Bratislava, 18 February 2022

**INPUT OF THE SLOVAK NATIONAL CENTRE FOR HUMAN RIGHTS – REPORT ON THE IMPACT OF THE COVID-19 PANDEMIC ON THE REALIZATION OF THE EQUAL ENJOYMENT OF THE RIGHT TO EDUCATION BY EVERY GIRL**

*About the Slovak National Centre for Human Rights:*

*The Slovak National Centre for Human Rights (hereinafter the “Centre”) is a national human rights institution established in the Slovak Republic, accredited with status B by the Global Alliance of National Human Rights Institutions (GANHRI). As an NHRI, the Centre is a member of the European Network of NHRIs (ENNHRI). The Centre was established by the Act of Slovak National Council No. 308/1993 Coll. on the Establishment of Slovak National Centre for Human Rights. Pursuant to the Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection from Discrimination, as amended (the Anti-Discrimination Act), the Centre also acts as the only Slovak equality body. As an NHRI and equality body, the Centre performs a wide range of tasks in the field of protection and promotion of human rights and fundamental freedoms including the observance of the principle of equal treatment.*

*The Centre among other powers:*

*1) monitors and evaluates the observance of human rights and the observance of equal treatment principle;*

*2) gathers and, upon request, provides information on racism, xenophobia and antisemitism in the Slovak Republic;*

*3) conducts research and surveys to provide data in the field of human rights; gathers and distributes information in this area;*

*4) prepares educational activities and participates in information campaigns aimed at increasing tolerance of the society;*

*5) provides legal assistance to victims of discrimination and manifestations of intolerance;*

*6) issues expert opinions on matters concerning the observance of the equal treatment principle;*

*7) performs independent inquiries related to discrimination;*

*8) prepares and publishes reports and recommendations on issues related to discrimination; and provides library services and other services in the field of human rights.*

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**The Centre submits the following input to the Call for Submission in relation to Human Rights Council resolution 47/5 on realization of the equal enjoyment of the right to education by every girl[[1]](#footnote-1):**

1. **Challenges and barriers that girls have been facing in the context of the COVID-19 pandemic**

1. *challenges with regards to distance learning*

COVID-19 pandemic brought a number of challenges to students, families, schools and state institutions, who had to adapt quickly to a new, complex and changing situation. In March 2020, the Government of the Slovak Republic declared an extraordinary situation effective for the entire territory of the Slovak Republic in relation to the risk of spreading COVID-19. In accordance with the conclusions of the Central Crisis Staff of the Slovak Republic, the Minister of Education, Science, Research and Sport of the Slovak Republic issued guidelines suspending education at schools and school facilities from 16 March 2020 for the initial period of 2 weeks, later extended until 15 June 2020.[[2]](#footnote-2) Several extended periods of suspending in-person education followed throughout the continuation of the pandemic, valid for the whole country or partially (e.g. not including kindergartens and grades 0-5 of primary schools, not including certain categories of schools, such as schools for children with disabilities or depending on a regional situation).

State authorities and schools made a number of important efforts to make the transition from in-person to distance learning as efficient as possible. Transition to distance learning was done in most schools during a one-week period and schools were able to provide at least partial form of education to most of the students (f.e. around 81 per cent of students were able to connect to online learning in 2019/2020). However, a number of challenges ensued for thousands of students, resulting in either lack of access to distance learning or access to only limited or ineffective form of education.[[3]](#footnote-3) It is estimated that up to a 128 000 pupils and students (18.5 per cent) were not educated online and up to 52 000 pupils and students did not participate in the distance learning in any form (7.5 per cent).[[4]](#footnote-4) Situation showed to be most challenging at schools with a higher percentage of students from socially disadvantaged background[[5]](#footnote-5) and in schools for students with disabilities.[[6]](#footnote-6) There is however a lack of disaggregated data with respect to impact of distance education on girls.

