

Slovak Businesses Appeal

In recent years, Slovakia has witnessed a worrying increase in hate speech directed against the LGBTI+ minority and a lack of supportive legal framework. The social acceptance and legal status of LGBTI+ people are among the worst in the European Union.⁽¹³⁾ Slovakia is one of the last EU countries that does not have a legislative framework to support same-sex partnerships or a policy to protect rainbow families. The best interests of the children who grow up in these families are not respected. At the same time, transgender people currently do not have access to healthcare related to transition.

All these factors have created an environment that is hostile to diversity and inclusion. Queer people have faced an increased number of violent attacks, culminating in the deadly attack on Zámocká street in Bratislava, on October 12th, 2022.

There is a continuous positive approach towards an inclusive environment in our companies. Studies suggest that cultivating values of inclusion and diversity brings measurable benefits to companies and society as a whole. Nevertheless, we observe a strong contrast between the inclusive environment our employees are experiencing within our organizations and in the public space.

Slovakia scores low on LGBTI+ rights based on Eurobarometer⁽¹⁾. The recent events and legislative proposals such as omitting LGBTI+ people and related topics from schoolbooks, banning rainbow flags from public buildings, or making gender transitions impossible, are not helping the situation to improve.

Therefore, we would like to step up and emphasize discrimination and missing legal protection compared to the non-LGBTI+ majority.

Employees

The above-mentioned conditions have significant impact on the working sphere. The increase in violence and hate speech in society leads to a decrease in well-being and productivity, as employees are distracted and suffer from minority stress⁽²⁾. There is a negative impact on mental health that worsens general health condition and triggers depression. These events increase the cost per employee, potentially make them leave the country for good, which brings employers additional costs for new hiring processes.

At the company level LGBTI+ inclusion has a positive impact on a) widening company's potential customer base, b) increasing the likelihood of hiring and retaining top talents c) profitability through more efficient supply chain management and more effective corporate leadership.⁽¹¹⁾

Slovak Academy of Sciences estimates that thousands of children⁽³⁾ are brought up in LGBTI+ (rainbow) families in Slovakia with no legal protection at all. Some of them choose to leave the country to live elsewhere with better possibilities and legal protection and security.

Foreign Investments

Some businesses and institutions are withdrawing from investing in Slovakia – the most known case was the European Medical Agency also due to insufficient LGBTI+ rights and protection⁽⁴⁾.



Role of the private sector

Many corporate companies are stepping up, using the UN Standards of Conduct⁽⁵⁾, trying to bridge the gap of equality between the majority and the LGBTI+ minority. In Slovakia, over 120 companies and organizations (incl. State institutions) signed Slovak Diversity Charter⁽⁶⁾.

However, employers in Slovakia have limited competencies towards their employees (going beyond company policies and benefits) and, therefore, holistic change can only be achieved through a comprehensive legislative framework.

Impact of non-inclusive society

The general the impact of LGBTI+ Discrimination is estimated⁽⁷⁾ by the corporate advisory LGBT Capital to 1% of the country's GDP. Another global study from Open for Business⁽⁸⁾ shows more in-depth details per sector. In general, the World Bank⁽⁹⁾ estimates the loses to country GDP up to 1.7%.

Results of the study done by portal Profesia (2022)⁽¹²⁾ show, that 6.6% of employees have faced discrimination because of sexual orientation and 4.3% based on gender identity. The percentage of discrimination based on sexual orientation increases year by year.

There is a plan to conduct an LGBTI+ related Economic Impact Study focused on Slovakia by Open for Business. (Similar studies have already been conducted for Czech Republic, Poland, Hungary, Romania and Ukraine), whose conclusions will be published and subsequently added as an annex and supporting material to this appeal.

Therefore we, signatories of this resolution and Organizations operating in Slovakia, refer to all the reasons stated above and support the improvement of LGBTI+ rights in Slovakia based on legal framework implementation, and improvement of living conditions for ex. as stated in the initiative "Our lives are at stake"⁽¹⁰⁾.



Signatary



Support
Actual status of supporters



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Support
Actual status of supporters



Appendix:

- (1) <https://europa.eu/eurobarometer/api/deliverable/download/file?deliverableId=70586>
- (2) https://en.wikipedia.org/wiki/Minority_stress
- (3) <https://queerslovakia.sk/video/o-duhovych-rodinach-na-slovensku-prezradila-viac-psychologicka-jana-fuskova-zo-sav-v-teplej-vlne/>
- (4) <https://blog.sme.sk/parziale/politika/preco-na-slovensku-este-nesidli-ziadna-europska-agentura>
- (5) <https://www.unfe.org/standards/>
- (6) <https://www.chartadiverzity.sk/>
- (7) http://www.lgbt-capital.com/docs/LGBT-GDP_2015_Press_Release.pdf
- (8) https://www.wko.at/site/Charta-der-Vielfalt/Service/studien/Brunswick_Open_for_Business.pdf
- (9) https://documents1.worldbank.org/curated/en/527261468035379692/pdf/940400WP0Box380usio_n0of0LGBT0People.pdf
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- (12) https://sap-my.sharepoint.com/:b:/p/m_bednar/EdiHxBwVJfRLsj2ZvpJeVV0BNiG6R_PhXPGgJF1hGGTzRA?e=F5H1GZ
- (13) https://domov.sme.sk/c/23123846/slovensko-sa-meni-k-horsiemu-co-ukazal-novy-prieskum-o-lgbti-ludoch.html?utm_medium=Social&utm_source=Facebook#Echobox=1675172426



Our lives are at stake

(Translated excerpt from web <https://idenamozivot.sk/#vyzva>)

Call to action for Slovak government

Creating safe environment for LGBTI+ people living in our country:

1. Regardless of their ideology or party affiliation, politicians have responsibility towards all citizens and therefore we are asking them to refuse any further spreading of hate aimed towards any group of citizens.
2. Encouraging hate against LGBTI+ people by public officials should be as inaccessible as in case of hate against any other group of citizens. Parliamentary immunity should not be misused for spreading of statements, which would be in other case punishable by law. Hate speech used by public officials for introducing laws or policies against a group of citizens makes others feel like they are free to use the same rhetoric without any punishment.

