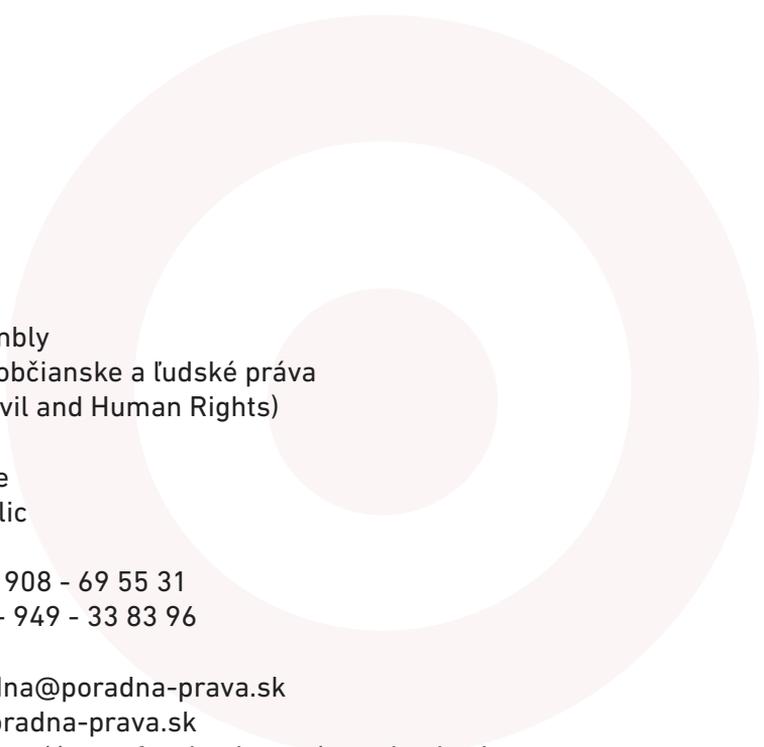


Center for Civil and Human Rights
Bi - **ANNUAL REPORT**
2020 – 2021



Citizen Assembly
Poradňa pre občianske a ľudské práva
(Center for Civil and Human Rights)
Krivá 23
040 01 Košice
Slovak republic

Mobil: +421 - 908 - 69 55 31
+421 - 949 - 33 83 96

E-mail: poradna@poradna-prava.sk
Web: www.poradna-prava.sk
Facebook: <https://www.facebook.com/poradna.kosice>
Instagram: [poradnaprava](https://www.instagram.com/poradnaprava)

Identification number (IČO): 37 86 72 70
Bank: ČSOB Bank
IBAN: SK 82 7500 0000 0040 2997 3859
SWIFT: CEKOSKBX

© Poradňa pre občianske a ľudské práva, 2022

Photo: Ján Varchola, Maja Bodnárová, Center for Civil
and Human Rights
Graphic design: Maja Bodnárová

Print: VIENALA s.r.o.

English translation of the annual report has not been edited.



FOREWORD

TWENTY YEARS OF PORADŇA:

beginnings, milestones
and lessons learned



The beginnings

● Poradňa (the Centre for Civil and Human Rights) was founded in November 2001 in a kitchen in the Žižkov district of Prague by four Slovak women and one Slovak man, long-term residents of the Czech Republic. Various conspiracy theories later circulated about the origins of Poradňa. Among them, the most prominent were the claims that it was a plot by "Hungarian Jews controlled by Soros" or a foreign coup against Slovakia. But the reasons that led to the founding of Poradňa were, in fact, somewhat dramatic.

A few months prior to that historical meeting in my kitchen, while doing research for an EU report on minority rights in Slovakia, I was physically attacked by a chief physician of an (undisclosed) maternity hospital in eastern Slovakia. It happened when I went to the maternity in question to verify – in person - that there were indeed "Gypsy rooms" in Slovak hospitals. The police - eventually summoned to the spot - did not come to protect me. They only laconically questioned what I had expected when I dared to "make a fuss about sterilizations". At the time, I naively assumed that the practice of forced sterilization of Romani women had ended in Slovakia with the fall of communism. The fact that doctors had continued such practice long after was a great shock to me.

