regular teachers in providing an individualised approach to pupils in learning, mediate communication between school and families and organize extra-curricular activities. Therefore, the kindergartens and primary schools lack an inclusive team of experts consisting of pedagogical assistants, professional pedagogical staff and other supportive personnel.

Additionally, **the school staff (school management and pedagogues) is poorly trained in creating a safe and friendly school climate and working in culturally diverse classes**. They are often not trained in Roma language and culture; as a result, the language barrier between school staff and pupils and/or their families persist. Additionally, the school staff tend to have anti-Roma attitudes which manifests itself in complicated school-parent relations and an unfavourable school climate (Miškoľci, et al., 2017; Petrasová and Porubský, 2013).

As a result of the above-mentioned problems, the **Roma pupils are extensively enrolled in ethnically segregated schools or classes, special classes** in regular schools, or **in special schools**. School segregation is a result of anti-Roma prejudices on the institutional level, a lack of inclusive tools in education and diagnostics, but also in housing segregation.

Overall, the portion of children involved in special education in Slovakia is 5.9% which is among the highest in the EU countries (EU average presents 1.6%) (Ramberg, Lénárt and Watkins, 2018). The re-integration of children from special education (either special schools or special classes) into mainstream education has not been initiated or systematically supported, and thus is almost non-existent.

²⁵ Source: <https://analyza.todarozum.sk/docs/346831004ej0a/>.

Due to a lack of ethnic data, there is no recent evidence on the enrolment rate of the Roma children in special primary schools or special classes. Nevertheless, it is estimated that the **Roma pupils represent almost 60% of all pupils in special primary schools, 86% of pupils in special classes at regular primary schools and 35% of all students in special secondary schools** (Friedmann et al., 2009). Given that the Roma population in Slovakia presents only about 9% of all the population, the enrolment rate of Roma children and youth in special education is extensive.

Special schools are self-motivated to retain the number of pupils and students and are frequently established in the proximity to the Roma settlements, which strongly affects the decision of parents to enrol their children in such schools. Not only for safety reasons and travel costs, but also the overall lack of information about educational possibilities lead Roma parents to enrol their children in special schools (Miškolci et al., 2017).

Regarding this, **there is no de-segregation strategy and other systemic and institutionalised support that would assist the school and municipal stakeholders to systematically de-segregate school facilities and, thus, address ethnic discrimination in the school system.** Desegregation efforts must be planned, coordinated and implemented by various actors at a local, regional and national level, involving not only educational authorities but the whole set of actors including pedagogical experts, social field workers, municipal representatives and others.

2.4. Education and care in early childhood

Despite the recognised importance and benefits of pre-primary education on further educational paths, Roma children in Slovakia encounter limited access to pre-primary education and care. **In 2016, the participation of Roma children (aged between 4 years and the starting age of compulsory education) in pre-school facilities was only 34%, while the participation rate of the general population was about 77%.** From the perspective of CEE countries, the participation rate of Roma children in pre-school facilities in Hungary²⁶ was 91% (compared to 95% of the general population), in the Czech Republic 34% (compared to 86% of the general population) and in Poland 42% (compared to 94% of the general population) in the same year (FRA, 2016).

The causes of the low attendance are manifold. **First, a lack of capacities in pre-school facilities represent a major barrier for Roma children in the access to pre-primary education.** In the school year 2018/2019, 12,502 applications to pre-schools were rejected. Nevertheless, evidence shows that the available capacities are distributed disproportionately since in the same school year approx. 7,000 to 12,000 places in the kindergartens across the country were available (Varsik, 2019).

Second, as mentioned above, **kindergartens lack financial resources to pay for the professional pedagogical staff** (e.g. special education teachers) as well as pedagogical assistants that would enable the pre-school staff to apply an individualised approach, particularly in ethnically diverse classes. **The pre-school staff is currently ill-equipped to utilise inclusive tools in education including creating favourable school climate**, develop parent-teacher cooperation (together with other local stakeholders), and others. **A shortage of professional staff and cases of hostile pre-school environments may discourage Roma parents from enrolling children in local kindergartens** (Miškolci et al., 2017).

Third, the Roma families often encounter financial restrictions in the access to pre-primary education due to formal and informal fees, and other associated expenses (proper clothes, shoes,

²⁶ The participation of children in pre-school facilities in Hungary is compulsory for children aged 3-6.

hygiene utilities, etc.). Besides formal fees, there is a set of so-called hidden fees such as fees for Christmas parties or pre-school trips (Parental Fund); even though these types of fees are approved by parents themselves, parents in material need may feel pressured to agree with the other parents due to a fear of stigmatisation.

In July 2019, the Slovak Parliament introduced a compulsory pre-primary education for children at the age of five (one year prior to the beginning of compulsory education at the primary level) by adopting the amendment of the School Act²⁷ to be in force in 2021. This policy aims at increasing the participation rate of children primarily from the socially disadvantaged background. At the same time, the amendment of the School Act abolishes zero classes which serve as preparatory classes for children that were considered as “not prepared” to pursue education in primary school. Worryingly, **the amendment also introduces a provision allowing grade repetition at the pre-school level,** provided that a child is considered as unprepared to attend primary school level. However, grade repetition may harm the self-confidence and motivation of the children (Miškolci et al., 2017).

Regular attendance of Roma children in pre-school education might be hindered by the above-mentioned barriers that were not addressed by the amendment of the School Act or any other recent state policy intervention.

Importantly, the Slovak municipal system is fragmented and typical of many small-sized municipalities (about 20% of the municipalities have a population smaller than 500) which means they lack financial resources to establish and run pre-school facilities.

The amendment also does not allow other, more flexible forms of pre-school education such as small children’s groups. Comparably to the case of primary education, Roma children might be extensively enrolled in the ethnically segregated pre-school facilities such as kindergartens in the close proximity to the Roma settlements.

