



INDIVIDUAL SUBMISSION OF THE SLOVAK NATIONAL CENTRE FOR HUMAN RIGHTS

Alternative Report on the Implementation of the European Social
Charter – Group 4 – Article 16 and Article 17

CYCLE 2023

June 2023



About the Slovak National Centre for Human Rights:

Slovak National Centre for Human Rights (the “Centre”) is a national human rights institution established in the Slovak Republic, accredited with status B by the Global Alliance of National Human Rights Institutions. As an NHRI, the Centre is a member of the European Network of NHRIs (ENNHRI). The Centre was established by the Act of Slovak National Council No. 308/1993 Coll. on the Establishment of Slovak National Centre for Human Rights. Pursuant to the Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection from Discrimination, as amended (the Anti-Discrimination Act), the Centre also acts as the only Slovak equality body. As an NHRI and equality body, the Centre performs a wide range of tasks in the field of protection and promotion of human rights and fundamental freedoms including the observance of the principle of equal treatment.

The Centre among other powers:

- 1) monitors and evaluates the observance of human rights and the observance of equal treatment principle;*
- 2) gathers and, upon request, provides information on racism, xenophobia and antisemitism in the Slovak Republic;*
- 3) conducts research and surveys to provide data in the field of human rights; gathers and distributes information in this area;*
- 4) prepares educational activities and participates in information campaigns aimed at increasing tolerance of the society;*
- 5) provides legal assistance to victims of discrimination and manifestations of intolerance;*
- 6) issues expert opinions on matters concerning the observance of the equal treatment principle;*
- 7) performs independent inquiries related to discrimination;*
- 8) prepares and publishes reports and recommendations on issues related to discrimination; and*
- 9) provides library services and other services in the field of human rights.*

Contact: *Ms. Katarína Medľová, Policy Officer, medlova@snslp.sk, +421 (0)2 208 501 15, www.snslp.sk*



1. INTRODUCTION

This report has been prepared by the Centre utilizing first-hand information gathered (i) during the annual monitoring and evaluation of the observance of human rights, fundamental freedoms and the equal treatment principle, (ii) while providing legal services to victims of discrimination and (iii) as part of conducting research and providing human rights education. With respect to annual evaluation of the observance of human rights, fundamental freedoms and principle of equal treatment, the Centre has been regularly consulting with key stakeholders including civil society organizations, academia, public authorities, think tanks, media, businesses, and social services providers. The information gathered during the monitoring has been utilized in this report.

The alternative report of the Centre reflects on the 13th National Report on the implementation of the European Social Charter submitted by the Slovak Republic as registered by the Secretariat of the European Committee of Social Rights, as well as the 2019 Conclusions of the European Committee of Social Rights Relating to Articles from Thematic Group 4 (children, families, migrants) concerning the Slovak Republic.

In this submission, the Centre focuses on the right of the family to social, legal and economic protection – **Article 16** and the right of children and young persons to social, legal and economic protection – **Article 17**, in the reference period between 1 January 2018 to 30 December 2021.



ARTICLE 16 – THE RIGHT OF THE FAMILY TO SOCIAL, LEGAL AND ECONOMIC PROTECTION

A) All forms of violence against women and domestic violence and protection against such violence in law and practice

Gender-based violence and impact of the COVID-19 pandemic on domestic violence

1. In its concluding observations on the third periodic review of Slovakia, adopted in 2019, the UN Committee on Economic, Social and Cultural Rights noted with concern the information about high incidence of violence against women, including sexual harassment and domestic violence in Slovakia.¹ The Committee recommended Slovakia to develop dedicated legislation addressing violence against women, to provide full protection to victims and improve their access to justice, to systematically collect disaggregated data on violence against women and to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).²

2. The COVID-19 pandemic has brought a significant increase in the intensity of domestic violence.³ According to a survey on the impact of COVID-19, 78% of women in Slovakia think that the COVID-19 pandemic has led to an increase in physical and emotional violence against women.⁴ National data have indirectly confirmed this. For example, the number of calls to the National Hotline for Women Experiencing Violence (the National Hotline) increased by 49% in 2020 compared to the previous year. The number of women contacting the National Hotline for the first time increased by 37%, as did the number of calls from third parties, i.e., acquaintances and relatives of women experiencing violence, by 43%.⁵ In 2021, the monthly number of women contacting the National Hotline still significantly exceeded the average monthly number in 2019.⁶

Statistical data on prosecutions

3. According to crisis counsellors, many women had negative experiences with the operation centre of the Police Force of the Slovak Republic, e.g. violent persons were not evicted from their homes, criminal complaints were treated as misdemeanors, or the perpetrators were only verbally warned, which led to a subsequent escalation of violence and threat to the lives of victims.⁷

¹ E/C.12/SVK/CO/3, para. 28.

² Ibid., para. 29.

³ Government of the Slovak Republic: “Helping victims of domestic violence”, available in Slovak at: <https://korona.gov.sk/pomoc-obetiam-domaceho-nasilia/>

⁴ European Parliament, Eurobarometer Flash Survey: “Women in Times of COVID-19”, 2022, available at <https://europa.eu/eurobarometer/surveys/detail/2712>

⁵ Viteková, M.: *Report on the activities of the National Hotline for Women Experiencing Violence in 2021*, p. 4, available in Slovak at https://ivpr.gov.sk/wp-content/uploads/2022/02/bulletin_ivpr_1_2022.pdf

⁶ Ibid., p. 5.

⁷ Ibid., p. 4.



4. According to the General Prosecutor's Office of the Slovak Republic, in relation to the crime of abuse of a close and entrusted person, an increase of up to 18% in criminal prosecutions was recorded in 2020⁸ and 8% in 2021 compared to 2019, whereas violence has been reported not only against the partner and children, but also against the parents living in the same household.⁹ While in 2019, 237 persons were prosecuted for the crime of abuse of a close and entrusted person, in 2020, it was 279 and in 2021, it was 256 persons.¹⁰ Of the total number of prosecuted persons in 2021 (29,362 charges), the proportion of prosecuted persons for the crime of abuse of a close and entrusted person was 0.9% (256 charges), and 176 cases resulted in convictions.¹¹ The numbers were similar in 2020, when from 279 prosecuted persons, 170 were convicted.¹² Violence more often led to more fatal consequences, as evidenced by the higher number of homicides in close and familial relationships. In 2020, 16 people died at the hands of their relatives, which is 78% more than in 2019. The number of murders of women by their partners rose by 71%.¹³

5. One of the measures the police can assist or help in cases of partner and domestic violence is the eviction of the abuser from the shared home. According to the police statistics, in 2020, the institution of eviction of the perpetrator from the shared household was used 1 045 times, which is a year-on-year increase of 17% (in 2019, the institution of eviction was used 892 times). The month with the highest number of evictions was March 2020 (110), the first month of the pandemic.¹⁴

Legislative measures during the COVID-19 pandemic

6. No specific nationwide measures were adopted to support women experiencing partner or domestic violence during the COVID-19 pandemic, while in general, pandemic measures may have had a potentially negative impact on violence against women.¹⁵ In 2020, services for women experiencing violence and their children were included among the subjects of economic mobilization by a government resolution. However, during the pandemic, only 23 women and 32 children were accommodated in crisis accommodation facilities, even though the need was significantly higher.¹⁶ The UN Committee on the Elimination of Discrimination of Women has

⁸ Attorney General's Office of the Slovak Republic: *Report of the Attorney General of the Slovak Republic on the activities of the Attorney General's Office and on the state of legality in the Slovak Republic for 2020*, p. 41, available in Slovak at <https://shorturl.at/orBC7>

⁹ *Ibid.*, p. 40.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Očenášová, Z.: *Impact of anti-pandemic COVID-19 measures on violence against women*, 2021, p. 8, available in Slovak at https://ivpr.gov.sk/wp-content/uploads/2021/08/vplyv_protipandem_opatreni_na_nasilie_na_zenach_ocenasova_2021.pdf

¹⁴ *National Action Plan for the Prevention and Elimination of Violence against Women 2022-2027*, p. 13. Available in Slovak at <https://www.mpsvr.sk/files/sk/ministerstvo/spolocny-sekretariat-vyborov/vybor-rodovu-rovnost/dokumenty-udalosti/nap-eliminacia-nasilia-zenach.pdf>

¹⁵ Očenášová, Z.: *Impact of anti-pandemic COVID-19 measures on violence against women*, 2021, p. 10, available in Slovak at https://ivpr.gov.sk/wp-content/uploads/2021/08/vplyv_protipandem_opatreni_na_nasilie_na_zenach_ocenasova_2021.pdf

¹⁶ Očenášová, Z.: *COVID-19 as the perfect storm for partner violence against women*, 2021, p. 13, available in Slovak at https://www.zastavmenasilie.gov.sk/resources/data/COVID19_AkoDokonalBurkaPrepartnerskeNasilieNaZenach_ZuzanaOcnasova_2021.pdf



also expressed its concern about the unequal distribution of shelters across the territory of Slovakia, especially in rural areas and the lack of affordable public housing or rent-controlled housing, which forces victims of domestic violence to return to abusive households.¹⁷

