

ANTIGYPSYISM IN PUBLIC DISCOURSES AND ELECTION CAMPAIGNS

Central Council of German Sinti and Roma
Heidelberg, 2017

**CENTRAL
COUNCIL** [of German
Sinti & Roma]

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PRISONS FOR MEN, STERILISATION FOR WOMEN, BOARDING SCHOOLS FOR CHILDREN – ANTI-ROMA ELECTION CAMPAIGNS IN SLOVAKIA IN 2010-2014

INTRODUCTION

There are several European countries raising concerns of international monitoring bodies by neglecting to duly address anti-Roma hate speech by politicians. Many international human rights monitoring bodies have expressed concern over efforts during election campaigns to exploit negative stereotypes about Roma for political gain.

Racist and notably anti-Roma discourse, sometimes of a distinctively aggressive nature, is still common among mainstream politicians in Slovakia. Antigypsyism also often surfaces in the broadcasting and print media.¹ Both political parties and individual politicians in Slovakia frequently employ populist appeals to tackle ‘Roma criminality’, to limit reproductive rights of Roma, to bulldoze their settlements, or cut their access to welfare services. Slovakia is among the countries where anti-Roma attitudes became a permanent part of the pre-election struggle of political parties. Instead of developing programmes for the severe problems that Romani communities and individuals face, many Slovak political parties drive on antigypsyist sentiments as leverage for cheap, exploitative and short-sighted political gains. The election campaigns of political subjects in Slovakia have thus frequently contributed to and reinforced the ethnic tensions in the country.

In 2009, the European Commission against Racism and Intolerance (ECRI) asked Slovak authorities to take account of its declaration on the use of racist, anti-Semitic and xenophobic elements in political discourse.² It noted that racist public discourse damages the cohesion of the whole society, and affects the opportunities of minorities to enjoy their basic human rights. It can also lead to racial discrimination and violence. The Commission called on the Slovak authorities to take into account the recommendations of the Charter of European Parties for a Non-Racist Society and its Declaration on the use of racist, anti-Semitic and xenophobic elements in political discourse.³ In this declaration, the ECRI points out the negative consequences of racist, anti-Semitic and xenophobic political discourse: 1) ill-considered measures

¹ Romea, *Slovakia TV taken off air, loses her job over racist statement*, available at: <http://www.romea.cz/en/news/slovakia-tv-anchor-taken-off-air-loses-job-over-racist-statement>

² ECRI, *Report on Slovakia*, 2009, available at: <http://hhrf.org/sdoc/ECRI%20Report%20Slovakia%202009.pdf>

³ ECRI, Declaration on the use of racist, anti-Semitic and xenophobic elements in political discourse, adopted on 17 March 2005, available at: https://www.coe.int/t/dghl/monitoring/ecri/activities/14-Public_Presentation_Paris_2005/Presentation2005_Paris_Declaration_en.asp

which impact disproportionately on particular groups or affect the latter's effective enjoyment of human rights are being adopted; 2) the long-term cohesion of society is damaged; 3) racial discrimination gains ground, and 4) racist violence is encouraged.

The Council of Europe Human Rights Commissioner Thomas Hammarberg visited Slovakia in September 2011 at the beginning of the 2012 national election campaign when most of the political campaigns, including those with anti-Roma themes, were already proliferated and stated "that measures for the inclusion of Roma cannot be successful without a genuine commitment to putting an end to anti-Gypsyism."⁴

In February 2012, the European Roma Rights Centre (ERRC) and several Slovak civil society organisations - *Rómsky inštitút*, *Ludia proti rasizmu*, *Nadácia Milana Šimečku*, *CVEK*, *Iniciatíva Férové voľby 2012*, *PDCS o.z.*, *MEMO 98*, *Združenie Jekhetane – Spolu* - sent a letter to Slovak authorities expressing concern over the use of election materials that negatively target Roma. They called on political parties to refrain from negatively targeting Roma or any minority in their election campaigns, which can create an atmosphere of hate and hostility.⁵ Neither the Slovak authorities nor political parties, however, reacted to the letter by an official statement or adjustments in campaigning.

LAW ON ETHNIC PROFILING, EXTREMISM, AND INCITEMENT TO HATRED

After the fall of the Communist regime Roma were acknowledged as one of Slovakia's national minorities.⁶ Roma have *de jure* all rights and protections guaranteed by the Slovak Constitution; Articles 12, 33 and 34 particularly protect equality, non-discrimination, and minority rights. In 2004 the National Council of the Slovak Republic (Slovak legislative body) passed the Anti-discrimination Act.⁷ The prohibition of discrimination covers the following grounds: sex, religion or belief, race, affiliation with nationality or an ethnic group, disability, age, sexual orientation, marital status and family status, colour of skin, language, political or other opinion, national or social origin, property, gender or other status.⁸

There is no specific hate speech law in Slovakia, but specific provisions are included in the Constitution and Criminal Act. According to Article 140(d) of the Slovak Criminal Code, racial motivation is an aggravating factor for all crimes contained in the Criminal Code. Article 423 of the Criminal Code defines defamation of race, ethnic group, and belief as a crime and Article 424 defines incitement of racial and ethnic hatred as a crime. Articles 421 and Article 422 address support to groups and movements intended to limit fundamental rights and freedoms.