Needless to say, the practice of forced issue was not an issue for the Slovak non-profit sector at the time. After the years of the Mečiar regime, democrats were in power, Slovakia had successfully embarked on the path of reforms, was on track for the accession to the European Union, and many NGO people even took up positions in state institutions.

The forced sterilization of Roma women was not a priority for anyone. That is why, eventually, five of us - 'former citizens of the Czech-Slovak Federation' - decided to do something about it directly.

I have heard many times that when I was very brave to take it upon myself to fight for justice for Romani women harmed by the practice of forced sterilizations. Indeed, it meant being against virtually everyone all the time. To be against the government, against the doctors, against the negative public and the media, which attacked from all sides. However, I was mostly just fed up. I was angry that forced sterilizations could still happen in a (supposedly) civilized country in the heart of Europe in the 21st century.

At the same time, there are many people were indeed brave in all of this and who continue to be so. In the early days those were first and foremost Vanda (who left a lucrative job as a senior lawyer at a bank to join me); Lenka (who brilliantly ensure our smooth operations and unflinchingly fended off all the bigots, who called the office to say that they were coming to beat the crap out of us); and Katka, Vierka, Stanka and Natália (who taught us the importance of community work and reminded us human rights cannot be defended without the trust of our beneficiaries). Andrea, Stevo, Denisa, Agi and many many others joined in later. However, the bravest of all have been and still are many Romani activists who were forcibly sterilized but decided to fight for their rights. They have been joined by many other Roma women and men who stand up against discrimination in various forms - in schools, in the workplace, in public accommodations and other areas - including by taking their cases to the courts.

All these people have contributed to the fact that what started as a modest project of a handful of Slovak women and man in Prague has become one of the most successful and influential human rights organizations in Slovakia. They all created an organization that embodies the importance of protecting minority rights in its strongest form. It is only thanks to them that Poradňa has not met the typical fate of all political parties in Slovakia: not surviving the departure of their founder. I will never cease to be deeply grateful to them for all their hard and selfless work.

Milestones

Twenty years is a long time for an organization to survive. After all, many Slovak political parties or companies are no longer with us after twenty years. Here, I would like to briefly mention five of the most important and defining milestones in the rich journey of Poradňa and the people who create it:

- 2004:** For the very first time, Poradňa succeeded in convincing the Slovak Government to enshrine in the new Health Care Act a requirement of informed consent for all medical interventions, including sterilization. Informed consent was not provided for in the legislation before.
- 2009:** Our first victory at the European Court of Human Rights in Strasbourg in the case of K.H. and others v. Slovak Republic. The European Court found that Slovakia had violated the right to private and family life of nine Roma women when it denied them access to their own medical records and their right to a fair trial when it did not allow them to photocopy the records.
- 2011:** The first victory at the European Court in a forced sterilization case. In V.C. v. Slovak Republic, the European Court upheld the state's responsibility for forced and illegal sterilization of our client and ordered the government to pay the highest-ever compensation in such a case.
- 2012:** The Regional Court in Prešov upheld the decision of the lower court in the case of segregation of Roma children in Šarišské Michaľany school on the grounds of their ethnicity and ordered the school to desegregate.
- 2021:** After many decades, the Slovak government finally apologized for the practice of forced sterilizations and promised to compensate women harmed by this reprehensible practice.

All this shows that Poradňa is an organization that has not only literally changed lives, but that has changed Slovakia. Working together with Roma activists, it has shown that the protection of human rights should not be an empty statement, that discrimination must not be tolerated and that Roma men and women are determined to stand for their equal status in our country.

Lessons learned

Anniversaries like this are not just an opportunity for celebration but also for reflection. So what we – the people of Poradňa and the Slovak society - have learned during this time?

First, we taught the Slovak Government that if Poradňa starts something, we do not give up. No matter how long it takes. Even if it takes decades. I hope that in the future, when some serious human rights violations are uncovered, the Government does not fall into its default option of denying and obstructing and instead works with us. It can save time, effort and resources in the end.

Second, we have always tried to teach the human rights community that there is no separation between human rights work and community support work. It has always been our belief that people in disadvantaged communities are our partners and colleagues. If we want to succeed, we will only succeed together. Also, there is no need to turn them into activists since they already are activists in their own right.

