Bratislava, 6 April 2022

**INPUT OF THE SLOVAK NATIONAL CENTRE FOR HUMAN RIGHTS CONCERNING LOCAL GOVERNMENTS AND HUMAN RIGHTS**

*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 47/7 on Local Government and Human Rights.**

1. **Laws, policies and programmes that have been developed by local authorities explicitly to promote and protect human rights, including those related to the right to equality and non-discrimination and the protection of persons in vulnerable and marginalized situations.**

Local authorities are important actors in the area of promotion and protection of human rights, including the right to equality and non-discrimination and the protection of vulnerable and marginalised persons. Despite no explicit obligation in the national legislation, the local authorities adopt and implement policies and programmes in this area, considering that one of the main tasks of cities and municipalities is to take care of universal development of its territory and the needs of its inhabitants.[[1]](#footnote-1)

The most common form to address human rights issues by local self-governments is by adoption of specific policies and strategic programmes. Particular activities and actions differ based on the needs and circumstances of each municipality or town. However, the trend shows that the main areas of concern in terms of human rights at the level of local governments can be divided into three areas where the policy initiatives are the most frequent. These areas include: a) policies to address **domestic violence and gender-based violence**; b) strategies of **Roma inclusion** adressing the most pressing issues faced by local Roma communities and c) policies regulating development of **social services** in the region that also have impact on human rights and equality.

Examples below represent selected examples of promising practices that have been identified by the Centre, noting that there are many more being implemented in Slovakia.

**A. Domestic violence and gender-based violence**

In Slovakia, several self-governing regions, towns and municipalities have adopted policies, action plans or other strategical documents to address the issue of domestic violence and gender-based violence at their territory. For instance, the Bratislava Self-governing Region[[2]](#footnote-2) as well as the Nitra Self-governing Region[[3]](#footnote-3) both adopted regional action plans for the prevention and elimination of violence against women. These action plans present a set of measures to address the situation of women and children that are victims of domestic violence or gender-based violence. They address prevention and elimination of violence against women so that their fundamental human rights are not violated and women can live in safety, dignity and freedom, without fear. The main measures under the action plans include:

* iimplementation of workshops, seminars and initiatives for different target groups including students, employees of the town, teachers,
* awareness raising of citizens concerning prevention of domestic violence,
* support for health professionals in providing healthcare and assistance to victims of violence,
* provision of social, legal, and psychological counselling, as well as crisis intervention,
* outpatient professional social, psychological, and legal counselling,
* provision of a one-time financial aid for women,
* provision of accommodation,
* monitoring availability and quality of assistance, together with the civil society organisation STORM.

Similar initiatives can be identified also at the level of towns and municipalities. For instance, Nitra has adopted its own Strategy on addressing risk behaviour with focus on drug-related issues and on elimination of domestic violence, gender-based violence and violence against children in the territory of the city of Nitra for the years 2022 to 2025[[4]](#footnote-4). One of the main goals of the strategy is to present the possibilities of improvements in dealing with the problem of domestic violence, violence against women, and violence against children, and to concretize individual steps leading to a functional model of services, support, and protection. The vulnerable groups covered by the strategy includevictims of domestic violence, children at risk of violence, abuse and sexual abuse, women experiencing violence, and elderly persons.

**C. Inclusion of Roma communities**

Local strategies and policies are typical for regions, towns and municipalities with local Roma communities and marginalised Roma communities. By adopting local policy documents in this area, the local authorities seek to improve living conditions of Roma communities, support their inclusion at the labour market, ensure equal access to education for children from the communities concerned as well as to strengthen social cohesion and eliminate tensions between the majority and the local Roma communities. Despite existence of the national Strategy of Roma Equality, Inclusion and Participation until 2030[[5]](#footnote-5) and thematic action plans implementing it at the national level, local authorities often adopt regional or local strategies and action plans, considering the specific needs and circumstances in their territory and giving base for particular measures and investments in the region, town or municipality. Such a strategy has been adopted e.g. by the city of Brezno[[6]](#footnote-6), which provides a thorough assessment of the issues faced by the marginalised Roma population and focuses on the socioeconomic elements of the Roma community living in Brezno. The main actions under the strategy include: a) addressing the problem of maladjustment and mitigating tensions between the minority and the majority; b) improvement of education, particularly early childhood education and care, with a focus on increasing educational achievement, c) employment through the use of assistance programs, which should enhance the quality of social services.