Since 1 September 2009, the Slovak Criminal Code includes the crime of extremism as an offense. As defined, the crime of extremism refers to supporting and promoting groups which aim at suppressing fundamental rights and freedoms in accordance with § 421 and 422, production of extremist materials according to § 422a, the spread of extremist materials according to § 422b, possession of extremist materials according to § 422c, defamation of nation, race, and beliefs under § 423, inciting national, racial, and ethnic hatred under § 424, incitement, defamation, and threats to their persons belonging to any race, nation, nationality, colour, ethnic origin or gender in accordance with § 424a and the offense is committed by a specific design point under § 140. d) and f).

⁴ CoE, Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Slovakia, from 26 to 27 September 2011, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1885987>

⁵ ERRC and partners, *ERRC and Slovak civil society calls for end to anti-Roma election materials*, available at: <http://www.errc.org/article/errc-and-slovak-civil-society-call-for-end-to-anti-roma-election-materials-in-slovakia/3967>

⁶ Slovakia, *Uznesenie vlády Slovak Republic č 153/1991*, *Zásady politiky vlády Slovak Republic k Rómom*.

⁷ Slovakia, *Zákon č. 365/2004 Z. z. o rovnakom zaobchádzaní v niektorých oblastiach a o ochrane pred diskrimináciou a o zmene a doplnení niektorých zákonov (antidiskriminačný zákon)*, 20 May 2004. The Act refers to direct discrimination, indirect discrimination, harassment, instruction to discriminate, incitement to discrimination, victimization and discrimination against a legal entity.

⁸ *Ibid.*, Article 2(1)

The principal policy document dealing with cases of racial hatred and extremism is the Concept for Combating Extremism in 2015 – 2019 drafted by the Ministry of Interior which was adopted in March 2015 by the Slovak Parliament.⁹ The Concept is a chronologic follow-up on the previous two documents.

ANTI-ROMA THEMES IN NATIONAL AND LOCAL ELECTION CAMPAIGNS (2010-2014)

Although it was the (populist) social democrats from the SMER party, who won the 2010 national election, it resulted in a government composed of a coalition of four right-wing liberal and conservative parties. The part of the political program of the Coalition, which focused on impoverished Roma in segregated neighbourhoods, was based on conditioning social welfare transfers with public work and activation programs, and other administrative requirements for the poor Roma families. The Coalition collapsed prematurely in 2012 due to the No-vote of a coalition partner (Freedom and Solidarity Party, SaS) to the second Economic Adjustment Programme for Greece (Greek bailout) support. The struggling and embattled right-wing liberal parties successively markedly lost in 2012 election to SMER party, which won a majority of votes and created a one-party government (SMER was in the prior government in the 2006-2010 period together in coalition with the Slovak National Party (SNS)).

Nationalist and Extremist Parties

A short-lived populist party: the Free Speech Party (*Strana Slobodne Slovo*) led by the businesswomen Ms Nora Mojsejová, a fashion clothes retailer and a local economic and blockbuster elite in the Košice region, tried to win votes in the 2012 election by an openly anti-Roma rhetoric including cutting welfare support for Roma and sterilising Romani women.¹⁰ The party received marginal support, Ms Mojsejová was soon after sued for tax manipulations and eventually had to serve a sentence in prison.

The People's Party Our Slovakia (*Ludová Strana Naše Slovensko, LSNS*)¹¹ and the Slovak National Party (*Slovenská Národná Strana, SNS*)¹² are the two most principal far-right parties with an anti-Roma political agenda in Slovakia. The LSNS, in 2012 still fragmented, did not compete in the national election and concentrated mainly on regional and local politics.