Last and not least, we at Poradňa learned that if we want to stay relevant, we must keep alert to violations of human rights in new areas. Here, I am glad that Poradňa is not only focusing on “traditional” discrimination work but has been expanding its work to areas such as discriminatory measures in times of pandemic or human rights violations in the context of digital technologies.

Today's vision of Poradňa today is the same as in the beginning. Its vision is an equal society, a society where minorities are not discriminated against. Working towards this vision has not been smooth sailing. But I sincerely hope and wish that Poradňa and its people carry on and continue being a credit to Slovakia and to the communities to which they are connected. I look forward to many more milestones in their work in the decades to come and wish them all the very best in their journey.

Barbora Bukovská

One of the founders of Poradňa

Who we are

„Our vision is a society where minorities do not face discrimination, a society with respect for human rights of vulnerable groups, a society where legal tool on protection of human rights are effectively implemented and human rights violations are sanctioned and compensated.”

We are a non-governmental non-profit organization based in Košice. For 20 years our work has been devoted to the protection of human rights in Slovakia, with an emphasis on the protection of the rights of the Roma minority. We focus on issues of discrimination, police violence, protection of reproductive rights and specifically a topic of forced sterilizations of Roma women. We provide the necessary support to Roma, so they can effectively protect their human rights and the rights of others. We pay specific attention to support the activism of Roma women.

Within our work

We conduct strategic litigation: in selected cases, given their broader strategic importance, we provide free legal representation and advice.

We work closely with local Roma women activists and support their mobilization to protect the rights of the Roma minority, with emphasis on the rights of Roma women and their children.

We perform field monitoring with a focus on identifying cases of human rights violations.

We propose and comment on legislative measures and promote systemic changes at the political level.

We provide information to international institutions that oversee Slovakia's compliance with international human rights treaties.

We carry out publishing and educational activities for various target groups.

Awards for our work

In 2012, we received the annual [award](#) of the French Republic "Liberty, Equality, Fraternity" for our activities on the protection of human rights in Slovakia.

In 2013, the US Embassy in Slovakia [awarded](#) our cooperating lawyer Vanda Durbáková for her commitment to the protection of the human rights of the Roma minority with the title "Woman of Courage".

In 2021, the Public Defender of Rights [awarded us](#) the "Ombudsman's Thank You" award for our long-term contribution to the protection of the human rights of the Roma minority in Slovakia.



Protection against discrimination

We monitored cases of discrimination against the Roma minority in access to health care, education and other areas of public life in Slovakia. We provided free legal advice to discriminated people.

We provided free legal representation in strategic court proceedings to 28 discriminated persons, including their representation before the Constitutional Court of the Slovak Republic and the European Court of Human Rights in Strasbourg. Our goal

was to improve access to justice in cases of discrimination, to encourage public debate on discrimination against the Roma minority in Slovakia, and to motivate other discriminated persons to legally defend against discrimination.

Based on the so-called *actio popularis* lawsuits, we conducted five strategic public interest proceedings in the areas of segregation of Roma children in education or segregation of Roma women in maternity hospitals. Our aim is, among other things, to ensure that the responsible institutions take effective systemic measures to protect and eliminate discrimination.

On behalf of our clients, we have conducted two lawsuits pointing out the failure of the state for fully implementing the decisions of the UN committees. The state continues to refuse to compensate injured individuals who have been successful with their complaints before those human rights institutions. We pushed the Slovak government to create a mechanism in this regard, on the basis of which injured persons would be compensated.



We shared with the Slovak Trade Inspection our many years of experience with proving discrimination in court proceedings and the implementation of the so-called situational testing as a mean of providing evidence of discriminatory treatment. We have promoted the effectiveness of its inspection work to eliminate discrimination against Roma in access to goods and services.

In February 2020, we held a discussion meeting with the partner NGO Forum for Human Rights on the right to health in socially excluded Roma communities with representatives of various public institutions. We advocated for measures to ensure equal access to drinking water in disadvantaged Roma communities.

