

Calling for the remedy and apology for the violation of the fundamental rights and freedoms of persons belonging to Marginalized Roma Communities (MRCs) during the pandemic in Slovakia

The COVID-19 pandemic has negatively affected all areas of people's lives. However, not all citizens were affected by the new coronavirus to the same extent or treated by authorities equally. Members of Roma communities faced not only the negative effects of the pandemic, but also disproportionate enforcement of the measures taken to contain it.

Slovakia has deployed heavily securitized responses toward Roma during the first wave of the COVID-19 pandemic, resulting in the militarized quarantine of six Roma settlements. Throughout the second wave, Slovakia was one of the few EU states – if not the only – that again resorted to quarantining whole buildings, streets, or settlements where Roma lived with the assistance of police and armed forces.

During the first and second waves of the COVID-19 pandemic in Slovakia, 20 Regional Offices of Public Health issued measures that especially targeted members of MRCs.

According to research (Surová, 2022; Surová 2023 and Surová forthcoming) 58 decrees affected approximately 46,000 to 49,000 members of MRCs.

The analysis shows that the act from the 1st wave which quarantined over 6 000 persons living in six MRCs, lacked a legal basis.

In the second wave, the ROPH didn't have the legal competence to authorize cities or municipalities to supervise compliance with the measures ordered and did not provide concrete reasons to justify the need to implement restrictive measures in MRCs.

All these acts did not include termination dates and were revoked by arbitrary decisions of regional health authorities.

Militarized quarantines limited or seriously violated the fundamental rights and freedoms of the members of the MRCs in Slovakia. Particularly endangered were their rights to life, health,

freedom of movement, and freedom of residence, as well as their rights to equal treatment and non-discrimination in the areas of health, education, and work.

The problem is that this selective and collective targeting of Roma with anti-coronavirus measures was carried out in the “formally” and “institutionally” inclusive national context of an EU member state. This demonstrates the state’s failure to implement de jure guaranteed rights for all, and especially for members of the Roma minority.

I welcome the Forum's attention to the issues of equality and inclusion of minorities into societies, and I urge the UN to address the implications of the pandemic for Roma minorities, especially their equal access to rights.

I recommend that the affected persons by illegal and discriminative measures in MRCs should have the right to legal remedy, and appropriate compensation for wrongful acts inflicted on them. As well, I call the government of Slovakia to officially apologize to them.

References:

Surová, Svetluša. Forthcoming. Targeting Marginalized Roma Communities in Slovakia: An Analysis of Official Acts during the COVID-19 Pandemic, Book Chapter for 'The State We're In' an edited volume prepared by the chief editor Prof. Christi van der Westhuizen (D.Phil.) from Nelson Mandela University, South Africa and her colleagues.

Surová, Svetluša, 2023, "Database of the official acts of Regional Offices of Public Health (ROPH) targeting Marginalized Roma Communities (MRCs) in the first and second wave of the COVID-19 pandemic in Slovakia", <https://doi.org/10.7910/DVN/IVNES9>, Harvard Dataverse, V1

Surová, Svetluša. 2022. "Securitization and militarized quarantine of Roma settlements during the first wave of COVID-19 pandemic in Slovakia", *Citizenship Studies*, DOI: 10.1080/13621025.2022.2131070