**C. Regional and local social services**

Social services represent one of the forms of social aid to persons in unfavourable social situation. By providing social services, local governments support social inclusion and fulfilment of social needs of its inhabitants in adverse social situation, thus strengthening protection of their human rights. Alongside priorities of development of social services at the nationwide level[[7]](#footnote-7), local self-governments adopt their own policies to address better the particular circumstances and needs at their territory. For instance, at the regional level, the Trnava Self-governing Region has adopted a policy of development of social services in the region.[[8]](#footnote-8) It aims to establish a system of high-quality social services to all segments of the community provided by an efficient and cost-effective network of social service institutions, mainly for persons with disabilities, vulnerable groups and the elderly. At the more local level, the city of Prešov has adopted a communal action plan of its social services[[9]](#footnote-9) aiming to establish a functioning network of social services based on actual demand, but also to sustain the financial system of social services. The action plan mainly covers social services for persons with disabilities, social services for families with children and social services for other vulnerable groups. Among the measures proposed, the action plan includes e.g. improvement of quality of social services for the elderly and persons with disabilities, increasing social inclusion of marginalised and vulnerable communities or creating conditions to promote employment of persons with disabilities.

1. **Challenges faced by local authorities and promising practices, to promote and protect human rights, including in relation to the right to equality and non-discrimination and the protection of persons in vulnerable and marginalised situations.**

The challenges faced by local authorities differ from the area of focus and specific initiatives and actions developed, however, there are certain challenges that are more general. Firstly, the limited financial resources of municipalities and towns and the increasing agenda transferred upon them by the state cause that the local authorities must prioritise their budgets for fulfilment of obligations that they are given by law. Measures planned beyond these must be supported by external funding and the municipalities and towns need to apply for project fundings or rely on donors.

In certain areas, especially where the social cohesion is more fragile or the acceptance of certain measures is affected by prejudice and stereotypes, local authorities face obstacles in terms of public non-acceptance and protests (e.g. when adopting measures for the Roma communities or creating shelters for vulnerable groups). Mayors also face blocking of their proposals and investments in the local parliament or governing structures, often caused by populism. Local governments may also face lack of support by the state, not only in terms of funding but also when it comes to guidance in certain areas.

Local self-governments often address the human rights issues in their region or locality by implementing projects to promote or protect the rights of vulnerable groups of its population. The projects are usually implemented in cooperation with the civil society organisations or other stakeholders and are funded under grant schemes and programmes of the European Union, Norwegian financial mechanism or national calls for proposals. By implementing specific projects funded from external sources, the local governments tackle the issue of limited resources to fulfil all the tasks of public administration vested upon them. The most common projects that contribute to protection and promotion of human rights and equality include projects targeting a) **homeless persons**, b) (marginalised) **Roma communities** and c) **victims of domestic and gender-based violence**. The examples provided below for each group are illustrative examples of promising practices.

**A. Homeless persons**

The issue of homelessness has not been given sufficient attention at the national and local level in Slovakia in general. There is a lack of data concerning the number of homeless people in the country, apart from small initiatives at the local level. Protection and promotion of the rights of homeless persons has been an issue also during the COVID-19 pandemic. In these regards, there was a clear need to protect the right to health of homeless people but also to provide conditions for them to comply with the state-imposed quarantines and lock-downs. A good practice can be identified in the capital city Bratislava that established a temporary housing area for homeless people[[10]](#footnote-10). Bratislava is home to approximately 4 000 persons without housing. Upon the outbreak of the COVID-19 pandemic and the adoption of preventive and protective measures homeless people had limited opportunities to take shelter. In response, the city of Bratislava set up a temporary container city with 30 containers where people without housing could receive care and services if they were suspected of having been in contact with an infected person or exhibiting symptoms of the COVID-19 disease.

