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UNLOCK THEIR FUTURE

END THE SEGREGATION
OF ROMANI CHILDREN IN
SLOVAKIA'S SCHOOLS

MAKE OUR
RIGHTS LAW

AMNESTY
INTERNATIONAL



Thousands of Romani children across Slovakia remain trapped in substandard education as a result of widespread discrimination and a school system that keeps failing them. Entrenched anti-Roma attitudes within the education system have led to a situation in which Romani children are sometimes literally locked into separate classrooms, corridors or buildings to prevent them from mixing with non-Roma pupils.

In several districts in Slovakia, Romani children represent up to 100 per cent of pupils who either attend special schools and classes intended for children with “mild mental disabilities”, or who are ethnically segregated in mainstream schools and classes.

This not only violates their right to an education free from discrimination, but in the longer term also deprives them of a wide range of other human rights, including the rights to health, work and freedom of expression. Systemic violations of the right to education exclude Roma in Slovakia from full participation in society and lock them into a cycle of poverty and marginalization.

Amnesty International has campaigned for an end to segregation and for equality in education for Romani children in Slovakia since 2007, and the authorities have taken some steps to address the problem. For example, the new Schools Act, passed in 2008, bans all forms of discrimination, particularly segregation. However, the Act does not clearly define segregation, nor does it include robust guidelines and measures to identify,

monitor and enforce desegregation. Effective measures to implement the ban have yet to be put in place.

The new coalition government's recently stated commitment to eliminate segregated schooling of Roma, included in its programme adopted in August 2010, is, however, a welcome development.

SEPARATE AND UNEQUAL SCHOOLS

Romani pupils in Slovakia continue to be segregated and overrepresented in special schools and classes for pupils with “mild mental disabilities”. According to a 2009 survey by the NGO Roma Education Fund, in regions with large Romani populations, at least three out of four special school pupils are Roma; across the country as a whole, Roma represent 85 per cent of children attending special classes. Yet, Roma comprise less than 10 per cent of Slovakia's total population.

Various factors contribute to this disparity, including policy failures in the education system, external pressure by non-Roma

parents, and flawed child assessments that are discriminatory and often conducted too early in the child's school life.

The mainstream elementary-school system remains largely ill-equipped and education professionals are often unwilling to provide adequate support for pupils who come from different ethnic and social backgrounds. Because of their cultural background, in which Slovak is not the first language, and the high levels of poverty they experience, Romani children require, for example, additional language lessons, pre-school classes or classroom assistance. As these needs are often not met within the mainstream school system, many Romani children begin to fall behind and are transferred out of mainstream education – either to special classes in mainstream schools or to special schools.

Slovak legislation categorizes social disadvantage alongside mental disability to determine whether pupils have special educational needs. In a context where Roma are invariably viewed as socially disadvantaged, the system is effectively predisposed to categorizing Romani



Romani and non-Romani pupils during a lesson in a mixed class at the mainstream elementary school in Pavlovce nad Uhom, Slovakia, May 2010.

children as having special needs. In effect, it fails to address the educational needs of the child but entrenches their disadvantage for life by equating poor social circumstances with mental capacity. The absence of effective measures to reduce the impact of social disadvantage, and the fact that the term is often used as a proxy for Roma, leads to Romani children being placed unfairly in special education. Once pupils have been identified as having “special needs” and placed in the parallel special school system, they are taught a substantially reduced curriculum.

The school funding system and prejudiced attitudes of some non-Roma parents also contribute to the segregation of Roma in special classes. School funding depends on the number of pupils enrolled. If school directors perceive that non-Roma pupils are leaving due to a higher intake of Roma – referred to in Slovakia as “white-flight” – segregation becomes a convenient alternative. In addition, schools may often be swayed by additional incentives to classify pupils as “mentally retarded” because per-pupil funding for mentally disabled pupils is double the amount for pupils without special needs.

THE CASE OF PAVLOVCE NAD UHOM

In July 2008, Amnesty International called on the authorities to end the segregation of Romani pupils at the special school in Pavlovce nad Uhom, a village in eastern Slovakia near the Ukrainian border. Nearly half of the Romani children attending elementary education in the village were being placed at the special school.

