



**International Covenant on  
Civil and Political Rights**

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**Human Rights Committee**

**Consideration of reports submitted by States  
parties under article 40 of the Covenant**

**Fourth periodic reports of States parties due in 2015**

**Slovakia\* \*\***

[Date received: 6 May 2015]

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\* The present document is being issued without formal editing.  
\*\* The annex can be consulted in the files of the secretariat.



## Introduction

1. The Slovak Republic (hereinafter “Slovakia”), as a State party to core United Nations human rights treaties, regularly informs the relevant United Nations treaty bodies on measures adopted to improve the implementation of rights and freedoms stipulated by international treaties and on progress achieved in this regard.

2. The Slovak Government submits its fourth periodic report on the implementation of the International Covenant on Civil and Political Rights in accordance with article 40 (1) (b) of the Covenant and in the light of the concluding observations of the Human Rights Committee (CCPR/C/SVK/CO/3) adopted on 28 March 2011 in relation to the consideration of the third periodic report of Slovakia (CCPR/C/SVK/3) at the 2778th and 2779th meetings of the Committee.

3. The fourth periodic report informs about particular steps taken by the Government in the area of human rights in the period following the adoption of the concluding observations, from March 2011 to February 2015, aimed at improving standards of protection for and supporting human rights at national level with special emphasis on civil and political rights. It was prepared by the Ministry of Foreign and European Affairs of the Slovak Republic (hereinafter “the Ministry of Foreign and European Affairs”) on the basis of information submitted by the relevant state administrative authorities and non-governmental human rights institutions (ombudsperson and the Slovak National Human Rights Centre) in accordance with the relevant United Nations guidelines on the preparation of periodic reports.

4. The present report was considered and approved by the advisory bodies of the Slovak Government; i.e. by the Council of Slovak Government for Human Rights, National Minorities and Gender Equality (hereinafter “the Council for Human Rights”) and by the Economic and Social Council; on 11 March 2015 and on 23 March 2015, respectively. The Slovak Government has approved it on 1 April 2015. Part of the report is the annex with statistical tables, as well as with more detailed information, including information provided by the ombudsperson.

5. The fourth periodic report focuses on updates following the third periodic report. Comprehensive information related to the individual human rights themes (such as the fight against racial discrimination, women’s rights and the rights of children) is included in the implementation reports of Slovakia submitted previously<sup>1</sup> and documents submitted for the second cycle of the universal periodic review of Slovakia in 2014.<sup>2</sup>

## Article 1

6. No changes have taken place in the area governed by article 1 of the Covenant since submission of the third periodic report of Slovakia.

## Article 2

7. The institutional framework of human rights in Slovakia has changed substantially during the period under review. In 2012 the competence of the Ministry of Foreign and

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<sup>1</sup> See CAT/C/SVK/3/Rev.1, CEDAW/C/SVK/5-6, CERD/C/SVK/9-10 and CRC/C/SVK/3-5.

<sup>2</sup> Available at [www.ohchr.org/EN/HRBodies/UPR/Pages/SKSession18.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/SKSession18.aspx).

European Affairs in the area of human rights has been substantially strengthened. Issues of coordination and management of activities of the Council for Human Rights, advisory body of the government for human rights agenda, have been transferred to the portfolio of the Deputy Prime Minister and Minister of Foreign and European Affairs. Thus coordination of national human rights policies is the responsibility of the Deputy Prime Minister and Minister of Foreign and European Affairs while implementation of these policies is the responsibility of the individual ministries. This approach fully complies with the human rights mainstreaming. Continuing dialogue with the civil society is an integral part of the national human rights policy. In relation to the abovementioned institutional changes, the Ministry of Foreign and European Affairs also governs two areas of subsidies in the area of human rights: (1) subsidies for enforcement, support and protection of human rights and freedoms, and (2) subsidies for prevention of all forms of discrimination, racism, xenophobia, homophobia, anti-Semitism and other manifestations of intolerance. The subsidies represent basic instruments of support of the human rights agenda and one of the forms of dialogue with the civil society in this area.

8. The National Strategy for the Protection and Promotion of Human Rights in Slovakia as the basic conceptual document for human rights agenda in the country was approved by the Slovak Government on 18 February 2015. The strategy is the outcome of a broad discussion extended over more than two years – the open nature and schedule of the process allowed for cooperation of all stakeholders from among experts as well as the general public. The preparatory process was coordinated in the context of the mandate of the Council for Human Rights with an emphasis on a high degree of participation and inclusiveness.

9. The National Strategy for the Protection and Promotion is the governing programme document in the area of human rights. Its objective is mapping of the current status of human rights compliance and protection and identification of priority areas which need intensified attention until 2020, as well as of the vulnerable and marginalised groups and individuals for whom there are not yet sufficient legislative and institutional frameworks, separate policies and frameworks of practical application. The Strategy provides a survey of the legislative and institutional scope of human rights protection and status of implementation of international commitments of Slovakia.

10. The Strategy is the first programme document reflecting a modern understanding of human rights in the sense of the international legal commitments of Slovakia as a Member State of the United Nations, a member of the Council of Europe, the European Union and other international organisations. The Strategy is a starting point for future detailed policies and action plans. Adoption of the Strategy by the Government opened a new space for professional discussion on particular questions defined in the Strategy. The Strategy defines a number of priorities including:

- Preparation of a complex analysis of the status of human rights enforcement and protection;
- Systematic reinforcement of human rights support and protection institutions;
- Education, training, professional preparation and research in the area of human rights;
- Systematic measures for judicial and other legal protection;
- Systematic measures for prevention and removal of obstacles to real equality and dignity of life for all population groups;
- Adoption of systematic and complex measures against all forms of intolerance;

- Complex and systematic use of Slovak memberships in international human rights organisations for the purpose of improvement of the promotion and protection of human rights in Slovakia.

11. The key aspect of all inputs for the Strategy preparation was education and upbringing in the area of human rights. For that reason this area will be in the centre of attention in the coming period.

12. In the context of the discussion accompanying preparation of the Strategy representatives of the civil society also identified the need for change of the institutional background for coordination of the national human rights agenda. This discussion initiated meetings focusing on transfer of competences in the area of coordination of tasks in the area of human rights onto an inward oriented ministry. Following from the relevance of powers and responsibilities the Ministry of Justice of the Slovak Republic (hereinafter “the Ministry of Justice”) was selected for this purpose.

13. To achieve further institutional support for human rights protection, the post of the Government Plenipotentiary for National Minorities was established in July 2012 as the advisory body for minority issues. The plenipotentiary fulfils tasks related to support and development of rights of persons belonging to national minorities. The plenipotentiary acts as the principal body for implementation of two legally binding conventions related to national minorities, the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The plenipotentiary issues annual reports on the status and rights of persons belonging to national minorities which include specific recommendations for improvement of their situation.

14. The Government Plenipotentiary for Roma Communities continues its activities. Improvement of the situation of the Roma community in all areas continues to be one of the priorities of the Government. In January 2012 the Strategy for Roma Community Integration by 2020 was approved as a complex document by which the Government reacts to the need to address the challenges connected with social inclusion of the Roma communities at the European Union level. The principles contained in the Strategy aim at becoming the basis for policies (especially in the area of education, employment, housing and healthcare) with the aim to address the unfavourable situation of the Roma community in the period before 2020, as well as in the programme period of 2014–2020 for structural fund subsidy drawing. An important aspect of the strategy is focusing the policies on the majority population.