The SNS, which formed a coalition government with the SMER party from 2006 to 2010, came public with an intensive billboard campaign before the 2012 election that negatively targeted Roma with a racist undercurrent. The party used campaign billboards and posters which focused on the 'cost' of supporting Roma, and fostered unhelpful prejudices against the Roma minority. The images of Roma and Roma neighbourhoods were accompanied with slogans like: "Let's not feed those who don't want to work", "How long are we going to lose on the gypsies? Let's change it!", and "Don't tolerate parasites".¹³ Moreover, the image of a Romani man sitting shirt-less in a kitchen, which was accompanied with a slogan calling the

⁹ Ministry of Interior, 'The new government concept for combating extremism includes recommendations from European experts', available at: <http://www.minv.sk/?tlacove-spravy&sprava=aktualna-vladna-koncepcia-boja-proti-extremizmu-zohladnuje-aj-odporucania-europskych-expertov>

¹⁰ Topky news, 'The Leader of SSS thinks that Romani women will be sterilised in 2015, online chat room', available at: <http://www.topky.sk/cl/1000091/1298038/Sefka-SSS-Mojsejova-bola-online--Mysli-si--ze-Romky-budu-sterilizovat-uz-v-roku-2015->

¹¹ LSNS, available at: <http://www.naseslovensko.net/>. The party has recently adopted a new campaign slogan: "With bravery against the system".

¹² SNS, available at: <http://www.sns.sk/>. The SNS has been until now systematically blocking the access for internet users from Hungary, so I have to refer to Wikipedia for their description: https://en.wikipedia.org/wiki/Slovak_National_Party

¹³ ERRC, *ERRC and Slovak civil society call for the end to anti-Roma election materials in Slovakia*, available at: <http://www.errc.org/article/errc-and-slovak-civil-society-call-for-end-to-anti-roma-election-materials-in-slovakia/3967>

voters not to support those who do not want to work, was largely fabricated. In addition, the context of the photography gives cause for concern. The man depicted did only agree to take a picture of him under the false pretence that he was potentially being recruited for a role in a movie. The SNS party's PR agency employed a well-known Slovak actor to facilitate this narrative.¹⁴ The picture was secondarily adjusted in an editing program and the tattoos and a massive gold chain over his neck were added. Regardless of what he was told about the purpose, you can sense some discomfort and confusion in his face.



► N°1 - SNS 2012 campaign: "Let's not feed those who do not want to work" [depicting a Roma man with photo-shopped massive golden chain and tattoos], [face blurred by the editor]



► N°2 - SNS 2012 campaign: "Until when we will pay for Gypsies? We will change it!"

¹⁴ SME Daily, *A Roma man from the billboard did not know that he is campaigning for SNS*, 5 May 2010, available at: <http://do-mov.sme.sk/c/5361501/rom-z-billboardu-netusil-ze-robi-pre-sns.html>



► N°3 - SNS 2012 campaign: "Slovaks, start trusting in you, do not tolerate parasites! A strict system of eligibility for social transfers" [depicting shacks in a Romani settlement]

During the election campaign in February 2012 the SNS Leader Mr Ján Slota was invited to an online chat-room of the Aktualne.sk news web to discuss their political program.¹⁵ Facing the question whether their Roma-focused policies are mere a vain pre-election promise or whether the party indeed planned to implement them, Mr Slota responded:

"For the Slovak National Party, this problem is not merely a pre-election campaign, we have been dealing with this question for a long time, since 1995, when we developed certain systemic measures to tackle gypsy questions in our election program. I absolutely agree that it is not the Slovak nation, which keeps racist sentiments against the Gypsy minority, which is growing – there are almost 550.000 of them, hence, if the estimates are correct, Slovakia could become a Gypsy Republic in approximately 50 years. Slovak National Party has been constantly pointing out on this truly huge problem in our society. We have provided with pragmatic solutions for eliminating the negative impact of a huge majority of gypsy ethnicity on our national majority. The fact that the majority pays for the Gypsies, is not a racist proposition, it is the reality which is evident to everybody who can count up to two. Additionally, I emphasize the inadaptability of the majority of this ethnic group – for example, there have been several cases of robberies in the last months done by young Gypsies, who not only robbed old ladies and men but in some cases, they killed them. This is not to speak merely about terrorizing some of our co-citizens on the streets but in some of our villages and towns. In sum, I do agree with you, that we are definitely not racists, but those others have more of a racist behaviour. [...] The most important thing in our program regarding the solution of the problem is to implement that Gypsies do not have only rights but they also have corresponding obligations as the rest of Slovak population. The situation, when in some cases, an ordinary person cuts down a tree in his/her own garden, s/he is threatened by being put in the prison, on the other hand, a Gypsy cuts down half of the forest in a national park without any consequences. [...] A huge amount of money, which is given in the form of social benefits to this ethnic group, is inadequately and not at all transparently given to real beneficiaries; in the most cases to children, and this money is used for something else. I claim that this money should be distributed through villages and towns, in order to be used for what they were originally meant. The public activation work programs are not much used by this ethnic group as well. Mainly, we should focus on the re-education of young

¹⁵ Aktualne.sk, "Ask Jan Slota on the SNS program to win voters", available at: <http://aktualne.atlas.sk/pytajte-sa-jana-slotu-s-cim-chce-sns-presvedcit-volicov/slovensko/politika/>

Gypsies, with the assistance of boarding schools, in order to finally teach this population at least basic hygienic habits and not remaining illiterate. These are some issues, which we emphasize in our program."



