



PORADŇA PRE OBČIANSKE A ĽUDSKÉ PRÁVA

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PRESS RELEASE

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A non-governmental organization is suing the state and the city for segregation of Roma children at the primary school in Stará Ľubovňa – Podsadek.

The non-governmental organization Center for Civil and Human Rights (Poradňa) is suing the state represented by the Ministry of Education and the city of Stará Ľubovňa for segregation of Roma children at the primary school in Stará Ľubovňa – Podsadek. The school has been attended for a long time solely by socially disadvantaged Roma children. The Poradňa argues in the judicial proceeding that education given in an ethnically segregated school is unable to provide to Roma children equal educational opportunities, and proposed their integration in primary schools with the other children of the city.

In the spring of 2015, the Poradňa initiated a lawsuit (*actio popularis*) at the District Court of Bratislava III. on the ground of the domestic anti-discrimination act. In the ongoing lawsuit, the Poradňa argues that the municipality and the responsible State authorities including the Ministry of Education, by not adopting any measures to eliminate the segregation in the respective primary school, violate the domestic and international anti-discrimination legislation. Instead of adopting remedial measures to eliminate discrimination, they expanded the capacity of this primary school by adding a new modular building - a low-cost annex to the school made out of metal containers this year. According to the Poradňa, this measure is inappropriate and maintains the segregation of Roma children in this school.

Several people from the majority living in this area repeatedly drew attention in recent past to the issue of segregation of Roma children in the primary school of Podsadek and its negative consequences. They attempted to convince the municipality of the city Stará Ľubovňa, by a petition, to not support the extension of the school, but instead to urge the integration of Roma children with all other children in the other schools in the city. One of the initiators of the petition, Stanislav Reľovský, states in this regard: *„In my opinion, the construction of a modular school will not result in any benefit either for the Roma minority, or for the majority. As long as Roma children will not attend the schools with non-Roma children, their coexistence will be problematical. There are primary schools in Stará Ľubovňa which remain unfulfilled. I do not understand why the construction of a new school was necessary, instead of enabling Roma pupils to attend the primary school situated within three kilometers, as it was the case in the past. In former times, we traveled to school with Roma children, studied with them, discovered our cultures and learned to respect each other. My generation has no difficulty to interact with them or to help each other.”*

The Poradňa in the pending proceeding seeks that the court rules the segregated education of Roma children in this school illegal. In addition, Poradňa suggests the establishment of a group of experts, which will elaborate an integration plan with necessary measures to eliminate the existing discrimination and to integrate the Roma children and the children of the majority in the primary schools of the city. The integral part of these measures might include the optimization of school districts, rationalization of the school capacities, as well as securing school transportation for the children where needed. Accordingly, the court should constrain the responsible State authorities and the municipality of Stará Ľubovňa to the implementation of the elaborated integration plan.

Stanislava Liptáková, the attorney collaborating with the Poradňa, emphasizes: *„The State authorities and the city of Stará Ľubovňa decided to solve the lack of capacities and the multishift service of the local school, attended solely by Roma children by building the modular school. Their manners though are inappropriate and short-sighted. The construction of the modular school is not in the best interest of the Roma children, and is contrary to the public interest. The involved State authorities should consequently recognize their imminent legal commitment to ensure the equal access to education for each child and to prevent segregation in education. For the state authorities to not adopt adequate measures promoting inclusion is a breach of law.”*

Štefan Ivanco, the program coordinator of the Poradňa, states in addition: *„Each measure adopted by the State authorities in the field of education has to inevitably reflect the international human rights law binding Slovakia to ensure to each child an education leading to the full development of their personality. Slovakia committed to guarantee to each child an education that prepares them for responsible life in a free society, in the spirit of understanding, peace, tolerance, and friendship among all people. Education in this respect provides for acquiring a wide knowledge, learning skills and gaining experiences, which enable children to evolve individually and also collectively, and to live a full-valued life in the society. Attending an ethnically and socially homogenous primary school close to the Roma settlement simply cannot fulfill its role unlike the ethnically and socially diverse schools, which educate inclusively.”*

The Poradňa, in the pending court proceeding, highlights the wider negative social consequences, which accompany the segregation of socially disadvantaged Roma children. According to the Poradňa, the segregation in the education prevents social integration and contributes to prejudices and to mutual intolerance among the majority and the minority. In the future, it can contribute to the intensification of social conflicts among the Roma minority and the majority, in numerous communities, and in the Slovak society in general.

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The Center for Civil and Human Rights (Poradňa) is a non-governmental organization based in Slovakia focused on the protection of human rights with particular emphasis on the rights of minorities and protection from discrimination. Poradňa has for a long time worked on the issue of discrimination against Roma ethnic minority in various areas of public life. It has also been active in the protection of reproductive rights and protection from police brutality. Poradňa employs strategic litigation to combat discrimination and human rights abuses against minorities. Poradňa offers free legal advice to victims of discrimination and in selected cases free legal representation to victims of discrimination before courts. It also conducts monitoring in the field, advocacy, and educational activities on the topic of protection from discrimination for lay and expert audiences. Visit us at www.poradna-prava.sk

Notice:

Strategic litigation against discrimination in Slovakia Poradňa currently carries out within the project called “Improving access to justice in cases of discrimination in Slovakia”. The project was supported with an amount of 93 884 EUR from the NGO Fund that is funded from Financial mechanism EHP 2009 – 2014. The administrator of the Fund is Nadácia otvorenej spoločnosti – Open Society Foundation. The project “Improving access to justice in cases of discrimination in Slovakia” is aimed to support democratic values including human rights.



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