Organization for Economic Cooperation and Development (OECD) reported that the COVID-19 crisis may have exacerbated significant equity concerns in the country. As the impact of the socio-economic background in Slovakia on student performance is the highest among the OECD members (particularly negatively affecting Roma pupils), some Roma children may lack behind further due to the pandemic.[[7]](#footnote-7)

The Centre has been monitoring the situation with respect to equality and right to education throughout the pandemic and on a number of occasions underlined the challenges connected to provision of distance learning. Since the declaration of the first state of emergency in relation to COVID-19 pandemic in 2020, it has monitored impacts of government measures and measures by relevant state authorities, especially in relation to access to education within marginalized Roma communities[[8]](#footnote-8), including compulsory quarantine of whole Roma communities.[[9]](#footnote-9) Within its research, the Center found that distance learning affected maintaining the required quality and quantity of the curriculum or its thematic selection. Lack of social contacts also reduced pupils’ motivation to learn. Some children did not attend classes, had to pay attention to family matters during classes or had inadequate internet connection – all of these barriers may have resulted in a loss of learning habits.[[10]](#footnote-10) In November 2020, the Center together with a number of civil society partners addressed a letter to the Prime Minister of the Slovak Republic, calling for reintroduction of in-person education in the second level of primary schools (ISCED 2) and in secondary schools (ISCED 3). The Centre underlined that the closure of schools and move to distance education should be a matter of last resort, as it may have a negative impact on children’s right to free, quality and inclusive education.[[11]](#footnote-11)

Although discrimination in education is prohibited by Slovak and international legislation, Roma children in Slovakia have been subject to persistent systemic segregation practices for a long time and often attend Roma-only schools or are placed to Roma-only classes.[[12]](#footnote-12) Committee on the Rights of the Child also underlined in its Concluding observations on the combined third to fifth periodic reports of Slovakia in 2016 that *“Roma children continue to be the victims of de facto segregation in the State party’s school system, with over 50 per cent being taught in Roma-only classes or attending classes in separate school pavilions, often providing inferior education”.*[[13]](#footnote-13) In April 2015, European Commission launched an infringement procedure against Slovakia due to the breach of the prohibition of discrimination in education laid down in the EU Race Equality Directive.[[14]](#footnote-14) Despite the pending infringement proceedings, situation was not changing and in 2019, the Commission concluded that all the steps Slovakia had taken since 2015 were inadequate.[[15]](#footnote-15) In a response in July 2020, the Ministry of Education, Science, Research and Sport of the Slovak Republic acknowledged the existence of segregation and discrimination of Roma children in education and has taken responsibility to remedy the situation with goal to end segregation in education and implement inclusive education policies.[[16]](#footnote-16) New Strategy For Equality, Inclusion and Participation of Roma until 2030 and its proposed action plan on education also underlines an overall goal to promote desegregation practices and inclusion at all stages of education system.[[17]](#footnote-17) The Centre has been monitoring segregation practices and provides several concrete activities in the area of strategic steps to eliminate segregation in education, including identification of segregation practices and provision of legal assistance to victims. The Centre also prepared expert commentary on the proposal of a legal definition of segregation prepared by experts from the civil society that should be submitted to the Ministry of Education, Science, Research and Sport of the Slovak Republic and included in the upcoming amendment of the Act No. 245/2008 on Upbringing and Education (School Act).

*specific impact of distance learning on pre-primary education*

Slovak State School Inspection evaluated the impact of COVID-19 pandemic on education in kindergartens in the school year 2020/2021.[[18]](#footnote-18) The research covered 154 kindergartens, educating 12 400 children, including 96 children with disabilities and 720 children from “socially vulnerable groups” (pupils from socially disadvantaged background or from marginalized Roma communities). The study notes that among the research group, almost 50 per cent of children from socially vulnerable groups did not participate in any form of pre-primary education (in-person or distance learning) in the period when pandemic measures were enforced due to the fact that their kindergartens did not provide any form of education.[[19]](#footnote-19) Distance education in kindergartens was mostly positively perceived in case of children that had one year before compulsory school attendance (e.g. 5 or 6 years olds).[[20]](#footnote-20) No disaggregated data by sex/gender are available.