In response to Amnesty International’s involvement and thousands of appeals sent by its activists to the government and relevant regional authorities, approximately 50 Romani children have been reassessed since the beginning of 2008 due to concerns over their inappropriate placement at the special school. Thirty-two children were returned to mainstream education.

In the last two years there has been a significant reduction in the total number of pupils attending the Pavlovce nad Uhom special school, from 237 during the school year 2007/2008 to 175 during 2009/2010. There have also been fewer transfers of Roma from the mainstream to the special school.

When Amnesty International visited Pavlovce nad Uhom again in May 2010, the school authorities welcomed the transfers of Romani children back into mainstream school, but also stressed how challenging it had been for them to work with pupils who had spent several years following a reduced elementary curriculum at the special school.

The school’s director highlighted the case of 15-year-old Mikolaj, who was transferred back to the mainstream school: “[He] had the skills, he had no problems to learn, but he had been at special school for seven years... that gap that had been created was not his fault, but he had no chance to learn there. [T]he teacher had to teach him the new and old curriculum at the same time.”

Despite these reassessments and transfers in Pavlovce nad Uhom, Romani pupils continue to be disproportionately represented at the special school, accounting for 99.5 per cent of the student population there. The Slovak authorities described the case of Pavlovce nad Uhom as an “exceptional situation” and refused to acknowledge that it was a consequence of deep-rooted discriminatory attitudes and practices within the Slovak educational



Above: Image cards used in the diagnosis of mental disability, part of the Wechsler III (WISC III) intelligence test. The test does not take into consideration Roma linguistic and cultural differences.

Left: Paintings by Romani children studying at the Matica Slovenskej elementary school, Prešov, Slovakia, April 2010.

system. As a result of the authorities' unwillingness to admit and address the causes of segregation within the system, one in three Romani pupils in Pavlovce nad Uhom remain in inferior education.

FLAWED CHILD ASSESSMENTS

"I can use a knife to cut the bread, or to kill somebody. The same with this test: it can help a child, or destroy his/her life once and for all."

Director of the Pedagogical-Psychological Counselling Centre in Brezno, April 2010

Even when Roma are not rejected by mainstream schools, flaws in the child assessment system may still result in their placement at special schools despite being perfectly capable of following the mainstream curriculum.

Diagnosis of special educational needs involves a complex assessment process administered by a network of school advisory centres. However, these procedures take no account of Romani children's cultural and linguistic differences, or – in most cases – of their socioeconomic

circumstances. For example, communication skills are assessed in Slovak, even though this may not be the language that Romani children speak at home.

Decisions to place children in special schools are often made at the age of entry into compulsory education. The placement of Romani children in special education after a single intelligence test lasting 90 minutes or less is widespread in Slovakia. Yet, international and Slovak mental health experts and educational psychologists have indicated that one-off assessments should not be used for the placement of children in special education.

Critiquing current practice in Slovakia, an expert from the Research Institute on Child's Psychology and Pathopsychology in Bratislava told Amnesty International: "We cannot diagnose [mental disability] from a single assessment, especially with a six-year-old child... Once the child is [labelled] 'mentally disabled', it is a life-long diagnosis... Those labels are questionable in these circumstances – at the age of six – when the [child's] development and all other circumstances,

such as different language and culture, play a crucial role."

The assessment process can potentially be highly subjective, allowing for both conscious and unconscious prejudice on the part of the assessor to influence the recommendation. Most of the education professionals interviewed by Amnesty International listed reasons including "genetic predisposition", "incest", "alcoholism", "drug abuse" and "criminality of parents" for the overrepresentation of Romani children in special education. It is of great concern that such deeply rooted prejudices seem to be widespread among professionals who work closely with Romani children. Until serious attention is paid to discrimination in the assessment process, Romani children will continue to be significantly overrepresented in schools or classes for pupils with "mild mental disabilities".

POORER EDUCATION, POORER FUTURE

The curriculum for special school focuses on the development of practical rather than academic skills; subjects such as foreign



languages are completely excluded from the programme. Children finishing special schools or classes are at least two years behind graduates of mainstream elementary schools. In many cases the gap can be even greater. The director of Čierny Balog special school told Amnesty International: "What they teach in the mainstream school within one year, we teach within five years."