In December 2021, we achieved a significant [decision](#) of the District Court in Prešov, which upheld the anti-discrimination lawsuit of three Roma children from the village of Hermanovce. This is historically the first court decision in favor of Roma children who have been illegally educated at a local school in special classes for children with mild mental disabilities. According to the court, the defendant psychological centre and primary school discriminated against them on the basis of their ethnicity.

We have informed several embassies and international human rights institutions about the ongoing discrimination against the Roma minority and shortcomings in the implementation of the Anti-discrimination Act in Slovakia. In this regard, in September 2021 we submitted a [report](#) to the Advisory Committee on the Framework Convention for the Protection of National Minorities. We have also provided information to the European Commission in this area.

We promoted measures to effectively tackle discrimination against the Roma minority also towards responsible institutions in Slovakia. We commented on the draft of Strategy of Equality, Inclusion and Participation of Roma by 2030 and advocated that it takes into account the measures we proposed.

We specifically pointed out the intersectional discrimination against Roma women and advocated for measures to eliminate it. We commented on the draft of National Strategy for Equality between Men and Women and Equal Opportunities for 2020-2025 and advocated that it takes into account the disadvantaged position of Roma women in Slovakia.

We also continued to point out the persistent exposures of the segregation of Roma children in Slovak education and continued to promote the necessary measures to tackle it.



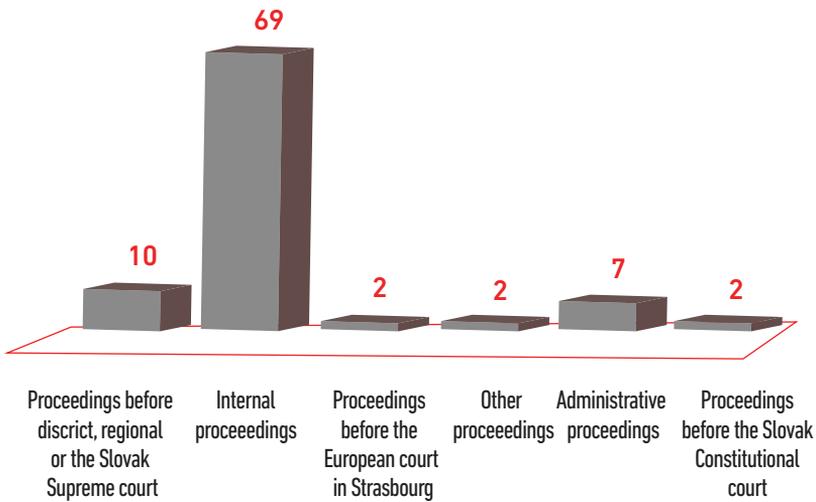
“The court ruled fairly. I believe that, thanks to this decision, there will be a change in other schools as well, and Roma children will be given a chance at a good education. We all need this for life, because without a good education we - Roma do not have a chance to get a good job.”

Sebastián Červeňák - one of the complainants, whom we successfully represented in the case of illegal placement of Roma children in special classes at the primary school in Hermanovce, December 2021

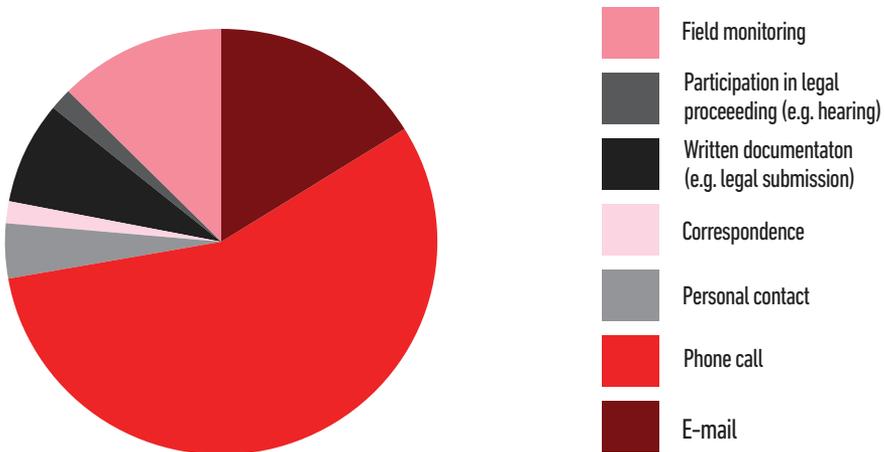
“I want everyone to know how the Roma in our community are treated. Almost all Roma children go to a special school. That’s wrong. They have to take us equally so that we too have a chance to prove something in life,”