The civil society organisation eduRoma also reported on the challenges of pre-primary distance learning for Roma children living in poverty. The study also examined the change of roles of kindergarten teachers in some schools at the beginning of the pandemic. In the first weeks of the pandemic, some teachers acted as field social workers and nurses, whose task was to produce, sew and distribute face masks and provide health education to children and families living in poverty, older persons and persons with disabilities. Teachers also reported lack of support from most school founders, but noted support from kindergarten directors.[[21]](#footnote-21) The study underlined that in distance education, the parents themselves come to the forefront as mediators and transmitters of professional educational intervention. For a number of reasons (including lack of technical equipment, lack of time or possible difficulties with understanding, organizing and managing homework), this role may be more challenging for parents living in poverty, as compared to middle-class families.[[22]](#footnote-22)

*specific impact of distance learning on primary education*

Slovak State School Inspection also reported that around 5 per cent of pupils from primary schools that were covered by their study did not participate at distance learning organized as part of pandemic measures during the school year 2020/2021.[[23]](#footnote-23) Regional discrepancies were visible (non-participation in distance learning ranging from 0.8 per cent at Northern region of Žilina to 8.8 per cent in Eastern region of Košice), including when comparing participation of children with disabilities (0.7 per cent of pupils with disabilities did not participate at distance learning in Bratislava region and almost 13.4 per cent in the Eastern region of Prešov). Among the schools covered by the study, the research underlined a high percentage of non-participation in distance learning of pupils from “socially vulnerable groups” (pupils from socially disadvantaged background or from marginalized Roma communities), which amounted to almost 50 per cent in the Eastern region of Košice, with a biggest proportion of students attending higher grades. The most challenging barriers as to why students did not participate at distance learning included lack of parental support, missing or inefficient internet connection or missing technical equipment.[[24]](#footnote-24) However, no disaggregated data by sex/gender are available.

According to eduRoma, the most common barrier for students from marginalized Roma communities in access to distance learning at the beginning of the pandemic included low level of education of parents, lack of social contacts, interactions and role models, or increased demands on the organization of teaching, special education and training needs, and language barriers.[[25]](#footnote-25) There is also currently no possibility for education in Roma language as language of instruction in primary schools in Slovakia. Other national minority languages are represented as languages of instruction in primary education in several schools (Hungarian, Ukrainian, Ruthenian and German). The survey done by eduRoma also noted that teachers were not prepared to conduct distance education, but also are lacking preparation to work with students from marginalized Roma communities in general.[[26]](#footnote-26)

Slovak school system still includes segregated schools for children with disabilities – there are around 270 of such primary schools in the country (so-called “special schools” for children with psychosocial disabilities, physical disabilities or multiple disabilities). State School Inspection reported that during the school year 2020/2021, when in-person learning was not possible due to the pandemic regulations, most of the “special schools” opted to use a combination of online and offline teaching for students with disabilities.[[27]](#footnote-27) Online teaching methods included online classes or online sending of assignments. Offline methods included communication by telephone, sending of assignments and materials through teachers and social field workers, collecting of materials by students or their parents at school or using a post office delivery. Around 12,4 per cent of pupils with disabilities from participating schools did not attend any form of distance learning (online or offline). Effectiveness of use of distance learning was reported as particularly problematic for children with disabilities from socially disadvantaged background, who at times do not have even minimal conditions to use any form of distance learning.[[28]](#footnote-28) No disaggregated data by sex/gender is however available.

Government measures aimed to curb the spread of the COVID-19 pandemic also affected the scope and content of the curriculum. In the school years 2019/2020 and 2020/2021, the regular testing of level of knowledge of 9-graders (last grade of primary schools in Slovakia) was cancelled due to the pandemic. National Institute of Certified Educational Measurements therefore carried out monitoring of the level of knowledge and skills of students in mathematics, Slovak language and literature and Hungarian language and literature.[[29]](#footnote-29) The research was disaggregated by sex/gender, region, type of school, language of instruction, school founder (religious/state schools) and other categories, including vulnerable background. Whereas the difference between the results of boys and girls was not statistically or factually significant in any of the tested subjects, difference of results of poor students (families receiving social assistance benefits) and students from socially disadvantaged background was more significant.[[30]](#footnote-30)

In addition to challenges with regards to technical and other conditions for distance learning, school closures entailed also suspension of school canteens. School closures may have therefore affected over 100 000 children in Slovakia who could potentially use a subsidy for public school meals. In addition, although there are no specific data available, the pandemic crisis resulted in a loss of at least part of income for many families, therefore the number of children at risk of hunger might have been even higher throughout the pandemic.[[31]](#footnote-31)