In most elementary schools with special classes that Amnesty International visited, Romani children were not allowed to take books home with them. One elementary-school director in Torysa commented: "[Roma] do not take books [home], because they never bring them back, based on experience... 'White children' take the books home, because they know how to use [them]."

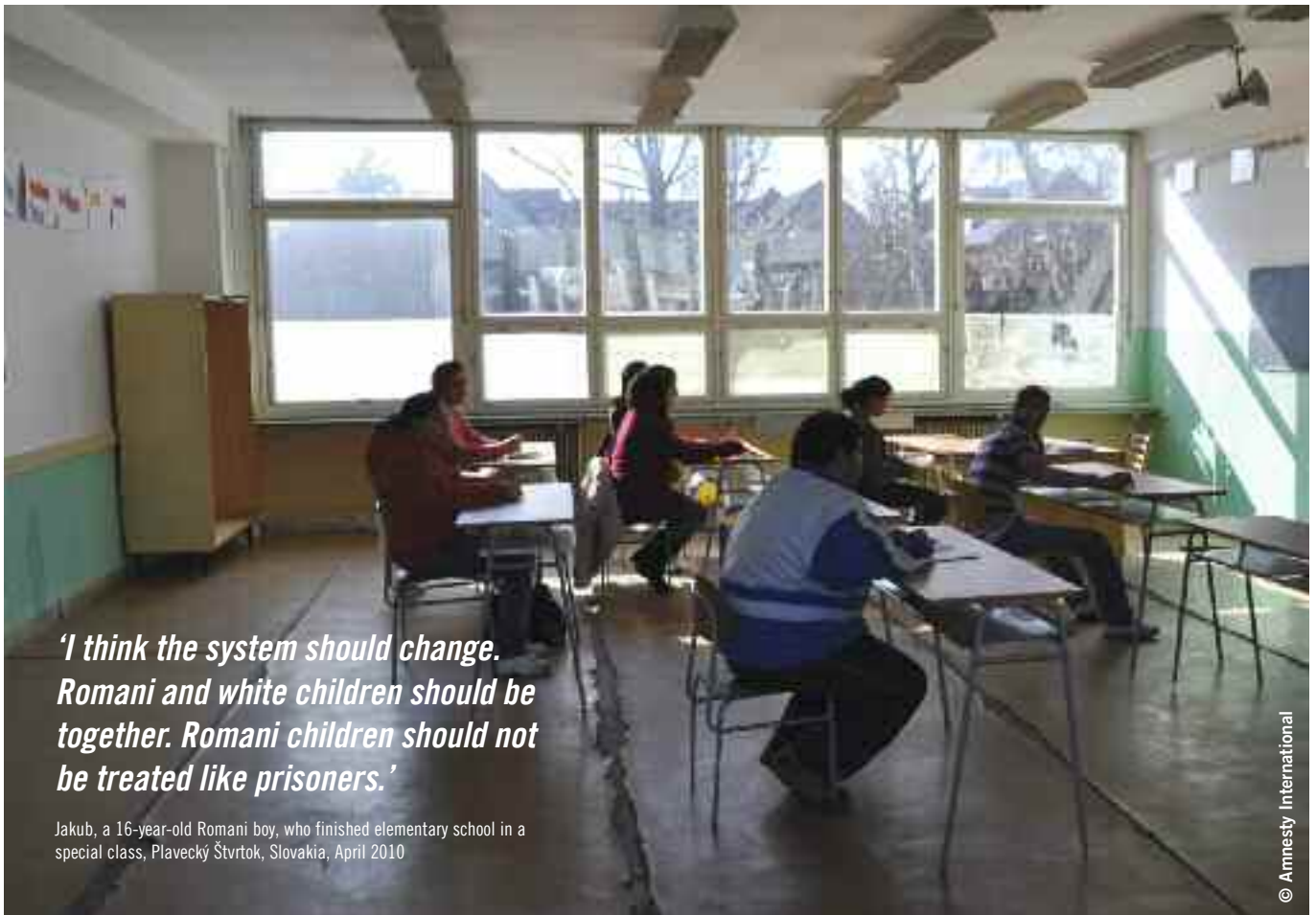
Such restrictions clearly limit the possibilities for learning and development among Romani children. Irena, a mother from the Romani settlement in Krivany, explained: "I went to the school and I told them they should do something with those children. Because they come home and they do not know anything. Many times I bought a notebook and I wanted [the

teachers] to write me the homework because I wanted to help my children with studying at home. But [they say] they cannot give them books to take home, because they would damage them. How could they learn to read, write or [do] maths if they don't have books?"