15. In 2014 the Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter “the Ministry of Labour”) prepared the Act on the Commissioner for Children and the Commissioner for Persons with Disabilities. Addressing public protection of rights of children and rights of persons with disabilities and its legislative framework represent a commitment Slovakia is liable to fulfil in order to comply with the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child. A working group has been established for preparation of proposals of schemes of public protection of the rights of children and the rights of persons with disabilities. The group includes representatives of relevant ministries and civil society. This law is assumed to come into force in September 2015.

16. During the period under review Slovakia signed and ratified several international contracts on human rights executed within the framework of the United Nations and the Council of Europe. In March 2012 Slovakia ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. After signing the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the notification procedure in February 2012 Slovakia became its contracting party on 3 December 2013. On 15 December 2014 Slovakia ratified the International

Convention for the Protection of All Persons from Enforced Disappearance. At regional level Slovakia was one of the first countries signing the Council of Europe Convention on preventing and combating violence against women and domestic violence. At present the national ratification process is under preparation. Slovakia has launched the national ratification process for the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

17. A significant step towards further reinforcement of anti-discrimination legislation was adoption of the amended Act No. 365/2004 Coll., on Equal Treatment in Certain Areas and on Protection against Discrimination, as amended (Anti-Discrimination Act), in April 2013. The amendment included extension of the definition of indirect discrimination to include the threat of discrimination in compliance with the relevant European Union directives. At the same time the definition of temporary balancing measures (affirmative action) was adapted to explicitly include elimination of disadvantaging following from discrimination based on racial or ethnic origin or affiliation to a national minority or ethnic group. In the interest of support for application of positive measures the powers to take these measures were extended to include, in addition to state administrative authorities, also self-governing bodies and private legal entities.

#### **Implementation of the recommendation in paragraph 5 of the concluding observations**

##### *Slovak National Centre for Human Rights*

18. The Slovak National Centre for Human Rights (hereinafter “the Centre”) as an independent national human rights institution (NHRI) was established pursuant to Act No. 308/1993 Coll., as amended. The Centre is entitled to represent parties to proceedings related to violations of the principle of equal treatment, which follows from its position as the national equality body. The activities of the Centre are financed from the state budget and from donations provided by local and foreign natural persons and legal entities.

19. In March 2014 accreditation was renewed for the Centre with B status according to the Paris Principles. Slovak Government prepares amendment of the Act on the Centre with the aim to increase effectiveness of fulfilment of its mandate. The process is guaranteed by the Ministry of Justice.

20. The objectives of the legislation under preparation include increase of transparency of election of the executive director of the Centre through introduction of public tender, extension of representation of the non-governmental sector in the board of trustees of the Centre and introduction of the commitment to submit annual reports on human rights status to the National Council of the Slovak Republic (hereinafter “Nation Council”).

#### **Implementation of the recommendations in paragraphs 6 and 18 of the concluding observations**

##### *Increasing awareness of the Covenant among judges, lawyers and prosecutors*

21. Slovakia realises the need of continuous increase of awareness on the Covenant among judges, lawyers and prosecutors. As a follow-up to recommendation, educational process on the academic ground of the Justice Academy has been improved. In 2013 a commission was established for preparation of legislative amendments related to education of target groups of the Justice Academy. The educational plan of the Justice Academy was extended with specific educational events for judges, prosecutors and lawyers on the Covenant and other conventions on human rights and fundamental freedoms.

**Implementation of the recommendation in paragraph 7 of the concluding observations***Law granting the Constitutional Court powers to decide about compliance of national legislation with international conventions*

22. In relation to the Committee's recommendation, the Ministry of Justice prepared a law in 2009 with the essential purpose to establish individual control of constitutionality. The law, however, did not receive sufficient support and so the initiator abandoned further legislative process. This intention cannot be implemented without amendment of the Constitution.

23. Slovakia currently transposes the Directive of the European Parliament and of the Council (EU) No. 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime. The transposition is assumed to be completed by the end of 2015.

24. At the same time Slovakia currently prepares legislative conditions for execution of the Regulation of the European Parliament and of the Council (EU) No. 606/2013 of 12 June 2013 on mutual recognition of protective measures in civil affairs (OJ EU L 181/4, 29. 6. 2013). It is done through a governmental bill amending Act No. 99/1963 Coll. Civil Court Rules of Procedure, as amended, amending certain other acts, submitted to National Council for further legislative process.

**Article 3****Implementation of the recommendation in paragraph 10 of the concluding observations***Support for gender equality*

25. The amended Anti-discrimination Act of April 2013 allows for adoption of temporary balancing measures by public administrative authorities or other legal entities for the purpose of elimination of disadvantaging based, inter alia, on gender. This legislative amendment has created basic conditions for adoption of effective measures focused, inter alia, on increased proportion of women in positions with powers for decision-making. The institute of temporary balancing measures is conceived to cover the complex areas of access to employment, education, healthcare and housing.

26. The relevant ministries in cooperation with the civil society have prepared methodologies for adoption of temporary balancing measures for public as well as private entities. The Centre has also been active in this area.

27. Increased proportion of women in decision-making positions is also one of the objectives of the National Strategy of Gender Equality and Action Plan for Gender Equality for the period 2014–2019, approved by the Government by its Resolution No. 574 of 20 November 2014.

28. Proportions of women in decision-making positions in Slovakia vary from low to prevailing (justice). Proportion of women in politics has been long low in Slovakia, the proportion of women in the National Council long ranging between 15 and 20%. For one-third representation, considered the critical minimum for a real ability to influence decision-making, double the current number of female deputies in the National Council is still needed. The enacted relative proportion of women in candidate lists (quotas) only enjoys little acceptance and support in Slovakia, especially among political parties which would need to accept and approve this legislation. The current composition of the Government does not include a single woman, and before November 2014 there was a single female

minister in the Government, holding the post of the Minister of Health. Women hold none of the supreme constitutional functions (President of the Republic, President of the National Council and Prime Minister). Women occupy two positions of deputy presidents of national Parliament (before November 2014 there were up to three female deputy presidents of National Council of the total four deputy presidents).

29. A positive example of adequate representation of women in Slovak politics has been Slovak representation in the European Parliament since 2014 with 4 women out of the total number of 13 deputies, which is more than 30%. This representation was even higher in the previous electoral term when the level of 38% was reached.

30. No woman is currently involved in any regional government. The proportion of women in self-governing bodies at regional level has long been low and only slowly increasing. In all elections the proportion of the elected women has been generally 4 to 5% lower than their proportion in the candidate lists. In the local government elections (November 2014) 680 female mayors were elected. This is 23.4% of the total 2911 occupied mayor positions, which roughly equals the total number of female candidates for these positions. Out of the total 8,763 candidates for mayor positions there were 2,156 women, which is 24.6%. In 177 cities and city quarters of Bratislava and Košice only 26 women were successful in the election, which is mere 14.7%. The total proportion of women in local government bodies has been slightly increasing, from the mere 653 in 2010 representing just 22.46%. This is also the election where a woman was for the first time in history elected head of the city hall in Prešov. This indicates that in the context of the political system and representative democracy in Slovakia women have been more successful as elected town and village mayors than as mayors of big cities.

