



Acces to water as part of social inclusion Local Case Study Roma advocacy and research center Slovakia 2020

1. Introduction

Access to the drink watter belongs to the basic human rights. The 64th UN General Assembly, held on 28 July 2010, adopted a resolution recognizing access to clean water as a fundamental human right. With this resolution, the UN calls on states and international organizations to secure financial resources, build capacity and deploy technologies to provide safe, clean, accessible and affordable drinking water and sanitation for all. Declaring access to drinking water as a fundamental right does not mean creating a new right or another subcategory of rights, but it is part of the social rights declared by the International Covenant on Economic, Social and Cultural Rights.¹ This document in Art. 11 par. 1 recognizes the right of each individual to an adequate standard of living for him and his family, including adequate nutrition, clothing, housing and the continuous improvement of living conditions.² Access to drinking water and its existence in households is one of the important aspects in the process of integration into society. Water as a basic entity in human life is important in the implementation of basic human needs, which are then followed by social needs, such as education or employment.

Access to a person's basic necessities of life is a necessary precondition for non-fulfillment of the rights granted to him by the legal order. Therefore, access to drinking water is closely related to the implementation of other fundamental rights guaranteed by the Constitution of Slovak republic, in particular the administration for the protection of life and health (Articles 15 and 40 of the Constitution) and the right to private and family life (Article 19 (2) of the Constitution) . At the same time Art. 39 par. 2 of the Constitution states that "everyone in material need has the right to such assistance as is necessary to ensure basic living conditions."³ Water supply is regulated in national regulations by Act no. 369/1990 Coll. as amended in the provisions of § 4 par. 3 letter g), on the basis of which the municipality in the performance of self-government "provides public services, especially municipal waste management and small construction waste, maintaining cleanliness in the municipality, administration and maintenance of public greenery and public lighting, water supply, wastewater disposal, wastewater management from cesspools and local public transport.

Our aim is to show in this study that the individual inclusion elements are directly linked to each other and that people who do not have access to water are consequently limited also in the field of education and employment. Unfortunately, not only, but especially, Roma living in socially excluded health, hygienically neglected

1 Available at: <http://www.un.org/press/en/2010/ga10967.doc.htm>

2 Available at: <http://www.unhr-centraleurope.org/sk/pdf/zdroje/pravne-materialy/medzinarodne-utecenecke-pravo/medzinarodny-pakt-o-hospodarskych-socialnych-a-kulturnych-pravach.html>

3 Report on the survey on respect for fundamental human rights and freedoms. Access to drinking water and information on ensuring fire protection in Roma settlements. 2016. Available at: https://www.vop.gov.sk/files/Pristup_k_vode.pdf



communities are exposed to various forms of covert and overt discrimination in society due to their social and ethnic origin in society.

This case study was drawing on the analysis of policy documents, legislation and other sources of state and municipal policies, academic literature, expert reports, and data produced by governmental organizations, NGOs and intergovernmental organisations. We have approached the head of European programs section at Ministry of Interior, mayor of one locality in the eastern part of Slovakia that preferred to respond in writing to our questions and five Romani people from different regions of Slovakia.

2. Acces to the drink watter as part of social inclusion

On 11 January 2012, the Government Resolution approved the Strategy of the Slovak Republic for Roma Integration until 2020. The issue of access to drinking water was addressed in this document in Chapter D.2.3, setting the objective of “ensuring the availability and quality of drinking water” in point 3. At the same time, in Chapter D.2.4, entitled “Housing area”, in point 5, it set the objective of “ensuring the completion of infrastructure and facilities of segregated and separated Roma settlements in Slovakia” and thus access to drinking water, sewerage / septic tank, gas and electricity.

The Atlas 2013 names that there are a total of 803 Roma settlements of all three types, ie settlements within the municipality, settlements on the outskirts of the municipality and segregated settlements. Out of the total number of 803 settlements, they are the most numerous type of settlements on the outskirts of the village, of which there are up to 324 (40.4% of all settlements). In second place are settlements within municipalities, of which there are 246 (30.7% of all settlements) and the third place belongs to segregated settlements with the number of 233 (16.6% of all settlements). Most Roma live in the dispersion among the majority population, according to an estimated 187,305 Roma; which is 46.5% of the total estimated number of Roma in the municipalities that were included in the survey. The second most numerous group are the inhabitants of Roma settlements on the outskirts of the municipality, who are estimated at 95,020 (23.6% of the total estimated number of Roma in municipalities included in the Atlas). The population of segregated settlements was 73,920, which is 18.4% of all estimated Roma. The lowest number is in Roma settlements within the municipality, according to an estimated 46,496 Roma, which is 11.5% of all estimated Roma in the municipalities that were included in the Atlas.⁴

Atlas 2013 registered 185 settlements (23.0% of all identified settlements in Slovakia), in which the public water supply was completely missing. Of these 185 settlements, 111 (13.8% of the monitored settlements) were in municipalities that have a public water supply (in whole or in part). Unlike the presence of a public water supply, in the case of the degree of its availability, the direct proportion applied that the degree of absence of a public water supply depended on the type of settlement. The lowest share of settlements without public water supply was in the category within the municipality (11%), the worse situation was in the category of settlements on the outskirts of the municipality (19.1%) and the worst situation was in the category of

