CHAPTER 2

Coercive Sterilisation of Romani Women in the Czech and Slovak Republics

The situation of Gypsies in Czechoslovakia is not a theme that holds the interest of other people and it is, therefore, prudent to say that most citizens do not know anything about this minority against which there is so much discrimination. This lack of information is a result of a well planned campaign to keep secret everything that has anything to do with this minority. However, the situation is too serious to let it go on unchecked and without protest.¹

Document 23, Charter 77
13 December 1978

The Public Defender of Rights believes that the problem of sexual sterilisation carried out in the Czech Republic, either with improper motivation or illegally, exists, and Czech society has to come to terms with this. The Public Defender of Rights is certain that accepting this unpleasant reality is the only way to bring about a catharsis, endorsing measures that would make the practices highlighted by this report impossible.

Czech Public Defender of Rights (Ombudsman)
23 December 2005

Criminal law does not concern the rights and interests of the victim, or that of any other physical or legal person, but rather concerns the rights and interests of the state...

Constitutional Court of the Czech Republic
5 February 2009

The pages that follow summarize what is known about the coercive sterilisation of Romani women in Czechoslovakia and, after 1993, in its successor states, the Czech and Slovak Republics. Unlike other large-scale human rights abuses – which may be known due to contemporary media coverage or other documentation of the events as they happen – these acts have only become

¹ Unless otherwise specified, all translations from Czech are either (1) official, (2) as provided in the original source, or (3) done by the author.
known over time, and primarily in the course of advocacy actions which have brought what were essentially covert activities out into the open. The narrative therefore proceeds of necessity by piecing together various parts of this knowledge as they have emerged over time.

As will be seen, the author was extensively involved in efforts to expose, challenge and ultimately end and remedy these practices. It is not possible to provide in detail all instances of involvement by the author in the actions detailed here. These derive primarily from his work at the European Roma Rights Centre during the period 1996–2007, and informally thereafter. Some direct involvements have been marked here, as well as in subsequent chapters, particularly where the source of the information in question derives from the direct involvement of the author. Methodologies used in the various documentation efforts described here, are presented as relevant below, to the extent that they are known. The author has endeavoured to include only credible sources in this summary.

Throughout this section, there are multiple references to civil society organisations taking action to challenge the abuses detailed here. Until the founding in 2004 of the Group of Women Harmed by Coercive Sterilisation, however, no group acted systematically or as a matter of program on behalf of victims of these practices. The civil society actions detailed here involve, in their entirety, not more than several tens of persons scattered across a handful of professional human rights organisations – some based in the Czech Republic and Slovakia and having a national focus – others operating internationally. An effort to map and discuss the civil society and social mobilization aspects of the events detailed below is the subject of Chapter 5.

The developments presented here are in effect the factual prelude to Chapters 3 and 4 of this book, in which relevant international normative frameworks are examined. This chapter describes the struggle of the facts to become known – in effect, the efforts of the victims and their advocates to articulate these issues such that their broader legal and social relevance is recognized. Thereafter, in Chapters 3 and 4, various legal questions implicated

---

2 In the Czech Republic, in addition to the Group of Women Harmed by Sterilisation, the League of Human Rights, Life Together, and for certain periods 1Q Roma Servis and Czech Helsinki Committee. In Slovakia, the Centre for Civil and Human Rights.

3 Primarily the Centre for Reproductive Rights and the European Roma Rights Centre (ERRC), but also Amnesty International, Human Rights Watch, the International Helsinki Federation for Human Rights and the Peacework Development Fund. The Open Society Institute must also be noted here, as it has been a primary donor for a number of the organisations concerned, the ERRC in particular.