Once a Roma child is placed at a special school or class, reintegration into mainstream education is almost impossible. Reassessment of pupils is not required by law and would generally only happen if a parent requested it. When asked about transfers from special to mainstream classes, one elementary-school director commented: "[r]arely [do such transfers happen]... It would not be possible because if [the child] had a reduced curriculum then [they] could hardly continue in a normal class."

In addition, pupils finishing elementary school under a special curriculum receive lower graded certificate and so are eligible only for special secondary education. This involves two or three years' vocational training to become, for example, butchers, bricklayers, shoemakers, domestic workers or gardeners.

Romani girls attending segregated special classes at the elementary school in Krivany. Almost all Romani children at the school attend special classes, Slovakia, April 2010.



'I think the system should change. Romani and white children should be together. Romani children should not be treated like prisoners.'

Jakub, a 16-year-old Romani boy, who finished elementary school in a special class, Plavecký Štvrtok, Slovakia, April 2010

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Above: Romani children in a special class for pupils with "mild mental disabilities" at the elementary school in Plavecký Štvrtok, Slovakia, February 2010.

Right: Valeria and her granddaughter at their house in the Romani community in Krivany, Slovakia, April 2010.

'THEY MADE AN IDIOT OUT OF ME' – THE CASE OF JAKUB

Jakub is 16 years old and lives with his family at the Romani settlement on the outskirts of Plavecký Štvrtok, a village 20km north of Bratislava. His story is the same as thousands of Romani children in Slovakia who have been unjustly placed in inferior education. Jakub started school in the mainstream class, where he stayed until grade four. An excellent student, Jakub even received a scholarship for his achievement. But when he reached the fifth grade, Jakub was sent for assessment following a disagreement with his teacher. His parents were not informed about the assessment and he was immediately transferred to the special class. His mother was later told it was a class for "slower pupils", but she wonders how her son can be "slow" when he received good grades before.

One of Jakub's former teachers spoke to Amnesty International: "Some of the children, as I see it, are wrongly placed. For example, [Jakub] had been placed in [mild] mental

disability... on the grounds of hyperactivity... at the Malacky [assessment centre] they are classified by people who, in fact, have never worked with them. The kid should have been in a normal class. He was a genius."

Having now finished elementary school, Jakub clearly feels frustrated by the injustice he suffered: "What they did to me was nasty... They made an idiot out of me. I was getting a scholarship of 100 crowns per month. I was one of the best pupils in fourth grade. If I could turn the time back, I would do it. But it's too late now."

Jakub's younger brother was also about to finish the ninth grade at the special class when Amnesty International met with him. The two boys are not exceptional cases. Approximately half of Romani pupils in Plavecký Štvrtok's elementary school are educated in special classes, which are de facto Roma-only classes. Romani children attending special classes there are locked in a separate corridor or even in their classes for most of the day and have limited opportunities to interact with non-Roma pupils.



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'They didn't tell me anything; nothing about special or mainstream class... They just placed her there.'

Grandmother and guardian of a Romani child attending special classes at the Krivany school

LABELLING ROMA AS DISABLED TO 'SAVE' THE SCHOOL

Krivany, a village in eastern Slovakia, has an elementary school with 190 pupils. Forty-one of them are Roma. All except two of the Romani children are separated from the majority pupils and attend special classes.

The acting director of the school explained to Amnesty International that, in the past, the "blacks" (referring to the Roma) were educated together with the "whites". As the number of Romani pupils increased, non-Roma parents took their children to other schools. The school was losing income because funding is based on pupil numbers: "[W]hen we wanted to save the school we decided to establish special classes."