31. The highest proportion of women is in the field of judiciary. Female judges represent 63% of Slovak judges. At present (as of 20 January 2015) women hold the top positions in the judicial bodies in Slovakia, in particular in the Constitutional Court and the Supreme Court where there are female presidents and another woman has been vice-president of the Specialised Criminal Court. In addition, a woman chairs the Judicial Council and another woman heads the Legal Assistance Centre. Pursuant to the status as of 31 December 2013 out of the total number of 1,385 there were 511 male judges (36.9%) and 874 female judges (63.1%). The statistic shows that the proportion of women in justice (female judges) is more than 1.7 times higher than the number of male judges. Pursuant to the status as of 20 January 2015, out of the total number of 8 presidents of regional courts there were 2 females (presidents of the Regional Court in Trenčín and in Žilina) and out of the total number of 54 presidents of district courts of Slovakia there were 25 females. Women represent 52% of the judges of the Supreme Court, 62.9% of regional court judges and 66.1% of district court judges. The Specialised Criminal Court has 2 female judges (15.4%).

32. Female representation in economic decision-making positions in Slovakia has long been one of the highest within the European Union. Following an analysis of the Ministry of Labour concerning proportions of women in decision-making positions in business companies with shares traded at the Slovak stock exchange (86 companies) women represent 28.62% of all members of supervisory boards of these companies. Presidents of supervisory boards (following available information, as not all companies report this position) include 23.08% of women (9 of the 39 known presidents of supervisory boards). A lower proportion is shown by the executive positions where in the same companies women represent 16.84% of all members of boards of directors and only 3.49% presidents of these boards of directors.

33. The educational system is also an economic branch at the labour market, distinguished by the overall significant prevalence of women — teachers — as well as its

hierarchical structure: The higher the education level the lower the number of female teachers. Universities and colleges are headed by women in 14.3% of cases.

### **Implementation of the recommendation in paragraph 11 of the concluding observations**

#### *Combating violence against women*

34. Recently the legislative framework for various forms of violence against women and female trafficking has been reinforced in Slovakia. The Code of Criminal Procedure guarantees the victims access to legal assistance through reporting liability of the criminal prosecution bodies. At the same time the legislation permits activities of organisations providing assistance to victims, including legal assistance. The current legislation guarantees the right of the victims to provision of free legal assistance in application of their claims for damage compensation in the context of criminal as well as civil litigations through the Legal Assistance Centre.<sup>3</sup> In 2008–2013 significant legislative changes were implemented in the area of criminal law concerning prevention and elimination of violence against women and other forms of domestic violence. These changes concerned extension of the scope of the existing facts of criminal cases by the respective amendments to Act No. 300/2005 Coll. on the Criminal Code. From the viewpoint of implementation of the Convention, the effective Criminal Code currently stipulates facts of criminal cases falling under the wide concept of violence against women and other forms of domestic violence, such as crime against human dignity, criminal offences against family and youth etc. With effect as of 1 September 2011,<sup>4</sup> the facts of criminal cases stipulated by the Criminal Code were extended with the criminal offence of dangerous persecution pursuant to Section 360a of the Criminal Code, mainly concerning “stalking”, i.e. long-term persecution of another person which may raise grounded fear of the persecuted that their life or health or the life or health of their family member(s) might be threatened or their quality of life may be made worse to a substantial extent.

35. Another significant amendment is represented by the latest amendment of the Act on Compensation of Victims of Violent Criminal Acts effective as of 1 July 2013, according to which persons suffering from crime of rape, sexual violence and sexual abuse are also entitled for compensation of their moral damage. The amended act explicitly stipulates that victims of crime of rape, sexual violence and sexual abuse are entitled for compensation for their physical health damage and for compensation for their moral damage (psychic trauma, stress, anxiety, frustration). At present the victims of intentional violent crimes may request for compensation not only pursuant to Act No. 255/1998 Coll. on compensation of victims of violent criminal acts, as amended (also covering health damage suffered in the period from 1 January 1999 to 30 April 2006), but also with reference to Act No. 215/2006 Coll. on compensation of victims of violent criminal acts, as amended (latest amendment by Act No. 146/2013 Coll. with effect as of 1 July 2013), related to all health damage suffered since 1 May 2006.

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<sup>3</sup> However, at present the Centre of Legal Assistance does not provide legal assistance or legal representation in criminal cases and does not have branch offices established abroad. In compliance with the National Action Plan for elimination of violence suffered by women for the period 2014-2019 the Ministry of Justice was commissioned (by section 15) to assure amendment of Act no. 327/2005 Coll. so the Office of the Centre of Legal Assistance will be able to provide, inter alia, legal advisory service and legal representation service to women threatened by violence in the areas covered by criminal law as well.

<sup>4</sup> Act no. 262/2011 Coll., amending Act no. 301/2005 Coll. Criminal Rules of Procedure, as amended.



36. The amended Social Service Act, effective since 1 January 2014, introduced the concept of “gender based violence” as a kind of social crisis, i.e. threat to the life or health of a person or family requiring immediate intervention by social service. At the same time the amendment stipulates the option of provision of social service in emergency accommodation facilities specifically to certain target groups (such as victims of domestic violence, gender based violence or victims of violent crimes). To protect life and health of persons placed in emergency facilities, anonymity and confidentiality is assured. Valid legislation allows for specialised social advisory service in emergency accommodation facilities to specific target groups including women threatened by violence.

37. Act No. 153/2013 Coll. on the National Health Information System, as amended, includes provisions on processing of personal data of victims entitled “National Register of Persons Suspected to Suffer from Neglect, Tyranny, Abuse and Violence”.

38. On 11 May 2011 Slovakia signed the Council of Europe Convention on preventing and combating violence against women and domestic violence. Its ratification is currently under preparation.

39. In the assessed period the Government adopted two National Action Plans for Prevention and Elimination of Violence against Women for the periods 2009–2012 and 2014–2019. The National Action Plan for Prevention and Elimination of Violence against Women for the period 2009–2012 followed the operation objectives of the National Strategy of Prevention and Elimination of Violence against Women and in Families. It was extended with three more areas including education and associated professions, violence against women at workplaces and work with persons committing violent acts. The action plan also reflected the concluding observations of the Committee on the Elimination of Discrimination against Women. Non-governmental organisations (NGOs) performed an important role in the action plan implementation. The National Action Plan for Elimination and Prevention of Violence against Women for the period 2014–2019 was passed by the Government on 18 December 2013. Its aim is to create, implement and coordinate a complex national policy of prevention and elimination of violence against women. The Plan includes particular proposals such as preparation of a legislative act on domestic violence and violence against women, establishment of a coordination and methodology centre as well as support for services, education and awareness raising in this area.

40. The National Action Plan for Prevention and Elimination of Violence against Women for the period 2014–2019 also suggests the necessity to amend the Police Force Act and extend the current 48-hour deadline for expulsion of a violence committing person from shared dwelling to an adequate longer deadline, with the implementation deadline of 31 December 2015, as the current 48-hour deadline in many cases was not sufficient to fulfil its objective, or its essence. The proposal is to create time for the victim to submit to the court a proposal for order of preliminary measure pursuant to the Civil Rules of Procedure when the offender is out of home. By delivery of such a proposal to the court the period of expulsion from the common dwelling is extended until legal force of execution of the court decision about this proposal. From this point of view the institute of expulsion of the person committing violence from the common dwelling with the victim appears to be an instrument of temporary solution of the issue of domestic violence by short-term isolation of the offender from the victim, especially in the initial stage of the case.

41. In compliance with the tasks following from the abovementioned national action plans on prevention and elimination of violence against women the Ministry of Interior of the Slovak Republic (hereinafter “the Ministry of Interior”) through the Office of the criminal police of the Presidium of the Police Force of the Slovak Republic performs quarterly monitoring and evaluation of application of the institute of expulsion from common dwelling on the basis of data submitted by the regional directorates of the Police Force of the Slovak Republic (hereinafter “the Police Force”).