2.5. Government versus non-governmental initiatives

There are several governmental initiatives that foster inclusion of Roma children in education. **Increasing the participation rate of Roma children in pre-primary education is currently actively supported by the ESF-funded Project of Inclusion in Kindergartens - PRIM** (Operational Programme Human resources) which has been implemented by the Office of Plenipotentiary of the Slovak Government for Roma communities in 120 kindergartens. The aim of the project is to support inclusive teams operating the kindergartens that would enhance an individualised approach in teaching and foster parent-teacher cooperation. The inclusive teams consist of teachers, pedagogical assistants, special education teachers and coordinators of inclusive education. Pre-school teachers are provided with consultations and training in utilising inclusive tools and mitigating the barriers Roma children encounter in the access to education. Nevertheless, the project is time-limited since the end of the implementation period is 2020 (it is expected to be extended until 2023). Additionally, **to enhance the capacity in kindergartens, the Operational program Human Resources and Integrated Regional Operational Program currently provide municipalities with funds to enlarge or build pre-school facilities.**

Nevertheless, recent governmental interventions only partially alleviate barriers the Roma children encounter in the access to pre-primary education. **The interventions on creating inclusive teams at the pre-school level are small-scaled and project-based, thus, the support is currently not**

²⁷ Source: <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2019/209/20190716.html>.

systemic nor sustainable. Also, there is no systemic support for pre-primary education for younger children aged 0-4 and fostering parent competencies.

There is a set of non-governmental initiatives in the field of education that reflect the above-mentioned barriers. For instance, the **Omama programme implemented by a non-governmental organisation Cesta von** (Way out) focuses on fostering child development from the prenatal period to the age of three. It consists of the educational interactive activities and counselling services provided by Roma trainers in the households and in the parents' clubs. The Roma women are trained in parental competences, particularly in the methods of fostering early childhood development. After completion of the program, they become employees with a regular employment contract and provide services in their own communities²⁸.

ETP Slovakia, another non-governmental organisation operating in eastern Slovakia, currently runs a mentoring program for Roma children from socially disadvantaged communities called **Competent children – Mentoring program**. It is based on a buddy system and children are provided with interactive learning and being mentored in a form of both online and personal communication. Mentors are supposed to provide children with consultation about the educational and career tracks, or advise a suitable seminar or training, so that they can develop their skills and knowledge²⁹.

²⁸ Further information about the program: <https://cestavon.sk/projekt-omama/index>.

²⁹ Further information about the program: <https://schopnedeti.sk/>.

3. ACHIEVEMENTS AND LESSONS TO LEARN OF THE USE OF EU FUNDS AND RELEVANT PROGRAMMES IN SLOVAKIA

KEY FINDINGS

- The implementation of activities to improve the lives of people from marginalized Roma communities (MRC) in the long-term is one of the main areas of EU funds support in Slovakia.
- During 2007-2013 programming period, integration of MRC was recognized as horizontal priority for all operational programmes and approach of so-called "comprehensive approach to integration of MRCs" was adopted.
- For 2014-2020, assistance of ESIF explicitly addressing integration of MRCs is concentrated in two separate priority axes of the OP Human Resources, with the total amount of EUR 153 954 885 (ESF) and EUR 228 707 577 (ERDF).
- Despite the advanced stage of the programming period, the spending rate remains low (as of 31.12.2019 it is 23.78% for ESF and 13.95% for ERDF).
- The reasons behind the low spending rate can be interpreted by the high level of mistrust in the ESIF implementation in Slovakia, significant administration burden in ESIF implementation, but also by the resistance from the level of local municipalities.
- Despite the difficult situation, there are several municipalities, which are successful in integration of MRC. The common denominator of their success is the determination of the mayor, the support of the municipal council, and options for property ownership settlement.
- In connection with the upcoming programming period, the assistance aiming integration of MRC is among the priorities, its scope and format is a subject of discussion.
- Assistance of FEAD allocated for Slovakia for 2014-2020 programming period is EUR 55 112 543. As for 31.12.2019 the spending rate reached some 45%.

3.1. Overview on the ESIF implementation in regards of Roma

The implementation of activities **to improve the lives of people from MRC** in the long-term **is one of the main areas of EU fund support in Slovakia**. The narrative and type of support has developed over time, and is affected by international discourse, in addition to domestic experience.

3.1.1. Lessons learned during the 2007-2013 programmatic period

With the goal of better focus in the use of EU support, the **term marginalised Roma community** (MRC) began to be used in the context of EU funds in the programming period 2007-2013. Adoption of a new concept in the discourse strengthened the social marginalisation aspect, which is conditional upon belonging to an ethnic minority, but clearly separated the Roma, who, despite belonging to the ethnic minority, are not the recipients of social assistance and are fully integrated into mainstream society.

The programming period 2007-2013 can be considered important with regard to MRCs also due to the fact that the **integration of MRCs had been recognized as** a so-called **horizontal priority for all operational programmes** and six out of a total of eleven operational programmes were required to implement the so-called "comprehensive approach to integration of MRCs". The initial plan was that

projects that have a positive relevance to integration of MRCs were scored more favourably in competition with other projects. However, the approach to MRCs as a horizontal priority has not been successful. The main reason for this was the insufficient methodology to determine which projects, and based on what criteria, can be considered as relevant to MRCs.

The inclusion of the projects was performed based on self-identification of the project, which, in practice, meant the inclusion of projects that had no connection to the integration of MRCs.

From the viewpoint of the general public and expert community, however, the biggest problem was caused by the discussion of the amount of funds invested in favour of MRCs, which was the sum of all the projects identified as relevant to MRCs. It does not need to be emphasised that the amounts were absurdly overestimated.