**B. Inclusion of Roma communities**

Exclusion and marginalisation of Roma at outskirts of towns and municipalities or in separated areas or streets causes further prejudice and stereotypes of non-Roma citizens, disturbance in social cohesion but also impact economic and social situation of the municipality, city or region concerned. Living conditions of Roma in informal dwellings and in segregated areas are often concerning and one of the underlying reasons are problems with ownership of land and legalisation of houses constructed without the official permit. In general, self-construction of houses by Roma under the projects providing for microloans, legalisation of land and training in construction works are used as measures to eliminate residential segregation and marginalisation of Roma, resolve their housing situation (in informal dwellings they usually lack access to drinking water, pipelines, sanity and face obstacles in accessing public services) and build social cohesion between Roma and the majority. A successful project has been implemented since 2013 in Rankovce[[11]](#footnote-11) in cooperation with the civil society organisation ETP Slovakia. The municipality has currently 920 residents, of which approximately 760 are Roma. The local Roma community has suffered from marginalisation and housing problems affecting the quality of their lives. A pilot initiative to build houses for the Roma community began in 2013. The main aim of the municipality was to include Roma residents within the community. The programme gave Roma families the ability to construct brick houses on their own resulting in a building boom. During the first two phases, 14 residences were constructed. Another 14 low-cost family houses are being built in the third phase. There are plans to continue as of permanent demand. Projects similar to the one in Rankovce are ongoing in different areas of Slovakia, including in the largest Roma community at Luník IX in Košice. The project has been implemented since 2021 by the Social Enterprise of Košice Self-Governing Region's in collaboration with the county and the civil society organisation ETP.[[12]](#footnote-12)

In order to promote inclusion and cohabitation between Roma and non-Roma population as well as to improve overall situation of Roma communities, local governments implement activities and projects in various areas of life, including employment, education or social activities. A well-known good practice example is the municipality Spišský Hrhov that has been successfully including the local Roma community[[13]](#footnote-13). Since 1998, it has been able to target numerous layers of prejudice that exacerbate possibilities of lifting poverty, health issues, poor levels of education, and employment prospects. To address employment and housing difficulties, the local government established a Municipal Social Enterprise. It began as a construction enterprise that only hired members of the Roma minority. Today, it also employs non-Roma citizens who have been unable to find work in the region, thus contributing to the aim of the municipality to promote social cohesion between the local Roma community and the majority. The goal of public employment was to tackle the unwillingness of private firms to hire Roma. As the business grew, the company increased the volume of construction projects, mostly focused on the improvement of local housing. As of today, local Roma children are no longer segregated, attendance and average level of drop-out have significantly improved. Through activities of the Social Enterprise, the municipality promotes and protects the right of Roma people to work, housing rights and consequently also the enjoyment of the right to education of Roma children on equal basis.

**C. Women and children who have been victims of domestic violence**

Local governments are also active in providing assistance to victims of domestic violence, including children and women, and promoting protection of these vulnerable members of their communities. Often, they face obstacles and unwillingness of local communities to establish shelters caused by prejudice and fear from the possible presence of violators. Such an obstacle occurred also in Prešov in 2014, when the city decided to implement a project of Safe house for women in cooperation with the civil society organisation MyMamy under the Community plan of social services of the city of Prešov.[[14]](#footnote-14) The project was opposed by a petition. The problem was successfully resolved and the original concept of the Safe House in Prešov served as a model for several Slovak cities. Such houses are gradually being established in various Slovak cities, whether through civic associations or towns and municipalities, for instance in Martin[[15]](#footnote-15), [Hlohovec](https://mytrnava.sme.sk/c/7794459/otvorili-bezpecny-domov-pre-tyrane-zeny-s-detmi.html)[[16]](#footnote-16), Trenčín[[17]](#footnote-17) and Nitra[[18]](#footnote-18).