Ján - another complainant, whom we successfully represented in the case of illegal placement of Roma children in special classes at the elementary school in Hermanovce, December 2021

Proceedings within programme



Types of activities within the programme



Protection from police violence

We monitored cases of police violence in Slovak society. We pushed for measures that would strengthen the quality and independence of investigations into these cases. We have also informed international institutions about the situation in this area.

We provided free legal advice and representation in strategic criminal proceedings to 20 injured persons, including the publicised cases of police raids in Moldava nad Bodvou in 2013, Vrbnica in 2015 and the case of abuse of Roma boys from Luník at the police station in Košice in 2009. We legally supported them during the investigations into their cases by the Police inspection authority as well as in proceedings before the Constitutional Court of the Slovak Republic and the European Court of Human Rights in Strasbourg.

In January 2020, we achieved an important **decision** of the European Court of Human Rights in the case of A.P. v. Slovakia, which pointed to persistent shortcomings in the investigation of police violence in Slovakia. In this case, the court found serious errors in the investigation of police violence against a Roma boy, which was to take place in 2015. He was awarded the compensation of EUR 5,000.

In September 2020, we achieved another important **decision** of the European Court of Human Rights in the case of R.R. and R.D. v. Slovak republic that ruled on the violation of the rights of two injured Roma within the context of widely publicised case of violence during a police raid in the Roma community in Moldava nad Bodvou in 2013. According to the Strasbourg court, the Slovak authorities violated their



right to protection from police violence and their right to an effective investigation of this violence, including an investigation into a possible racial motive for the preparation of the police action. The court awarded each of the complainant compensation in the full amount of EUR 20,000. This decision also subsequently contributed to [free the injured Roma](#) from the charges they faced for perjury and to the fact that in June 2021 the Slovak Government [apologised](#) for the police raid in Moldava nad Bodvou.

In April 2021, we achieved an important [decision](#) E European Court of Human Rights in the case of M.B. and others against the Slovak Republic, which highlighted the shortcomings in the investigation of police violence in Slovakia. The Strasbourg court ruled on the violation of the rights of three Roma boys in a police car during their transfer to the police station in 2009 in Košice. The Slovak authorities did not sufficiently investigate the violence against them thus violated its international legal obligations in the field of human rights. This is an incident that preceded the widely publicized police violence, which they subsequently faced together with three other Roma at the Košice - South police station. Part of this violence was captured on video recording, which went public.

In November 2020, together with the partner organisations the Human Rights Forum and the European Roma Rights Center, we submitted a [statement](#) to the Committee of Ministers of the Council of Europe, in which we pointed out ongoing shortcomings in investigating racial motive in cases of police violence in Slovakia.

”

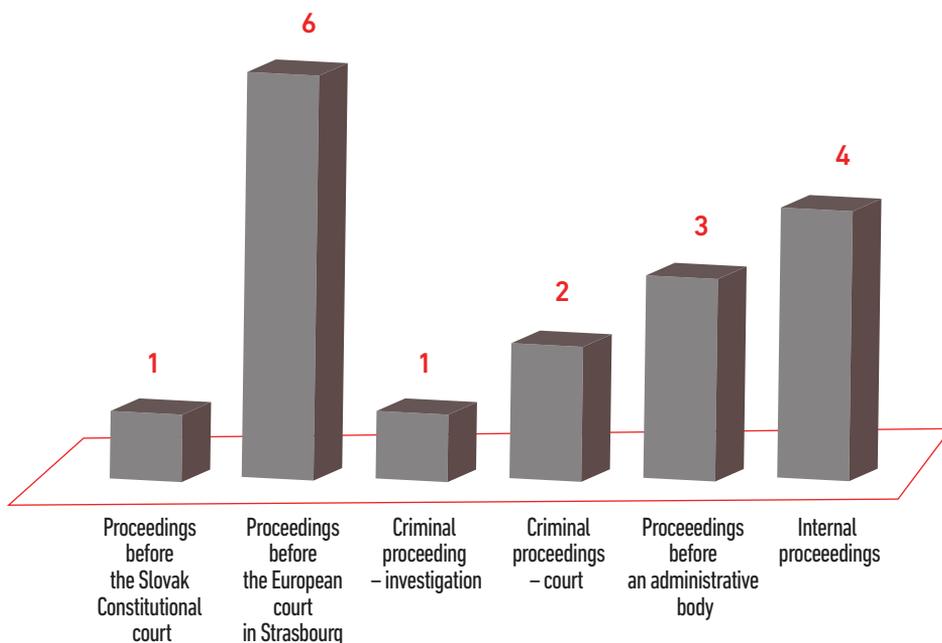
“They hurt us unnecessarily. We didn't do anything. On the day of the police raid they came to us, walked into our apartments without permission and began beating us left and right. I am very pleased that the court has given us the truth and that they have decided as they have decided. I consider this decision to be correct,”