42. The question of violence against women has also been dealt with by advisory bodies of the Slovak Government. The Council of the Slovak Government for Prevention of Criminality (hereinafter “the Council”) established an Expert Group for Elimination of Violence against Women and in Families in 2013 with 15 permanent members including representatives of the Department of Gender Equality and Equal Opportunities of the Ministry of Labour, the Ministry of Interior, the Police Force, the Ministry of Justice, the Ministry of Health of the Slovak Republic (hereinafter “the Ministry of Health”), the Ministry of Education, Science, Research and Sport of the Slovak Republic (hereinafter “the Ministry of Education”), the Central Office for Labour, Social and Family Affairs, self-governing bodies, the academic community and NGOs. The tasks of the expert group include (but are not limited to) the following:

(a) Proposals to the Council for individual and system measures for increased level of prevention and elimination of violence against women and in families;

(b) Monitoring of fulfilment of the strategy and the action plans in the area of prevention and elimination of violence against women and in families and provision of professional background for their implementation where needed;

(c) Assistance in preparation of reports for international monitoring mechanisms in the area of violence against women and in families;

(d) Assistance to the Council in preparation of preventive programmes and projects, their implementation and evaluation of their effectiveness.

43. The Government realises the need for a systematic approach to institutional support to victims of violence against women and domestic violence. Particular measures implemented in this area include the national project funded from the European Social Fund with about € 3 million, mainly focused on support for existing and establishment of new asylum homes (i.e. safe homes for women) and related social services (advisory centres) across Slovakia to assure their availability in every administrative region. These establishments provide complex services to women - victims of domestic violence and their children. The established system of crisis intervention consists of the following network of institutions: A national non-stop free telephone line, a network of specific social services and a network of safe homes for women. Slovakia set up two free helplines for abused women and children. Non-stop line 0800 212 212 was established by the Ministry of Labour for women experiencing violence, their advisors provide emergency aid and all necessary information.

44. In early 2015, a project aimed at the establishment of the Coordination and Methodology Centre for Violence against Women and Domestic Violence for methodological management of prevention and elimination of both forms of violence was commenced. The Centre will employ an expert team responsible for professional coordination and supervision of systematic prevention and intervention for support of the victims and service provision in the area of combating violence against women and domestic violence. The purpose of the Centre will be professional coordination of the individual activities through unified methodological guidelines for provision of services in the area of prevention and elimination of violence against women and children, creation of conditions for multi-institutional cooperation of support professions and a system of their education as well as implementation of research, monitoring and educational activities for the general public. Complementary financing of completion and extension of the assistance system, provision of missing finance for the activities and coverage of other costs such as costs of research, education, campaigns and other soft activities will be assured through the Norwegian Funding Mechanism. The total sum allocated on the national level for addressing the issue of elimination of violence against women for the years 2013–2015 amounts to roughly € 12 million.

45. The theme of violence against women will be addressed by the Centre in its reports on compliance with human rights principles including the principle of equal treatment and rights of the child. At the same time since 2014 a representative of the Centre has been a member of the ad hoc initiative – Violence against Women included in the European Network of Equality Bodies (Equinet).

#### **Article 4**

46. Constitutional Act No. 227/2002 Coll., on State Security in the Periods of War, Hostilities, State of Emergency, and State of Need, as amended (hereinafter “State Security Act”) in its articles 2 to 5 stipulates detailed conditions for declaration of war, hostility, state of emergency and state of need.

47. The State Security Act also stipulates regulatory requirements for compensation for restriction of ownership right, damage caused by armed forces, armed corps, the Fire Rescue service and Medical Rescue service, by fulfilment of professional liability and provision of other works and services required by the Act in the periods of war, hostilities, and state of emergency.

#### **Article 5**

48. No changes have taken place in the area governed by article 5 of the Covenant since submission of the third periodic report.

#### **Article 6**

49. The right to life is protected by the Slovak Constitution. In the sense of article 15 (1) of the Constitution of the Slovak Republic “every man has the right to life”. Pursuant to article 15 (2) of the Constitution “nobody may be deprived of their life”.

50. The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, came into force for Slovakia on 22 September 1999.

51. At present valid legislative rules concerning medical care in relation to abortion are included in more legislative documents, including but not limited to:

- Act No. 73/1986 Coll., on Abortion, as amended;
- Act No. 576/2004 Coll., on Medical Care and Related Services, as amended (hereinafter “Medical Care Act”);
- Decree of the Ministry of Health of the Slovak Socialist Republic No. 74/1986 Coll., executing Act of the Slovak National Council No. 73/1986 Coll., on Abortion;
- Decree of the Ministry of Health No. 417/2009 Coll., laying down detailed information to be provided to woman and reports on the information provision, the template of written information, and the organisation responsible for receiving and evaluating these reports, i.e. detailed information to be provided to woman at the moment of filing her application for abortion, as amended;
- Decree of the Ministry of Health No. 418/2009 Coll., laying down detailed conditions of publication in the list of civic associations, non-profit organisations, foundations, churches and religious societies providing financial, material or psychological support to pregnant women.

## Article 7

### Implementation of the recommendation in paragraph 13 of the concluding observations

#### *Sterilisation of Roma women*

52. The Medical Care Act also lays down issues of legal relationships established in the context of medical care provision. The Act stipulates that healthcare provider need not agree to provide medical care to a patient if the care provision is prevented by personal beliefs of the healthcare provider who is to provide the medical care – this only applies to abortion, sterilisation and assisted reproduction.

53. The healthcare provider is bound by the law to inform the client about the purpose, nature, consequences and risks of the required medical care provision and about the alternatives, proposed procedures and risks of the medical care refusal. This information is to be provided by the healthcare provider comprehensibly, tactfully, without strain, with provision of sufficient time to the client for decision about whether to sign the informed consent or not, and to patients of adequately mature reason and will and health state to take the decision. Medical care provision is therefore conditioned by provision of informed consent by the patient. If despite the healthcare provider’s instruction and recommendations a patient refuses the therapy, they are entitled to do so, with the refusal to be documented in writing. This is in fact “informed rejection”. Everybody is entitled to grant their informed consent and freely recall this consent any time. Informed consent is documented consent with medical care provision preceded by instruction pursuant to this Act.

54. The information liability applies to the person to whom the medical care is to be provided or to any other person the subject of the medical care has appointed or legal representative or guardian in the case of the subject of the medical care being a minor child, a person non-eligible to perform legal acts or with limited eligibility to perform legal acts, and in an appropriate manner also to the person unable to provide informed consent. Informed consent is required, inter alia, in the case of sterilisation. Everybody is entitled to grant their informed consent and freely recall this consent any time.

55. The Medical Care Act lays down detailed rules for sterilisation. Pursuant to Section 40 of the Medical Care Act, sterilisation may only be performed on the basis of written request and written informed consent following after appropriate information of the subject of the sterilisation who is fully eligible to perform legal acts, or their legal representative in the case of persons unable to provide informed consent or on the basis of court decision based on request by the legal representative of the subject.

56. Information preceding informed consent must include information about:

- (a) Alternative methods of contraception and planned conception;
- (b) Potential change of the life situation inspiring the request for sterilisation;
- (c) Medical consequences of sterilisation as the method targeted at irreversible prevention of fertility;
- (d) Possibility of failure of the sterilisation effect. The application for sterilisation of a female must be assessed by a doctor of medicine with specialisation in gynaecology and obstetrics, and the application for sterilisation of a male must be assessed by a doctor of medicine with specialisation in urology. Sterilisation must be performed 30 days after provision of the informed consent at the earliest.