7. According to the research by the Institute of Labour, Social Affairs and Family conducted in 2021, none of the social service providers for women participating in research had their services interrupted during the COVID-19 pandemic.¹⁸ Nevertheless, the availability of services, especially accommodation, were limited during the first wave. Three of the four women's safe houses participating in research had established quarantines for new clients. However, once a new client was admitted, the quarantine place was occupied for 14 days and the admission of a new client had to wait until the quarantine was vacated.¹⁹ Although a number of exceptions were made during the state ordered curfews, threats to health and life were never listed among the exceptions. At the time of the longest (five months) lockdown, women experiencing violence and their children could only leave the perpetrator knowing that they had violated the measures in force.²⁰

Impact of COVID-19 pandemic on the legal proceedings

8. One of the impacts of the anti-pandemic measures was a decline in the functioning of various institutions such as the Offices of Labour, Social Affairs and Family or courts affecting legal cases involving women experiencing violence. During the first wave of the pandemic in 2019, only 53% of cases were heard in March, 20% in April and 59% in May compared to the same months in the previous year.²¹ The prolongation of legal proceedings lead to further stress and created space for violent strategies of the partners, especially in relation to contact with children.²²

Sentencing of domestic violence

9. According to an analysis conducted in the period from 1 January 2017 to 30 June 2018, in the case of 3 examined criminal offences, namely the offences of rape, sexual violence and abuse of a close and entrusted person, most offenders were sentenced at or below the minimum limit of the sentencing range and suspension of sentences was often carried out without sufficient measures to ensure the protection of the victims.²³ According to the survey, courts have more frequently

¹⁷ CEDAW/C/SVK/CO/7, para 22 (c).

¹⁸ Očenášová, Z.: *COVID-19 as the perfect storm for partner violence against women*, 2021, p. 12, available in Slovak at https://www.zastavmenasilie.gov.sk/resources/data/COVID19_AkoDokonalBurkaPrepartnerskeNasilieNaZenach_ZuzanaOcenasova_2021.pdf

¹⁹ Ibid.

²⁰ Očenášová, Z.: *Impact of anti-pandemic COVID-19 measures on violence against women*, 2021, p. 10, available in Slovak at https://ivpr.gov.sk/wp-content/uploads/2021/08/vplyv_protipandem_opatreni_na_nasilie_na_zenach_ocenasova_2021.pdf

²¹ Ibid., p. 13.

²² Ibid.

²³ Burajová B., Očenášová Z.: *Analysis of court decisions in cases of violence against women*, p. 83-85, 2020, available in Slovak at https://ivpr.gov.sk/wp-content/uploads/2020/12/analyza_sudnych_rozhodnuti_o_nasili_na_zenach.pdf



justified extraordinary reduction of the sentences on the grounds that a higher sentence would have a disproportionate impact on the offender's family, as a prison sentence without suspension would lead to non-payment of child support. The courts also stated that the victim could envisage a future life with the defendant, possibly continuing to live together or conversely, the courts reasoned that the victim and the defendant no longer have any contact.

10. In cases of abuse of a close and entrusted person, the most frequently imposed sentence was a prison sentence of 3 years, which is also the highest sentence for which its execution may be suspended. It was imposed by the court in up to 55% of cases, while in three quarters of them the execution of the sentence was suspended.²⁴ The court practice shows a tendency to suspend the execution of prison sentences regardless of the seriousness of the offence committed. In such cases, the court has the possibility of protecting the victim from further violence by imposing a no-contact order or by imposing a protection order. The analysis shows that in cases of abuse of a close and entrusted person, the court used one (or two) of these options in only 17% of the cases and in cases of sexual violence in only 7% of the cases.²⁵

Intervention centres

11. Mainly during the first wave of the pandemic, several initiatives emerged, focusing on prevention and education, e.g. a leaflet campaign in supermarkets with information and contacts to organisations supporting women and children experiencing violence, media promotion or working meetings organised by the President of the Slovak Republic.²⁶

12. Act No. 217/2021 Coll. amending Act No. 274/2017 Coll. on Victims of Crimes and on Amendments and Additions to Certain Acts as amended by Act No. 231/2019 Coll. and amending Act No. 171/1993 Coll. of the National Council of the Slovak Republic on the Police Force as amended (Amendment of the Act on Victims of Crimes)²⁷ entered into effect on 1 January 2018, fully transposing the EU Victims' Rights Directive into the legal order of the Slovak Republic. The law comprehensively regulates the rights of victims of crime, compensation for victims of violent crime and the mechanism of support for entities providing assistance to victims of crime, thereby strengthening the position of victims of crime in criminal proceedings.²⁸

13. The Amendment of the Act on Victims of Crimes mainly simplified victims' access to compensation, extended the possibility of eviction to 14 days and introduced a new element of

²⁴ Ibid., p. 85.

²⁵ Ibid., p. 86.

²⁶ The Office of the President of the Slovak Republic: "State to streamline assistance to victims of domestic violence", 18 September 2020, available in Slovak at <https://www.prezident.sk/article/stat-zefektivni-pomoc-obetiam-domaceho-nasilia/>

²⁷ Act No. 217/2021 Coll. amending Act No. 274/2017 Coll. on Victims of Crimes and on Amendments and Additions to Certain Acts as amended by Act No. 231/2019 Coll. and amending Act No. 171/1993 Coll. of the National Council of the Slovak Republic on the Police as amended, available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2021/217/>

²⁸ Explanatory Memorandum to the draft Act No. 274/2017 Coll. on Victims of Crimes, available in Slovak at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=441907>



crisis intervention for victims of domestic violence - intervention centres,²⁹ which provide social, legal, and psychological assistance to victims of domestic violence in cases of eviction or upon the victim's own request. This model is based on interconnecting police intervention with crisis intervention and expert assistance provided to a victim or person under threat of domestic violence immediately after domestic violence occurs. The Amendment regulated the method of compensation of victims, under which the victim has the right to claim compensation from the state right after the beginning of the criminal proceeding, i.e. not upon a final judgement. Once compensation has been awarded to the victim, the claim for compensation against the perpetrator passes to the State, which will recover it from the perpetrator.³⁰

Definition of domestic violence

14. Currently, the Act No. 300/2005 Coll. Criminal Code³¹ (Criminal Code) does not include a definition of a separate crime of domestic violence. Domestic violence is covered in the Criminal Code under the crime of abuse of a close or entrusted person under Art. 208. Depending on the nature of the particular case, an act of domestic violence may be legally qualified as a criminal offence of battery, extortion, rape, sexual violence, assault, stalking, restraint of liberty, or other offences listed in the Criminal Code.³²

15. The legal definition of the crime of “*domestic violence*” has been introduced into the Slovak legal order by the Act No. 274/2017 Coll. on Victims of Crimes, effective from 2018. The gender-neutral definition of domestic violence states that it is a crime committed by violence or the threat of violence against a direct relative, adoptive parent, adoptive child, sibling, spouse, former spouse, partner, former partner, parent of a shared child or other person with whom the perpetrator lives or lived with in a common household. However, the definition of this term was introduced solely for the purposes of the Act No. 274/2017 Coll. on Victims of Crimes and does not affect the criminal assessment of domestic violence on the basis of the relevant provisions of the Criminal Code.³³ International human rights bodies have also drawn the attention of the Slovak Republic to this issue and recommended to define and introduce domestic violence as a separate act in the Criminal Code.³⁴

16. In relation to education and training of law enforcement agencies on violence against women, NGOs have pointed out that available trainings only focus on crime victims in general and on domestic or family violence, which often results in lack of relevant knowledge and

²⁹ Ministry of Justice of the Slovak Republic: “Register of entities providing assistance to victims”, available in Slovak at <https://www.justice.gov.sk/sluzby/pomoc-obetiam/pre-statne-organy/>

³⁰ Ministry of Justice of the Slovak Republic: “Government approves improved assistance for victims of crime”, 16 December 2020, available in Slovak at <https://www.justice.gov.sk/sudy-a-rozhodnutia/sudy/aktuality/?eid=3073>

³¹ Act No. 300/2005 Coll. Criminal Code, available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/300/>

³² *National Action Plan for the Prevention and Elimination of Violence against Women 2022-2027*, p. 15, available in Slovak at <https://www.mpsvr.sk/files/sk/ministerstvo/spolocny-sekretariat-vyborov/vybor-rodovu-rovnost/dokumenty-udalosti/nap-eliminacia-nasilnia-zenach.pdf>

³³ *Ibid.*, p. 10.

³⁴ CAT/C/SVK/CO/3, para. 14.; CEDAW/C/SVK/CO/7, para. 23.



understanding of the police and other law enforcement agencies of the gendered nature and human rights perspective on violence against women, as well as on the power and control dynamic of intimate partner violence against women.³⁵ The current definition of rape in Slovakia also focuses on the presence of violence and manifested resistance and does not take into account the absence of free consent of the victim.³⁶

Istanbul Convention

17. Slovakia has signed the Istanbul Convention in 2011, thus committing to its subsequent ratification. However, in 2019, the National Council of the Slovak Republic has adopted a resolution on rejection of the ratification of the Istanbul Convention and called on the Government to block the EU's accession to the Convention.³⁷ A potentially major problem for the effectiveness of the fight against violence against women is the rejection of the concept of gender.³⁸

18. Despite repeated recommendations of the UN Committee on the Elimination of Discrimination against Women to expedite the enactment of comprehensive legislation on the prevention and elimination of violence against women,³⁹ Slovakia still does not have a specific comprehensive legislation on violence against women. Even the Act No. 274/2017 Coll. on Victims of Crimes, transposing the EU Victims' Rights Directive, lacks the gender aspect in contrary to the said Directive where the gender aspect is very strongly emphasised.