1. **Key principles that should guide local and national governments in the protection and promotion of human rights.**

It is crucial that local and national governments protect and promote human rights across their legislative and non-legislative activities and put individuals at the centre of attention of any policies adopted. It is therefore recommended that governance as such is guided by the human-rights based approach, which includes the principles of **democracy** and **rule of law**, **participation** of all stakeholders and individuals concerned, **transparency** of decision-making, **accountability**, **equality** and **non-discrimination** and **empowerment** of local communities and individuals.

1. Article 1 para. 2 of the Act No. 369/1990 Coll. on the Municipal System. Available in Slovak at: <https://www.zakonypreludi.sk/zz/1990-369#p5> [↑](#footnote-ref-1)
2. Regional Action Plan of the Bratislava Self-governing Region for the Prevention and Elimination of Violence Against Women for the Years 2021 – 2023, available in Slovak at: <https://bratislavskykraj.sk/wp-content/uploads/2022/03/rap-bsk-2021-2023.pdf> [↑](#footnote-ref-2)
3. Regional Action Plan of the Nitra Self-governing Region for the Prevention and Elimination of Violence Against Women for the Years 2020 – 2022, available in Slovak at: <https://prevenciakriminality.sk/pdf/view/35/%5B%5D> [↑](#footnote-ref-3)
4. Available in Slovak at: https://www.nitra.sk/Files/ShowFile/78303 [↑](#footnote-ref-4)
5. Available in Slovak at: https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia\_2030.pdf?csrt=13489396678663362163 [↑](#footnote-ref-5)
6. Comprehensive Strategy to Address the Issues of the Roma Community in Brezno for the Years 2016 – 2022, available in Slovak at: <https://www.brezno.sk/data-files/brezno/download/komplexna_strategia_riesenia_romskej_problematiky_na_roky_2016-2022.pdf> [↑](#footnote-ref-6)
7. National priorities of development of social services for the years 2021-2030, available in Slovak at: <https://www.employment.gov.sk/files/slovensky/rodina-socialna-pomoc/socialne-sluzby/nprss-fin.pdf> [↑](#footnote-ref-7)
8. Conception of development of social services in the Trnava Region for the years 2021-2023, available in Slovak at: <https://www.trnava-vuc.sk/data/att/18210.pdf> [↑](#footnote-ref-8)
9. Communal plan of social services of the city of Prešov for the year 2018-2025, available in Slovak at: <https://www.presov.sk/download_file_f.php?id=964500> [↑](#footnote-ref-9)
10. Available in Slovak at: <https://bratislavskykraj.sk/kontajnerove-mestecko-pre-ludi-bez-domova-bude-na-zlatych-pieskoch/> [↑](#footnote-ref-10)
11. Available in Slovak at: <https://etp.sk/budujeme-nadej-z-chatrce-do-3e-domu/> [↑](#footnote-ref-11)
12. Available in Slovak at: <https://etp.sk/budujeme-nadej-z-chatrce-do-3e-domu/> [↑](#footnote-ref-12)
13. Available in Slovak at: <https://archiv.vlada.gov.sk/romovia/data/files/6544.pdf> [↑](#footnote-ref-13)
14. Available in Slovak at: <https://www.mymamy.sk/obsah/111/publicita_projektu/?p=1> [↑](#footnote-ref-14)
15. Available at: https://briezdenie.sk/en/our-services/ [↑](#footnote-ref-15)
16. Available in Slovak at: https://estheroz.sk/komunitny-domov-esther/ [↑](#footnote-ref-16)
17. Available in Slovak at: https://www.bezpecnyzenskydomtrencin.sk/ [↑](#footnote-ref-17)
18. Available in Slovak at: https://centrumslniecko.sk/ [↑](#footnote-ref-18)