Valeria, an eight-year-old Romani girl, attends a second grade special class at the Krivany school. After kindergarten, she was placed in special classes with the other Romani children. Her grandmother, who is her legal guardian, was asked to sign a paper she could not read, the content of which had not been made clear to her: "They didn't tell me anything; nothing about special or mainstream class... They just placed her there."

Irena, a Romani mother whose children also attend special classes in Krivany, said: "[My son] was assessed by a psychologist; he said he could continue, but just in special class... There are just white pupils in the normal class and special classes are for Roma... They just separate the Roma from the whites."

INFORMED CONSENT

In order for a child to be placed at a special elementary school or class, the parents must give their consent. This is often presented by the authorities as an important safeguard against incorrect placement. However, Amnesty International is concerned that the decision by, or agreement of, Romani parents to place their children in a special school or class is often taken without adequate information about its implications.

Romani parents are often unaware of the long-term impact on their children's future prospects by sending them to special schools or classes. Also, they often feel that the prejudice their children face in mainstream schools, and the lack of support they receive there, mean that they would be better off receiving a lesser education in a friendlier environment.



Left: Angelika and her two children at the Stará Tehelna Street estate predominantly inhabited by Roma in Prešov, Slovakia, April 2010.

Right: A Roma-only class at the Matice Slovenskej elementary school in Prešov, Slovakia, April 2010.

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SEGREGATED FROM KINDERGARTEN TO THE SCHOOL CANTEEN

"You don't need to look only for special cases. Just turn up at any school in eastern Slovakia and you will find Roma-only classes in many of them."

Mirka Hapalová, Director of People in Need Slovakia, March 2010

Roma are segregated not only by their placement in the special education stream but also within the mainstream school system, where children are often separated into Roma-only schools or classes. In effect, even when Roma remain in mainstream schools, they frequently receive a lower standard of education to that provided for pupils from the majority population. Teachers in Roma-only classes often have lower expectations of their students. They also have fewer resources and poorer quality infrastructure at their disposal.

The segregation of Romani settlements, often on the outskirts of towns, is also a factor in their segregation at school, because schools draw pupils from their surrounding areas. But parental choices and school and

local authority policies also effect school segregation regardless of this link.

By law, parents have the right to choose their child's school. In theory, this eliminates segregation in schools by allowing Romani children to enrol at any school. In practice, Romani children are often rejected by schools. The government is obliged under national law to ensure that freedom of school choice does not lead to indirect discrimination. But the tendency by non-Roma parents, under the same provision, to withdraw their children from schools with an increasing Roma intake can lead to de facto segregation.

Segregation even takes place in kindergartens. Romani children in Slovakia often do not attend pre-school education. When they do, they learn early on that they are different; they too are separated from non-Roma pupils in different buildings or classes simply because they are Roma. In some cases, their parents must collect them early so that they do not encounter parents from the majority population picking up their children. They play, sing, dance and eat separately.

In the village of Torysa in eastern Slovakia, eight Romani children attend kindergarten in a separate building from their 25 non-Roma peers, who occupy a newly built two-storey kindergarten at the other side of the schoolyard. While the non-Roma children have a collection of new toys and books, those used by the Romani children appear to be old and worn.

Torysa's mayor and founder of the school later explained: "The hygiene was not the way it should be. On the other hand we know which environment they live in... Roma do not want to observe rules of hygiene. Whether it is in their gene[s] or anything else, I don't know. Therefore, some non-Roma parents took their children out of the school and we were afraid of losing more children and more money as well."

In some Slovak schools, Roma are separated from non-Roma not only in the classroom but in other aspects of school life, including the canteen at lunchtimes. Irena, a Romani mother from Krivany, said of the elementary school her children attend: "White [children] have their own canteen and Roma children eat in a corridor."



THE CASE OF PREŠOV – LOCAL POLICIES PROMOTING SEGREGATION

In January 2009, the municipality of Prešov, the third largest urban centre in Slovakia, issued an order establishing the catchment areas for the city's seven state elementary schools. The school districts were designated in such a way that the streets primarily or exclusively inhabited by Roma would fall under the catchment area of the elementary school on Maticе Slovenskej Street, which is predominantly attended by Roma.