57. The Ministry of Health prepared a generally binding legislative regulation “Decree of the Ministry of Health No. 56/2014”, laying down details to precede informed consent

before performance of sterilisation of a person and templates of the informed consent before sterilisation of a person in the national language and languages of national minorities“, in particular in Bulgarian, in Czech, in Croatian, in Hungarian, in German, in Polish, in Romani, Ruthenian and Ukrainian languages. The Decree came into force on 1 April 2014.

58. General facts of the adverse effects of forced sterilisation are included in the curricula of all students of medicine and nursing in day and extramural courses by which they obtain specialisation for individual healthcare professions (Regulation of the Government No. 296/2010 Coll. on professional competence for performance of healthcare profession, further education of healthcare professionals, system of specialisation subjects and system of certified professional activities, as amended) in the following subjects: Professional ethics, Public healthcare, Community medicine, Social determinants of health, Gynaecology and obstetrics, Healthcare legislation, Nursing, Gynaecological nursing, Midwife, Community nursing, Medical rescue care, Multicultural nursing, Social work etc. The theme is also paid systematic attention in the context of specialisation courses in nursing in the following subjects: Surgery, Intensive care of adults, Intensive care in gynaecology and obstetrics, Midwife and care of woman in family and community, Community nursing, as well as in the context of courses focused on healthcare management entitled Master of Public Health.

### **Implementation of the recommendation in paragraph 12 of the concluding observations**

#### *Corporal punishment of children*

59. The Committee on the Rights of the Child, following consideration on the second periodic report (CRC/C/SVK/2), recommended implementation of the principle of zero tolerance for corporal punishment and other violent or degrading forms of punishment in any environment, including the family environment.

60. The explicit ban of physical punishment was introduced under the conditions of children protection by social law and social custody by the amended act on children protection by social law and social custody with effect as of 1 January 2009. The Act on children protection by social law and social custody includes the authoritative clause on zero tolerance to corporal punishment and other rough or degrading forms of treatment of children (“when executing measures pursuant to this act it is prohibited to apply any form of corporal punishment of the child as well as other rough or degrading forms of the child treatment and punishments that might cause physical or mental damage to the child”). In the sense of this act every individual is liable to notify the authority for children protection by social law and social custody about any observed violation of rights of the child. After notification of the authority for children protection by social law and social custody about use of rough or degrading forms of treatment or punishment of a child or if the authority executing measures pursuant to this act finds that a parent or guardian of a child uses these forms of treatment or punishment then the authority shall be liable to apply the relevant measures pursuant to the act.

61. The child is entitled to ask the authority for children protection by social law and social custody for assistance with protection of its rights or address any other state authority with competence in protection of rights and vested interests of the child, any competent institution, municipal body, higher self-governing body, an accredited entity, school or school establishment, healthcare provider etc. and any of these authorities is liable to provide immediate assistance to the child in protection of its life and health and take measures to secure its rights and vested interests including procurement of such assistance from an external entity. This also applies in cases when the child due to its young age or

mental immaturity cannot ask for help itself and a third party asks for help in its name. In 2010 all departments and institutions of the Ministry of Labour received documentation of the programme of the Council of Europe entitled “Building a Europe for and with children” and also information concerning a related campaign against sexual violence against children and ban of corporal punishment.

62. The Government approved National Strategy for Protection of Children Against Violence by its resolution No. 24/2014 of 15 January 2014. The basic purpose of the National Strategy is to achieve qualitative change in perception and addressing violence against children by systematic integration of individual policies into an effective functioning mechanism for complex and systematic elimination of violence against children. The National Strategy was drafted on the basis of general comment No. 13 (2011) of the Committee on the Rights of the Child and on the basis of the Council of Europe guidelines on integrated national strategies for the protection of children from violence. The National Strategy defines strategic objectives in the area of children protection against violence on the national level for the effect to reflect on the local level.

63. The law amending Act No. 36/2005 Coll. on Family also reflects protection of children against violence by proposing formulation of a definition of the best interest of the child directly in the act as follows:

Article 5: Interest of the minor child is the primary criterion of decisions in all matters concerning it. When specifying and assessing interests of the minor child the following mainly has to be considered:

1. Standards of child care,
2. Safety of the child and the environment in which the child lives,
3. Protection of dignity, mental, physical and emotional development of the child,
4. Threats to the child’s development by interventions into dignity, mental, physical and emotional integrity of a person close to the child,
5. Conditions for protection of the child’s identity and development of its talents,
6. Attitudes of the child and its potential exposure to a loyalty conflict and subsequent feeling guilty,
7. Conditions for establishment and development of relations to both parents, siblings and other persons close to the child,
8. Use of available means for preservation of the family environment for the child where interference with parental rights and liabilities is considered.

64. Another significant change brought about by this law is the proposal of a new integrated mechanism of execution of the authorisation for child care. This includes a proposal of transparent rules for an effective mechanism of protection of the child in cases when it is impossible to verify the level of protection of the child’s life and health and exposure of the child to inhuman or evil treatment by the current law institutes. According to this law the court could allow a body of children protection by social law and social custody to check notifications on threatening of a child’s life or health or exposure of the child to inhuman or ill treatment right in the home of the child (court permit for execution in the matter of care of minors). This may only be allowed after exhausting all other methods of verification of this information in ways other than a visit to the home of the child and the court should issue the order for this visit if the persons living in the same household prevent representatives of the body of children protection by social law and

social custody or policemen from entering the child's home, or not even opening the door of the dwelling where the inspection is to be performed. This process will be quick and effective and the act stipulates a number of different guarantees against potential abuse of this institute by the state. This law is assumed to come into force in January 2016.

65. The National Coordination Centre for Resolving the Issues of Violence against Children established by the Ministry of Labour in cooperation with the specified departments and NGOs and self-governing bodies is the instrument of fulfilment of the strategic objectives of the National Strategy for Protection of Children against Violence. The philosophy of the strategy, its defined wider objectives and particular tasks focus on streamlining of the system of children protection in Slovakia against all forms of violence including corporal punishment. Since its establishment, the National Coordination Centre and its responsibility-sharing collaborating entities have focused on addressing the most serious and at the same time highly latent forms of violence against children (physical and mental violence, sexual abuse), above all in the sense of streamlining of interdisciplinary communication and cooperation and timely identification of cases of violence against children. The National Coordination Centre at the same time realises complexity of the issue of violence against children and potential links between and overlaps of its forms and manifestations.

## **Article 8**

66. The fight against human trafficking as well as assistance to its victims has been one of the long-term priorities of the Ministry of Interior. Slovakia continues to define itself prevalently as a country of origin, or a source country of the victims of human trafficking. With effect as of 1 August 2013 the definition of the crime of human trafficking was extended in the Criminal Code with forced begging, forced marriage and abuse for criminal activity committing.

67. The concept of combating human trafficking is defined in the National Programme of Combating Human Trafficking for 2011–2014 adopted by the Government on 16 February 2011. The purpose of this national programme is to establish complex and effective national strategy for combating human trafficking, supporting development of mutual understanding and coordinated activity of all stakeholders in the framework of elimination of the risk and prevention of trafficking in human beings as well as creation of conditions for support and assistance to the victims of human trafficking and assurance of protection of their human dignity and human rights. The Programme includes the National Strategy as well as the National Action Plan for combating human trafficking for 2011–2014, consisting of particular tasks under four strategic objectives, namely: I–Framework of support, II–Prevention, III–Support for and protection of the victims, and IV–Criminal prosecution. Every task within the National Action Plan includes a section entitled “Funding” for assurance of the financial background for the activities. Fulfilment of the individual tasks of the action plan of combating human trafficking is evaluated on the annual basis.

