



PORADŇA PRE OBČIANSKE A ĽUDSKÉ PRÁVA

CENTER FOR CIVIL AND HUMAN RIGHTS

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PRESS RELEASE

Slovakia, Kosice, 21 March 2018

The Appeal Court confirmed that town Spišská Nová Ves had discriminated against a Roma woman in access to employment and has to compensate her.

The town Spišská Nová Ves discriminated against the Roma woman who applied for a job as a field social worker and must compensate her. This was ruled by the Regional Court in Košice which fully confirmed a decision of the District Court in Spišská Nová Ves from March 2017. It is one of the first final decisions of the Slovak courts in the case of racial discrimination in access to employment in favor of a discriminated person.

The affected Roma woman - Mrs Pompová in 2010 applied for the job position as a field social worker in the town 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.

Her effort to achieve justice has lasted for almost eight years. Domestic courts dismissed her complaint at the beginning. Her case was also ruled by the Constitutional Court of the Slovak Republic that accepted her complaint in December 2015 and the case was returned to the first instance court again. In March 2017 it ruled in favor of the affected Roma woman, and the case was subsequently decided by appeal court.

The decision of the Regional Court as court of appeal confirmed that the town discriminated against the affected woman in access to employment due to her Roma ethnicity. In addition, the town must pay her for a non-pecuniary damage in amount of EUR 2,500. The Regional Court has fully complied with the first instance court reasoning that the town has failed to explain the recruitment of candidates with lower qualifications and to explain the doubts about the transparency of the entire selection process. However, the courts did not award the financial compensation in the full amount of EUR 5000 for the discriminated woman. In that regard, they stated that the sum of EUR 2 500 granted was adequate.

The decision is final and cannot be appealed against.

The affected woman stated on the Regional court's decision: *"I was very pleased by the decision of the Regional Court. I am very glad that my efforts for justice have not been pointless. I believe that my success could encourage other people not to be afraid to stand up against discrimination, human rights violations and injustice. Employers should not deny people looking for work because of their other ethnic origin. I also believe that my case will improve decision making of courts in such cases in the future."*

Free legal assistance to the affected Roma woman in court proceedings has been provided by the Slovak non-governmental organization Center for Civil and Human Rights (Poradňa).

A lawyer cooperating with the Center of Civil and Human Rights and legal representative of the affected woman, Vanda Durbáková, in relation to the court decision said: *"I see the decision of the Regional Court in favor of the client as positive. However, in the future, the courts must considerably speed up their decision making in cases of discrimination and adequately compensate discriminated persons. It is essential for the courts to send a clear message that discrimination does not pay off."*

- END -

Additional information:

A [press release](#) about the decision of the District Court in Spišská Nová Ves from March 2017.

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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

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