In the case of the two main Roma neighbourhoods, Stará Tehelňa and Terasa Ševčenka, the order completely ignores the proximity of other schools and prevents Romani pupils from attending schools closer to their home.

Local officials argued that catchment areas would not obstruct Romani parents from

sending their children to schools other than the one on Maticе Slovenskej Street, under the freedom of choice of school policy. In fact, the order provides schools with an excuse to refuse Romani pupils for enrolment on the basis of catchment priorities.

Parents from Stará Tehelňa, one of the city's Roma neighbourhoods, expressed concerns that the order would lead to further segregation. Juraj, a Romani resident at Stará Tehelňa, explained: "The headmaster looks at the child and at the parent and [says] I don't want them, I send them to Maticе... The majority of the [Romani] children they send to Maticе Slovenskej."

Seven-year-old Luboš from the Stará Tehelňa neighbourhood has already faced this form of rejection. Luboš' mother, Angelika, wanted him to have the best possible education, so she decided to place him at one of the best schools in the centre of Prešov. Luboš had previously gone to kindergarten for three years and was considered an excellent

student. He enrolled at the school with his father, who is Slovak non-Roma. But according to Angelika, things changed once she started coming to the school. The teacher started having problems with Luboš, and told Luboš' mother that it would not be appropriate for her son to remain at the school: "She said that my child did not belong to that class, because he is from Tehelňa, he is Roma so [she told me] that I should send him to the Roma school."

Angelika took Luboš out of the school; he never went back and has lost a year of study as a result. Angelika decided to enrol him to the Maticе Slovenskej school at the beginning of the school year in September 2010.

Segregation of Romani pupils in schools beyond a reasonable distance from their home has a significant impact on their attendance. Romani children from Stará Tehelňa and Terasa Ševčenka neighbourhoods have to take a bus to go to the school, which many families cannot afford.



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THE NEED FOR INCLUSION

"[S]chools try to get rid of these pupils, not only of Romani children but also of white children if they have some special needs, because it is additional work for them and a problem."

Teacher, Matice Slovenskej school, Prešov, April 2010

During its presidency of the Decade of Roma Inclusion between January and July 2010, Slovakia focused its programmes on the development of multicultural education. However, promoting tolerance and respect in ethnically homogenous classrooms, while of value, is clearly not the primary route to ending segregation. The government must therefore focus its efforts on the development of truly inclusive education, so that all children, including Roma, can attain their fullest potential within integrated mainstream schools.

Inclusion is not an easy task. As the director of the elementary school of Plavecký Štvrtok put it: "It is very demanding for teachers... it disturbs the teaching process because the teacher has to give work to the majority and attend to the one or two, or the other way round." But she continues: "This is from

a teacher's perspective. From a child's point of view, I believe it is better if he is in class together with others. The environment shapes him."

A teaching assistant at Pavlovce nad Uhom elementary school also stated: "It would be better for Roma people to study along with non-Roma. I used to attend an elementary school in Palina where there was no division between Roma and non-Roma... Being in the same class together enables both sides to learn more about each other... It gives them more self-confidence."

LACK OF JUSTICE AND ACCOUNTABILITY

"I think [the prohibition of segregation is more difficult to enforce in practice], because there are no specific recommendations or techniques on how to measure it. It is hard to monitor it."

Košice Regional School Authority Director, May 2010

Partial measures and empty declarations will not end the discrimination and segregation of Roma in Slovak schools. Thousands of Romani children and their

parents continue to experience stigma and humiliation because of their ethnic origin or social background.

The right to education, including a prohibition of discrimination and segregation in education, is enshrined in several international and European human rights standards and treaties to which Slovakia is a state party, including the International Covenant on Economic, Social and Cultural Rights.

The International Convention on the Elimination of All Forms of Racial Discrimination sets out binding obligations on Slovakia to prevent, prohibit and eradicate all practices of segregation as well as the consequences of such practices undertaken or tolerated by previous governments.

In its review of Slovakia in 2010, the UN Committee on the Elimination of Racial Discrimination urged the government "to bring to an end and to prevent segregation of Roma children in the field of education."