Róbert Rybár - one of the complainants who, with our support, sought justice in the case of the violent police raid in Moldava nad Bodvou in 2013, September 2020

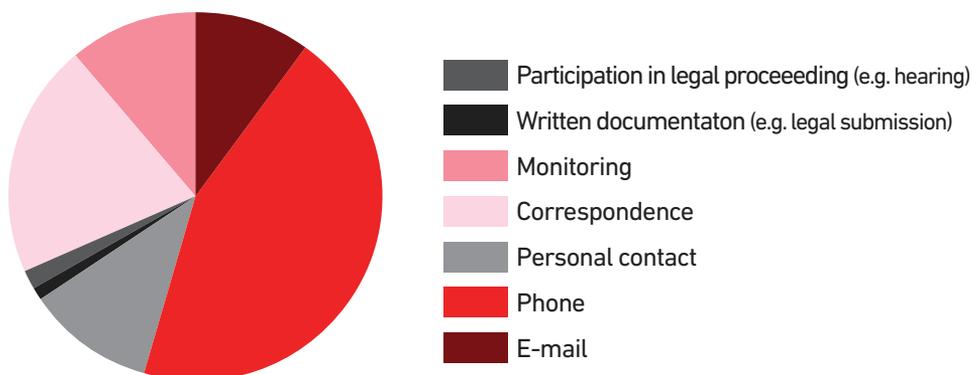
“I am glad that my son and the other boys have finally come to justice after so many years.”

Father of one of the injured Roma boys, who, with our support, sought justice in the European Court of Human Rights, April 2021.

Types of activities within the programme



Proceedings within programme



Protection of reproductive rights

We continued to push for measures to eliminate discrimination against Roma women in health care, such as segregation in maternity wards, racially motivated harassment and humiliation, negligence and ill-treatment during childbirth. We also pointed out shortcomings related to informed consent and decision making of patients on their health care. We have also informed international institutions about the ongoing shortcomings.

We have achieved an apology of the Slovak government for the practice of forcible sterilization of Roma women. In November 2021, the Slovak government adopted a [resolution](#), by which it condemned this practice and apologized for it. The adoption of resolution was preceded by our long-term advocacy activities towards responsible state institutions to ensure effective access to justice for all forcibly sterilized Roma women and their compensation.

In the journal of Romani studies - Romano Džaniben, we published an [article](#) that describes two decades lasting efforts of forcibly sterilized Roma women to achieve justice in Slovakia.

”

" I had two children. But then it happened to me that I could no longer give birth because they did to me what they didn't have to. They tied my ovaries, so I couldn't give birth anymore... I would like something to be done about it. They did this to me so that I could no longer give birth. Please start addressing this. We have been striving for so many years. That would be fair."

Excerpt from the blog of Mrs. Helenka – a forcibly sterilized Romani woman, October 2021

„Your situation has touched me deeply. I can only imagine the profound impact of being denied the most basic autonomy in choosing what happens to your body, and your choices about having children, must have had on you. And how the government’s failure to recognise and deal fairly with the hurt inflicted on you must have added to this pain. I understand the lack of progress over the many years must be frustrating and demotivating for you, and I share this frustration. However, I am truly impressed by your courage and your refusal to give up. And I can promise you that I will also not give up and will continue to stand by your side.”

