Coerced Sterilization of Romani Women in Slovakia

A Report Prepared by the Staff of the Commission on Security and Cooperation in Europe

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ABOUT THE ORGANIZATION ON SECURITY AND COOPERATION IN EUROPE

The Helsinki process, formally titled the Conference on Security and Cooperation in Europe, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. As of January 1, 1995, the Helsinki process was renamed the Organization for Security and Cooperation in Europe (OSCE). The membership of the OSCE has expanded to 55 participating States, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia.

The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States’ permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys numerous missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance by the participating States with their OSCE commitments, with a particular emphasis on human rights.

The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: http://www.csce.gov.
"The government will do everything to ensure that more white children than Romani children are born."

– Lubomir Javorsky, (then) Minister of Health, 1995

During the 1970s and 1980s, the Czechoslovak Government pursued a policy aimed at reducing the birthrate of Roma, including by targeting Romani women for sterilization. Although it was generally assumed that the practice of coerecting Romani women to be sterilized had stopped after the fall of communism, persistent allegations that this practice has continued recently prompted the Slovak Government to appoint a special commission to investigate this issue.

General Background on Slovakia
Following the establishment of an independent Slovak state on January 1, 1993, anti-democratic forces progressively consolidated their strength and control. Human rights concerns mounted, minorities were at risk, and Slovakia’s once-assured invitation to NATO’s first round of historic, post-Cold War expansion evaporated. The practices of the country’s authoritarian ruler, Vladimir Meciar, earned him the nickname “Lukashenka on the Danube.”

With the democratic future of the country hanging in the balance, a record 84 percent of voters participated in the 1998 parliamentary elections, giving a coalition government led by Mikulas Dzurinda (Slovak Democratic Christian Union) a clear reform mandate. That government made significant progress in reversing the legacy of the Meciar regime, addressing concerns of the Hungarian minority, ending the harassment of the independent media, and restoring parliamentary and constitutional democracy.

Elections were held again in September 2002, returning a smaller (four parties versus seven) and more ideologically coherent (largely right-of-center) coalition, again headed by Mikulas Dzurinda. In October 2002, Slovakia was invited to join the European Union; in November 2002, Slovakia was invited to join NATO.

Roma in Slovakia
Slovakia is a relatively new independent state, where society is still forming a consensus of what it means to be “Slovak” and how much of that identity is based on ethnicity. At present, Slovakia has one of the highest concentrations of Roma in Europe – possibly as high as 10 percent of its roughly 5 million citizens. The Roma birth rate is higher than that of other ethnic groups in Slovakia and, at least in the near term, the percentage of Roma will increase. A study suggesting that, if demographic trends hold, Roma might become the ethnic majority by 2060 unleashed a barrage of
speculative and mostly alarmist reactions. In April 2001, Slovakia’s Deputy Prime Minister for European Integration, Pavol Hamzik, described Slovak Roma as “a demographic problem.”

Many Slovak Roma live in de facto segregated shanty towns or “settlements,” in conditions the United Nations Development Programme has compared to Sub-Saharan Africa. They are concentrated in the eastern part of the country and have been disproportionately disadvantaged by the transition to a market economy. In some localities, such as Letanovce, Roma live in a legal limbo and are refused registration by local authorities. The refusal to register Roma as residents results in a denial of the right to vote and contributes to their social and economic marginalization.

Slovakia constitutes one big “at large” parliamentary district, meaning all 150 Deputies are from the country at large. As a consequence, eastern Slovakia is under-represented in the parliament, and there are no Romani Deputies. One Rom, Klara Orgovanova, serves as a government-appointed Plenipotentiary for Romani Affairs. Although she is highly respected, she has limited authority and resources, but endless responsibilities.