B) Social economic and legal protection of family including family or child benefits, adequate family benefits, childcare facilities, housing for families and vulnerable families

Housing for families and social housing

19. Neither the Slovak Constitution nor other laws do explicitly enshrine the right to housing or the right to adequate housing.⁴⁰ The Constitution of the Slovak Republic enshrines the right to housing only in limited scope. It explicitly protects the inviolability of the dwelling, i.e. the aspect of legal security of housing, while other aspects of the right to housing are partly protected as parts

³⁵ Fenestra, Women's Circles, Center for Civil and Human Rights: *Joint NGO submission to the Committee on the Elimination of Discrimination against Women concerning shortcomings in the implementation of the Convention in Slovakia*, 11 April 2023, p. 5, available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FCSS%2F52464&Lang=en

³⁶ European Institute for Gender Equality: *Legal Definitions in the EU Member States*, available at: <https://shorturl.at/afhT0>

³⁷ National Council of the Slovak Republic: *Resolution on the process of accession of the European Union to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)*, 28 November 2019, available in Slovak at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=474768>

³⁸ Euractiv: "After the Istanbul Convention, all modern international documents on women are under threat in Slovakia", 29 May 2020, available in Slovak at <https://euractiv.sk/section/rodova-rovnost/news/po-istanbulskom-dohovore-su-na-slovensku-ohrozene-vsetky-moderne-medzinarodne-dokumenty-o-zenach/>

³⁹ CEDAW/C/SVK/CO/5-6, para. 21. and CEDAW/C/SVK/CO/7, para. 23.

⁴⁰ Beňová, N., Matiaško, M.: *Right to Housing*, p. 65, 2018, available in Slovak at https://www.notabene.sk/swift_data/source/knihy_publikacie/Pravo_na_byvanie_final_web.pdf



of other rights (e.g. the right to dignity, the right to health, the right to social security).⁴¹

20. According to OECD, main obstacles and challenges faced in ensuring access to affordable housing in Slovakia are structure of housing stock; low level of new constructions; high prices; price deregulation; relatively low income of households; and significant regional differences. According to OECD, the real cost of housing exceeds the affordability limits of many households and housing in general is financially inaccessible for some, with large regional differences in terms of unemployment rates and household income.⁴²

21. The provision and supply of social housing⁴³ is mainly in the competence of towns and municipalities.⁴⁴ The biggest shortcoming of access to social housing is its unavailability or unclear conditions of their allocation and disproportionately long waiting periods for allocation.⁴⁵ Slovakia has one of the lowest share of public/social housing among all EU countries. Only 3% of all apartments and houses were in public ownership available for renting in comparison with the EU average of 11%. Similarly, there were around 3% of all apartments in private ownership available for renting.⁴⁶ The average price of residential property for the whole year 2020 has risen by 11.9 % compared to 2019.⁴⁷

22. Unavailability of social housing due to low housing stock and non-conceptual approach in dealing with social housing was confirmed by the Centre's research in regional cities carried out in 2019. Through a survey involving 9 cities, the Centre found that the occupancy of social housing capacity in the participating cities reached more than 90%, with the exception of 2 cities where it reached 89.21% and 78,29%. Three cities showed 100% occupancy.⁴⁸ In cases where the occupancy was not at its maximum, it was either because the flats were under reconstruction, or they were unoccupied due to the transitional period between the expiry or termination of contracts.⁴⁹ Slovakia also has a long-standing high level of overcrowding. In 2021, 31,2% of

⁴¹ Slovak National Centre for Human Rights: *Report on the observance of human rights including the principle of equal treatment in the Slovak republic for the year 2019*, Bratislava, 2020, p. 100, available in Slovak at <https://www.snslp.sk/wp-content/uploads/Sprava-o-LP-v-SR-za-rok-2019.pdf>

⁴² OECD: *Housing policy objectives and obstacles*, available at: <https://www.oecd.org/els/family/PH1-2-Housing-policy-objectives-and-obstacles.pdf>

⁴³ The definition of social housing is enshrined in Art. 21, para. 1 of the Act No. 443/2010 Coll. on subsidies for housing development and on social housing, which states that social housing is “housing procured with public funds intended to provide adequate and decent housing for natural persons, who are unable to afford housing of their own making and meet the conditions under this Act.”

⁴⁴ Beňová, N., Matiaško, M.: *Right to Housing*, p. 72, 2018, available in Slovak at https://www.notabene.sk/swift_data/source/knihy_publicacie/Pravo_na_byvanie_final_web.pdf

⁴⁵ *Ibid.*, p. 75.

⁴⁶ Forum for Human Rights (FORUM), SOCIA – Social Reform Foundation (SOCIA), Proti Prúdu: *NGOs information to the UN Committee on Economic, Social and Cultural Rights. For consideration when compiling the Concluding Observations on the Third Periodic Report of the Slovak Republic under the International Covenant on Economic, Social and Cultural Rights*, 6 September 2019, para. 3, available at https://www.socia.sk/wp-content/uploads/2019/09/CESCR_2019_right-to-housing_fin.pdf

⁴⁷ *Housing Policy of the Slovak Republic until 2030*, p. 15., available at <https://www.mindop.sk/ministerstvo-1/vystavba-5/bytova-politika/dokumenty/koncepcie>

⁴⁸ Slovak National Centre for Human Rights: *Right to Housing*, 2019, p. 49, available in Slovak at http://www.snslp.sk/wp-content/uploads/Pravo_na_byvanie.pdf

⁴⁹ *Ibid.*, p. 50.



people in Slovakia lived in an overcrowded household compared to the EU average of 17%.⁵⁰

23. The housing allowance, which is a social policy instrument that affects the ability of socially disadvantaged groups to maintain or procure some form of housing, is set at two levels. It provides 58,50 EUR per month for a single member household and 93,40 EUR per month for a multi-member household. However, these amounts do not cover real housing costs.⁵¹ In addition, according to data on housing quality, as of 2020, 4,9% of total population lived in dwellings with leaking roofs, damp walls (floors), foundations or rotting window frames (floors).⁵² 5,7% of people were affected by persistent risk of poverty⁵³ and 5,8% by severe material deprivation.⁵⁴

24. Lack of affordable housing in Slovakia also has a great impact on young people, who live with their parents considerably longer than is common in most European countries.⁵⁵ In 2019, the average age of young people leaving their parental home in Slovakia was 30,9 years, whereas the EU average was 26,2 years. In 2021, the average age in Slovakia remained 30,9 compared with the EU average of 26,5 years.⁵⁶ At EU level, in 2021, on average, young women left their parental household at the age of 25.5 years while young men did it at the age of 27.4 years. In contrast, women in Slovakia left on average at the age of 29.5 years and men at the age of 32,2 years.⁵⁷ As of 2021, 463 437 people in Slovakia lived with their parents in adulthood.⁵⁸

25. According to the latest population and housing census, as of 1 January 2021, there were 71 076 people in situation of homelessness in Slovakia, with a predominance of men.⁵⁹ The number of people in situation of homelessness has tripled compared to 2011.⁶⁰ Of the total number of people in situation of homelessness, children under the age of 14 account for up to 15.5%, more than 80% are of working age, and less than 5% are of post-working age.⁶¹

⁵⁰ Eurostat: *Overcrowding rate by age, sex and poverty status - total population - EU-SILC survey*, available at https://ec.europa.eu/eurostat/databrowser/view/ilc_lvho05a/default/table?lang=en

⁵¹ *Housing Policy of the Slovak Republic until 2030*, p. 26., available at <https://www.mindop.sk/ministerstvo-1/vystavba-5/bytova-politika/dokumenty/koncepcie>

⁵² Statistical Office of the Slovak Republic: DATAcube: *Housing quality - Leaking roof, damp walls and others*, available in Slovak at https://datacube.statistics.sk/#!/view/sk/VBD_SK_WIN/kz1007rs/v_kz1007rs_00_00_00_sk

⁵³ Statistical Office of the Slovak Republic: DATAcube: *Rate of persistent risk of poverty*, available in Slovak at https://datacube.statistics.sk/#!/view/sk/VBD_SK_WIN/kz1005rs/v_kz1005rs_00_00_00_sk

⁵⁴ Statistical Office of the Slovak Republic: DATAcube: *Level of severe material deprivation*, available in Slovak at https://datacube.statistics.sk/#!/view/sk/VBD_SK_WIN/kz1006rs/v_kz1006rs_00_00_00_sk

⁵⁵ Slovak National Centre for Human Rights: *Young adults from centres for children and families and the exercise of the right to housing*, 2021, p. 19, available in Slovak at: <http://www.snslp.sk/wp-content/uploads/Mladi-dospeli-a-pravo-na-byvanie.pdf>

⁵⁶ Eurostat: *Estimated average age of young people leaving the parental household by sex*, available at https://ec.europa.eu/eurostat/databrowser/view/yth_demo_030/default/table?lang=en

⁵⁷ Ibid.

