



## **PORADŇA PRE OBČIANSKE A ĽUDSKÉ PRÁVA**

CENTER FOR CIVIL AND HUMAN RIGHTS

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### **PRESS RELEASE**

**In Košice, Slovakia, 26 May 2017**

#### **The Slovak Court awards compensation to another forcibly sterilised Roma woman**

**Following a hearing on 26 May 2017, the District Court in Spišská Nová Ves awarded financial compensation of €16,000 to a forcibly sterilised Roma woman. The verdict is not final.**

It is a second case of its kind, when the Slovak courts awarded a financial compensation to a forcibly sterilised Roma woman.

The aggrieved Roma woman was sterilised in 1999 whilst giving birth to her second child by Caesarian section. The hospital staff did not inform the woman about the sterilisation and neither did they receive her consent prior to performing it. It was not until the following day that she was informed about the fact that she had been sterilised.

She therefore turned to the Court back in 2005 alleging a breach of her individual rights, and requested for the Court to demand the defendant (Hospital in Krompachy, following its closure the Town of Krompachy, which assumed responsibility for all its rights and obligations) to send her a letter apologising for carrying out the forced sterilisation and award her non-pecuniary damages worth 500,000 Slovak crowns.

The District Court in Spišská Nová Ves adjudicated this specific case a number of times, but its judgments were repeatedly overruled by the appeals Court. It was not until 2011 when the District Court decided that the forced sterilisation did amount to breach of the woman's rights, and it therefore instructed the defendant to formally apologise to her. This particular judgment became binding.

Consequently the Courts were only left with deciding the amount of non-pecuniary damages for carrying out forced sterilisation. In 2014 the Court awarded financial compensation of €500. However, the aggrieved woman appealed this verdict and the appeals Court allowed her appeal to proceed in January 2017 when it ordered the District Court to adjudicate the matter once again. The appeals Court also emphasises the need for the District Court to respect the judgments of the European Court of Human Rights which previously awarded financial compensation to victims of forced sterilisation worth between €25,000 - €31,000.

During its hearing on 26 May 2017, the District Court decided the amount of financial compensation which is still outstanding, after being compelled to follow the directions of the appeals Court. The Court finally awarded the woman non-pecuniary damages worth €16,000.

The Center for Civil and Human Rights has been provided the aggrieved woman with free legal assistance since 2005.

*"I am very pleased and thankful for the Court to have decided in my favour and to have awarded me with financial compensation. However, no money will ever undo what happened to me in the hospital,"* says the aggrieved woman.

*"The judgment is compatible with domestic and international legislation concerning human rights. It is, however, alarming that it took so many years for the aggrieved woman to achieve justice, whilst the District Court in Spišská Nová Ves produced so many unlawful judgments. I hope that this judgment contributes to a better protection of human rights by Slovak courts in the future,"* said Vanda Durbáková, attorney working with the Center who represented the aggrieved woman in court proceedings, following the District Court's judgment.

*"I would like to emphasise that the reports about the practice of forced sterilisation and multiple judgments of the courts seem to suggest that a substantial number of Roma women in Slovakia and former Czechoslovakia have been affected by this practice. Slovakia has been continuously criticised by international institutions that it is unable to investigate the practice and award compensation to the aggrieved. It is therefore essential for the Slovak Government to assume responsibility and form an independent commission, which would investigate the practice and award compensation to the aggrieved women. This is exactly what the United Nation's Human Rights Committee recommended to Slovakia last year,"* added attorney Durbáková.

— THE END —

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**The Center for Civil and Human Rights (Poradna pre občianske a ľudské práva)** is a human rights organization, based in Košice, Slovakia, founded on 6 November 2001. It conducts advocacy, strategic litigation and educational activities to combat discrimination against Roma in the country. In 2002, the Center documented the practice of forced sterilization of Romani women. Since then, it has been litigating individual cases of forced sterilization in the domestic proceedings and at the European Court of Human Rights and advocating for the redress to the victims of this practice. Website: [www.poradna-prava.sk](http://www.poradna-prava.sk)

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