68. The Ministry of Interior also established an expert group for combating human trafficking as the advisory, initiating and coordinating authority of the national coordinator of combating human trafficking assuring fulfilment of the current tasks of the National Programme of Combating Human Trafficking.

69. The Information Centre of Combating Human Trafficking and Prevention of Criminality fulfils the role of the national reporting authority and administrator of the information system for “Human Trafficking”. The Centre has also implemented several campaigns for prevention of human trafficking, in cooperation with the Police Academy in

Bratislava prepared an informative material containing a Survey of the Issue of Begging and Forced Begging, as one of the forms of human trafficking and implemented an Analysis of the Situation in the Area of Prostitution and Related Demand for Sexual Services.

70. The National help line for victims of human trafficking, 0800 800 818, primarily established for the purpose of provision of preventive information before travelling abroad, as well as for the purpose of establishment of the first contact with potential victims of human trafficking and procurement of relevant assistance, recorded in the period between 1 January 2013 and 31 December 2013 the total 2,305 calls, including 1,715 phone consultations and identification of five victims of human trafficking, three of whom decided to join the Programme of Support for and Protection of Victims of Human Trafficking.

## **Article 9**

71. One of the fundamental principles guaranteed by the Constitution is personal freedom. According to its article 17: “Personal freedom is guaranteed. Nobody may be prosecuted or deprived of personal freedom for reasons and in the manner other than as stipulated by law. Nobody may be deprived of personal freedom for the sole reason of inability to comply with a contractual liability”. Article 17 (2) of the Constitution stipulates the ban to prosecute or deprive of personal freedom for reasons and in the manner other than as stipulated by law.

72. Minimum rights related to arrest of a person are stipulated by the Constitution. The arrested person must be immediately informed about the reason for the arrest. The arrested person must be heard and released or transferred to court in 48 hours. A judge must hear the arrested person in 48 hours from arrest, or in the case of especially serious criminal offence in 72 hours from arrest, and decide about detention or release.

73. The same applies to detention. The accused may only be detained on the basis of justified written court order. The detained person must be transferred to court in 24 hours. A judge must hear the detained person in 48 hours from arrest, or in the case of especially serious criminal offence in 72 hours from arrest, and decide about further detention or release. The Constitution guarantees the fundamental right to personal freedom stipulating that detention may only be applied for reasons and for the period determined by law and on the basis of court decision. The reasons and times of detention are stipulated by the Criminal Code and the Criminal Code of Procedure. Detention as an institute serves for securing availability of the accused for criminal prosecution and may be replaced with guarantee, promise or supervision (Section 80 of the Criminal Code of Procedure) or release on bail (Section 81 of the Criminal Code of Procedure).

74. A person may be deprived of personal freedom not only for the reason of a committed criminal offence but also for the reason of the health state of the person. In the sense of article 17 (6) of the Constitution: “The law stipulates the conditions under which a person may be transferred to institutional care or kept under institutional health supervision without its consent. This provision must be reported to the court in 24 hours and the court must decide about placement of the person under institutional care in five days”.

75. A specific case of placement of a person under institutional care is the procedure applied to persons accused of a criminal offence. According to article 17 (7) of the Constitution “examination of mental state of a person accused of a criminal offence is only allowed on written request of the court”.



76. A person whose personal liberty has been restricted for specified reasons may be placed in a police detention cell, in a detention institute, in prison, in a facility providing protective institutional medical care, in a diagnostic centre or in a youth re-education centre. Conditions of placement of persons and their keeping in the abovementioned establishments are stipulated by special legislation.

77. Prosecutors supervise compliance in institution of personal freedom restriction.

78. In accordance with Section 18 of Act No. 153/2001 Coll. on Prosecution, as amended, the prosecutor assures that individuals are only kept in institutions of detention, prison, institutions of disciplinary punishment of soldiers, protective medical treatment, protective upbringing, institutional therapy or institutional upbringing on the basis of court decision or decision of another competent governmental authority about imprisonment or restriction of personal freedom and that these institutions comply with generally applicable legislative acts and standards.

79. In the context of their control powers the prosecutors perform inspections in these institutions and are liable to immediately release persons kept in these institutions without court decision or in contradiction to court decision or decision of another competent governmental authority and cancel or suspend execution of decisions, orders or measures of the administrative bodies of these institutions or their controlling authorities if they contradict the law or any other applicable regulation. At the same time the prosecutors are liable to assure that complaints and other communications of the individuals kept in the institutions listed under section 1 above are immediately forwarded to the authorities or agents to whom they are addressed. Imprisoned persons can use letterboxes whose content is collected exclusively by the prosecutor in the context of supervision over compliance in the institution.

80. For the purpose of the abovementioned compliance supervision the prosecutor can visit any of the abovementioned institutions at any time and must be provided with free access to all areas of the institution and the documents on the basis of which the detained persons were restricted in their personal freedom, must be allowed to talk to the detained persons without presence of any other persons, check whether the decisions and measures of the staff of the institutions comply with the law and other regulations and request detailed explanations from the staff members including submission of files and decisions concerning personal freedom restriction of the detained subjects. Pursuant to the law the prosecutor is liable to perform periodic monthly inspections in the individual detention centres and prisons.

81. According to Section 60 of the Detention Act inspections of detention execution are performed by the relevant bodies of the National Council, the Minister of Justice and persons authorised by him, and the Managing Director of the Prison and Court Guard and persons authorised by him, as well as other natural persons or legal entities authorised to do so by special legislation or international treaties binding to Slovakia.

82. Supervision over compliance in these institutions is performed by the prosecutor in harmony with Section 18 (6) of the Prosecution Act, in the sense of which the administrative staff of these institutions is liable to execute orders of the prosecutor, allow fulfilment of his liabilities and application of his powers.

83. Personal freedom and the right to settlement of the case without undue delay, i.e. within an adequate deadline, belong to the fundamental rights and liberties the protection of which is also assisted by the ombudsperson.

*Damage compensation in the case of violation of the law by court decision*

84. The issue of liability for damage caused by illegal decision about detention, imprisonment or protective measure is stipulated by Act No. 514/2003 Coll. on liability for damage caused by representatives of state power, as amended. On the basis of this act the state is liable for damage caused by authorities executing state power under the conditions stipulated therein, except for part three of the act, in the context of execution of state power by illegal decision, illegal arrest, illegal detention or other deprivation of personal freedom, illegal decision about punishment, protective measure or detention, or by an incorrect official procedure. The state cannot be exempted from this liability by any means.

85. The right to compensation for damage caused by a decision about a protective measure is only granted to the subject of the fully or partly executed protective measure if the decision about the protective measure was later cancelled as illegal.

86. The right to compensation for damage caused by the decision about detention is only granted to the detained subject if the criminal proceeding against it was suspended, if the subject was later absolved from the accusation or the matter was transferred to another authority.