A similar failure has ended the implementation of the so-called "**comprehensive approach to the integration of MRCs**", which was built on the logic of a coordinated approach of the involved operational programmes and concentration of aid (in the form of financial resources and technical assistance) for the territories, which were prepared for the absorption of the funds. The preparedness was supposed to be proven by the presence of the so-called "Strategy of comprehensive approach to the integration of MRCs", which was a document describing the sequence of individual steps in the medium term, approved by both, the local government and the Office of the Plenipotentiary of the Slovak Republic Government for Roma communities (which played a coordinating role in the comprehensive approach). According to an external evaluation of the comprehensive approach³⁰, the proposed policy of ESIF aid failed in particular due to the highly ingrained culture of departmentalism and the inability of individual ministries to cooperate.

3.1.2. Implementation structure during the 2014-2020 programmatic period

In **2012, the first impact assessment of ESF** on the Roma in Slovakia was conducted³¹. It highlighted the **uncertain results in regards to the most disadvantaged Roma groups, the inability of small municipalities to draw funds** (they do not have the financial resources for project co-financing or the human capacities necessary for the successful implementation of the projects), and the frequent hostility of local authorities³². Also, **based on the evaluation** results, a strategy was adopted for the programming period 2014-2020, in which, based on the findings of the so-called Atlas of Roma communities from 2013³³, **150 municipalities in the most serious situation were identified**. These municipalities have automatic access to basic assistance programmes such as field social work or community centres.

In the programming period 2014-2020, MRCs as a horizontal priority for ESIF was discontinued and the issue of **integrating MRCs is concentrated in two separate priority axes of the OP Human Resources**. These are the priority axis 5 Integration of marginalised Roma communities and the priority axis 6 Technical facilities in municipalities with a presence of marginalised Roma communities.

The **contribution of the European Community for priority axis 5 is EUR 153 954 885** (with an additional EUR 25 144 105 from national resources). This assistance is from the **European Social Fund**

³⁰ Source: Salner et al. (2013) Lessons from Slovakia's Comprehensive Approach - Assessing the feasibility of designing and implementing integrated territorial programs targeting marginalized Roma communities.

³¹ Source: Škobla et al. (2012) Uncertain Impact: Have the Roma in Slovakia Benefited from ESF? Findings from an Analysis of ESF Employment and Social Inclusion Projects in the 2007-2013 Programming Period.

³² The implementation of projects benefiting the people from the MRC environment is politically unpopular in many municipalities and the mayor with the public council rejects the implementation of such projects.

³³ The Atlas of Roma communities comprises information about locations with the presence of marginalised communities and the infrastructure situation of these locations.

and the financial resources are **primarily intended to benefit the 150 municipalities with the most dire situations.**

The **contribution of the European Community for priority axis 6 is EUR 228 707 577** (with an additional EUR 26 906 77 from national resources). This assistance is from the **European Regional Development Fund** and the funds are directed to any municipality with the presence of an MRC, which is listed in the Atlas of Roma communities.

Municipalities that have not been included in the list of the 150 municipalities with the most dire situations may apply for financial assistance for the benefit of the MRC through OP Human Resources priority axis 4 "Social inclusion", in which people from the MRC constitute one of the priority target groups, or within any other priority axis of any operational programme.

Within the **priority axis 5**, funds are distributed in particular through the so-called national projects, to a large extent administered by the Office of the Plenipotentiary of the Slovak Republic Government for Roma communities. **As of December 31, 2019, the spending rate was 23.78% and the rate of contracting was 88.99%**³⁴.

Within the priority **axis 6**, the funds are used exclusively through individual, so-called demand-oriented, projects. The project administrator is an intermediate body of the Ministry of the Interior of the Slovak Republic (not the Office of the Plenipotentiary of the Slovak Republic Government for Roma communities). **As of December 31, 2019, the spending rate was 13.95% and the rate of contracting was 47.29%**³⁵.

3.2. Low absorption rate and possible misuse of ESIF

The **reasons behind the low spending rate** of ESIF (in case of priority axis 6 also of contracting rate) can be found in several factors. In addition to **a delayed start of ESIF** implementation in Slovakia (the funds started to be drawn in 2017) and **high administrative burden**, there is an especially **high level of distrust in the implementation of ESIF** as well as **structural obstacles** to drawing ESIF **at the lowest level.**

High administrative burden is often the result of a conservative approach and lack of ability to establish up-to-date procedures in ESIF administration in Slovakia³⁶.

However, from the point of view of social significance, the **culture of mutual mistrust**, which is characteristic for the implementation of ESIF in Slovakia, **can be considered a significantly larger problem in comparison with the administrative complexity.** The mistrust can be observed on the side of the management and intermediary bodies, which often approach the beneficiary of the aid with a large degree of suspicion of misuse of the aid, as well as on the side of the potential beneficiaries, who often do not trust the processes implemented by the management and intermediary bodies (whether in the context of the project selection or process control) and thus do not even apply for aid. The reasons for this situation can be found in the past, when cases of misuse or inefficient use of ESIF resources repeatedly occurred. At present, similar cases (particularly, failures in selection and control mechanisms, when projects without any link to the target group were supported) are not reported,

³⁴ Source: https://www.vicpremier.gov.sk/wp-content/uploads/2019/01/RO%C4%8CN%C3%81_inform%C3%A1cia-o-stave-implem%C3%A1cie-E%C5%A0IF-k-31-12-2018.pdf.

³⁵ Source: *ibid.*

³⁶ It is not an exception that a procedure, which can be executed electronically (it may even be executed electronically), must be executed also traditionally in a "paper" form.

and it can be argued that in the case of the resources intended for the benefit of MRCs, similar fraud can no longer happen. Contrary, the use of ESIF currently represents a **disproportionate risk for potential beneficiaries and many of them are not interested in the use of ESIF**.