⁵⁸ Population and housing census: “News on households in the Slovak Republic according to SODB 2021”, available in Slovak at <https://www.scitanie.sk/popularne-clanky-blogy/novinky-o-domacnostiach-v-sr-podla-sodb-2021>

⁵⁹ Statistical Office of the Slovak Republic: “*Population and housing census: People in the situation of homelessness*”, available in Slovak at https://www.scitanie.sk/storage/app/media/dokumenty/ludia_bez_domova_SODB_2021.pdf

⁶⁰ Statistical Office of the Slovak Republic: “The number of people in the situation of homelessness has tripled compared to 2011!”, 18 May 2023, available in Slovak at <https://www.scitanie.sk/medialne-aktuality/pocet-ludi-bez-domova-sa-oproti-roku-2011-trojnaso-bne-zvysil>

⁶¹ Statistical Office of the Slovak Republic: “More than 15% of people in the situation of homelessness are of pre-working age!”, 18 May 2023, available in Slovak at <https://www.scitanie.sk/medialne-aktuality/viac-ako-15-percent-ludi-bez-domova-je-v-predproduktivnom-veku>



Forced evictions

26. A serious problem in the area of right to housing is the mass evictions of residents from social rental housing (often excluded/segregated). Tens to hundreds of families a year with many minor children often end up homeless without access to alternative accommodation.⁶² Mass evictions from social rental housing encourage the creation of illegal settlements in the urban environment. In case of eviction of illegal residents, the Slovak legislation does not provide for the obligation to provide replacement accommodation. In connection with the increasing number of evictions, the Public Defender of Rights has in the past addressed the municipalities and called on to guarantee the fundamental rights and freedoms of vulnerable groups and to implement only practices that are consistent with the positive obligations of the state.⁶³

27. The UN Committee on the Elimination of Racial Discrimination has prompted the Slovak Republic to intensify its efforts to provide security of tenure to Roma communities, including through the legalization of informal settlements, in order to prevent forced evictions, and when they cannot be avoided, ensure that the families and individuals affected are provided with alternative adequate housing and compensation.⁶⁴

Housing for Roma families living in excluded communities

28. As of 2020, 87% of Roma living in excluded communities lived below the risk of poverty level, which is 2 percentage points higher than in 2018 (85%). More than half of Roma living in the excluded communities (52%) live in households that suffer from severe material deprivation compared to 6% of the total population. The most common type of housing in the excluded communities is brick houses (62% of households), followed by apartment buildings (23%) and non-standard/non-residential types of dwellings (23% of households), including shacks and wooden huts (15 % of households).⁶⁵

29. In addition, households of 88% Roma living in excluded communities are overcrowded,⁶⁶ 6% households have no electricity and in a further 15%, electric connection is inadequate/faulty. Almost half of Roma living in excluded communities (47%) live in places that they consider polluted, dirty or with other environmental problems (compared to 10% of the total population).⁶⁷

⁶² Beňová, N., Matiaško, M.: *Right to housing*, Bratislava, p. 80., 2018, available in Slovak at: https://www.notabene.sk/swift_data/source/knihy_publicacie/Pravo_na_byvanie_final_web.pdf

⁶³ Ibid., 81.

⁶⁴ CERD/C/SVK/CO/13, para. 27., CERD/C/SVK/CO/11-12, para. 22.

⁶⁵ Markovič F., Plachá L.: *Income and living conditions in marginalised Roma communities: Selected indicators from the survey EU SILC MRK 2020*, p. 18, available in Slovak at https://www.romovia.vlada.gov.sk/site/assets/files/1276/analyticka_sprava_eu_silc_mrk_2020_elektronicka_final.pdf?csr=4882968265749947127

⁶⁶ Ibid., p. 19.

⁶⁷ Ibid.



Housing of Roma families during the COVID-19 pandemic

30. With regards to housing situation of Roma families, despite some state efforts (including the Strategy of Equality, Inclusion and Participation of Roma until 2030⁶⁸ and related action plans) and some social housing projects, the living conditions of Roma families living in excluded communities continue to remain largely inadequate,^{69,70} with further deterioration during the COVID-19 pandemic.^{71,72}

31. During the COVID-19 pandemic, the Centre also monitored the state practice of compulsory quarantine of several Roma families living in excluded communities in Slovakia (in place of personal isolation) and its negative impacts on human rights, manifesting structural discrimination and racial prejudice against Roma.⁷³ After cases of coronavirus infections had been confirmed in a number of excluded communities in Slovakia, several of the communities have been locked down as a whole and put under mandatory quarantine. In the first two waves of the COVID-19 pandemic in 2020, mandatory quarantine involved several municipalities, including Bystrany, Žehra, Ratnovce and the towns of Krompachy and Bánovce nad Bebravou. The quarantine measures have had a negative impact on the situation of people from the segregated settlements, including worsening of the access to health care or the access to medicines.⁷⁴

32. The Centre as well as the Public Defender of Rights⁷⁵ repeatedly contested the inadequacy and lack of sufficient justification of the measures regulating the isolation of Roma communities. After examining several particular cases, the Public Defender of Rights found that the fundamental rights and freedoms of the inhabitants in these areas had been violated.^{76,77}

⁶⁸ *Strategy of Equality, Inclusion and Participation of Roma until 2030*, available at https://www.romovia.vlada.gov.sk/site/assets/files/1526/strategy_of_equality_inclusion_and_participation_of_roma_until_2030.pdf?csrt=5786424573696033973

⁶⁹ Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities: “The latest EU SILC_MRK survey also confirmed a significant difference between the living conditions of the inhabitants of Roma communities and the majority”, 22 December 2021, available in Slovak at: <https://shorturl.at/yKNX6>

⁷⁰ Škobla, D.: *Report of the living conditions of Roma households in Slovakia*, 2007, available at https://www.researchgate.net/publication/318440893_Report_on_the_living_conditions_of_Roma_households_in_Slovakia.

⁷¹ Hidas, S., et al.: “The impact of the pandemic on marginalized Roma communities”, 19 January 2022, Institute for Financial Policy, available in Slovak at https://www.mfsr.sk/files/archiv/80/2022_1_Vplyv-pandemie-na-MRK_final.pdf?fbclid=IwAR2tnCUk6kBUpZ0mdtseymlzP0t82Vd9SeusDTYazICX7okS6pNEs8viZvs.

⁷² Kadlečíková, J.: “Situation in Roma communities – when will we move on? ”, 29 March 2022, *Minority Policy in Slovakia*, available at <https://mensinopolitika.eu/en/situation-in-roma-communities-when-will-we-move-on/>

⁷³ For an analysis of the compulsory quarantine of Roma communities please see the Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the Year 2020*, p. 22, available at <http://www.snslp.sk/wp-content/uploads/Human-Rights-Report-2020.pdf>.

⁷⁴ EU FRA: *Implications of COVID-19 pandemic on Roma and Travellers communities*, 15 June 2020, p.16, available at https://fra.europa.eu/sites/default/files/fra_uploads/sk_report_-_covid-19_impact_on_roma_en.pdf

⁷⁵ Office of the Public Defender of Rights: “Slovakia is the only country in Europe in which entire Roma communities are still quarantined”, 25 February 2021, available in Slovak at <https://vop.gov.sk/slovensko-je-jedinou-krajinou-v-europskej-unii-v-ktorej-sa-stale-karantenuju-cele-romske-komunity/>

⁷⁶ Office of the Public Defender of Rights: “Ombudswoman turns to the Regional Public Health Authority in Trenčín and the Chief Hygienist on the quarantine of Roma residences”, 26 October 2020, available in Slovak at <https://bit.ly/3HYyFZP>.

⁷⁷ Slovak National Centre for Human Rights: *Observations of the Slovak National Centre for Human Rights in relation to the thirteenth periodic report of Slovakia to the Committee on the Elimination of Racial Discrimination.*, p. 12, available at https://www.snslp.sk/wp-content/uploads/CERD_submission_SNCHR_final.pdf



33. The UN Committee on the Elimination of Racial Discrimination has also repeatedly urged the Slovak Republic to adopt appropriate and effective measures in order to provide access to adequate housing and to improve the living conditions of Roma, adopt targeted measures with a view to ending residential segregation affecting Roma, including by holding accountable local authorities that encourage or adopt segregation policies and to prevent discriminatory treatment of Roma on the housing market.⁷⁸

Access to safe drinking water and sanitation

34. Poor living situations of Roma families including the issues of access to safe drinking water and waste management has been highlighted by the NGOs Forum for Human Rights (FORUM) and the European Roma Rights Centre.⁷⁹ According to data published in the Atlas of Roma Communities in Slovakia, as of 2019, 22% of Roma living in excluded communities (approximately 66 000 people) did not have access to safe drinking water directly in their homes.⁸⁰ In addition, 8% of Roma living in excluded communities use water from a non-standard source, such as water from a stream or well (approximately 24 000 people). Another 14% of Roma (approximately 42 000 people) use so-called public wells, that are located in a public space and shared, while lack of access to safe drinking water is almost a nonexistent issue for other Slovak households.⁸¹

35. As of 2019, the Atlas of Roma Communities in Slovakia recorded slight differences in the coverage of the public water supply network between communities outside of villages and on the outskirts of villages (approximately 60% of settlements had coverage) and between concentrations inside the village (approximately 70%). Approximately 25% of people in the concentrations outside and on the outskirts of the village did not have access to drinking water directly in their homes, while inside the village, it was 14%.⁸²

36. The Atlas of Roma Communities in Slovakia further shows, that as of 2019, individualised form of waste collection was used by 62% of Roma living in excluded communities, with large differences between communities inside and outside the municipality.⁸³ Approximately 100 000 Roma living in excluded communities do not have a waste container belonging to their own dwelling. Many people use big capacity containers as an alternative, but this is not an appropriate solution for household waste disposal.⁸⁴

⁷⁸ CERD/C/SVK/CO/13, para. 27.