► N°4 - SNS 2012 campaign: "Matovič plans to bring Gypsies to the Parliament! Just for you to know..." [Referring to Mr Matovič, the political leader of the Common People Party. A Roma politician, Peter Polák, was on their campaign list, he became an opposition MP and the Government's Roma Plenipotentiary]

Back in the 2010 national election the SNS won the mandate for 9 MPs in the Slovak Parliament. Among the candidates competing for the mandate was Dr. Martin Piry, a lawyer and a Professor at the Law Department at the University of Matej Bel in Banská Bystrica (UMB).¹⁶ Although he did not win support for entering the Parliament, he was eventually appointed in the Board of the Slovak National Land Stock.¹⁷ Mr Piry's election campaign employed a strong anti-Roma discourse. In his campaign he argued that since there had not been any Slovak politician in the past who would deal seriously with the "gypsy problem", he himself decided to run for a MP position.¹⁸ For this purpose he founded a specific website called "Gypsy problem"¹⁹ and ran a series of anti-Roma billboards and video campaigns.²⁰ In his video messages Mr Piry talked about a need to change the existing reverse system of discrimination, in which the Slovak majority is allegedly discriminated by the double-standard Slovak law favouring Roma:

*"Many people in Eastern and Central Slovakia are deprived of the right to private property protection and the right protecting their health and life, because the state continues tolerating petty robberies and other criminality by the inhabitants of gypsy settlements. It is as if the authority of the state is not applied here."*²¹

¹⁶ Dr Piry's university profile can be found here: <http://www.prf.umb.sk/martin.piry/> He is also an expert consultant of the legal online porta, which provide legal analysis for practicing lawyers: www.pravnarevue.sk. UMB is also an alma mater of the director of Mr Kotleba's office, Ms Jana Štrangfeldová, who teaches as the Faculty of Economy. Mr Kotleba also attended the Faculty of Natural Science of UMB.

¹⁷ Webnoviny.sk, Piry: *Shacks in Plavecký Štvrtok will not be legalised*, available at: <http://www.webnoviny.sk/volby-2010/piry-chatrce-v-plaveckom-stvrtku-nez/153038-clanok.html>. As a Slovak Land Stock board member he blocked any attempt to legalise informal Roma settlements build on the state land.

¹⁸ Extraplus.sk, Gypsy Odyssey, available at: <http://archiv.extraplus.sk/1038/ciganska-odysea>

¹⁹ The website was hosted here: <http://f3.sk/ciganskyproblem.sk>, but was de-activated soon after the election

²⁰ Mr Piry's video campaign, available at: https://www.youtube.com/watch?v=32NP_B0ccw; <https://www.youtube.com/watch?v=HQkSj3pvD3g>

²¹ Extraplus.sk, Gypsy Odyssey

Roma, according to Mr Piry, are educated to violate the law since birth as it is commonly shared among them that the law does not apply to them equally as to the majority. The authorities do not apply laws against Roma because they fear being charged with racism. There are various articles referring to Roma criminality and their asocial behaviour in the background of Mr Piry's videos. Furthermore, his billboard campaign promised the demolition of Roma settlements, or making them pay for their electricity arrears and cleaning waste in their settlements.



► N°5 - SNS 2010 campaign: a billboard of Dr Martin Piry stating: "Illegal Gypsy settlements? I have a good, strong and reliable solution" [depicting a bulldozer]



► N°6 - SNS 2010 campaign: a billboard of Dr Martin Piry stating: "Why should you pay for their electricity, they should pay themselves."



► N°7 - SNS 2010 campaign: a billboard of Dr Martin Píry stating: "They should clean their waste and on their own expenses" [depicting the notorious Roma neighbourhood of Lunik IX in Kosice]

Mainstream Political Parties

The Slovak right-wing liberal and conservative political parties, which have focused in their political agenda mainly on the values of individual liberties, responsibilities, and entrepreneurship, equally did not shy away from employing anti-Roma themes in their campaigns. Targeting Roma's alleged workshy attitudes and social parasitism, these parties made promises to the majority that they would cut off all the 'undeserving people' from the access to welfare transfers. The label of 'workshy people misusing the generous welfare system' served to the right-wing parties as a mere proxy for Roma. Hence, instead of providing Slovak citizens with political solutions for tackling economic stagnation, corruption scandals, and ineffective performance of public institutions, the parties simplistically focused on exploiting existing racial hatred and ethnic prejudices against Roma in the Slovak society.

