



PORADŇA PRE OBČIANSKE A ĽUDSKÉ PRÁVA

CENTER FOR CIVIL AND HUMAN RIGHTS

KRIVÁ 23, 040 01 KOŠICE, SLOVENSKO

- » telefón/fax: 055 – 68 06 180 » mobil: 0908 69 55 31
- » www.poradna-prava.sk » poradna@poradna-prava.sk
- » IČO: 37 86 72 70 » bankove spojenie: 5519629/5200

PRESS RELEASE

Slovakia, Kosice, 29th March 2017

Slovak Court rules in favor of a Roma woman facing discrimination while applying for a job as a field social worker.

The District Court in Spišská Nová Ves rules in favour of a Roma woman who was seeking a redress for discrimination faced in 2010, when she applied for a job as a field social worker in town Spišská Nová Ves. According to the Court town Spišská Nová Ves must apologize and compensate her financially. This is one of the first decisions issued by the domestic courts concerning racial discrimination in access to employment in favour of discriminated person.

Ms. Pompová in 2010 applied for the job position as field social worker in Spišská Nová Ves. Despite of the fact that she had the required education and numerous years of experience as a field social worker in Roma communities, the position was offered to Non – Roma applicants with lower education level and fewer years of experience who did not speak the Romani language. As a result, Mrs. Pompová initiated a court proceeding to claim recovery from discrimination she was subject to.

The District Court in Spišská Nová Ves in 2012 dismissed her complaint as manifestly ill-founded. The decision was confirmed in 2013 by the Regional Court in Košice. Subsequently, Ms Pompová turned with a complaint to the Slovak Constitutional Court, where she argued that the practices and decisions by the general courts violated her right to fair trial. She also pointed out that general courts ignored her arguments she brought in the court proceedings and did not implement domestic antidiscrimination legislation properly. The Slovak Constitutional Court accepted her complaint and by its decision from December 2015 cancelled the judgements of the Regional and District Courts and order them to deal with the case again.

On 23rd March 2017 at the District Court hearing, the Court ruled that the town Spišská Nová Ves discriminated against Ms Pompova as she faced discrimination in access to employment on a ground of her Roma ethnic origin. At the same time the District Court ordered the town, to provide Ms Pompova with written apology and pay her non-pecuniary damage in amount of 2,500 euros. The judge in short justifications of her judgment during the court hearing also stated that while Ms. Pompova as plaintiff bear her part of the burden of proof, the town Spišská Nová Ves did not submit any reasonable arguments which could explain why women applicants with lower qualifications and a fewer years of work experience were accepted, nor it could explain a doubt on a transparency of the whole selection process.

The Slovak NGO Center for Civil Human Rights (Poradna) is providing a legal aid in a lawsuit to the affected Roma woman for a long time. It is actually one of the first decisions of Slovak courts concerning racial discrimination in access to employment decided in favour of discriminated person. The decision is not final and can be appealed against.

Ms Pompová after the court decision stated:

"We, Roma want to work and want to be part of this society. However, it is important that we get a chance. The Roma often face discrimination when looking for a job. I decided to stand up against it and defend myself. It gives me great satisfaction that I have eventually achieved a fair court decision. "

A lawyer cooperating with Center of Civil and Human Rights and legal representative of the affected woman, Vanda Durbáková, in relation to the court decision said:

"I am pleased that the District Court took into an account shortcomings presented by the Slovak Constitutional Court's decision in this case and finally decided in accordance with the law. It is essential that courts' decisions effectively protect discriminated persons and clearly show that discrimination on any grounds does not have a place in our society and is illegal. I believe that this decision will be another step, which will improve access to justice for persons discriminated against in the future and encourage other people to resist discrimination. "

- END -

Additional information:

Press release on the decision of the Slovak Constitutional Court, which ruled on the violation of the rights of Ms Pompova to a fair trial in February 2016

<https://www.poradna-prava.sk/en/documents/press-release-the-constitutional-court-ruled-concerning-the-violation-of-the-rights-of-a-roma-woman/>

Contact details:

Vanda Durbáková, a legal representative of the affected woman, tel: +421 908 695 531, email: poradna@poradna-prava.sk

The Center for Civil and Human Rights (Poradňa pre občianske a ľudské práva) is a non - governmental organisation 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 the 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 in cases of discrimination and violation of human rights of minorities. It ensures mediation of free legal counselling in selected cases of human rights violations and free legal representation before Slovak courts and the European Court of Human Rights in Strasbourg. It also performs field monitoring, advocacy activities in relation to state institutions and carries out educational activities in the field of protection against discrimination for professionals and the general public. Visit us at www.poradna-prava.sk

Support our work with [financial contribution](#).