⁷⁹ Forum for Human Rights (FORUM), European Roma Rights Centre (ERRC): *NGOs information to the UN Committee against Torture For consideration when compiling the Concluding Observations on the Fourth Periodic Report of the Slovak Republic under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FCSS%2FSVK%2F52104&Lang=en

⁸⁰ Ravasz Á., Kovács E., Markovič F.: *Atlas of Roma Communities 2019*, p. 50, available in Slovak at https://www.institutmatejabela.sk/_files/ugd/1a16af_0d81d887ecb3421bb8b19728c82c980f.pdf

⁸¹ Ibid.

⁸² Ibid., p. 52.

⁸³ Ibid., p. 68.

⁸⁴ Ibid., p. 69.



Lack of social, legal and economic protection of LGBTI+ families

37. Even 7 years after the adoption of the National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic, no action plan or other strategic framework for the protection and promotion of the rights of LGBTI+ people has yet been adopted in Slovakia.⁸⁵ Same-sex partners may currently be granted the status of a “close person” or “cohabitant in a shared household” under certain statutory provisions, but it is in many cases unclear and difficult to prove. Therefore, the rights, including social rights arising from the status of a close person or cohabiting person in a shared household are not guaranteed, unlike for different-sex married couples to whom the law grants a full range of social rights (e.g. mutual maintenance obligation, time off work to accompany a sick partner, injury benefits) and adequate legal status and protection. In the years 2018-2021, there was no legislation adopted improving the social or legal status including family rights of LGBTI+ people. Slovakia has not accepted a recommendation to enact legislation approving same-sex marriage and to expand all marriage rights to same-sex couples submitted during the third cycle of the Universal Periodic Review. Slovakia referred to the fact that marriage is a unique union between a man and a woman under Article 41(1) of the Constitution of the Slovak Republic and stated that excluding certain persons from the possibility of marriage is not discrimination, but a conceptual and cultural understanding of the institution of marriage.⁸⁶

⁸⁵ Slovak National Centre for Human Rights: *Report on the observance of human rights including the principle of equal treatment in the Slovak republic for the year 2022*, Bratislava, 2023, p. 56, available in Slovak at <https://www.snslp.sk/wp-content/uploads/Sprava-o-LP-za-rok-2022-na-web.pdf>

⁸⁶ UPR Third Cycle Mid-term Report, *Current status of recommendations addressed to the Slovak Republic in the 3rd cycle of Universal Periodic Review of the UN Human Rights Council submitted at the halfway point of the assessment cycle*, November 2021, para. 69-71, available at: <https://www.ohchr.org/en/hr-bodies/upr/upr-implementation>



ARTICLE 17 – THE RIGHT OF CHILDREN AND YOUNG PERSONS TO SOCIAL, LEGAL AND ECONOMIC PROTECTION

Article 17 (1) (b) to protect children and young persons against negligence, violence or exploitation

Police brutality and ill-treatment of Roma

38. The European Commission against Racism and Intolerance (ECRI) underlined in their 2020 report on Slovakia their concern over the reports of large-scale police violence against Roma and noted that despite “*the substantial number of complaints relating to serious acts of violence committed by members of the police services against Roma,*”⁸⁷ none of the subsequent investigations of police interventions between 2013 and 2020 resulted in a conviction or disciplinary sanction against officers involved.⁸⁸ ECRI also recommended to allocate adequate funds to investigate racially motivated misconduct or violence by the police.⁸⁹

39. A number of cases of both Roma adults and children and young people have been brought by the applicants before the European Court of Human Rights (“ECtHR”) after unsuccessful domestic investigations or litigations. A specific child-related case concerning police brutality, specifically against Roma children and young people involves a 16-year-old Roma boy, who was beaten up by two municipal police officers in Rudňany in January 2020. The case was subject to a judgment of the ECtHR in the case of *A.P. v. Slovakia*.⁹⁰ The ECtHR concluded that there had been a violation of Article 3 of the Convention and ruled in favour of the applicant.

40. In April 2021, the ECtHR ruled in *M.B. and Others v. Slovakia*⁹¹ that Slovakia had failed to investigate allegations that police officers ill-treated three Roma boys during a transfer in a police car after arresting them in 2009 in the city of Košice. This incident was followed by another case of ill-treatment of six Roma boys at the police station. Some of the actions were being recorded on a mobile phone and the recordings were published online. The allegations of ill-treatment at the police station were dealt with in a separate proceeding before the ECtHR.⁹² Although the investigation has not been dismissed like in similar cases, the criminal proceedings lasted almost 12 years, ending with an acquittal judgement.⁹³ In February 2023, the ECtHR issued a decision in the second incident of ill-treatment of six Roma boys at the police station, in which it found that there had been a violation of Article 3 taken together with Article 14 of the

⁸⁷ European Commission against Racism and Intolerance: *ECRI Report on the Slovak Republic (sixth monitoring cycle)*, 08 December 2020, para. 104, available at <https://rm.coe.int/ecri-6threport-on-the-slovak-republic/1680a0a088>.

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*, para. 109.

⁹⁰ *A. P. v. Slovakia*, Application No. 10465/17, judgment of 28 May 2020, available at <https://hudoc.echr.coe.int/eng?i=001-200556>

⁹¹ *M. B. and Others v. Slovakia*, Application No. 45322/17, judgment of 01 July 2021, available at <https://shorturl.at/kmADU>

⁹² *M.B. and Others v. Slovakia (No. 2)*, Application No. 63962/19, judgment of 7 May 2023, available at <https://shorturl.at/ACKTZ>

⁹³ European Roma Rights Centre: *Rule 9 submission with regard to the execution of R.R. and R.D. v Slovakia, application no. 20649/18, judgment of 1 September 2020*, para 15, available at: http://www.errc.org/uploads/upload_en/file/5467_file1_rule-9.2-submission-in-the-r.r.-and-r.d.-v-slovakia-2023.pdf



Convention.⁹⁴ The ECtHR stated that the state authorities failed to take “*all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the applicants’ ill-treatment.*”⁹⁵ In May 2023, the Constitutional Court of the Slovak Republic found a violation of the complainants' right to protection from torture, cruel, inhuman or degrading treatment or punishment and their discrimination, annulled the acquittals of the general courts for the accused police officers and returned the case to the Košice II District Court for further proceedings.⁹⁶

Increase of online sexual crimes during the COVID-19 pandemic

44. The Office of the General Prosecutor of the Slovak Republic reported a 145% increase in sexual crimes committed against children in relation to pandemic measures in 2020. The increase in crimes included sexting, grooming and sexual solicitation. Distribution of child pornography raised by 170% and sexual exploitation raised by 50% according to the same monitoring.⁹⁷ The research conducted by the National Coordination Center for Violence against Children also reported that the pandemic had an impact on confrontation of children and young people with sexual content. A third of the children and almost a half of young people aged 15-17 who participated in the research reported to have received a message with sexual connotations (text, picture or video) and 29% girls and 12% boys also reported they were solicited to send intimate information.⁹⁸

Parent-infant separation after birth due to COVID-19 pandemic restrictions

45. In the beginning of the pandemic, due to strict public health protection measures hygiene, many hospitals banned visits in hospital including presence of parents of minor patients. In May 2020 a number of NGOs, led by the NGO Women's Circles have underlined this issue in an open letter to the relevant institutions informing on the prohibition parents' access to their premature babies. In some cases, parents had no contact with their children, including breastfeeding for as much as over six weeks (since the introduction of initial anti-pandemic measures in mid-March 2020), noting alleged violation of the right to health of the children, as well as of parental rights.⁹⁹

46. Regarding this issue, the Public Defender of Rights of the Slovak Republic also drew attention to the position of the WHO, according to which suspicion of infection and the spread of

⁹⁴ *M.B. and Others v. Slovakia (No. 2)*, Application No. 63962/19, judgment of 7 May 2023, available at <https://shorturl.at/ACKTZ>

⁹⁵ *Ibid.*, para. 96.