The Freedom and Solidarity (*Sloboda a Solidarita, SaS*)²² and the Slovak Democratic and Christian Union – Democratic Party (*Slovenská demokratická a kresťanská únia - Demokratická strana, SDKU-DS*)²³, two of the most noticeable Slovak right-liberal parties, addressed alleged dependency problems of Roma on social benefits in their 2012 election campaigns as well. These parties' solutions for Roma exclusion and segregation were based solely on the labour market integration and means-tested limited distribution of social transfers, which would elevate them from the dependency trap.²⁴

One of the SDKU-DS campaign materials focused on the issues of welfare malfeasants, teenage mothers, and child criminality. Although it does not directly name Roma it employs the familiar images of shacks in

²² SaS, available at: <http://www.strana-sas.sk/>

²³ SDKU-DS, available at: <http://www.sdku-ds.sk/>

²⁴ SME daily, *Politicians offer jobs also for Roma, so far only in the campaigns*, available at: <http://volby.sme.sk/c/6272699/politici-ponukaju-pracu-aj-romom-zatial-v-kampani.html>

Roma settlements and darker-skinned Romani children. The poster states that unemployed people can earn 100 EUR more than a person working for minimal wage. The second claim made is that “very young girls from settlements continue giving birth” [in Slovak the term “osada” commonly and exclusively refers to a Roma neighbourhood]. The image accompanying the theme of child criminality depicts a policeman without a clear context. The poster puts a question to potential voters whether they find it just that the state supports “a person who has never worked” with more money than what workers earn, and whether they should pay for teenagers having children. Finally, the poster states that small robbery perpetrators hardly face any serious consequences (implicitly evoking that the police has a different approach to Romani robbers).



► N°8 - SDKU-DS 2012 campaign on welfare state malfeasants, teenage mothers and child criminality supported with images of Roma and Romani settlements

As a part of the election campaign, the SDKU-DS leader Pavol Frešo together with another party member Ľudovít Kaník (former Minister of Labour in 2002-2005) also organised a press conference on their new law draft enabling accelerated procedure for the demolition of illegal constructions in a Roma settlement.²⁵

The calls for paternalistic interventions in the reproductive rights of Romani women were not raised solely by the populist parties like the Magnificent Seven and Free Speech parties, but appear on the political radar of mainstream parties as well. In August 2011, the Slovak Parliament discussed a legislative plan (one step before the draft law) on free-of-charge sterilisation for women and men living in socially excluded localities. The measure was proposed by a state-secretary at the Ministry of Labour, Social Affairs and Family from a liberal party ‘Sloboda a Solidarita’ (Freedom and Solidarity, SaS).²⁶ The Slovak parliament eventually voted against this legislative plan. The same MP nominated by the SaS party, meanwhile a part of the opposition

²⁵ SME daily, Frešo's press conference in Roma settlement divided the party, available at: <http://www.sme.sk/c/6463680/fresova-tlacovka-v-romskej-osade-rozdelila-sdku.html>

²⁶ TVnoviny.sk, Will sterilization be for free in Slovakia?, available at: <http://tvnoviny.sk/sekcia/spravy/domace/bude-sterilizacia-na-slovensku-zadarmo.html>, last accessed in Feb 23, 2013.

in the Slovak Parliament, repeatedly attempted to launch a parliamentary discussion on the same proposal in August 2012.²⁷ Eventually, the Slovak Parliament did not extend the proposal.

Finally, one of the SMER party political objectives during the election campaign was an idea of placing Romani children (officially children from marginalised communities) into boarding schools. This proposal was for the first time formulated in 2009 when SMER was a dominant party in the Slovak government (2006-2010). However, no particular measure was taken by that government (despite that the coalition partner SNS also had boarding schools for Romani children in its political programme). A similar proposal resurfaced after the SMER party won the elections in 2012. The policy introducing boarding schools was included in the Program Declaration of the Slovak Government for 2012-2016²⁸ and in February 2013 Prime Minister Fico (SMER) stated that the best hope for Romani children was to separate them from their families and place them in boarding schools: “Someone should show these children they can live in a different way,” he said during a discussion with students.²⁹ Nevertheless, the SMER-only government did not introduce any particular measure and no resources were allocated in the national budget for the boarding school policies.

Local and Regional Elections – Banská Bystrica and Košice regions

For the People’s Party Our Slovakia (LSNS) the anti-Roma agenda represents one of the official pillars of its political programme. The party established a specific section in its website dedicated to “the Gypsy extremism”³⁰, where it regularly informs its supporters on Roma-related activities.