Societal unease with the growing number of Roma has been reflected in a steady stream of voices over the past decade urging that the birthrate of Roma must be limited. In September 1993, then-Prime Minister Vladimir Meciar made a speech in Spisska Nova Ves – a town with a significant Roma community – in which he drew attention to the high birth rate among Roma. He stated that "if we do not deal with them now, in time they will deal with us. It's necessary to understand them as a problematic group which rises in numbers." In October 1995, then-Health Minister Lubomir Javorsky stated at a party rally in Kosice, that "the government will do everything to ensure that more white children than Romani children are born." In the 1997 Canadian documentary, “Gypsies of Svinia,” a Slovak medical practitioner openly advocated the sterilization of Roma. In April 2000, The New York Times quoted Deputy Mayor of Rudnany, Ladislav Sabo, as saying “[w]hat we need is a Chinese fertility program” for Roma. Most recently, during the 2002 parliamentary campaign, Robert Fico (Direction Party) ran on a campaign that included a promise to “actively effect the irresponsible growth of the Roman[i] population.” Other political candidates, public leaders, and non-governmental groups (except Romani groups) declined to criticize Fico’s position on Roma birth rates. (Such persistent remarks have contributed to the perception that coerced sterilization of Roma may have continued after the fall of the communism.)

Racially motivated violence against Roma remains high:

- In 1995, skinheads set on fire and burned to death Mario Goral.
- In 1996, a mob burned Jozef Miklos to death.
- In 1999, while restrained and in police custody, Lubomir Starissky was shot and later died.
- In 2000, Anastazia Balazova was beaten to death with baseball bats in her home, in front of two children.
- In 2001, Karol Sendrei died after being chained to a radiator by police and beaten over the course of a night.

Many other cases, such as the 2001 attack on Milan Daniel which left him missing a portion of his skull or the six skinhead attacks on Roma in Poprad in 2002, fail to grab headlines because the
victims are not murdered, although they may be permanently injured, disfigured, or traumatized. Such non-lethal cases rarely generate condemnation by public leaders.

Slovakia pledged to adopt anti-discrimination legislation in the 1999 OSCE Istanbul Summit Document; anti-discrimination legislation also required by the European Union’s 2000 “race directive.” Comprehensive anti-discrimination legislation was prepared by the government in 2002, but was not acted upon by the Parliament before it recessed for elections. A revised draft anti-discrimination law has been prepared by the government for consideration by the Parliament.

Following the 2002 elections, hopes for a robust, forward-looking policy addressing the human rights concerns of the Romani minority have not materialized. Instead, the early months of the new administration were marked by an unseemly debate over which government ministry would get “stuck” with the Roma portfolio.

In the course of this debate, consideration was given to moving Roma issues under the auspices of the Ministry of Culture, headed by Rudolf Chmel. Meanwhile, Chmel’s party, ANO (Alliance of New Citizens, also meaning “yes” in Slovak) had begun discussion of a program that envisioned establishing “re-education settlements” for Roma; sending “missionaries” to the settlements to facilitate the “re-education” of the Roma, and building community centers for Roma modeled after Kibbutzim. Edana Marash-Borska, described as “the spiritual mother” of the concept, reportedly explained: “A re-education integration settlement will not be a vacation when every adult must work according to their abilities. [. . . ] Romanies in these re-education settlements do not need to have any money except for spending cash. Everyone will receive their due: box of cigarettes a day, soap, shampoo, toothpaste, coffee, tea, sweets for kids.”

It was eventually decided that Roma issues would remain within the portfolio of Pal Csaky (Hungarian Coalition Party), a Deputy Prime Minister with responsibility for human rights and minority issues, who had responsibilities for these issues in the 1998-2002 government. The re-education camp/kibbutzim concept was abandoned.

Coerced Sterilizations in Slovakia

During the 1970s and 1980s, Czechoslovakia pursued a policy aimed at reducing the birthrate of Roma. The implementation of this policy apparently included targeting Romani women for sterilization.