The beneficiary is often (even after the support is finished) in a situation of legal uncertainty and is often forced to provide documents which exceed the common standard of duties.

A low level of flexibility in ESIF implementation in Slovakia often impedes the implementation of any innovations, and only highly standardised activities can be implemented and financed.

The orientation on 100% risk prevention of misuse is currently becoming the main obstacle to the utilization of the funds, since the designated conditions are often unclear and rather difficult to accomplish. The focus on reducing the risk of misuse would be entirely legitimate and correct, if it had not been oriented exclusively on control of the administrative processes, without considering the needs of the target group or specifics of the individual projects.

Another serious obstacle to using ESIF in favour of MRCs **is the approach of local municipality governments**. It is not exceptional that the local municipality is hostile and unwilling to address the problems of people from MRCs. In the analysis of the lack of interest of the local authorities, **a question of capacities of the specific municipality often resonates**. In many cases, the concerned municipalities have a yearly budget³⁷, which is not sufficient to ensure the compulsory co-financing of the project and even if the local government is interested, it does not have the capacity to implement a strategic project that could bring real change. In addition to financial resources, human resource capacities are a problem. The **municipalities often do not have the internal capacity for the implementation of development projects**, project management is usually outsourced, and there are almost no possibilities for building internal capacities required for the implementation of integration projects in the future. Slovakia, particularly its eastern part, also suffers from the **impact of brain-drain** and the main problem during the implementation of development projects are often human and intellectual resources necessary for the successful implementation of the projects.

3.3. Examples of proper use of ESIF

Despite the difficult situation, there are **several municipalities**, which are **successful in integration and development initiatives**. The **common denominator of their success is the determination of the mayor, the support of the municipal council, and options for property ownership settlement** (which is often related to the presence of vacant land in the ownership of the municipality). The municipalities, which can be a source of inspiration are, for example, Raslavice, Spišský Hrhov, Čírč, Muránska Dlhá Lúka and other. All of the municipalities above implemented their successful initiatives with significant ESIF support.

In principle, ESIF can be considered the main resource for any activities aimed at integrating MRCs. The programme **Healthy regions**; the **programme of field social work**; the **programme of support for community centres**, within the framework of which 175 community centres operate, can be considered as successful examples of good practice in the utilization of ESIF. The programme of **local municipal civil patrol services** can be also considered a success.

The facilities for community centres in 61 municipalities with an MRC presence were improved via the programme for the **construction/reconstruction of a community centre** and 160 preschools in

³⁷ In Slovakia, there are 2927 municipalities, of which 404 have less than 200 inhabitants. Budget of these municipalities is approximately EUR 25 000 per year.

municipalities with the presence of MRCs were supported under the calls for **increasing the capacities of preschools**.

A programme to **support waste management and solutions to illegal landfills** in municipalities with MRC presence was met with a great deal of interest and approximately 140 projects were supported.

A **programme to support access to drinking water** is still running; approximately 40 projects have been supported. A programme that has been met with the smallest interest so far is a **programme to support transitional housing**, through which only 12 projects have been supported so far.

The project **Support of land settlement**, which is implemented by the Office of the Plenipotentiary of the Slovak Republic Government for Roma communities is also noteworthy. In the framework of the project, municipalities with the presence of MRCs receive free-of-charge technical assistance in order to reach settlements in ownership of the lands, **so that people acquire a legal relationship to the land under their home**, which is a condition for the legalisation of their housing, other possible modifications in the future, and improvement of conditions of their housing.

Another project is realized with the support of ESIF by the Office of the Plenipotentiary of the Slovak Republic Government for Roma communities called **Monitoring and evaluation of inclusive policies and their impact on MRCs**, in which data and information on socio-economic conditions of the Roma are systematically collected, which are subsequently used for creating public policies. In 2019, the Atlas of Roma communities, EU-SILC, and several other studies were conducted through the project.

3.4. Upcoming programmatic period and future use of ESIF in regards of Roma

In connection with the approaching programming period 2021-2027, the extent and the form of ESIF aid for MRCs **is still under discussion**. Currently, the most probable alternative is **that separate priority axes explicitly aimed at MRCs will be discontinued, and support in favour of MRCs will be fully integrated into the mainstream priority axes**. Similarly, it is not recommended to continue the division of the programmes into two parallel channels with one focused on municipalities with the most serious situation (150 municipalities, which received aid through the priority axis 5). Even though the division of the programmes was built on clear arguments, in practice the division was not productive and resulted in more complications than benefits. The Slovak Republic will most likely request that existing priorities be extended to **investments into construction and reconstruction of primary schools**³⁸ in the municipalities with the presence of MRCs. In the context of MRCs, implementation of the so-called **strategic projects**, which would allow a coordinated implementation of development programmes in selected areas, **is under consideration**. The existence and potential settings of the so-called strategic projects are currently the subject of discussion.

3.5. Fund for European Aid to the Most Deprived

In the programming period 2014-2020, an **Operating programme Food and basic material aid** co-financed through the Fund for European Aid to the Most Deprived has also been realized in Slovakia. The **contribution of the EC is EUR 55 112 543** (with additional EUR 9 725 743 from national resources). The programme is implemented by the Central Office of Labour, Social Affairs, and Family of the Slovak Republic, the aid is distributed through partner organizations, which were selected for cooperation

³⁸ Currently, it is possible to invest in construction and reconstruction of preschools, investments into the construction and reconstruction of primary schools were identified in the programming period 2014-2020 as a negative priority.

based on a publicly accessible call. In the first and fourth measures (providing food packages and provision of hygiene packages), the aid is distributed through three organizations³⁹ in the entire territory of Slovakia. **Approximately 360 000 food packages** (the weight of food in one package is 12,2 kg) **and about 50 000 hygienic packages are distributed per year**. In the framework of the second measure (provision of a hot meal), there are 5 soup kitchens providing warm soup⁴⁰, which are operated by four partner organizations⁴¹. Distribution of donated food (measure 3) has not been implemented yet and the funds originally intended for the implementation of this measure were reallocated in favour of measures one and four (the distribution of food and hygiene packages). The funds of the operational programme are **contracted to approximately 92%**, the **drawing of the funds has reached approximately 45% as of December 31 2019**. Even though the food and basic material assistance is not explicitly intended for people from the MRC, they are frequent beneficiaries of the aid.