Excerpt from a letter from Council of Europe Commissioner for Human Rights Dunja Mijatović to forcibly sterilized Roma women, September 2021



Protection of the human rights of Roma during a covid pandemic

We monitored human rights violations of the Roma minority during a covid pandemic. We pushed the Slovak government to take into account during the pandemic the vulnerable position of Roma living in socially excluded communities and to take effective measures to protect their rights.



We pointed out the violation of the human rights of Roma living in marginalised communities, which were put into area quarantine during the pandemic based on the decisions of state authorities. We have filed a complaint with the Public Defender of Rights in this regard, and subsequently also filed a lawsuit on behalf of several affected Roma.

We pointed out the racial profiling against Roma resulting from disproportionate imposition of fines for violating anti-epidemic measures by the police, compared to the majority society. On behalf of several injured persons, we filed a complaint with the Public Defender of Rights, arguing that this approach of the police constitutes racial profiling and as such was racially discriminatory.

We pointed out the unequal access of some disadvantaged groups of the population - including Roma in marginalised communities - to covid vaccine. We responded to the fact that vaccination registration in Slovakia was initially provided exclusively online via the Internet and required technology and skills that disadvantaged groups often did not have.



In May 2020, we lodged an individual complaint with the relevant UN Special Rapporteurs, alleging violations of the rights of disadvantaged groups in this area. We have also addressed the Public Defender of Rights in this case.

About human rights abuses against Roma during the pandemic we informed also other international institutions, such as the European Commission.

We have also promoted measures to ensure equal access to education for disadvantaged Roma children. The interruption of presential teaching in primary schools during the pandemic and the introduction of distance education requiring access to the Internet and PC technology, which many Roma children lacked.

Cooperation with active Roma who are pursuing their rights

We continued to work with active Roma women from two locations in eastern Slovakia. We created space for them to meet together and plan their activities. We involved them in our work, especially through cooperation in field monitoring directly in Roma communities or by participating in advocacy meetings with state institutions.

Together with Roma women, we have been especially committed to seeking justice for forcibly sterilized Romani women or to tackle segregation of Roma women in maternity wards. In September 2021, the Council of Europe Commissioner for Human Rights praised their efforts to bring justice to forcibly sterilized Roma women, expressing her solidarity and support. The speech of two Roma women at a meeting of the Parliamentary Committee for Human Rights and National Minorities on the issue of forced sterilization in July 2021 contributed to fact that the Slovak government later apologized for this practice.

We have worked with a number of other Roma from communities in eastern Slovakia. In June 2021, we organized a networking meeting with the Roma, who, with our support, have been defending their rights. At the joint meeting, we talked about how we could further improve respect for human rights in Slovakia together and how it would be possible to motivate other people to also stand up

We created space for Roma to share their stories and inspire others to stand up for their rights. We have put together a [series of videos](#) with their messages about why it is important to stand up for their rights, and we have posted them on social media.

In cooperation with the Roma, we have also created a [video](#) on the occasion of the 20th anniversary of our NGO, which presents our long term work and achievements.



They said about Poradňa

"We have learned a lot. And we have also started teaching others who do not know how to fight racism and various discrimination issues."

Roma woman activist - Anna about what gives her cooperation with Poradňa, July 2021

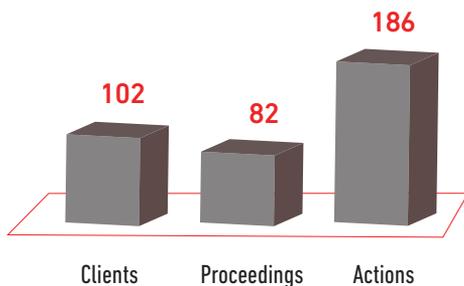
"Poradňa gives us a lot, new experiences, new things. It simply helps a lot of people who are discriminated against. Poradna helped us many times and we are grateful for that. It (working with Poradňa) has helped me in many things about discrimination in schools and hospitals."