**Article 10**

87. Since the submission of the third periodic report, a couple of changes have been implemented focused on effective deepening of the reintegration measures and approximation of life in prison as much as possible to the relevant aspects of life in the society. The legislative changes were accomplished by passing of Act No. 370/2013 Coll., amending Act No. 475/2005 Coll. on Imprisonment, as amended, Act No. 371/2013 Coll., amending Act No. 221/2006 Coll., on Detention, as amended, Decree of the Ministry of Justice of No. 500/2013 Coll., amended Decree of the Ministry of Justice No. 368/2008 Coll., laying down Rules of Imprisonment, and Decree of the Ministry of Justice No. 499/2013 Coll., amending Decree of the Ministry of Justice No. 437/2006 Coll., laying down Rules of Detention, as amended by Decree No. 361/2008 Coll.

88. These amendments aimed at further harmonisation of the standards laying down rules of deprivation of personal freedom in Slovakia with international instruments, including but not limited to Recommendation Rec(2006)2 of the Committee of Ministers of the Council of Europe to Member States on the European Prison Rules, or Recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment listed in the report for the Government about the visit to Slovakia between 24 March and 2 April 2009. Another important legislative ground for the law was represented by the conceptual proposals approved by the Government – Concept of Imprisonment in Slovakia for the years 2011 to 2020 (Resolution of the Government No. 248 of 13 April 2011) and the Strategy for the Prevention of Criminality and other Anti-Social Activities in Slovakia for the years 2012–2015 (Resolution of the Government No. 807 of 14 December 2011).

89. Since submission of the third periodic report the existing system of rights and liabilities of prisoners has been extended by:

- Positive form of motivation of the accused – long-term excellent fulfilment of liabilities, active participation in educational, leisure time and sporting activities, due fulfilment of work tasks (if the accused agrees with the job allocated to it) or execution of a model deed may result in disciplinary reward (appraisal, permit for an extra visit, permit for an extra telephone call, permit to receive a parcel up to 5 kg of weight);

- Offer of social advisory service in detainment – if the accused asks for assistance in addressing an unfavourable life situation, the detention centre will provide the accused with social advisory service focused on mitigation of the negative effects of the prison environment and assistance in addressing the unfavourable life situation of the accused and its family;
- A more precise wording of the information of the imprisoned about their rights and liabilities in the prison environment or other facts relevant to their imprisonment – “When admitted” (replacing the wording “After admitting”) for imprisonment the imprisoned must be informed about its rights and liabilities pursuant to the Act, about the length of imprisonment and about the options of early termination of imprisonment. If prevented by the health condition of the imprisoned or other serious reasons the imprisoned shall be informed immediately after cessation of these reasons;
- Extension of the minimum legal right to telephone calls for selected persons from 15 to at least 20 minutes at least twice a calendar month or more pursuant to the system of differentiation of the imprisoned;
- More frequent independent control of placement of the imprisoned in the department with increased security mode (from six to three month frequency).

90. The new amendments significantly extend the system of disciplinary practice with the element of positive motivation and reward – permit of acceptance of a parcel up to 5 kg in weight not after the stipulated time interval but on the basis of active participation of the imprisoned in reintegration programmes and introduction of the institute of conditioned postponement of execution of disciplinary punishment.

91. A significant change was implemented in the exit section where the prisoner is placed before the expected termination of the imprisonment, usually after more than three years in prison, or after a shorter imprisonment if the prisoner needs help in returning to independent life. Treatment of the prisoner placed in the exit section now focuses on:

- (a) Advisory service, training in social skills, of opportunities and intense contact with the social environment before imprisonment if having positively affected the prisoner before;
- (b) Activities in which the prisoner is involved and which provide needed practical information about social life, with special focus on the societal and legal aspects, options of further education and job opportunities and last but not least basic financial literacy;
- (c) Activities focused on stress situations that occur after return from prison.

92. Adolescents and persons non-eligible to perform legal acts are provided with a guardian to represent them and help them in matters related to their detention or imprisonment. The guardian may only be a natural person clearly unbiased in relation to the young prisoner, its attorney or legal representative and:

- (a) Being a university graduate of the master level in social work, psychology or with a diploma from a foreign university documenting acquisition of this education abroad;
- (b) Not following disciplinary power pursuant to Act No. 221/2006 Coll., and Act No. 475/2005 Coll.

## Article 11

93. No changes have taken place in the area governed by article 11 of the Covenant since submission of the third periodic report.

94. Negative definition of deprivation of personal freedom, i.e. who cannot be deprived of personal freedom, is stipulated in article 17 (1) of the Constitution, stating that a person cannot be deprived of personal freedom for the sole reason of inability to comply with a contractual liability.

## Article 12

### Implementation of the recommendation in paragraph 9 of the concluding observations

#### *Asylum*

95. Freedom of stay and movement is guaranteed by the Constitution. Issues of movement and stay of foreigners are currently stipulated by Act No. 404/2011 Coll., on stay of foreigners in the country, as amended (hereinafter “Act on Stay of Foreigners”) taking over binding legislative acts of the European Union. The approach of Slovak law to asylum is mainly defined by Act No. 480/2002 Coll., on Asylum, as amended (hereinafter “Asylum Act”), harmonised with the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees, transposing four European Union Council directives on asylum. In the years 2011 and 2013 these directives were revised, with the first of them<sup>5</sup> transposed to the Asylum Act with effect as of 1 January 2014. The amendment for example extended the group of persons to be granted asylum or additional protection for the purpose of family reunification and extended the additional protection by two years from the original one year. Completion of transposition of the other two directives<sup>6</sup> is assumed by 1 July 2015.

96. In the period from 1 January 2009 to 31 October 2014, 3,275 applications for asylum were filed in Slovakia (including resubmitted applications). In most cases the asylum proceeding was discontinued mainly for the reason that the applicants left the country before the decision about their applications was even taken. In the period in question asylum was granted to 94 applicants and additional protection was granted in 469 cases. Slovak state citizenship was received by 23 asylum seekers.

97. Pursuant to Section 8 of this act the right to compensation of damage caused by a decision about punishment may be exercised by the subject of the fully or partly applied punishment if in the context of further proceeding the decision was annulled as illegal or the accused was absolved from the accusation or the criminal proceeding was suspended for the proceeding revealed facts or evidence not previously known to the court or the case was transferred to another authority; this does not apply if it is proved that timely revealing of the previously unknown fact was fully or partly caused by the person against whom the punishment was applied. The right to damage compensation also applies to a subject in the course of continuing proceeding condemned to a lesser punishment than the one already executed on the basis of the cancelled decision; for the purpose of this act imprisonment with conditioned postponement is not considered lesser punishment than unconditioned imprisonment. The damage compensation only applies to the difference between the

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<sup>5</sup> Directive No. 2011/95/EU of the European Parliament and of the Council of the European Union.

<sup>6</sup> Directive No. 2013/32/EU of the European Parliament and of the Council of the European Union and Directive No. 2013/33/EU of the European Parliament and of the Council of the European Union.

punishment executed pursuant to the original court decision and the punishment ordered by the new revised court decision later. Details on state responsibility for damage caused by incorrect official procedure are stipulated in Section 9 thereof. Incorrect official procedure also includes violation of a liability of an official authority to act or decide within a legislatively stipulated deadline, inactivity of a state authority in state power execution, undue delays in execution of state power, or other illegal interventions in the rights and vested interests of natural persons and legal entities; incorrect official procedures do not include procedure or result of procedure of the National Council in execution of its powers pursuant to Art. 86 (a) and (d) of the Constitution and procedure or result of procedure of the Government in execution of its powers pursuant to Art. 119 (b) of the Constitution. When assessing incorrect official procedure of a court involving violation of the liability to act or decide within a deadline stipulated by law, inactivity in state power execution or undue delays in actions the only basis is settlement of complaints for delays, appeals against decisions about complaints for delays, decisions of disciplinary proceedings in legal force about disciplinary offence of a judge causing delayed court proceeding, decisions of the European Court of Human Rights concerning violations of the right to settlement of case without undue delay or decision of the Constitutional Court about constitutional claims by which the Constitutional Court decided positively about violation of the right to case settlement without undue delay. When assessing incorrect official procedure of a police investigator or authorised member of police, tax office investigator or authorised member involving violation of the liability to act or decide within a deadline stipulated by law, inactivity in state power execution or undue delays in actions the only basis is settlement of applications for review of the procedure adopted by the police investigator, member of police, tax office investigator or staff member by the prosecutor. The right to compensation for damage caused by incorrect official procedure is only granted to the subject suffering damage caused by the incorrect procedure.