3.6. Overview of individual projects and settlements

3.6.1. Raslavice

The village is located between the regional city Prešov and the district town Bardejov with a population of 2 700. The village has relatively good civil amenities and regularly realizes development projects. Based on the data from the Atlas of Roma communities 2019, **approx. 400 people live in a Roma settlement**, which is located on the outskirts of the village. The **ownership of the land under the settlement has been resolved** and the land is owned by the homeowners. **Approx. 40% of the dwellings have final building approval**. There is public **water supply** in the settlement, which is **used by approx. 60% of the population** in the settlement, some 30% have their own well, and the rest of the inhabitants use a public tap. **A sewer system**, which is accessible to approx. 80% of the population of the settlement, **is only used by about 60% of the population** who could connect to it; the rest does not use any sewage treatment mechanism. The settlement is electrified; **approx. 75% of the population uses the official connection to the electrical grid**. Based on the results of the Atlas of Roma communities, the village was included in the list of 150 municipalities with MRCs with the most serious situation.

The village is involved in all currently implemented assistance programmes - there are field social workers (the field social work programme), health assistants (the Healthy regions programme), the local municipal civil patrol service, and Roma assistants in the preschool. The village has an active **community centre**, and in the past, an **investment into increasing the capacity of the preschool was realized**. There is a **waste sorting centre** in the village, which has been co-financed by the ERDF. According to the data from the Central Office of Labour, Social Affairs and Family (COLSAF), as of 31 December 2019, there were 130 registered jobseekers in the village, of which 35 were registered long-term⁴². In the village, a **work activation programme** is implemented, and as of 31 December 2018, **125 people** had been involved in the programme.

The village manages **one of the most successful municipal social enterprises** in Slovakia. It employs 20+ people, most of whom are women. The social enterprise is devoted to vegetable production, which is sold or used within the facilities of the enterprise (school dining room, meals for seniors), performs

³⁹ Slovak Red Cross, Slovak Catholic Charity and The Charity of St. Elizabeth.

⁴⁰ Prešov, Liptovský Mikuláš, Poprad, Spišská Nová Ves, Bratislava.

⁴¹ Slovak Red Cross, Spiš Catholic Charity, Greek Catholic Charity Prešov, and the non-profit organization Depaul.

⁴² This is the number of the registered unemployed, the number of the unregistered is significantly higher.

construction work and lets a bus. According to the publicly accessible information, the revenue of the social enterprise in 2018 was EUR 222 393⁴³.

In 2012, the village was recognized in the initiative of the network of the Open Society foundation called "Mayors Making the Most of EU Funds for Roma Inclusion Network" for the property settlement programme.

3.6.2. Hermanovce

The village of Hermanovce is located 20 kilometres northwest of Prešov with a population of around 1 950. Based on the data from the Atlas of Roma communities, there **are two Roma settlements in the village (Old settlement, New settlement)**. Both are located on the outskirts of the village and **appr. 250 people live in each**. In each of the settlements, there are **appr. 40 dwellings**, most of them without final building approval, since they are sub-standard dwellings. **In the New settlement, there are 5 apartment buildings** with a total of 22 apartments. **The road to the Old settlement leads directly through a creek**, which often overflows and makes it difficult and risky to access the settlement. Old settlement in Hermanovce is also known under the name "settlement on the island". **About one quarter of the land** in each of the settlements **is owned by the owners of the houses** built on them. In the New settlement, the rest of the land is owned by the municipality; in Old settlement a quarter is owned by the municipality and almost a half belongs to various private owners. In the **New settlement**, 100% of the population has access to **public water supply, which is used by approx. 90% of the population**. In the **Old settlement, there is no water supply system in place and about 90% of people use water from a public tap**. Approximately 10% of the population in both locations has their own well. A **sewer system is not established in either of the sites**; in the New settlement, approximately 60% of the population uses its own septic tank, the rest of the population does not use any method of sewage treatment. In the **Old settlement, 95% of the people do not use any method of sewage treatment**. Both settlements are electrified; in the New settlement, 100% of the population uses the connection to the **electrical grid**, while in the **Old settlement, it is only about 20%**.

Based on the results of the Atlas of Roma communities, the village was included in the list of 150 municipalities with the most serious MRC situation.

In the village, there **are field social workers** (the programme of field social work) and **the local municipal civil patrol service**. The programme Healthy regions is not implemented in the village. The village has received the **support of OP Human Resources to build a community centre and to increase the capacity of the preschool**.

According to the data from ÚPSVAR, as of 31.12.2019, there were 87 registered jobseekers in the village, of which 50 were registered long-term. In the village, a **work activation programme** has been implemented, and as of 31.12.2018, **approx. 30 people** have been involved in the programme.

In 2017, **group of mothers** from Hermanovce in cooperation with the organization Center for Civil and Human Rights initiated a petition against discrimination of their children at the local school, who were placed in the "special classes" located in the separate building. They achieved partial success, but they are continuing in their fight.

⁴³ Source: www.finstat.sk.

3.6.3. Moldava nad Bodvou

The town is located 30 km south-east from the city of Košice, with a population of 11 300. Based on the data from the Atlas of Roma communities, there are **three Roma settlements** in the town with a **total number of inhabitants at approximately 2,300**. **The largest settlement is** the so-called "Budulovská", which is situated on the edge of the town and where approx. **1,000 people live in about 150 dwellings**.

