



Forced Evictions in Slovakia -2006

Roma in Slovakia are currently experiencing a wave of forced evictions according to a report released on Tuesday 23 January 2007 by the Milan Šimečka Foundation, Centre on Housing Rights and Evictions (COHRE) and European Roma Rights Centre (ERRC).

The report, which shows how a combination of factors is driving Roma from their homes into more segregated areas, was launched at a special roundtable with representatives from Roma and civil society organizations and the Ministries of Construction and Regional Development, Labor, Family and Social Affairs, Justice, Foreign Affairs, the Association of Local Municipalities, and the Slovak National Centre for Human Rights amongst others.

The participants discussed the principal factors that emerged from the report's review of concrete cases, including:

- Amendments to the Civil Code of 2001, which weakened the legal position of tenants in municipal housing. A court order is no longer required for an eviction and the obligations on local authorities to provide alternative housing have been significantly reduced.
- The radical reforms to the social assistance system in 2004, which included a fundamental revision of housing allowances and the rights of the unemployed, weakening the ability of indigent tenants, particularly Roma, to regularly pay their rent and utility costs.
- Historical long-term negligence of the problem of non-paying of rents and utilities and the resistance of local authorities to using mechanisms to assist Roma pay back debts, e.g., through the institution of the special receiver.
- The unfair practice of excessive billing of Roma tenants by utilities, for services such as water and energy.
- Municipalities moving Roma from housing in central locations, often on false pretences such as building safety, and placing them in newly built but segregated and very low quality buildings on the outskirts of towns or allocating them poor housing bought in small towns. This practice applies even to regularly rent paying Roma who have clear rights under Slovak law to alternative housing of an equal standard.

Speakers from international organisations expressed concern that these factors violated human rights contained in treaties acceded to by Slovakia, such as rights to housing, social security, respect for the home and equality. The roundtable particularly discussed the entrenched international prohibition on forced eviction. This requires that evictions only proceed in “exceptional circumstances”. Specifically, international and European law requires that there must be (1) very strong justification for an eviction; (2) a search for all feasible alternatives to eviction with the participation of all affected persons; (3) due process; (4) adequate alternative accommodation if an eviction proceeds; (5) and no discrimination in each of these steps. However, many of the case studies of evictions, described in the report, lacked these characteristics. These examples include:

Zilina

The Municipality of Zilina, whose Mayor is leader of the rightist Slovak National Party, announced on 6 November 2006 its intention to evict inhabitants, most of them Roma, from a building in the town into 'UNIMO cells' (temporary housing cubicles), which have been built in another locality. Their present building is to be demolished to give way to a parking lot for a planned hotel. Only tenants with an official contract will be provided with substitute housing in the cells, yet these do not correspond to the standard of their present flats as required by law.

Kosice

On 16 October 2006, a Roma family was evicted from their municipal flat despite being a legal tenant since from 1987 and regularly paying their rent and utility costs. A representative of Kosice municipality had announced to the family that the building was unsafe and they would have to move out for a limited period. He proposed substitute housing in Lunik IX (a segregated Roma ghetto). The family acquiesced to temporarily relocation, but not to Lunik IX. Later, the representative asked the family member, who is illiterate, to sign a document that was supposedly related to water services. Instead, it was a lease contract for Lunik IX. Despite protests over the deception, the family was evicted. There were no measures to evict other non-Roma tenants of the flat block, nor were they informed about alleged safety problems with the building.

Sabinov

The Municipality of Sabinov built 24 low standard flats in the segregated locality of Telek, which is 3 km from the town and lacks all public services. The Mayor openly stated the intention was to segregate Roma, "The new settlement will be far enough from their [non-Roma] houses". By June 2005, 24 Roma families were evicted from municipal flats in the main Liberty Square and moved to Telek. This included families that regularly paid rent and utilities and had invested money to improve their flats. Previously these families tried to buy the municipal flats they lived in, but the municipality did not respond. Some non-Roma tenants were also evicted but they were provided with adequate substitute housing elsewhere. After the eviction of Roma tenants, some of the flats were sold to high-ranking officials of the municipality. Moreover, despite there being a very poor informal Roma settlement in Sabinov, these residents were not moved to the new low standard flats in Telek. Presently, the municipality continues to build low standard flats in Telek in order to move more Roma, including regular rent payers, from the centre of the town.

Recommendations

The roundtable discussed a number of the draft recommendations presented in the report, which need to be taken to address the growing incidence of forced eviction of Roma in Slovakia, including:

- Amending provisions on eviction in the Civil Code to bring them into line with international standards, ensuring evictions cannot proceed without a court order, and placing the right to housing in the constitution.
- Adopting a law which renders illegal racial segregation and acts leading to racial segregation.
- Adopting a comprehensive housing policy, respecting adequate housing standards.
- Ensuring that social and public services are accessible for people at risk of poverty, and actively extending the scheme of special receiver to those persons who want such an arrangement.
- Taking action to ensure that housing allowances and social security payments appropriately cover housing, utility and related costs.
- Investigating and punishing all cases of evictions that do not conform to legal and human rights, including the prohibition on non-discrimination.

An English summary of the report is attached to this email and can also be downloaded from www.cohre.org/slovakia