Slovak MPs should therefore create an Ethical Codex, ensuring disciplinary responsibility for any statement encouraging hate based on race, ethnicity, religion, sexual orientation or gender identity. (MPs are obliged to follow ethical codex from July 2016, but it has not been adopted yet.)

3. Slovak Penal Code does not take hate based on sexual orientation and gender identity as seriously as hate based in religion, race, nationality etc. Although hate crimes based on sexual orientation are already mentioned in objective elements of crimes listed in the Code, hate crimes based on gender identity keep being omitted although it is transgender people who experience violence the most.

Therefore, we call for:

- Adding sexual orientation and gender identity to list of other reasons for hate mentioned in section 423, and adding gender identity to sections 140 and 424 of Slovak Penal Code.
 - Strengthening specialization, personal capacities and technical equipment of law enforcement authorities fighting against extremism in order to enable them effectively monitor, reveal, resolve and punish extremist behavior, including online hate crimes against LGBTI+ community.
 - Improved information exchange between individual parts of Slovak security system in order to identify possibility of online radicalization in time and taking adequate measures to stop such individuals from committing hate crimes.
 - Ensuring functional and effective monitoring system providing tools for removal of illegal extremist content and content encouraging hate towards LGBTI+ people shared on the Internet and social media.
(Amendments to the Slovak Penal Code are frequently proposed by the Ministry of Justice since 2013. There is another amendment currently being proposed, where these measures can and shall be included.)
4. Disinformation and hoaxes about LGBTI+ community are the second most common topic among all misinformation on social networks and in online space. Despite this fact, current government strategies for this issue are not mentioning this problem even once.

Therefore, we call for:

- Authorities giving attention to fighting against disinformation about LGBTI+ people.
 - Adopting regulations of information shared online on European level in order to effectively delete illegal feed.
 - Reflection of Slovak social diversity with regard to LGBTI+ people in public media and news agencies program composition.
5. Schools and educational institutions shall be safe spaces where all pupils, students and youngsters, including young LGBTI+ people are able to find protection from all forms of social exclusion, violence, bullying or harassment.

Therefore, we call for:

- Addition of objective information about LGBTI+ people to official curriculum covering also comprehensive relationship and sexual education.
- Taking particular steps to prevent cases of bullying, including bullying based on one's sexual orientation or gender identity and to introduce means of solving such cases by the Ministry of Education.
- Adopting policies preventing extremism and radicalization of youth and introducing particular steps to solve such cases.

(Such policies were proposed in 2014 as part of the National Strategy for Protection and Promotion of Human Rights.)

6. In situations when LGBTI+ people are not accepted by society and do not reasonably trust institutions tasked to help them in cases of discrimination or violence, it is essential to establish and promote safe spaces where support services, psychological and legal counselling including community building activities are available. Nowadays, Bratislava, as one of few European capitals, does not have a community center for LGBTI+ people.

We call for:

- State and municipal assistance in establishing an LGBTI+ community center in Bratislava.
- Systematic support of counselling and support activities for LGBTI+ people by NGOs throughout whole Slovakia.

(Establishing a community center has been a goal for Slovak LGBTI+ organisations for two decades. Support services have been always dependent on EU funds and therefore their continuity is not granted.)

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The lower social acceptance of LGBTI+ people in Slovakia in comparison with other European countries is partially caused by the fact that the state itself does not recognise them as equal citizens. A defining feature of sexual orientation is a gender of one's partner. However, Slovakia, as one of the last EU member states, does not recognise any kind of partnerships and families of same-sex couples. Gender identity determines who I am, which gender I essentially identify with. Gender identity is also a determinant of one's first and last name in Slovakia. Even though the right to recognise transgender people's gender identity and their transition have been reality in Slovakia for decades, there is no legal regulation guaranteeing them the process of transition. A similar situation within EU exists only in Hungary.

We call for:

- Laws recognizing existence of same-sex couples and their families at least in a form of Civil Unions including the right to adopt partner's child. (A call for the adoption of civil unions was already introduced at the first ever press conference of the Ganymedes Movement in 1993. Despite a number of attempts, it has not been approved to this day.)
- Professional guidelines and standards for treatment procedures elaborated by the Ministry of Health determining the conditions of legal gender change (transition) and health care procedures for transgender people without the condition of forced sterilization and other unwanted medical interventions as proposed by the consensus of professional medical societies during the last three years. At the same time, we call for the implementation of the 11th revision of the international classification of diseases, which no longer considers transgender status as a disease. (The last legal regulation of the transition process is from 1981 and, according to the legal analysis of the Public Defender of Rights, it has been invalid since January 1995.)