There are 12 apartment buildings in the area with a total of 66 apartments and approximately 80 shanties. The **municipality owns 95% of the land under the settlement**. There **is no sewer system in the area**; people use their own septic tanks. The **school and preschool are about 3 km from the site**; transportation for the children is not arranged. "Budulovská" is **known for a brutal police raid in 2013** against the local inhabitants (for more information, see below).

The two other sites are situated **inside the town** and approx. **700 people live in each**. **The first location** (ČSA, Rožňavská, Bartalošova) consists of 17 apartment buildings, with a total of 112 apartments. The municipality owns 48 of the apartments as rental apartments. **In 2017, evictions were recorded** in the area. The town sold their flats to a private entity and started evicting for energy debts amounting to hundreds of euros, without giving tenants the opportunity to repay the debts or settle on a payment schedule^{44, 45}. **The second site consists of 56 family houses**, which have a final building approval and 12 shanties. Eighty percent of the property under the site belongs to the house owners, and the rest is owned by the municipality or other entities. About 30% of the population of the site uses the public water system; the rest uses their own well. The sewage system is used in full, as well as the connection to the electrical grid. There is also access to a gas pipeline.

There are **field social workers** (the field social work programme), **health assistants** (the Healthy regions programme), and the **local municipal civil patrol service** in the town. The village has **received the support** of OP Human Resources to build a community centre and to increase the capacity of the preschool. There is no city operated community centre, the community centre in the past was operated by the non-profit organization ETP.

According to the data from COLSAF, as of December 31, 2019, there were 580 registered job seekers in the town, of whom 280 were registered long-term. A **work activation programme** has been implemented in the city, and as of December 31, 2018, **approximately 80 people** were involved in the programme.

The town of Moldava nad Bodvou is known to the public in connection with a **brutal police raid in the settlement Budulovská in the summer 2017, when 63 police officers with dogs arrived at the settlement in 23 police cars**. It should have been a repressive-search raid. None of the wanted persons were found by the police during the raid, as well as no objects resulting from criminal activity. After the examination of the raid, the ombudswoman Jana Dubovcová concluded that the police violated the constitutional rights of some persons and used disproportionate means and illegal practices. The Ombudswoman's report was ignored by the government and the parliament⁴⁶.

The police inspection, which investigated the intervention, did not identify any faults and the case was closed. In October 2017, a complaint about the brutality of the police officers was rejected by the

⁴⁴ Often those that have some outstanding payments are granted contracts only for a certain period, which simplifies their evictions after the contract termination.

⁴⁵ Source: EC (2018) Civil Society Monitoring Report on Implementation of the National Roma Integration Strategy in Slovakia.

⁴⁶ Source: Aktuality.sk, "The White Crow Award was also awarded to a victim of the police raid in Moldava nad Bodvou from the year 2013".

Constitutional Court and the lawyer of the injured Roma confirmed that they will turn to the European Court of Human Rights⁴⁷. The six injured Roma were accused of perjury a few years after the raid. In the case of one of them, in March 2020 the prosecution was halted; in regards to the other five, the court proceeding has not yet concluded and the defendants could receive up to 5 years in prison.

3.6.4. Luník IX (Košice)

Luník IX is one of the boroughs of the city of Košice. Appr. **7 000 people live in Luník IX and the settlement is generally considered the largest Roma ghetto in Europe.**

The neighbourhood was designed in 1975 with the working title "ABC" which was the abbreviation for "Army-Safety-Gypsies" (*Armáda-Bezpečnosť-Cigáni*). It is possible to say that it was a social experiment conducted in the framework of the "Concept of the solution of the gypsy question" adopted in the 1970s⁴⁸. The ambition was to situate army workers' families and Roma families in one location, and the presence of the members of the armed forces would guarantee safety in the neighbourhood. However, the myth of the ABC concept quickly fell apart, as members of the armed forces were not interested in the apartments in Luník IX. The high concentration of Roma families began to be a problem for the non-Roma inhabitants, and they tried to leave the neighbourhood and move to other parts of the city. Luník IX gradually became a Roma settlement, and Roma families from other parts of the city, where they had difficulties paying rent or the municipal apartments they inhabited became lucrative real estate in the 1990s⁴⁹, which the city was interested in capitalising on, were moved there. Luník IX became not only a Roma neighbourhood, but gradually became a neighbourhood for Roma families with difficulties.

A long-term disregard for the problems of the neighbourhood by the city created an **unsustainable social situation** and a complete destruction of a number of the residential blocks. During recent years, **the city proceeded to tear down six apartment houses, which, according to a report of a static engineer**, had impaired statics and had become life threatening for the inhabitants. However, **the demolition** of the apartments took place **without providing any alternative accommodation**, which has contributed to the **creation of additional settlements** on the city property (one of the latest ones is for example Mašličkovo), in which people are living in substandard conditions (usually in shanties built from various materials) or the families from the demolished apartments have moved to non-residential premises in the existing apartment blocks, which leads to further devaluation of the existing apartment buildings.

Currently, according to the Atlas of Roma communities, there are **386 apartments** in Luník IX, **all of which are in theory linked to public water supply, electrical grid, sewage system, and gas.** However, many apartments are disconnected from the energy sources and use energy in an unofficial manner, or alternatively, solid materials are used for fuel directly in the apartments. There is **a primary school, a preschool, a community centre and an active church congregation directly in the neighbourhood. Field social workers, health assistants, and Roma teaching assistants are present in the neighbourhood.** In the latest period, due to ERDF aid, approx. EUR 500 000 was invested in the **reconstruction of the preschool.** The preschool is known for the inspired artwork of its students and the determination of the teaching staff.