Roma woman activist - Nasta about what gives her cooperation with Poradňa, July 2021

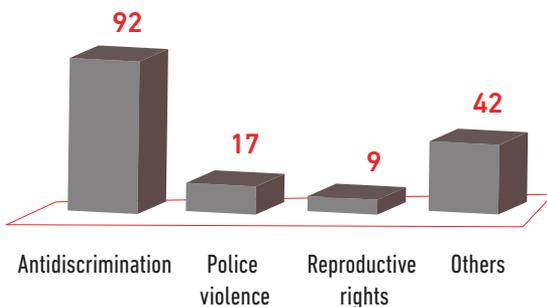
"Poradňa has been providing very effective legal assistance to the Roma ethnic group for 20 years in matters of discrimination, segregation in education, police violence and the curtailment of their reproductive rights. This activity is very important in building awareness of the Roma ethnic group on human rights and in creating a positive relationship on the part of the majority population in relation to the Roma ethnic group."

Mária Patakyová - Public Defender of Rights on the occasion of awarding "Ombudsman's Thank You" to our NGO for our long - term contribution to the protection of the human rights of Roma in Slovakia, December 2021

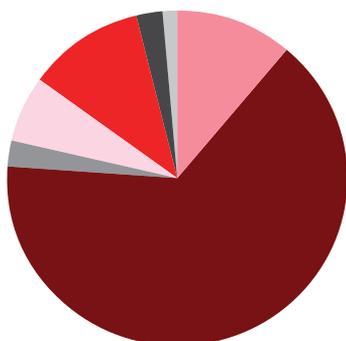
Our work in 2020-2021 in numbers



Procedures by program:



Procedures by type:



- Criminal proceedings under investigation
- Criminal proceedings in courts
- Administrative proceedings
- Proceedings before the European Court of Human Rights
- Proceedings at the Constitutional Court of the SR
- Internal proceedings
- Proceedings before the general courts

People of Poradňa

Denisa Barry – chairwoman
Vanda Durbáková – collaborating attorney
Lenka Tóthová - office manager
Štefan Ivanco - programme coordinator
Šárka Dušková - ad hoc cooperating lawyer
Stanislava Liptáková - ad hoc cooperating lawyer
Roma women activists cooperating on NGO's activities

Board

Michal Čermák – lawyer
Ruben Pellar – researcher and translator
Ingrid Giňová – Roma woman activist
Ján Polák – Roma activist

Donors

In 2020 - 2021, our activities were financially supported mainly by:

Open Society Foundations

Sigrid Rausing Trust

Active Citizens Fund – Slovakia that is financed from the Financial mechanism EEA 2014-2021. The program is managed by the Ekopolis Foundation in partnership with the Open Society and Carpathian Foundation

Ministry of Justice of the Slovak republic

Slovak - Czech Women's Fund

Digital Freedom Fund

Individual donors

We would like to thank you to all those who financially and/or personally supported our work in 2020 – 2021. Thank you

Financial report in Euro

INCOME	2020	2021
Income from other organizations/gifts/grants	56,863.41	71,169.44
Other gains/received gains from litigated court proceedings	17,039.41	4,000.00
2% tax assignment	768.29	794.76
Interests/exchange rate profit	60.66	15.68
Income from services provided	11,045.00	10,210.00
In total	85,776.77	86,189.88

COSTS	2020	2021
Office overheads, equipment and repairs	3,326.14	1,604.65
Telephone, internet and postal services	686.57	578.87
Rent and insurance	3,393.27	3,630.63
Salaries	27,992.71	32,185.09
Taxes and fees	319.68	59.48
Legal services - strategic litigation	15,961.80	18,069.66
Accountancy	2,544.00	3,560.00
Travel expenses	334.36	454.88
Educational activities (seminars, meetings, supervisions)	2,650.06	7,029.17
Publications (printing, graphic, authors fees)	701.55	6,015.00
Interpreting and translations	18.00	135.00
PC software, website domain and webhosting, advertising	194.92	2,303.97
In total	58,123.06	75,626.40

How you can support us

Regular or one-off financial contribution.

Dedicating 2% of your taxes.

You can find more information about other support options on our [website](http://www.poradna-prava.sk)

www.poradna-prava.sk