Criticism of this policy was included in a report on the situation of Roma in Czechoslovakia issued in 1978 by then-Charter 77 Spokesmen Vaclav Havel and Ladislav Hejdaneck. That report stated: “The question of sterilization is very important. [. . . ] In some areas the sterilization is carried out as a planned administrative program and the success of employees is judged by the number of Gypsy women an employee has been able to talk into sterilization. [. . . ] In this way, sterilization is becoming one of the instruments of the majority aimed at preventing childbirth in a particular ethnic minority.” In the late 1980s, dissidents Zbynek Andrs and Ruben Pellar conducted further research into this abuse, concluding that Romani women were coerced into agreeing to sterilization.
procedures, often by officials who threatened to withhold social welfare payments if the Romani women did not agree to the procedure. Helsinki Watch (now known as Human Rights Watch) also reported on this practice in a 1992 report on Roma in Czechoslovakia.

It was generally assumed that the practice of coercing Romani women to be sterilized had stopped after the fall of communism. In 1999, however, Finnish nurses reported to Amnesty International that some Slovak Romani asylum seekers may have been subjected to coerced sterilization. The Roma were deported from Finland before the matter could be investigated further. In late 2001, a Romani activist, Alexander Patkolo, was threatened with charges of spreading alarming information for raising cases of alleged coerced sterilization of Romani.

In the fall of 2002, several researchers followed up on these persistent allegations. The resulting report, entitled “Body and Soul: Forced Sterilization and Other Assaults on Roma Reproductive Freedom,” was released in January 2003 by the New York-based Center for Reproductive Rights (CRR) and the Slovak Center for Civil and Human Rights (known in Slovak as Poradna). Based on 230 in-depth interviews with Romani women in 40 (out of more than 600) Romani settlements in Slovakia, the authors found a pattern of “forced” sterilization (meaning that the patient was unaware that she had been sterilized) and “coerced” sterilization (meaning that some form of pressure, often in the form of medical misinformation, was used to persuade the patient to undergo sterilization) of Romani women. In particular, the authors identified approximately 140 cases of Romani women who they concluded were forcibly or coercively sterilized, 30 during the communist period and 110 since 1990. The European Roma Rights Center also undertook field investigations in 2002 and concluded that earlier reports of coerced sterilization are well-founded.

After the release of the CRR/Poradna report, a government spokesman reportedly warned: “If we confirm this information [the allegations of coerced sterilization], we will expand our charges to the report’s authors, that they knew about a crime for a year and did not report it to a prosecutor. And if we prove it is not true, they will be charged with spreading false information and damaging the good name of Slovakia.” While it is unlikely that criminal charges will actually be brought against those who have reported on this issue, this threat has led some to suggest that the Slovak Government is more interested in silencing its critics than investigating their claims. In any case, the Slovak Government has appointed a special commission to conduct an investigation of coerced sterilization.

Related Commission Materials
Available at the Commission’s Website at http://www.csce.gov
Helsinki Commission Co-Chairman Smith Meets with Slovak Deputy Foreign Minister: Praises Slovak Leadership in International Affairs; Delivers Letter to Slovak Prime Minister on Coerced Sterilization, March 12, 2003


6. The text of the Prime Minister’s remarks was confirmed with the Embassy of Slovakia in Washington, D.C., in 1993.


These ideas, or similar ones, have been discussed in Slovakia before. See “Slovak Government To Send ‘Missionaries’ to Romanies,” Prague CTK in English (Dec. 7, 1999); transcribed by Foreign Broadcast Information Service, Dec. 7, 1999 (“The Slovak government is planning to send ‘civilisation missionaries’ to Romany villages, Deputy Primier Pal Csaky, who is responsible for human rights and minorities, told journalists today”)


16. Article II of the Genocide Convention outlaws “acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, such as [. . . ] (e) Imposing measures intended to prevent births within the group.”


18. ERRC Concerns, supra note 8.


20. ERRC Concerns, supra note 8.


24. Such charges would violate Slovakia’s international obligations regarding free speech and, in general, the post-Meciar governments have sought to uphold those obligations.


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