In October 2010, the People’s Party Our Slovakia party leader Mr. Kotleba stood as a candidate in the 2010 regional election in the Banská Bystrica region. In his campaign launched in autumn 2009 he focused on employing strong anti-Roma rhetoric targeting the ‘Gypsies’ as ‘social parasites’. Mr Kotleba and his party promised to take decisive action and “eliminate unjust advantages of gypsy and other parasites”.³¹ This objective was also officially listed in the programme document designed by his LSNS Party for regional elections.³²

The Slovak courts, one instance after another, rejected the claim that he had been consciously and deliberately spreading anti-Roma hatred. The district court decided to lift the charges because it could not be proven that Mr Kotleba personally authored and distributed the leaflets and posters. The prosecutor appealed the decision and the regional court annulled the previous court decision, but issued its own decision; according to the regional court, production of these posters did not violate any Slovak law as it was not aimed at any specific ethnic group. The court further decided that encouraging public vexation with ‘social parasites’ in order with the Slovak law.

²⁷ Webnoviny.sk, ‘Lucia Nicholsonova proposes free sterilization’, available at: <http://www.webnoviny.sk/ekonomika/lucia-nicholsonova-navrhuje-bezplatne/535631-clanok.html>

²⁸ Government of the Slovak Republic, *The Program Declaration for the period of 2012-2016*, available at: <http://www.vlada.gov.sk/znalostna-spolocnost-vzdelavanie-a-kultura/>

²⁹ Romea, *Slovak PM wants Romani children to attend boarding schools*, available at: <http://www.romea.cz/en/news/world/slovak-pm-wants-romani-children-to-attend-boarding-schools>

³⁰ More on the LSNS agenda on “Gypsy Extremism” can be found here: <http://www.naseslovensko.net/kategoria/nase-nazory/cigansky-extremizmus/>

³¹ SME daily, ‘The Court does not object Gypsy parasites from the Kotleba’s leaflet’, available at: <http://www.sme.sk/c/6799608/ciganski-paraziti-z-kotlebovho-letaku-sudu-neprekazaju.html>

³² LSNS official website, available at: http://www.naseslovensko.net/dokumenty/desatoro_lsns_2012.pdf

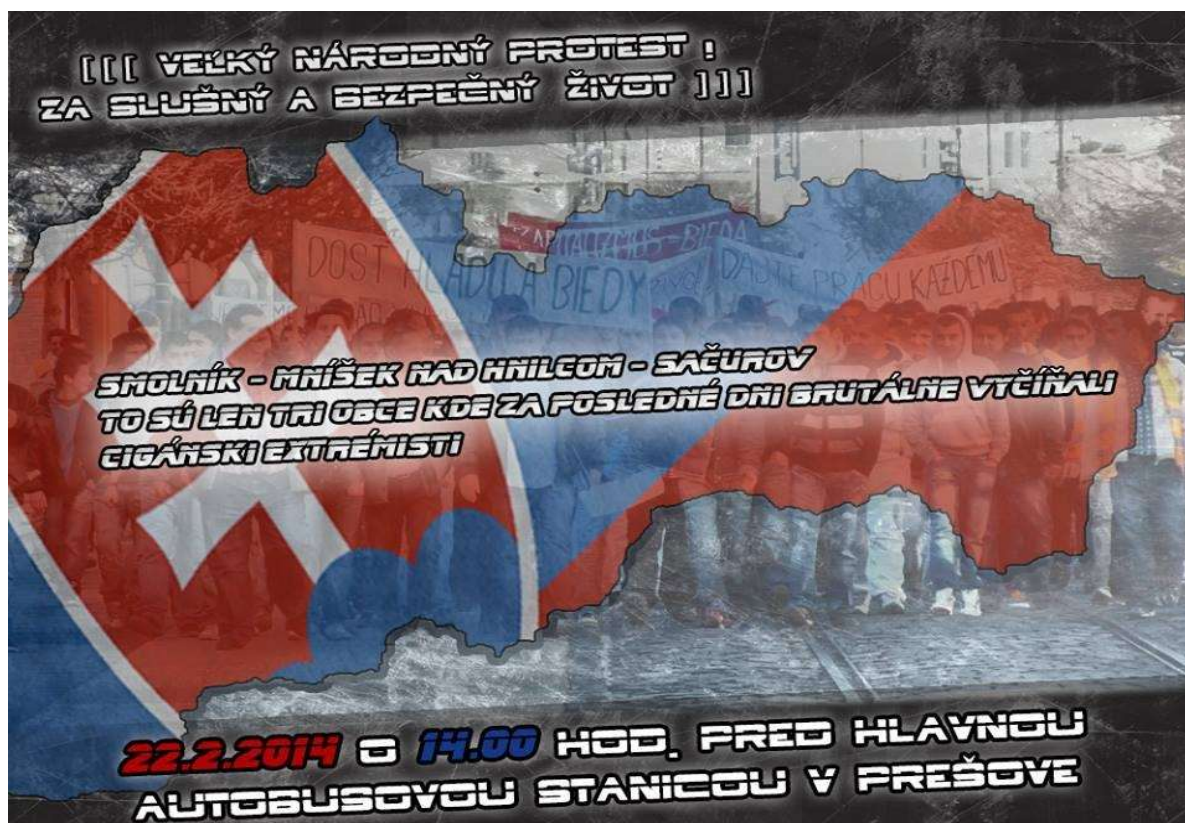


► N°9 - One of the Mr Kotleba's campaign materials for the 2010 regional election in Banská Bystrica stating: "They are laughing happily for using our taxes. Do you want to change it? Come to vote! Mr Kotleba" [faces blurred by editor]