*specific impact of distance learning on secondary education*

State School Inspection reported that 2.5 per cent in secondary vocational schools did not participate at distance education during the school year 2020/2021[[32]](#footnote-32). The discrepancy between the Western regions (0.6 per cent learners in Bratislava region did not participate) and Eastern regions (6.2 per cent in Košice region did not participate) was visible among schools that participated in the research. Percentage of students with disabilities that did not participate at distance learning was also higher (6.2 per cent), as well as of students from “socially disadvantaged background/marginalized Roma communities” (27 per cent). The most challenging barriers as to why the students did not participate were identified as missing or inefficient internet connection (63 per cent respondents); lack of parental support, including low social status of the family (58 per cent); missing technical equipment, or its joint sharing with other siblings (50 per cent). According to the same research, secondary vocational schools used different strategies to mitigate the risks of school failure after returning to face-to-face teaching, including use of teaching assistants or tutoring.[[33]](#footnote-33) In comparison, only minimal number of students of gymnasiums (secondary schools preparing students for higher education or a university) were reported to not participate at distance learning (0.06 per cent). At the same time, only a small number of students at gymnasiums that participated in the research are from “socially vulnerable groups” (0.13 per cent) or are students with disabilities (1.75 per cent)[[34]](#footnote-34). No disaggregated data by sex/gender are available.

1. *bullying at schools*

The National Coordination Center for Violence against Children reported on findings from research made in June 2021 on experience and behaviour of children and young people during the pandemic.[[35]](#footnote-35) The research showed a raise in the number of cases of bullying in physical and online environment. 26 per cent of children and young people reported having had experience with bullying, most often face-to-face in form and among children 9-11 in age. In case of online bullying, boys and girls experience bullying in different types of online environment – whereas boys are victims in the online gaming environment, girls experience bullying mostly on social media. Most often, these include receiving of “uncomfortable and vile messages”. Children and young people stated that they talk about these experiences mostly with their friends, but almost 29 per cent of children do not talk about bullying with anyone[[36]](#footnote-36).

A survey among school prevention coordinators also showed a deterioration of the situation as compared to 2016. The survey noted that in the school year 2019/2020, bullying occurred in a majority of primary (91.3 per cent) and secondary (73.9 per cent) schools. The most common forms of bullying were reported to be use of ridicule and insults, vulgar swearing directed at the child or use of social exclusion. Physical attacks were recorded in around 40 per cent of schools.[[37]](#footnote-37)

The Centre provides education activities and workshops on the topic of bullying and cyberbullying since 2017 and provides practical prevention and intervention tools for teachers, students and parents[[38]](#footnote-38). For example, in 2020 and 2021, the Centre provided over a hundred activities and workshops for students and teachers of primary and secondary schools on bullying and cyberbullying. The Centre also organized roundtables with state authorities and non-governmental organizations to discuss the implementation of a new crime of dangerous online harassment that was added into the Act No. 300/2005 Coll. Criminal Code in July 2021 and to discuss the new action plan on bullying and cyberbullying in schools, which is currently in preparation.

1. *sexual crimes committed against children*

The General Prosecutor’s Office of the Slovak Republic reported a 145 per cent increase in sexual crimes committed against children in relation to pandemic measures in 2020. The increase in crimes included sexting, grooming and sexual solicitation. Distribution of child pornography raised by 170 per cent and sexual exploitation raised by 50 per cent according to the same monitoring.[[39]](#footnote-39) The research conducted by the National Coordination Center for Violence against Children also reported that the pandemic had an impact on confrontation of children and young people with sexual content. A third of the children and almost half of young people aged 15-17 who participated in the research reported to have received a message with sexual connotations (text, picture or video). 29 per cent of girls and 12 per cent boys also reported they were solicited to send intimate information. [[40]](#footnote-40)

1. *impact of COVID-19 pandemic on mental health and well-being of pupils*

School closures and isolation entailed further negative impact on students, including deterioration of mental health.[[41]](#footnote-41) For example, university students reported higher levels of depression and anxiety in relation to the pandemic, based on research done by the Comenius University in Bratislava, Slovakia with 1800 students (80 per cent of respondents were young women). Among the most challenging problems that students reported was lack of contact with classmates, lack of balance between school and private life and challenges with organization of tasks and activities. Students also reported troubles with sleeping and overconsumption of alcohol.[[42]](#footnote-42)