⁹⁶ Poradňa pre občianske a ľudské práva (Center for Civil and Human Rights): “The case of ill-treatment of Roma boys at the police station in Košice returns to the district court – the Constitutional Court of the Slovak Republic ruled”, 02 June 2023, available at <https://shorturl.at/ago17>

⁹⁷ The News Agency of the Slovak Republic: “Prosecutor General’s Office registered 145 per cent increase in violence”, 29 June 2020, available in Slovak at <https://www.teraz.sk/slovensko/gp-sr-sexualne-nasilie-na-detoch-po/477124-clanok.html>

⁹⁸ Ministry of Labour, Social Affairs and Family: “Experiences and behaviour of children and youth in Slovakia during the pandemic”, 8 December 2021, available in Slovak at <https://www.employment.gov.sk/sk/uvodna-stranka/informacie-media/aktuality/prezivanie-spravanie-deti-mladeze-slovensku-pocas-pandemie.html>

⁹⁹ Ženské kruhy (Women’s Circles): “Premature babies have been without their parents for weeks”, 6 May 2020, available in Slovak at <https://zenskekruhy.sk/predcasne-narodene-deti-su-tyzdne-bez-rodicov/>



COVID-19 disease should not be seen as a reason for the preventive separation of newborns from their mothers and for not breastfeeding¹⁰⁰ and underlined that “*considering the right of minor patients to an accompanying person and considering the best interest of the child, I believe that even in a pandemic situation, medical facilities should not completely exclude the presence of parents for hospitalized children.*”¹⁰¹

Article 17 (2) to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools

Ongoing segregation of Roma children in education

47. International human rights instruments ratified by Slovakia, as well as the Act No. 245/2008 Coll. Act on Education and Upbringing (Education Act) and on the amendment of some laws, as amended (the Education Act)¹⁰² explicitly prohibit all forms of discrimination in education, especially segregation. Nonetheless, according to a number of reports,¹⁰³ and findings of the Centre,¹⁰⁴ despite the measures taken by Slovakia to introduce inclusive approaches in education, a persistent, widespread and systemic discrimination and segregation of Roma children in education continues.¹⁰⁵ The latest specialized survey of the EU statistics on income and living conditions (EU SILC), focused on excluded Roma communities, was carried out in the fall of 2020. The survey has shown that almost half (47%) of the Roma children living in excluded communities¹⁰⁶ between

¹⁰⁰ Public Defender of Rights of the Slovak Republic: Report on the activities of the Public Defender of Rights for the period of 2020, p. 64, available in Slovak at https://vop.gov.sk/wp-content/uploads/2021/10/VOP_VS20_SK_1.pdf

¹⁰¹ Ibid., p. 55

¹⁰² Act No. 245/2008 Coll. Act on Education and Upbringing (Education Act) and on the amendment of some laws, as amended, Art. 3 (d), available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150901.html>

¹⁰³ See for example, State School Inspection: Report on the state and level of upbringing and education in school and school facilities in the Slovak Republic in the academic year 2019/2020, 2020, available in Slovak at https://www.ssi.sk/wp-content/uploads/2020/12/sprava20_web.pdf; It Makes Sense initiative: Analysis of findings on the state of education in Slovakia, 2019, available in Slovak at <https://analyza.todarozum.sk/analyza-zisteni-o-stave-skolstva-na-slovensku.pdf>; and Amnesty International and European Roma Rights Centre: A Lesson in discrimination - segregation of Roma children in primary education in the Slovak Republic, 2017, available in Slovak at <http://www.amnesty.sk/wp-content/uploads/2017/02/Amnesty-report-Slovak-WEB.pdf>.

¹⁰⁴ See for example Slovak National Centre for Human Rights: Report on the Observance of Human Rights including the Principle of Equal Treatment in the Slovak Republic for the Year 2019, p. 181-228, available in Slovak at <https://www.snslp.sk/wp-content/uploads/Sprava-o-LP-v-SR-za-rok-2019.pdf>; Slovak National Centre for Human Rights: Right to Education. Evaluation according to the Human Rights Indicators for the Year 2020, 2021, available in Slovak at https://www.snslp.sk/wp-content/uploads/Pravo-na-vzdelanie_web.pdf and Slovak National Centre for Human Rights: Report on the Observance of Human Rights including the Principle of Equal Treatment in the Slovak Republic for the Year 2022, p. 32-52, available in Slovak at <https://www.snslp.sk/wp-content/uploads/Sprava-o-LP-za-rok-2022-na-web.pdf>

¹⁰⁵ CERD/C/SVK/CO/13, para. 32.

¹⁰⁶ Slovak authorities and institutions, including statistical data generally use the term “marginalized Roma communities”. As explained in the Strategy of Equality, Inclusion and Participation of Roma until 2030, it has to be however underlined that Roma in Slovakia are very diverse and it may be stigmatizing to consider all Roma to be disadvantaged in terms of poverty and social exclusion. This assumption is also incorrect in relation to all inhabitants of all settlements considered as Roma settlements. At the same time, Roma in Slovakia are among the most structurally disadvantaged and discriminated groups, regardless of their socio-economic background or living conditions. For this reason, marginality is not understood solely through the prism of socio-economic conditions, but more broadly, involving disadvantages (and multiple disadvantages) in various dimensions of life (including education, employment, participation and in terms of fight against anti-Roma racism). Accepting this fact, the Strategy defines marginalized Roma communities for the purposes of the 2030 Strategy as: (a) segregated settlements which are considered



the ages of 6 and 15, who are attending regular schools have only Roma classmates in their class, and for another 23%, Roma classmates make up the majority of the class. As for schools, more than two-thirds (67%) of Roma children living in excluded communities attend primary schools with either exclusively Roma pupils (32%) or with a majority of Roma pupils (35%).¹⁰⁷ As the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities underlines, segregation in separate classes and schools also occurs in cases where this cannot be simply explained by the high percentage of Roma children in the city or village.¹⁰⁸

48. Roma children also form a majority of pupils in “special classes” and “special schools” for children with intellectual disabilities, segregated from mainstream education. Roma-only schools continue to exist in spite of educational policies, either due to the demographic development in some towns, but also by defining “catchment areas” of elementary schools, which in some cases copy or even deepen the existing residential segregation. Since the legal representatives of children have a right to choose a school for their children, this further deepens the majority share of Roma children in some schools. Even within the “special education” streams, according to data from 2020, up to 63% of Roma children living in excluded communities between the ages of 6 and 15 have only Roma classmates in their class, while 32% of Roma students attend schools with exclusively Roma pupils. This points to the creation of classes composed only of Roma children in schools where non-Roma children also attend.¹⁰⁹ In addition, segregation of Roma children in separate classes or schools may also be a consequence of a lack of other supporting tools and mechanisms for schools, and absence of supporting tools in Romani language.¹¹⁰

49. Segregation in education for Roma children and youth entails all levels of education, including preschool and secondary education. For example, establishment of elocated branches of secondary trade schools in the vicinity of marginalized Roma communities also deepens their social exclusion.¹¹¹

50. In April 2015, European Commission launched an infringement procedure against Slovakia due to the breach of the prohibition of discrimination in education laid down in the EU Race Equality Directive.¹¹² Despite the pending infringement procedure, situation was not changing and

to be Roma by their environment and in which there are accumulated various structural disadvantages; (b) settlements considered by their environment to be Roma, located on the outskirts and within municipalities or places where various structural disadvantages accumulate; (c) the Roma population not living in settlements but faces disadvantaging socio-economic conditions due to structural inequalities. This group also includes municipalities with a majority of Roma population. See: Government of the Slovak Republic: *Strategy of Equality, Inclusion and Participation of Roma until 2030*, p. 8, available at https://www.romovia.vlada.gov.sk/site/assets/files/1526/strategy_of_equality_inclusion_and_participation_of_roma_until_2030.pdf?csrt=5786424573696033973

¹⁰⁷ Markovič, F., Plachá, L.: *Income and living conditions in marginalized Roma communities: Selected survey indicators EU SILC MRK 2020*, p. 37, available in Slovak at <https://shorturl.at/ezALQ>

¹⁰⁸ *Ibid.*, p. 38.

¹⁰⁹ *Ibid.*, p. 34.

¹¹⁰ Hapalová, M.: “Segregation of Roma children” in *It Makes Sense initiative: Analysis of findings on the state of education in Slovakia*, 2019, p. 98-102, available in Slovak at <https://analyza.todarozum.sk/analyza-zisteni-o-stave-skolstva-na-slovensku.pdf>

¹¹¹ Balážová, Z.: *Elocated secondary vocational schools in marginalized Roma communities*, 2015, p.71, available in Slovak at <http://cvek.sk/wp-content/uploads/2015/11/Elovakane-pracoviska-final-1.pdf>

¹¹² Lajčáková, J.: “Based on the European Commission’s inquiry, we have acknowledged the problem of segregation in education.



in 2019, the Commission concluded that all the steps Slovakia had taken since 2015 were inadequate.¹¹³ In a response in July 2020, with the change of government, the Ministry of Education, Science, Research and Sport of the Slovak Republic (“the Ministry of Education”) finally acknowledged the existence of segregation and discrimination of Roma children in education and has taken responsibility to remedy the situation with a goal to end segregation in education and to implement inclusive education policies.¹¹⁴ The Ministry of Education also set up the Inclusive Education Department and created the post of the State Secretary for National and Inclusive Education. On 19 April 2023, the European Commission referred Slovakia to the Court of Justice of the European Union for violating the Race Equality Directive, arguing that “*Slovakia has undertaken a series of legislative reforms and adopted several strategies and action plans to foster Roma inclusion in education. However, after carefully assessing those measures and monitoring the situation on the ground, the Commission concluded that the reforms undertaken so far are insufficient.*”¹¹⁵