In March 2013 the Supreme Court of the Slovak Republic eventually closed the case which was previously ruled out by lower courts in Banská Bystrica in 2010-2011. The court rejected an extraordinary appeal of the former Minister of Justice Lucia Žitňánská and lifted the criminal conviction of Mr Kotleba, charged for reasons of the defamation of nation and race. The court argued that the slogans referred to "gypsy and other" (sic!) parasites, which made his claim broader than targeting only the Roma ethnic minority. Moreover, the court also argued that the subjective intention of Mr Kotleba to defamation was not adequately proven, it was only assumed, as he never admitted the intention to defamation. The Roma Plenipotentiary Office, Slovak Helsinki Committee, and other civil society organisations criticized the Supreme Court's decision.³³ Mr Kotleba did not win sufficient votes in the 2010 election, but in the next election round in 2014 he was eventually elected the Head of the Banská Bystrica region.

As the head of the region, Mr Kotleba has continued approving or directly organising and taking part in various anti-Roma gatherings. These gatherings are mainly organised around the alleged incidents of Roma criminality, where Mr Kotleba and his supporters gather in order to support alleged victims of the criminality committed by Roma. There have been several of these anti-Roma rallies organised by the LSNS Party.

³³ For more information, see: <http://www.webnoviny.sk/slovensko/najvyssi-sud-nerozhodol-pri-dovolani/668167-clanok.html>; <http://www.sme.sk/c/6799608/ciganski-paraziti-z-kotlebovho-letaku-sudu-neprekazaju.html>; <http://www.topky.sk/cl/100535/1348522/Pollak-nesuhlasi-s-rozhodnutim-sudu--Vyroky-Kotlebu-o-Romoch-su-nekorektne>



► N°10 - LSNS leaflet organising its followers to show their discontent with the "brutal spree of Gypsy extremists" and join "the large national march for decent and safe live" in the town of Smolník, February 22, 2014.

The Slovak civil society acknowledged Mr Kotleba's election victory in the Banská Bystrica region with concern. Mr Kotleba has built his campaign mainly on the legal margins of xenophobic nationalism and hate speech against Roma. One had to notice with unease that such monothematic and negative political campaigning won the majority electorate in the second regional round of election/ ballot in the region of Banská Bystrica (on his side). His campaign has been openly targeting Roma through the discourse of their alleged social inadaptability, welfare state parasitism and work-shy attitudes. The Roma in Slovakia have indeed experienced long-term social exclusion and discrimination in all areas of everyday life. They face many barriers in access to education, health, housing and employment due to the widespread antigypsyism. In this context it is even more important that political parties and their leaders do not encourage harmful prejudices towards them.

However, I would refrain from considering Mr Kotleba's regional election victory a specific momentum in the Slovak politics. The monitoring of the Slovak political parties shows that Mr Kotleba's agenda targeting Roma as the 'work-shy misusers of state support', which finds no evidence in the governmental statistics nor in the relevant social policy research, merely made explicit the long-lasting political discourse implicitly shared in agendas of other political subjects in Slovakia.

Soon after assuming his position Mr Kotleba appointed his close supporters for regional administrative positions, including Dr Vladimír Gürtler, a lawyer by profession, who has been a leader of another regional political party called the '7 *Statočných*' (The Magnificent Seven).³⁴ The party competed for votes in the elections to the European Parliament in May 2014 and in the local elections in Košice in November 2014

³⁴ The Magnificent Seven regional party, available at: <http://www.7statocnych.sk/#&panel2-7>

with anti-Roma campaigning. The party promised radical solutions³⁵ as sterilisation for Romani women with a 10.000 EUR bonus for women agreeing voluntarily,³⁶ or evictions and free-of-charge one-way-flight tickets to Brussels for Roma.³⁷ The party planned to use the EU Structural Funds to finance these policies.³⁸



► N°11/12 - The 'Magnificent Seven' Regional Party campaign promising 10.000 EUR for voluntary sterilisation of Romani women (the words "voluntary" and 10.000 are with much smaller font and in white, which makes the slogan seen as simple as "sterilisation of Romani women"), November 2014.

► N°13 - The Magnificent Seven Regional Party campaign promising free-of-charge one-way-flight tickets to Brussels for Roma.