Left: A corridor outside the cafeteria of the elementary school in Krivany is used to separate Roma from other pupils during meals, Slovakia, April 2010.

Far left: Romani children during a physical education lesson in the special class for pupils with “mild mental disabilities” at the Plavecký Štvrtok elementary school, Slovakia, February 2010.

Below: Artwork by Romani children at the Matice Slovenskej primary school in Prešov, Slovakia, April 2010.



In cases brought by Romani children against the Czech Republic, Greece and Croatia, the European Court of Human Rights has ruled that segregating Romani pupils in special classes for pupils with “mild mental disabilities”, refusing their enrolment in mainstream schools and placing them in separate classes in a separate annex to the school, or in separate classes on the basis of language deficiencies, are forms of unlawful discrimination contrary to the European Convention on Human Rights.

There is currently no body in Slovakia explicitly mandated to supervise a desegregation process. The Slovak National Centre for Human Rights, the body which is responsible for monitoring the implementation of anti-discrimination legislation, lacks the resources or the tools to effectively monitor and enforce the prohibition of segregation. Representatives of the Slovak National Centre for Human Rights told Amnesty International that “the problem... is that we cannot impose sanctions. We send our conclusions and recommendations to the ministry, and the respective educational institution and then

we can monitor whether something has changed or not.” Additionally, the State School Inspectorate, which monitors the implementation of the Schools Act, also lacks the clear mandate, guidelines and tools to monitor and ensure that prohibition of segregation is enforced.

Finally, Slovakia still does not collect data disaggregated by ethnicity despite repeated calls by international and regional human rights bodies. Data that tracks differences in levels of access to education by different ethnic groups is important in order for the government to monitor the extent of discrimination and segregation in education. Such data can be collected anonymously without posing any privacy issues. The Slovak government’s failure to collect such information calls into question its willingness to address discrimination and segregation fully.

CONCLUSION

The segregation of Roma in Slovak schools is a result of racial discrimination within the education system. It reflects prejudice and intolerance in Slovak society in general and is a factor in the perpetuation of such attitudes. Despite criticism by international intergovernmental organizations and NGOs, Slovakia has failed to acknowledge the impact and extent of Roma segregation in schools and to take meaningful measures to eliminate it.

Slovakia cannot continue to deny its Romani children their right to dignity and equal treatment. The choices that the government makes now will affect the lives of thousands of Romani children. It can trap them in poverty and marginalize them for decades to come. Or it can ensure that they enjoy their right to an education free from discrimination in integrated mainstream schools, thereby preparing them to fully participate in and contribute to the life of Slovak and European societies.



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Above: Romani children attending a segregated special class at Krivany elementary school, Slovakia, April 2010.

Cover: Romani children during class activities in grade 3 of the special class for pupils with “mild mental disabilities” at the elementary school in Krivany, Slovakia, April 2010.

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TAKE ACTION

Join the campaign and help end segregation of Romani children in inferior education in Slovakia. The recommended actions below call for measures that, if adopted, will strengthen and enforce the ban on segregation. This work is part of the “Making rights law” theme in Amnesty International’s Demand Dignity Campaign, which aims to end human rights violations that drive and deepen global poverty.

Please write to Slovakia’s Prime Minister and Minister of Education, urging them to:

- Include legal and policy provisions that define segregation, and empower the State School Inspectorate to fulfil its human rights obligations to prevent, prohibit and eradicate segregation through the provision of adequate resources, including robust, detailed

guidelines and procedures on how to identify, monitor and combat segregation in practice.

- Begin the systematic collection of data on education, disaggregated on the basis of gender and ethnicity.
- Introduce a clear duty on all schools to desegregate education; such a duty should be accompanied by effective support for schools to desegregate.
- Introduce adequate support measures for Roma and non-Roma children who need extra assistance (material or substantial), so that they may achieve their fullest potential within mainstream schools, and in order to promote truly inclusive education.

Please follow our website for future actions: www.amnesty.org/en/region/slovak-republic

Send appeals to:

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Salutation: Dear Prime Minister

Eugen Jurzyca
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Email: minister@minedu.sk
Salutation: Dear Minister

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