51. In 2021, the District Court in Prešov upheld the anti-discrimination lawsuit of three Roma children in a breakthrough judgment. The Court held that the defendant - the Private Centre for Special Pedagogical Counselling discriminated against Roma children on grounds of ethnicity by conducting an inadequate psychological diagnostic and re-diagnostic of the children who were “*recommended the education according to the educational program for pupils with mild intellectual disabilities.*”¹¹⁶ The Court also held that the second defendant – primary school with kindergarten discriminated against the Roma children on grounds of ethnicity by educating them “*in the special education system and educated them in violation of the law according to the educational program for pupils with mild intellectual disabilities and education in ethnically homogenous special classes, located separately from pupils from the majority [population], outside of the main school building.*”¹¹⁷ The lawsuit underlined the fact that a vast majority of Roma pupils from the nearby segregated community were educated in such special classes in the school year 2016/17 (time of submission). The Court ordered the defendants to apologize to the children and to award each of them a financial compensation of EUR 5.000.¹¹⁸ The Centre also

It still remains to be solved”, *Minority Policy in Slovakia 1/2016*, available in Slovak at <https://shorturl.at/ajoLM>

¹¹³ European Commission: “October infringements package: key decisions”, 10 October 2019, available at https://ec.europa.eu/commission/presscorner/detail/en/INF_19_5950 and Chudžíková Holka, A.: “The long-awaited change – the Ministry of Education acknowledges the problem of segregation of Roma children and is taking steps to change it”, *Minority Policy in Slovakia 01/2020*, available at <https://mensinovapolitika.eu/en/the-long-awaited-change-the-ministry-of-education-acknowledges-the-problem-of-segregation-of-roma-children-and-is-taking-steps-to-change-it/>.

¹¹⁴ Ministry of Education, Science, Research and Sport of the Slovak Republic: “M.Filipová: Our goal is to eliminate the segregation of Roma children”, 17 June 2020, available in Slovak at <https://www.minedu.sk/m-filipova-nasim-cielom-je-odstranit-segregaciuromskych-deti/>

¹¹⁵ European Commission: “The European Commission decides to refer Slovakia to the Court of Justice of the European Union for not sufficiently addressing discrimination against Roma children at school”, 19 April 2023, available at https://ec.europa.eu/commission/presscorner/detail/en/ip_23_2249

¹¹⁶ District Court of Prešov, Decision No 15C/14/2016-557, 24 November 2021, para I, available in Slovak at <https://poradna-prava.sk/wp-content/uploads/2021/12/Decision-of-the-District-court-form-24-November-2021.pdf>

¹¹⁷ Ibid, para II.

¹¹⁸ Poradňa pre občianske a ľudské práva (Center for Civil and Human Rights): “Breakthrough judgment: The Slovak court ruled that educating Romani children in special classes for intellectually disabled was illegal”, 17 December 2021, available at <https://poradna-prava.sk/en/news/breakthrough-judgment-the-slovak-court-ruled-that-educating-romani-children-in-special->



prepared a supporting opinion for the anti-discrimination lawsuit. The decision was upheld by the appellate court in 2023, also confirming the responsibility of the Ministry of Education for the discrimination against the plaintiffs. This is historically a first judgement of Slovak courts in favour of Roma children who were illegally educated in the special education system in Slovakia.¹¹⁹

52. Following warnings from the State School Inspectorate about the application of segregationist practices in the education of Roma pupils, the Centre also carried out independent investigations at the Primary School with Kindergarten in Jakubany and the Primary School in Sačurov. It focused on inspection of school premises, monitoring the teaching process and interviewing teaching staff and representatives of the community centre and local authorities. It also continued to monitor the situation at the Primary School in Ostrovany,¹²⁰ which is attended exclusively by Roma pupils.¹²¹

Children from diverse language backgrounds

53. In 2020, the Centre published a study on right to education through a lens of human rights indicators.¹²² In addition to challenges mentioned, the study underlines lack of didactic resources in the languages of national minorities. For instance, while they are generally available for schools with Hungarian language as language of instruction, there is a lack of approved textbooks for students studying in Ruthenian and Ukrainian and no approved textbooks in Romani, Russian or German language.¹²³ There are also currently no primary or secondary schools in Slovakia with Romani as language of instruction and no secondary schools with Ruthenian as a language of instruction.¹²⁴

54. The Centre also identified a general lack of inclusive measures with regards to migrant children. Administrative data on students of foreign origin are not generally available in order to assess their academic results, access to social scholarships, or the rate of failure in achieving primary or secondary education. There is no state educational program taking into account gradual integration of migrant children into education, except some partial educational standards for

[classes-for-intellectually-disabled-was-illegal/](#)

¹¹⁹ Poradňa pre občianske a ľudské práva (Center for Civil and Human Rights): “The appeal court confirmed the illegal education of Romani children in special classes at a primary school in Hermanovce. The state authority also bears responsibility”, 18 May 2023, available at <https://shorturl.at/wyKR6>

¹²⁰ The Centre has been regularly monitoring the situation at this school since 2020.

¹²¹ Slovak National Centre for Human Rights: *Report on the Observance of Human Rights including the Principle of Equal Treatment in the Slovak Republic for the Year 2022*, p. 45, available in Slovak at <https://shorturl.at/mtPS7>

¹²² Slovak National Centre for Human Rights: *Right to Education. Evaluation according to the Human Rights Indicators for the Year 2020, 2021*, available in Slovak at https://www.snslp.sk/wp-content/uploads/Pravo-na-vzdelanie_web.pdf

¹²³ Ibid., Information as of 11 March 2020 provided by the State Pedagogical Institute gained through request for information.

¹²⁴ Information as of 15 September 2020, Slovak Centre of Scientific and Technical Information: *Statistical yearbook - elementary school*, available in Slovak at <https://shorturl.at/fiDVY> In: Slovak National Centre for Human Rights: *Right to Education. Evaluation according to the Human Rights Indicators for the Year 2020, 2021*, available in Slovak at https://www.snslp.sk/wp-content/uploads/Pravo-na-vzdelanie_web.pdf



Slovak as a second/foreign language.¹²⁵ In their last report on Slovakia, ECRI also underlined that the system to enable migrant children to learn Slovak does not work in practice.¹²⁶

Segregation of children with disabilities in education

55. Slovakia has the highest proportion of primary school students in the special stream of education within the EU – 5,88% of students are educated in segregated special education stream as compared to the EU average of 1,62%.¹²⁷

56. Despite national court decisions in individual cases on violations of the principle of equal treatment, maintaining of a parallel system of special education for children with disabilities often remains understood as segregation and defended as benefitting children with disabilities and their 'special needs'.¹²⁸ The Government's approach in its strategic documents is also at times inconsistent. As a particularly positive example, a new National Strategy of and Inclusive Approach in Education and Training adopted in 2021 aims to promote inclusive approach in education and training at all levels and promotes "*an inclusive education system that provides education to all children, pupils and students, respecting the individual characteristics and diverse educational needs of each child, pupil or student and enabling them to fulfill their potential to the highest possible extent.*"¹²⁹ Referencing the Convention on the Rights of Persons with Disabilities and its General comment No. 4, desegregation and inclusion is understood as entailing all students, including Roma pupils and pupils with disabilities and understands creation of conditions for inclusive education as a human right.

57. However, a new methodical material by the Ministry of Education, Science, Research and Sport of the Slovak Republic on school desegregation called "Together in one school desk", aims to promote inclusion of Roma children in mainstream education and ending segregation practices. The material criticizes the over-representation of Roma pupils in special schools for children with mild intellectual disabilities as a form of segregation. It however erroneously states that separating children with disabilities constitutes a 'tolerated' form of segregation, exempt from the prohibition of segregation "*because the belief still prevails that quality education for children with disabilities can only be achieved in separate, specialized school facilities.*"¹³⁰

¹²⁵ Slovak National Centre for Human Rights: *Right to Education. Evaluation according to the Human Rights Indicators for the Year 2020*, 2021, p. 73, available in Slovak at https://www.snslp.sk/wp-content/uploads/Pravo-na-vzdelanie_web_.pdf

¹²⁶ European Commission against Racism and Intolerance: *ECRI Report on the Slovak Republic (sixth monitoring cycle)*, 08 December 2020, para. 24, available at <https://rm.coe.int/ecri-6threport-on-the-slovak-republic/1680a0a088>.

¹²⁷ Hapalová, M.: "Overrepresentation of children in the special education system" in It Makes Sense initiative: *Analysis of findings on the state of education in Slovakia*, 2019, p. 71, available in Slovak at <https://analyza.todarozum.sk/analyza-zisteni-o-stave-skolstva-na-slovensku.pdf>

¹²⁸ Pavlíčková, Z.: "Does the Slovak Republic declare an interest in achieving a truly inclusive education system?", *SME*, 12 April 2022, available in Slovak at <https://blog.sme.sk/preludskeprava/nezaradene/deklaruje-slovenska-republika-zaujem-dosiahnut-skutocne-inkluzivny-vzdelavaci-system>

¹²⁹ Ministry of Education, Science, Research and Sport of the Slovak Republic: *Strategy of inclusive approach in education and training*, 2021, p. 4, available in Slovak at <https://www.minedu.sk/data/att/21468.pdf>

¹³⁰ Ministry of Education, Science, Research and Sport of the Slovak Republic: *Together in one school desk. Methodical material for school desegregation for founders and principles*, 2022, p.10, available in Slovak at <https://www.minedu.sk/data/att/23399.pdf>



58. A fundamental obstacle to the realization of the right to inclusive education for young people with psychosocial disabilities is their exclusion from possibility to gain ISCED 2 education level (and thus also secondary and tertiary education with the exception of some vocational education) by adjusting the criteria for achieving individual levels of education in the Education Act.¹³¹ Although such pupils can attend a general primary school, if they follow an individual education plan, it can only contain subjects according to the educational standards for ISCED 1. In addition, only 10% of pupils with disabilities who attend special primary schools continue their studies in secondary education (as compared to 83,7% students with disabilities attending general primary schools).¹³² There is also a high percentage (21,85% 2020) of students with disabilities who do not finish primary school.¹³³

59. Another obstacle to inclusive education for children with disabilities is a lack of teaching materials for all subjects/grades (f.e. for pupils with visual impairments, students who are deaf or hard of hearing or neurodivergent students) and insufficient provision of teacher's assistants, while only 44.1% of applications for assistants for children with disabilities in general primary schools were approved in 2020.¹³⁴ Secondary schools do not have the opportunity to apply for financial resources, which is also reflected in the significantly lower number of professional employees providing inclusive education.

