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**AMNESTY
INTERNATIONAL**



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Dear Prime Minister

COVID-19 TESTING IN ROMA COMMUNITIES

I am writing to you regarding ongoing testing for Covid-19 in 33 Roma settlements in Slovakia.

On 1 April, you announced that the testing will be carried out with the assistance of the army, which will provide medical doctors and security. We understand that the testing is a 'pilot project' which may be extended after the initial phase to other settlements.

We would like to use this opportunity to acknowledge the challenges that any government, including yours, faces during the current pandemic. Most European countries have introduced strict measures to slow down the spread of the virus and enable their public health systems to respond to the crisis.

However, due to the severity of the situation, we wish to emphasize that human rights must be at the centre of all prevention, containment and treatment efforts from the start, to best protect public health and support the groups and people who are most at risk. The principles of equality and non-discrimination contained in the different human rights treaties to which Slovakia has signed up, must remain central to all government responses to COVID-19.

The human rights of Roma in Slovakia, including their right to equal treatment, have been a source of serious concern for many years. As recently as November 2019, the UN Committee on Economic, Social and Cultural Rights expressed concerns over multiple barriers to the realization of their right to an adequate standard of living. Roma are for example affected by lack of access to water and sanitation, and to adequate housing. Furthermore, the Committee expressed concerns over segregation of Roma women in maternity wards, and their harassment and humiliation, neglect, physical restraint and abuse during childbirth, as well as violations of the obligation to obtain informed consent for medical treatment. In 2015, in response to continuing segregation of Roma pupils in schools, the European Commission started infringement proceedings against Slovakia for breaching the EU's Race Equality Directive. The proceedings are pending.

Taking into consideration long-standing discrimination against Roma in Slovakia, the COVID-19 testing in settlements with the assistance of the army raises further human rights concerns. First, prior to testing the authorities must obtain consent from individuals to be subjected to diagnostic tests. The strict regulation of the use of the army in public policy operations, and ensuring access to water and sanitation, are other key human rights issues.

DEPLOYMENT OF THE ARMY

The use of the military in public policy tasks, such as ensuring security during COVID-19 testing, must be done only in exceptionally serious circumstances where it is impossible for the authorities to rely

solely on law enforcement agencies. In such limited circumstances, states must ensure that all security forces comply with international standards on the use of force, in particular the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. They must always be under the command of civilian authorities and be subject to the same level of accountability under international standards. The armed forces must not be shielded by immunity from prosecution for any crimes committed in the course of their policing duties.

In addition, important limitations on the use of the army to carry out policing functions must apply, including time limitations. Any law enforcement duties carried out by the military must be temporary, for the shortest time possible and periodically reviewed. The military should also be provided with the necessary instructions, training and equipment to uphold international standards.

Amnesty International would like to know which measures the government of Slovakia has undertaken to comply with international human rights standards, and seeks clarification and further information:

- What is the legal basis for the involvement of the military in the COVID-19 testing in Roma settlements?
- Which duties have the military been asked to perform during the testing?
- How long will the involvement of the military last, and how often will their participation be reviewed?
- What equipment is the military using whilst ensuring security during the COVID-19 testing? What training has the military been provided with prior to this operation?

ACCESS TO WATER AND SANITATION

The lack of access to water and sanitation in informal Roma settlements in Slovakia is a long-standing problem. According to the 2013 Atlas of Romani Communities in Slovakia, a document prepared by the UN Development Programme, approximately 23% of Roma settlements lack access to any public water supply. Significant progress in ensuring access to water and sanitation has not been made since 2013, and segregated Roma settlements are particularly affected.

Concerns over the lack of access to water and sanitation in Roma settlements have been repeatedly raised by international human rights monitoring bodies and NGOs. The current pandemic exposes how this situation makes Roma more vulnerable and harder for them to follow public health recommendations (such as washing hands frequently).

Amnesty International calls on the Slovak government to take measures to ensure that people living in informal settlements are given immediate access to adequate, affordable and safe water and sanitation crucial to slowing the spread of the virus. Where households are unable to pay for water, they should be provided it free of charge for their domestic and hygiene requirements. Governments must also support people with adequate social and material benefits to enable them to comply with public health measures.

Conducting targeted testing in Roma settlements without at the same time providing Roma with the necessary means to protect themselves will only add to the stigmatisation and prejudice they already face.