4 MUŠINKA, A. A KOL. 2014. *Atlas rómskych komunit na Slovensku 2013*. Bratislava : UNDP Bratislava Regional Centre, 2014. available at: https://www.minv.sk/?atlas_2013



segregated settlements, where up to 41.2% have no established public plumbing.⁵ The share of Roma who do not have access to tap water in their dwellings was 27% in 2016.⁶

The survey of the Public Defender of Rights of the Slovak Republic from 2016 in settlements confirmed significant differences in securing the right to access drinking water in individual towns and villages, as well as the fact that we still have municipalities and settlements in which the municipality did not provide drinking water for its inhabitants. They do not have secure access to drinking water. Dobšiná, in which there is a Roma settlement with 550 inhabitants. The inhabitants of the settlement had not had access to drinking water for 13 years. Residents draw water from a spring, which according to the results of analyzes is not drinkable. In addition to the spring, they used as a source of water, water from a stream that flows through the settlement. Hodejov, a village with 1540 inhabitants, of which about 950 Roma live in a Roma settlement, does not have a water supply system. Residents draw water from wells, which according to analyzes contain increased values of nitrates, the municipality is not recommended for drinking. However, the municipality did not provide any other drinking water supply and access to drinking water. The Roma in the village of Horná Lehota must also cover a long distance in the supply of drinking water. They live at the beginning of the village and depend on bringing drinking water from a tap, which is located in a cemetery up to 700 meters from Roma dwellings or an equally distant "overflow" on the reservoir in the village, where a platform was built to pump water. In some settlements, the water supply is in the form of a public sampling point. It is usually a manual water pump from which residents draw water. The cost of water pumped from the water pump is covered by the municipality. Approximately 1,000 inhabitants live in the Roma settlement in Sečovce, of which 200 live in two apartment buildings in which a water supply system is available. The other 800 inhabitants can draw water from the public water supply through a water pump for a limited time, 1.5 hours in the morning, 1.5 hours for lunch and 1 hour evening. Approximately 500 Roma live in the settlement in the village of Hranovnica in the district of Poprad. A water supply system has been installed in the settlement, currently only 9 water supply connections have been built. Residents draw water from a spring springing from the ground and also use it for drinking, despite the fact that there is a sign above the spring warning that its use for food purposes is prohibited. Several municipalities have not been able to ensure safe, clean, accessible and affordable drinking water and hygiene for all by their own steps and means. At the same time, we all know that limited access to drinking water and water has a significant impact on the health, hygiene of the individual, affects the overall quality of life, and his application in the human community. The survey confirms that the bearers of the task of ensuring access to drinking water are in practice municipalities. However, they do not have sufficient equipment to fulfill this fundamental right, sufficient resources in the municipal budget and face the competitive demands of the majority. It is clear from this that, in order for the state to fulfill its obligation, it must take measures to support the municipal budget,

⁵ Ibid, p. 21

⁶ Civil society monitoring report on implementation of the national Roma integration strategy in Slovakia. Assessing the progress in four key policy areas of the strategy. DG for Justice and Consumers. 2019. s. 30



the solvency of people in material need so that drinking water and sanitation are affordable for them.⁷

Also two of our responders were reacted to the situation in the locality, where people can use water only from pipe and only limited during some hours. *“You can not imagine, how it is, if you do not have enough water. You feel like you are not human. And we are living like this in 21. century,”* said one of them.⁸ Very good point highlighted one respondent from other locality, where people do not have any pipe: *“They (majority – author note) always say, that Roma do not want work, or that our children do not go to school. You know, it is very ashamed if you go to aks for job and they are saying to you, that you smell or you are not clean enough. And similiar, teachers are speaking with us, that would be good our children are clean coming to school. And they know very good, that we do not have water.”*⁹ The linking between living standart and employment opportunities are very clear and also people living in the marginalized communities realize how it is important for their quality of life. *“You know, it's like a vicious circle. Because, we know they disconnected us from the water because we did not pay. But what were we supposed to pay for when we were fired and gave us only a minimum amount of material need? And now that we want to get a job, sometimes they don't even want to take us because we don't seem to have water”*¹⁰,” said another respondent.