The Research Institute for Child Psychology and Pathopsychology also conducted a number of specific research projects focused on education of children during extraordinary situation, including on mental health and impact of the pandemic on well-being of pupils and their parents. Research findings also form the basis for methodological guidance of pedagogical and professional education staff.[[43]](#footnote-43) For example, one research project focused on mapping of distance education and examining difference of experience between parents of children with or without special education needs. The research identified that the most common concerns of children are related to the absence of social contacts and fears of failing to meet school obligations. Differences between parents of children with and without special education needs were found in learning planning, lack of selected teaching aids and the need of specialist support.[[44]](#footnote-44) Another research conducted in the first and second waves of the pandemic focused also on well-being of students in secondary and tertiary education. Among these students, the research reported on the excessive use of internet and phones and identified a large group of students with strong feelings of loneliness[[45]](#footnote-45).

1. **Measures taken to respond challenges and barriers faced by girls as a part of the short-term responses to, and mid- and longer-term recovery efforts from the COVID-19 pandemic**
2. *mitigating measures taken by state authorities, civil society and local stakeholders*

The Ministry of Education, Science, Research and Sport of the Slovak Republic and its organizations have taken a variety of measures to support the implementation of distance education. For instance, since March 2020, together with a number of civil society partners, a dedicated webpage for distance learning has been serving as a channel of communication and provides a number of webinars, guidance and support materials. It includes recommendations for teachers, teaching assistants, parents and students, including a dedicated section with support materials for pupils from marginalized Roma communities (including those that do not have access to online learning). [[46]](#footnote-46) However, there are no dedicated materials on gender-specific barriers. The Ministry also organized summer school projects in the school years 2019/2020 and 2020/2021 to mitigate the effects of interruptions of in-person schooling, including for children with disabilities. The Ministry also prepared materials supporting psychological well-being of children, including in relation to distance learning or coping with difficult situations and crisis.[[47]](#footnote-47) Research Institute for Child Psychology and Pathopsychology also provides guidance on well-being and coping with challenging situations for teachers and parents and shares activities for children, including pupils with disabilities. Teachers also use specialized educational webpages and applications and online discussion forums.[[48]](#footnote-48)

Towns, individual teachers and pedagogical assistants, field social workers, local community centers and non-governmental organizations also provide vital support tailor-based to local needs, especially for pupils from marginalized Roma communities. Examples of such support are help with delivering classroom assignments, printing of materials, supply of pens and other equipment or supporting and motivating pupils for learning.

*B) HRBA to Recovery – Analysis of the Recovery and Resilience Plan of the Slovak Republic*

Slovakia, as a Member State of the European Union is benefiting also from a large financial and policy stimulus for sustainable COVID-19 recovery, including in the area of education. At the end of 2020, EU Member States adopted a temporary recovery instrument, called *NextGenerationEU*, in the total amount of 806.9 billion EUR. The aim of the mechanism is to mitigate and repair the economic and social damage caused by the COVID-19 pandemic and to "*emerge stronger from the pandemic, transform our economies and societies, and design a Europe that works for everyone”.[[49]](#footnote-49)* An important part of the recovery plan is to promote equality, including gender equality and women’s empowerment and investing in inclusive education. A central element of *NextGenerationEU* are the individual Member States’ mechanisms to support recovery and resilience. As a temporary recovery tool, this enables the European Commission to raise funds and assist individual Member States in implementing reforms and investment in line with EU priorities and as identified in the European Semester recommendations.

The Recovery and Resilience Plan of the Slovak Republic[[50]](#footnote-50) includes 66 structural reforms in five priority areas, with planned investment spending of over 6.5 billion EUR (6.9 per cent of the GDP) in 2021-2026. Education was allocated under 0.9 billion EUR and includes a specific component on availability, development and quality of inclusive education at all levels (Component 6 with allocated 210 million EUR). Reforms to realize this goal include compensatory measures to mitigate the impact of the pandemic on education; reform of the counselling system and systematic data collection on mental health support; support to learners at risk of early school dropout; support the school desegregation; and implementation of mandatory pre-primary education for five year old pupils and of a legal entitlement to place in kindergarten from three years of age.