³⁵ The Magnificent Seven, campaign video, "Our solutions to Gypsy problem will be radical", 11 November 2014, available at: https://www.youtube.com/watch?v=GmmbG_gDrKY

³⁶ The Magnificent Seven, campaign videos: "Sterilisation of Gypsy Women for 10.000 EUR – Gypsy women agree", 3 October 2014, available at: <https://www.youtube.com/watch?v=sirBt7BhrvA>, or "Gypsy men want to fuck, Gypsy Women to be sterilized", 19 May 2014.

³⁷ The Magnificent Seven, campaign video: "Evictions of Roma and Free-of-charge flight tickets", 9 October 2014, or SME daily, 'The police investigates an anti-Roma hate campaign', 21 November 2014, available at: <http://romovia.sme.sk/c/7451618/ne-navistnu-kampan-proti-romom-v-kosiciach-stiha-policia.html>. See also The Magnificent Seven Party video on alleged assault against Mr Gürtler, 14 October 2014, available at: https://www.youtube.com/watch?v=bgER6I-XR_8

³⁸ The Magnificent Seven, Political Program for the election to European Parliament, available at "http://www.7statocnych.sk/program/program-do-europskeho-parlamentu/", or Slovak TV, Political campaign for EP elections, available at: https://www.youtube.com/watch?time_continue=2638&v=sv46BBIDesM

Stylised into a cowboy character from the well-known western movie the party leader Mr Gürtler decided to compete for votes in the District of Luník IX, a notorious Roma neighbourhood in Košice. The party's deputy-leader and a candidate for mayor of the District Kosice-West, Darina Kolesárova (dressed as a combination of a cow-girl and a communist youth pioneer), in September 2014 published a campaign video in which she approved a segregation wall erected to complicate the access to the Roma neighbourhood of Luník IX and stated that she filed a criminal complaint against an unknown person who damaged "this protective wall, which protects decent and brave citizens against as(s)ocials". She also expressed her wish to build more segregation walls in Roma neighbourhoods.³⁹

CONCLUSION

As new national election campaigns have been launched in November 2015, so has been the anti-Roma political rhetoric. The Minister of Labour and a highly-ranked member of the SMER party welcomed an audience at the SMER party supporters meeting in the town of Nové Zámky by an allegory of a state-supported small entrepreneurship program failure because a Roma, who purchased a horse with the state support, ate it instead of utilising it for work.⁴⁰

Exploiting anti-Roma sentiments may provide some electoral votes for political parties today; however, in the long run the whole society will pay a heavy bill for this simple and dangerous political manoeuvre. For the sake of the Slovak society as a whole it is crucial that the government and political parties introduce measures improving the situation of Roma and help them equally participate in all spheres of social life, but also design and implement policies explicitly tackling the antigypsyism of Slovak majority population. The Slovak political discourse is caught in the paradox of depicting those most excluded from the public institutions and the least educated people simultaneously as the most cunning welfare malfeasants outsmarting the system.

The Slovak authorities should take measures against these phenomena rooted in antigypsyism, including the promotion of self-regulation within political parties and the media. Further measures include a thorough implementation of the relevant criminal provisions and the ratification of the Additional Protocol to the Convention on Cybercrime by Slovakia, concerning the criminalisation of acts of a racist or xenophobic nature committed through internet.

Political parties have a responsibility to consider the Slovak National Constitution, which assures basic rights for all citizens: "Basic rights and liberties on the territory of the Slovak Republic are guaranteed to everyone regardless of sex, race, colour of skin, language, creed and religion, political or other beliefs, national or social origin, affiliation to a nation or ethnic group, property, descent, or another status. No one must be harmed, preferred, or discriminated against on these grounds."⁴¹

³⁹ The Magnificent Seven, campaign video "The wall protecting from the associats from Luník IX serves its purpose", September 2014, available at: <https://www.youtube.com/watch?v=YMz9Hlf4sOI>

⁴⁰ Dennikn.sk, SMER Party political meeting, Minister Richter told a story on Roma who ate his horse, available at: <https://dennikn.sk/290616/miting-smeru-richter-porozpraval-rom-zjedol-kona/?ref=tit>

⁴¹ Slovak National Constitution, Article 12, http://www.servat.unibe.ch/icl/lo00000_.html

The Slovak political parties should:

- take into account the recommendations of the Charter of European Parties for a Non-Racist Society and its Declaration on the use of racist, anti-Semitic and xenophobic elements in political discourse.
- not fuel negative attitudes towards any particular group in society with their election materials;
- refrain from mentioning national minorities in a context that has the potential to create tension and cause a hostile attitude; and
- conduct their elections campaigns in a manner that does not expose any national minority to an unwarranted and prejudiced attention from the majority.

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