To improve the water situation in Slovakia, funding was allocated from the European Regional Development Fund through the Operational Program Human Resources and Priority Axis 6 Technical Equipment in Municipalities with the Presence of Marginalized Roma Communities. The call was launched in April 2020. The indicative amount of European Union funding allocated to the call was EUR 10,000,000.00. The appropriate amount of state budget funds was allocated to the amount of EU resources in accordance with the Strategy for Financing the European Structural and Investment Funds for the 2014-2020 programming period.¹¹ The call finally reacted to the situation of Roma living in the marginalized communities and also, this topic became much more urgent after the outbreak of the COVID-19 pandemic. In the 1st round were approved 15 applications worth 2.01 mil. Eur.¹² There are another two application rounds of projects already closed and ministry is now preparing evaluation of these applications. One locality which was approved in the first round is also village Sol'. Until now they were using water from water dispenser, which replaced the faulty well in March this year.¹³ Roma in this locality are prepare to pay for water, because they want to change their quality of life: *“We do not want to live like in the Middle Ages, but we want to live normally and have water. After all, what is life without water?”*¹⁴

7 Report on the survey on respect for fundamental human rights and freedoms. Access to drinking water and information on ensuring fire protection in Roma settlements. 2016. Available at: https://www.vop.gov.sk/files/Pristup_k_vode.pdf

8 Respondent from Roma marginalized locality in Prešov district

9 Respondent from Roma marginalized locality in Košice district

10 Respondent from Roma marginalized locality in Prešov district

11 See more: <http://www.minv.sk/?aktualne-vyzvy-na-predkladanie-ziadosti-o-nenavratny-financny-prispevok&sprava=vyzva-zamerana-na-podporu-pristupu-k-pitnej-vode-v-prostredi-mrk>

12 Written statement from European programs section at Ministry of Interior, sent 02.10.2020

13 Read more: https://www.gipsy-tv.eu/gipsy-television/spravy/slovensko/video-romom-z-obce-sol-sa-po-rokoch-splnil-sen-konecne-maju....html?page_id=5133

14 Respondent from Roma marginalized locality in Prešov district



3. Conclusion

Despite the fact that access to water is a basic human right, not everyone can have drinking and safe water in the Slovak Republic. Because even this right of the individual depends on the given self-government in which he lives individually. This means that if a municipality decides not to build a water supply system for its inhabitants, or there are other reasons why the construction of a water supply system cannot be (eg illegal land), then the individual has only minimal options to claim this right. It is a fact that the COVID-19 pandemic has caused this situation to stir up, but it must also be said that the number of municipalities that have received funding for water supply is still very low. In our analysis, we have tried to describe the relationship between employment and access to drinking water, because this relationship is important when we talk about the success of social inclusion. If we are talking about employment, it is also necessary to talk about basic living conditions, because they are closely related to the social status of individuals and entire communities. And in this case, it is clear that the poor living conditions of the Roma in the excluded communities can be linked to the non-existence of basic entities, such as water. And having access to water is a fundamental human right, but this is not the case with excluded Roma communities. Society still expects the Roma to be integrated and to be proactive in their employment and education processes, but it does not give them the basic human rights such as water. It is then difficult to ask the Roma for a different approach if their starting situations are fundamentally different from those who require these approaches.

It should also be noted that it remains to be believed that the project at the Ministry of the Interior will involve more municipalities in building water mains in excluded Roma localities so that it can finally start the process of social inclusion and have at least a chance to change their life strategies in future generations.



4. References

- BUCHTOVÁ, B. A KOL. 2002. *Nezamestnanosť - psychologický, ekonomický a sociálny problém*. Bratislava : Grada, 2002. ISBN 80-247-9006
- DŽAMBAZOVIČ, R. 2004. *Posun od merania chudoby k meraniu sociálneho vyčlenenia*. In: Zborník Otázky merania chudoby . Bratislava, 2004, s.11-23. ISBN 80- 89149-02-2
- FILADELFIOVÁ, J. - GERBERY, D. 2012. *Report on the Living Conditions of Roma Households in Slovakia in 2010*. Bratislava: UNDP, 2012
- GERBERY, D. A KOL. 2007. *Kniha o chudobe*. Vydavateľ: Priatelia Zeme - CEPA, 2007. 144 s. ISBN 978-80-968918-9-4.
- HANZELOVÁ, E. 2007. *Dlhodobá nezamestnanosť v kontexte zmien sociálneho systému a trhu práce*. Inštitút pre výskum práce a rodiny, Bratislava 2007.
- LEWIS, O. 1966. *The Culture of Poverty*. American. Vol. 215, Nr. 4,
- KLEIN, V. - RUSNÁKOVÁ, J. (edit.). 2011. *Životné stratégie obyvateľov rómskych osídlení*. Nitra: UKF, 2011.
- MUŠINKA, A. A KOL. 2014. *Atlas rómskych komunit na Slovensku 2013*. Bratislava : UNDP Bratislava Regional Centre, 2014. 120 s. ISBN 978-80-89263-18-9.
- Access to Clean Water, Sanitation as Human Right, GA/10967, Resolution of United Nations
- International Covenant on Economic and Cultural Rights
- Public Defender of Rights, Slovakia: The Report on the survey on respect for fundamental human rights and freedoms. Access to drinking water and information on ensuring fire protection in Roma settlements, 2016
- Civil society monitoring report on implementation of the national Roma integration strategy in Slovakia. Assessing the progress in four key policy areas of the strategy. DG for Justice and Consumers. 2019
- Poverty and employment: the situation of the Roma in 11 EU Member States. Roma survey - key data. European Union Agency for Fundamental Rights. 2016.