⁴⁷ Source: SITA, "Constitutional Court rejected a complaint of the brutality of the police officers during a raid in Moldava.

⁴⁸ Source: Filčák and Ficeri (2020) Making the Ghetto at Luník IX, Slovakia: People, Landfill and the Myth of the Urban Green Space.

⁴⁹ During socialism, Roma families usually inhabited the historical city centre, since apartments in historical buildings were generally considered as apartments of lower standard.

According to the data from COLSAF, as of December 31, 2019, there were 303 registered jobseekers in the city, of which 170 were registered long-term. A **work activation programme** is implemented in the city, and as of December 31, 2018, approx. **80 people** were involved in the programme. A number of inhabitants of the neighbourhood moved to the UK and Belgium.

One of the most **recent efforts** to improve the situation is a joint initiative **of ETP Slovakia, the city of Košice, and the borough of Košice - Luník IX to build a model house** similar to individual houses utilizing community construction during which the construction workers acquire professional skills.

4. RELATED WORK OF OTHER RELEVANT BODIES AND FINDINGS ON THE ROMA SITUATION IN SLOVAKIA

KEY FINDINGS

- The European Union Agency for Fundamental Rights, the Council of Europe, and the European Court of Auditors have engaged with the Roma situation in Slovakia within their missions and mandates.
- There is a broad consensus that permeates through the work and actions of these various organizations and bodies that structural discrimination, school and spatial segregation, anti-Gypsyism, and inadequate policy efforts are some of the key factors precluding progress towards the social and labor market integration of Roma.

This last chapter briefly summarizes key evidence from the related work of the European Union Agency for Fundamental Rights (FRA), Council of Europe (CoE), European Roma Rights Centre (ERRC), and the European Court of Auditors (ECA), along with their findings on the Roma situation in Slovakia.

4.1. Fundamental Rights Agency

A 2019 FRA report⁵⁰ examines data from the second European Minority and Discrimination Survey (EU-MIDIS II) conducted by FRA in Slovakia and eight other EU-Member States (Bulgaria, Croatia, Czechia, Greece, Hungary, Portugal, Romania and Spain) to compare the situation of Roma women to that of Roma men and to that of women in the general population. **The key areas studied were experiences with hate-motivated discrimination, harassment and physical violence, living conditions, employment, education, housing and health.**

Among some of the specific findings for Slovakia are the following:

- Regrettably, the highest rate of those who have **experienced violence motivated by racism among the studied countries is in Slovakia (19% men, 13% women);**
- Besides Croatia and Czechia, **limitations due to health and long-term activity limitations were more prevalent among Roma than non-Roma in Slovakia;**
- Next to Greece and Czechia, **Slovakia exhibits the lowest levels of agreement with the statement that “both girls and boys should stay in school for the same length of time” (74% among Roma men and 75% among Roma women);**
- In Slovakia, besides Bulgaria, Greece, and Croatia, **the majority of respondents speak Romani as their first main language at home.** Interestingly, this is more prevalent among men than women. This linguistic aspect must be taken into account when designing educational policies;
- On the other hand, **a significant proportion of respondents (49%) in Slovakia reported that they benefited from the assistance of Roma teaching assistants at schools,** whereas, except for Croatia (35%), a rather low shares of respondents reported benefits from such support in the other eight studied Member States (3-11%).

⁵⁰ Source: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-minorities-survey-roma-women_en.pdf.

The report concludes that **“the results in education and employment show that the EU and its Member States are far from reaching the goals set by the EU Roma inclusion framework, especially for specific, critical indicators, such as the share of early school leavers and the proportion of young people not in employment, education or training. A serious investment in targeted and gender-sensitive measures is therefore required”**.

In another report⁵¹, FRA studied the link between Sustainable Development Goals and human rights. In regards to Roma, the report provided country-specific recommendations and **highlighted anti-Gypsyism as a driver of structural discrimination and segregation in education**.

Finally, the FRA report⁵² on anti-Gypsyism as a barrier to Roma inclusion, covering nine countries (Bulgaria, Croatia, the Czech Republic, Greece, Hungary, Portugal, Romania, Slovakia and Spain), finds that **Roma children face similar risks of verbal abuse at school regardless of the type of neighbourhood they live in**, suggesting this being driven by their ethnicity and hence anti-Gypsyism as a cause of such abuse.

The report highlighted **negative attitudes towards Roma in housing** (62% of the population over 18 years of age opposes having Roma as their neighbours, based on the 2017 European Value Survey); however, it also reported that perceived discrimination in housing declined considerably only in Slovakia among the studied countries, with 30% of Roma having felt discriminated against in 2016 (down from 44% in 2011).

On the other hand, Slovakia reported the **third highest rates of perceived discrimination in access to health services** (at 11%, topped by Greece (20%) and Romania (12%)) **as well as regards hate-motivated harassment** (at 37%, topped by Czechia (56%) and Greece (50%)).

4.2. Council of Europe

The Council of Europe has established an ad hoc **Committee of Experts on Roma and Traveller Issues (CAHROM)** to address the situation of Roma and Travellers in Europe. **Operational Platform for Roma Equality (OPRE)** is another platform which serves the representatives from equality bodies and human rights institutions to discuss the rights to quality and inclusive education of Roma and Traveller children in the Council of Europe Member States. The **Commissioner for Human Rights** is an independent and impartial non-judicial institution established in 1999 by the Council of Europe to promote awareness of and respect for human rights in the Member States.

Among the **key tasks of CAHROM** are: (i) review the implementation of policies (national programmes and/or action plans) and identify good practices of Member States concerning Roma and Travellers; (ii) exchange information, views and experience on Member States' policies and relevant measures for Roma and Travellers; (iii) prepare recommendations, advice and opinions for the Committee of Ministers, including ad hoc opinions on emerging issues requiring urgent attention; (iv) draw up guidelines for the development and/or implementation of policies which promote the rights of the Roma and Travellers; (v) keep under review the situation of Roma and Travellers in Member States; (vi) support the implementation of relevant activities launched by the Council of Europe, particularly within the “Thematic Action Plan on the Inclusion of Roma and Travellers (2016-2019)” and follow its implementation; and others.