The Centre commissioned an analysis of the component on inclusive education in the context of its impact on human rights and equal treatment.[[51]](#footnote-51) In terms of girls’ right to education, the study underlines a general lack of analysis (with a partial exception mentioned below) on the impact of the proposed reforms on gender equality and women’s rights. No assessment on whether individual activities do not exacerbate gender stereotypes and a complete absence of gender-sensitive language was noted as well.[[52]](#footnote-52)

One of the component’s reform plans for the implementation of tools to prevent early school leaving and adjustment of so-called F-programmes (two year lower-secondary vocational education for students that did not complete primary education, ISCED 2C). There is a general discussion about the effectiveness of these courses – students do not gain any apprentice certificate, therefore a professional qualification. Their employability is therefore weak and are the largest group of long-term registered unemployed persons. However, these 2- year courses are often the only possibility for students who were less successful at primary school and often repeated grades. Large proportion of student also leave the course after one year, when they fulfilled their compulsory schooling.[[53]](#footnote-53) The reform under the Recovery Plan therefore aims to expand the possibility of achieving a higher level of education for young people without completed primary education and optimizing the F- programmes to better reflect needs of the labour market. The reform includes the creation of an early warning system for early school leaving and the promotion of mentoring and tutoring for pupils at risk of early school leaving.[[54]](#footnote-54) While the group of pupils at risk of early leaving of compulsory education may have risen due to the COVID-19 pandemic, there is a lack of data on this issue. While the reform also identifies that these courses are deepening segregation of Roma students, it does not contain specific proposals on how to eliminate this situation. [[55]](#footnote-55)

One of these programmes, called “practical woman” has been long criticized by human rights organizations as being based on outdated gender and racial stereotypes. Among the goals of the programme, the students (99 per cent being women) should gain skills such as “basics of hygiene and aesthetics of family and life environment, understanding the importance of partnership and marriage, financial basics, including the ability to buy, store and process food properly and to prepare meals, using basic handicrafts or taking care of children”.[[56]](#footnote-56) The focus and goals of this programme are therefore highly stereotypical, perpetuating gender and racial stereotypes, including of low expectations, especially against girls and young women from marginalized Roma communities. The Recovery Plan underlined that a “particular attention” should be given to this programme, due to it being *“based on stereotypes of roles of women in the society and shows a low success rate of female graduates at the labour market”[[57]](#footnote-57).* New proposed state action plans on the Strategy of Equality, Inclusion and Participation of Roma until 2030 also include activities to prevent participation of girls and women from marginalized Roma communities to study in F programmes that are based on negative stereotypes regarding the status of Roma women.[[58]](#footnote-58) Critics, including human rights defenders therefore call for its quick and complete abandonment.

1. Note: Although a number of important data are available with regards to access to education, including impact of COVID-19 pandemic and related measures on right to education, the Centre notes a general lack of disaggregated data by sex/gender and analysis of impact of COVID-19 pandemic on girls in Slovakia. The Centre still hopes the submission will be beneficial for the drafting of the OHCHR report. [↑](#footnote-ref-1)
2. Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the Year 2020* (2021), p. 65-66, available in English at <http://www.snslp.sk/wp-content/uploads/Human-Rights-Report-2020.pdf>. [↑](#footnote-ref-2)
3. Ostertágová, A., and Čokyna, J.: *Main Findings from the Survey in Primary and Secondary Schools on the Conduct of Distance Education in the School Year 2019/2020* (Commentary 2/2020), Educational Policy Institute, p.1, available in Slovak at <https://www.minedu.sk/data/att/20815.pdf>. [↑](#footnote-ref-3)
4. Ostertágová, A., and Čokyna, J.: *Main Findings from the Survey in Primary and Secondary Schools on the Conduct of Distance Education in the School Year 2019/2020* (Commentary 2/2020), Educational Policy Institute, p.1-2, available in Slovak at <https://www.minedu.sk/data/att/20815.pdf>. [↑](#footnote-ref-4)
5. According to the Act No. 245/2008 on Upbringing and Education (School Act), and the Amendment to Certain Acts, as amended, a child from a socially disadvantaged background, or a pupil from a socially disadvantaged background means a “pupil that lives in an environment which, due to its social, family, economic and cultural conditions does not sufficiently stimulate the development of the child’s or pupil’s mental, will, emotional characteristics, does not support their socialization and does not provide sufficient appropriate stimuli for the development of their personality” (para 2p) . The pupil from a socially disadvantaged background is considered being a pupil with special educational needs, as diagnosed by a counselling facility (para 2j).