Impact of COVID-19 pandemic and distance education on Roma pupils¹³⁵

60. Schools in Slovakia were closed for a total of 38 weeks due to measures to prevent the spread of the COVID-19.¹³⁶ The pandemic brought a number of challenges to students, families, schools and state institutions, who had to adapt quickly to a new, complex and changing situation. State authorities and schools made a number of important efforts to make the transition from in-person to distance learning as efficient as possible. However, a number of challenges ensued for thousands of students, resulting in either lack of access to distance learning or access to only limited or ineffective form of education. It is estimated that up to a 128 000 pupils and students (18.5%) were not educated online and up to 52 000 pupils and students did not participate in the

¹³¹ Act No. 245/2008 Coll. Act on Education and Upbringing (Education Act) and on the amendment of some laws, as amended, Art. 62 in connection with Art. 62, available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2008/245/20150901.html>

¹³² Slovak National Centre for Human Rights: *Right to Education. Evaluation according to the Human Rights Indicators for the Year 2020, 2021*, available in Slovak at https://www.snslp.sk/wp-content/uploads/Pravo-na-vzdelanie_web.pdf, information as of 15 September 2020 provided by the Ministry of Education, Science, Research and Sport of the Slovak Republic gained through request for information

¹³³ Ibid.

¹³⁴ Ibid., information as of 15 September 2020 provided by the Slovak Centre of Scientific and Technical Information gained through request for information

¹³⁵ For more information on impact of COVID-19 pandemic on right to education, please see input of the Slovak National Centre for Human Rights for the OHCHR report on the impact of the COVID-19 pandemic on the realization of the equal enjoyment of the right to education by every girl (47/5), available at <https://www.ohchr.org/en/calls-for-input/2022/call-input-report-impact-covid-19-pandemic-realization-equal-enjoyment-right>

¹³⁶ Slovak National Centre for Human Rights: *Impacts of the pandemic on the exercise of fundamental rights and freedoms and areas protected by the Antidiscrimination Act, 2022*, p. 8, available in Slovak at <https://www.snslp.sk/wp-content/uploads/dopady-pandemie-na-vykon-prav.pdf>



distance learning in any form (7.5%) in the school year 2019/20.¹³⁷ Situation showed to be most challenging at schools with a higher percentage of students from socially disadvantaged background¹³⁸ and in schools for students with disabilities.¹³⁹

61. Roma students were disproportionately negatively affected during the pandemic as a result of school closures.¹⁴⁰ For instance, Organization for Economic Cooperation and Development (OECD) reported that the COVID-19 crisis may have exacerbated significant equity concerns in the country. As the impact of the socio-economic background in Slovakia on student performance is the highest among the OECD members (particularly negatively affecting Roma pupils), some Roma children may lack behind further due to the pandemic.¹⁴¹

62. With regards to primary education during the pandemic, according to the civil society organization eduRoma, the most common barriers for Roma students living in excluded communities in access to distance learning at the beginning of the pandemic included low level of education of parents, lack of social contacts, interactions and role models, or increased demands on the organization of teaching, special education and training needs, and language barriers. The survey done by eduRoma also noted that teachers were not prepared to conduct distance education, while are also lacking preparation to work with Roma students in general.¹⁴²

Bullying of children and young people in schools

63. National Coordination Center for Violence against Children reported on findings from research made in June 2021 on experience and behaviour of children and young people during the

¹³⁷ Ostertágová, A., and Čokyna, J.: *Main Findings from the Survey in Primary and Secondary Schools on the Conduct of Distance Education in the School Year 2019/2020* (Commentary 2/2020), Educational Policy Institute, p.1-2, available in Slovak at <https://www.minedu.sk/data/att/20815.pdf>

¹³⁸ According to the Education Act, a child from a socially disadvantaged background, or a pupil from a socially disadvantaged background means a “pupil that lives in an environment which, due to its social, family, economic and cultural conditions does not sufficiently stimulate the development of the child’s or pupil’s mental, will, emotional characteristics, does not support their socialization and does not provide sufficient appropriate stimuli for the development of their personality” (para 2 (p)). The pupil from a socially disadvantaged background is considered being a pupil with special educational needs, as diagnosed by a counselling facility (para 2(j)).

Critics argue that while the declaration of special educational needs entitles the student for extra support, it can also be stigmatizing. Some parents of children with disabilities for example therefore avoid official acknowledgment of special education needs. The term of a socially disadvantaged background may also be stigmatizing - in case of Roma pupils, the negative presumption is that there is a problem or a “deficit” on the side of the students and their families, or even culture. Romani native language is also seen as an obstacle to child’s education and not as cultural heritage deserving protection and support. See analysis by Hapalová, M.: “Stigmatizing Aspects of the Concept of Special Education Needs”, available in Slovak at <https://analyza.todarozum.sk/docs/19082218380001yve1/>

¹³⁹ Ostertágová, A., and Čokyna, J.: *Main findings from the survey in primary and secondary schools on the conduct of distance education in the school year 2019/2020* (Commentary 2/2020), Educational Policy Institute, p.2, available in Slovak at <https://www.minedu.sk/data/att/20815.pdf>

¹⁴⁰ CERD/C/SVK/CO/13, para. 32.

¹⁴¹ OECD: *OECD Economic Surveys: Slovak Republic*, 2022, p. 34, available at <https://www.oecd.org/economy/surveys/Slovak-Republic-2022-OECD-economic-survey-overview.pdf>

¹⁴² Krejčíková, K., and Rafael, V.: *How to stay close at the distance*, 2020, eduRoma, p. 5-6, available in Slovak at <https://eduroma.sk/docs/ako-zostat-blizko-na-dialku.pdf>



COVID- 19 pandemic.¹⁴³ The research showed a raise in the number of cases of bullying in physical and online environment. 26% of children and young people reported having had experience with bullying, most often face-to-face in form and among children 9-11 in age. In case of online bullying, boys and girls experience bullying in different types of online environment – whereas boys are victims in the online gaming environment, girls experience bullying mostly on social media. Most often, these include receiving of “uncomfortable and vile messages”.¹⁴⁴ Children and young people stated that they talk about these experiences mostly with their friends, but almost 29% of children do not talk about bullying with anyone.¹⁴⁵

64. A survey among school prevention coordinators also showed a deterioration of the situation as compared to 2016. The survey noted that in the school year 2019/2020, bullying occurred in a majority of primary (91.3%) and secondary (73.9%) schools. The most common forms of bullying were reported to be use of ridicule and insults, vulgar swearing directed at the child or use of social exclusion. Physical attacks were recorded in around 40% of schools.¹⁴⁶ In the reference period, with respect to school bullying, the Centre conducted over 340 training sessions for students of primary and secondary schools on the prevention of bullying and cyberbullying in schools. The objectives of the workshops were to empower the students to identify bullying and its impact on children and young people, risks while being in the online space, security while using social media and support to victims.

65. Children and students with minority backgrounds may be particularly at risk. According to the survey done by the civil society Initiative Otherness (Iniciatíva Inakosť), 30,3% of LGBTI+ people are feeling at risk at school due to their identity.¹⁴⁷ In addition, 57,2% of trans respondents identified adoption of measures in schools to respect trans people (including prevention of bullying) as the most urgent need to improve their life in the country, which was the highest score of any measures in choice.¹⁴⁸

¹⁴³ Research based on responses from 1 423 children and young people (9-17 years old). Ministry of Labour, Social Affairs and Family: “Experiences and behaviour of children and youth in Slovakia during the pandemic”, 08 December 2021, available in Slovak at <https://www.employment.gov.sk/sk/uvodna-stranka/informacie-media/aktuality/prezivanie-spravanie-deti-mladeze-slovensku-pocas-pandemie.html>

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

¹⁴⁶ Rehúš, M.: “School week: Half of the children experienced bullying. And the state is just copying what it has done so far”, 10 February 2020, *Denník N*, available in Slovak at <https://shorturl.at/hFJN9>

¹⁴⁷ Online survey with 1 591 participants conducted in end of year 2021 – April 2022. The report from the national LGBTI+ survey had not yet been published at the time of writing this report. Data provided to the Centre by the civil society organisation Initiative Otherness (Iniciatíva Inakosť).

¹⁴⁸ Ibid.