⁵¹ Source: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019_en.pdf.

⁵² Source: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-anti-gypsyism-barrier-roma-inclusion_en.pdf.

The then-Commissioner for Human Rights, Nils Muižnieks paid a country visit to Slovakia in March 2018. Responding to the dire situation of many Roma communities in Slovakia, **the Commissioner called on Slovak authorities⁵³ in 2018 to tackle school and spatial segregation, discrimination, and anti-Gypsyism, including the importance of politicians refraining from perpetuating stereotypes about Roma.**

4.3. European Roma Rights Centre

The ERRC has prepared a written note⁵⁴ on the issues faced by Romani communities in Slovakia. The report documents the situation of Roma communities and EERC actions in three key areas: police ill-treatment and harassment, access to adequate housing, and discrimination in education. For example, in 2017 the ERRC filed an *actio popularis* claim against the Ministry of the Interior, challenging Police harassment of Roma.

Concerning housing, **the note documents residential segregation, substandard housing, restricted access to basic infrastructure, and a lack of access to drinking water.** Importantly, with many Roma dwellings located either on state owned or private land, the report highlights that many **Roma families live under the threat of forced eviction due to insufficient legal protection** and an ineffective legalization procedure which could regularize their home ownership.

Concerning education, the note concludes that in Slovakia, many **Roma children face systemic discrimination and segregation in education**, being segregated into Roma-only schools or classes and disproportional channelling into special schools and special classes for children with “mild mental disabilities”. As a result, they are excluded from quality education.

4.4. European Court of Auditors

In its report⁵⁵ from June 2016, the European Court of Auditors assessed whether EU policy initiatives and financial support had contributed effectively to Roma integration during the previous decade. Whereas some progress was reported, so were obstacles and dilemmas which prevented the programs from having the greatest possible impact. Progress had also been hampered by a lack of suitable data, including data on ethnicity.

Whereas significant progress was made in setting out EU policy initiatives promoting Roma integration and all Member States had developed a National Roma Integration Strategy, **a number of deficiencies precluding further progress remained.** These included (i) a lack of proper budgeting; (ii) a lack of attention to anti-discrimination and, in particular, anti-Gypsyism; (iii) that active Roma representation was not always taken into account; and (iv) a mismatch of resources and responsibilities sometimes undermined the work of the National Roma Contact Points.

The report noted **a number of improvements in the period 2014-2020**, including Roma inclusion being explicitly referred to in the European Structural and Investment Funds Regulation and having a specific funding priority. In addition, Member States with country-specific recommendations related to Roma integration within the European Semester are obliged to devote EU funds to promoting Roma inclusion.

⁵³ Source: <https://www.coe.int/en/web/commissioner/-/slovak-republic-adopt-a-bolder-approach-to-ensure-inclusive-education-and-strengthen-the-safety-of-journalists>.

⁵⁴ Source: http://www.errc.org/uploads/upload_en/file/slovakia-cerd-submission-5-november-2017.pdf.

⁵⁵ Source: https://www.eca.europa.eu/Lists/ECADocuments/SR16_14/SR_ROMA_EN.pdf.

The report makes a number of **specific points referring to Slovakia**. According to the report, Slovakia (along with Bulgaria, Czechia and Greece) only partially met the ex-ante conditionalities (EACs) applicable to ESF OP investment priority IP 9(ii) „Integration of marginalised communities such as the Roma“, mostly due to the lack of proper monitoring tools or methodology for implementing their National Roma Integration Strategies (NRIS). Along with Croatia, Italy, and Hungary, Slovakia had not met the general EAC concerning anti-discrimination. The report however concluded that Slovakia eventually had met the EAC regarding IP 9(ii) on the basis of the action plan submitted.

The report of the European Court of Auditors also makes **specific recommendations to Member States and the Commission** summarized in Box 1.

Box 1: ECA Report recommendations

The Member States should take the following steps:

- When revising their National Roma Integration Strategies, they should:
 - a) Specify the level of funding needed for Roma integration measures proposed in their respective strategies; include indicators and targets which deal with anti-discrimination or, more specifically, anti-Gypsyism;
 - b) Ensure that Roma representatives are consulted and included in planning integration measures; and define the role played by National Roma Contact Points in more detail.
- When implementing their operational programmes, they should:
 - a) Make use of best practice criteria for Roma integration in proposals and for selecting projects; and complement current output and results indicators with Roma-specific indicators, where appropriate;
 - b) They should also consider acting together to ensure legal certainty on the use of ESF funds for social inclusion irrespective of a link to employment.

The Commission should:

- a) Ensure that measures carried out under the ESIF are of an inclusive nature and contain provisions aimed at fighting segregation;
- b) Make full use of the reports from Member States on effective Roma integration measures;
- c) Ensure that Roma inclusion objectives in their National Roma Integration Strategies are reflected in the ESIF framework;
- d) Consider legislation to ensure that, from 2020, the distribution of funds among Member States takes into account social inclusion indicators.

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Originally commissioned for a delegation which had to be postponed due to the Coronavirus measures, this analysis prepared by the Central European Labour Studies Institute (CELSI) is being published to mark International Roma Day on 8 April 2020. The paper first presents key indicators on employment and poverty and reviews existing social and employment policies. Second, it discusses the situation of Roma children in education. Third, the paper presents achievements and lessons learned of EU funds used for marginalized communities and, finally, it reviews the work of EU organisations (FRA, Council of Europe, ECA) in assessing the situation of Roma people in Slovakia.

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