Critics argue that while the declaration of special educational needs entitles the student for extra support, it can also be stigmatizing. Some parents of children with disabilities for example therefore avoid official acknowledgment of special education needs. The term of a socially disadvantaged background may also be stigmatizing - in case of pupils from marginalized Roma communities, the negative presumption is that there is a problem or a “deficit” on the side of the students and their families, or even culture. Romani native language is also seen as an obstacle to child’s education and not as cultural heritage deserving protection and support. See analysis by Hapalová, M.: ”Stigmatizing Aspects of the Concept of Special Education Needs”, available in Slovak at <https://analyza.todarozum.sk/docs/19082218380001yye1/>. [↑](#footnote-ref-5)
6. Ostertágová, A., and Čokyna, J.: *Main findings from the survey in primary and secondary schools on the conduct of distance education in the school year 2019/2020* (Commentary 2/2020), Educational Policy Institute, p.2, available in Slovak at <https://www.minedu.sk/data/att/20815.pdf>. [↑](#footnote-ref-6)
7. OECD: *OECD Economic Surveys: Slovak Republic* (2022), p. 34, available in Slovak at <https://www.oecd.org/economy/surveys/Slovak-Republic-2022-OECD-economic-survey-overview.pdf>. [↑](#footnote-ref-7)
8. According to the Strategy of Equality, Inclusion and Participation of Roma until 2030, it has to be underlined that Roma population in Slovakia is very diverse and it may be stigmatizing to consider all Roma to be disadvantaged in terms of poverty and social exclusion. This assumption is also incorrect in relation to all inhabitants of all settlements considered as Roma settlements. At the same time, Roma in Slovakia are among the most vulnerable and structurally disadvantaged and discriminated groups, regardless of their socio-economic background or living conditions. For this reason, marginality is not understood solely through the prism of socio-economic conditions, but more broadly, involving disadvantages (and multiple disadvantages) in various dimensions of life (including education, employment, participation and in terms of fight against anti-Roma racism). Accepting this fact, the Strategy defines marginalized Roma communities for the purposes of the 2030 Strategy as: (a) segregated settlements which are considered to be Roma by their environment and in which there are accumulated various structural disadvantages; (b) settlements considered by their environment to be Roma, located on the outskirts and within municipalities or places where various structural disadvantages accumulate; (c) the Roma population not living in settlements but faces disadvantaging socio-economic conditions due to structural inequalities. This group also includes municipalities with a majority of Roma population. See: Government of the Slovak Republic: *Strategy of Equality, Inclusion and Participation of Roma until 2030*, p. 7, available in Slovak at <https://www.minv.sk/?strategia-pre-rovnost-inkluziu-a-participaciu-romov-do-roku-2030>. [↑](#footnote-ref-8)
9. Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the Year 2020* (2021), p. 22, available in English at <http://www.snslp.sk/wp-content/uploads/Human-Rights-Report-2020.pdf>. [↑](#footnote-ref-9)
10. Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the Year 2020* (2021), p. 68, available in English at <http://www.snslp.sk/wp-content/uploads/Human-Rights-Report-2020.pdf>. [↑](#footnote-ref-10)
11. Slovak National Centre for Human Rights: “Call for the reintroduction of in-person education at the second level of primary schools and at secondary schools”, 26 November 2020, available in Slovak at <https://www.snslp.sk/wp-content/uploads/Vyzva-predsedovi-k-zavedeniu-prezencnej-formy-vzdelavania.pdf>. [↑](#footnote-ref-11)
12. Chudžíková Holka, A.: “The long-awaited change – the Ministry of Education acknowledges the problem of segregation of Roma children and is taking steps to change it.”, *Minority Policy in Slovakia 01/2020*, available in English at <https://mensinovapolitika.eu/en/the-long-awaited-change-the-ministry-of-education-acknowledges-the-problem-of-segregation-of-roma-children-and-is-taking-steps-to-change-it/>. [↑](#footnote-ref-12)
13. Committee on the Rights of the Child: Concluding observations on the combined third to fifth periodic reports of Slovakia, CRC/C/SVK/CO/3-5, 20 July 2016, para 44a. [↑](#footnote-ref-13)
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