98. The Asylum Act provides for temporary refuge for the purpose of protection of foreigners against war conflict, endemic violence, consequences of humanitarian catastrophe, systematic or mass violation of human rights in their country of origin. The beginning, the conditions and the termination of the temporary refuge are specified by the Government in harmony with decision of the Council of the European Union. In the period in question (1 January 2009–31 October 2014) no temporary refuge was provided.

99. On the basis of the amended Asylum Act the applicant for asylum may leave the asylum home on the basis of a pass issued by the Ministry of Interior. Pass for leaving the asylum home for more than 24 hours may be sought with the Ministry of Interior after an interview but the time out of the asylum home must not exceed seven days, the application must state the place where the asylum seeker will reside for that period and the Ministry may only refuse to issue the pass for the reason of public order keeping and for the reason of the necessity of the asylum seeker's personal attendance of the asylum proceeding.

100. The amended Act on Stay of Foreigners, in relation to the transposition of the relevant European Union directive, extended the class of third country residents who can be granted permit for long-term stay after fulfilment of the defined conditions with the persons to whom asylum or additional protection were provided by Slovakia. The new transposed provisions allow long-term stay to persons to whom asylum or additional protection were previously granted, which extends the scope of their rights applicable in all member States. This act also amended the Asylum Act, mainly by change of the deadline for filing the application for extension of additional protection from 30 to 90 days.

101. The amended Act No. 5/2004 Coll. on Employment and on amendment to certain other acts, as amended, substantially approximated the status of persons granted asylum and the status of persons provided additional protection, with the consequence that work permit is no longer required from additional protection beneficiaries. In the sense of the

amendment even foreigners to whom additional protection was granted are considered disadvantaged job seekers with equal position in access to the job market as persons to whom asylum was granted. This amendment came into force on 1 May 2013.

102. Directive 2011/98/EU of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State was another directive transposed to the Act on the stay of foreigners in Slovakia. The transposition resulted in stipulation of a new procedure for permit for stay granting where a single authority takes complex decision on the applications under one roof. This means simplification of the conditions of entry of third-country residents to the Slovak job market through the unified permit for stay - temporary stay for employment purposes, issued on the basis of an officially issued confirmation of the possibility of occupation of a vacancy, or the central office confirmation of the possibility of occupation of a vacancy corresponding to highly qualified occupation. In this case the police is liable to ask the relevant labour, social and family affairs office for issue of a confirmation of the possibility of occupation of a vacancy which is the obligatory condition for issue of the unified permit for stay and work.

103. The Slovak Migration Authority is governed by the Resolution of the Government No. 45 of 29 January 2014 approving the proposed Slovak Integration policy. In this context the Migration Office participates in integration of foreigners with international protection in the majority society as well as in presentation of the Integration policy in the context of international activities. The Migration Office participates in integration projects also involving persons with international protection, asylum seekers and foreigners to whom additional protection was provided. Project field social workers play an important role in search for accommodation, orientation in the real estate environment and provision of databases of rented apartments and other accommodation for this target group.

104. According to the Asylum Act the asylum seekers are provided with free accommodation and food or per diem for the period of stay in the asylum home or integration centre including basic hygienic means and other things necessary for survival. The asylum seekers staying in the asylum home are also provided with pocket money throughout this period. The asylum seekers without public health insurance are paid emergency medical care by the state. The Ministry of Interior assures provision of appropriate medical care to minor asylum seekers who are victims of abuse, neglect, exploitation, torture or cruel, inhuman and degrading treatment or of an armed conflict. For better information of foreigners about the healthcare provision system in information about Slovak healthcare legislation is published in the respective web sites in English translation.

105. Pursuant to Section 3 of Act No. 580/2004 Coll. on Health Insurance and on amendment of Act No. 95/2002 Coll. on insurance system, as amended, compulsory public health insurance also applies to persons to whom asylum was granted in Slovakia, minor foreigners staying in Slovakia without a legal representative or guardian responsible for their upbringing and provided care in the institute in which they were placed by court decision, and foreigners detained in Slovakia.

106. There are no other ways of obtaining public health insurance but those mentioned above, unless stipulated by a European Union regulation prevailing over national legislation or an international treaty to be incorporated in the act.

### **Article 13**

107. The Act on the Stay of Foreigners in Slovakia at the same time also stipulates reasons of administrative expulsion of a third country national for which ban of entry for

one to ten years may be issued, depending on the particular reason for the expulsion. The police will expel a third country national from the country by administrative procedure in the case of illegal crossing the state frontier or intentionally avoiding customs inspection on crossing the frontier or in the case of unauthorised stay in the country.

108. This act at the same time stipulates the reasons on the basis of which the police may expel a third country national from the country by administrative procedure, especially if the third country national represents a serious threat to the country security or public order or public health, has been sentenced for an intentional criminal offence and the sentence has come to legal force, has violated regulations on narcotics and psychotropic substances, has submitted a false or faked document or an identity document of another person to control authorities performing checks of foreigners, has entered into marriage on purpose, has thwarted a decision of a state authority, his visa has been cancelled by the police, has provided false, incomplete or confusing data or submitted false or faked documents or identity documents of another person in a proceeding pursuant to this act.

109. In the sense of the provisions of Section 81 (1) of the Act on the Stay of Foreigners in Slovakia it is not allowed to expel a foreigner by administrative procedure to a state where their life would be in danger for the reason of their race, religion, affiliation to a certain social group or political party or where they would be in danger of torture, cruel, inhuman or degrading treatment or punishment. It is equally prohibited to expel a foreigner by administrative procedure to a country where they had been sentenced to death or where they may be sentenced to death in an ongoing criminal proceeding. Exception is represented by foreigners whose behaviour threatens state security and foreigners sentenced for a serious crime and representing danger for Slovakia.

110. In the case of obstacles to administrative expulsion pursuant to Section 81 (1) of the Act the foreigner may be granted tolerated stay for max. 180 days this may subsequently be extended, even repeatedly. If the foreigner meets the conditions stipulated by the act they can apply for grant of temporary stay permit or even the long-term stay for five years.

## **Article 14**

### **Implementation of the recommendation in paragraph 14 of the concluding observations**

#### *Investigation of police misconduct*

111. The Section of control and inspection of the Ministry of Interior is a professional department directly subordinate to the Minister of Interior. The competent authority for investigation of crimes committed by the police is the office for inspection service of the section of control and inspection of the Ministry of Interior which investigates all criminal offences committed by members of the police regardless the gender, race or ethnic origin of the victims, pursuant to the Criminal Code and the Criminal Rules of Procedure. The section of control and inspection of the Ministry of Interior, on the basis of the respective internal bylaw, compiles quarterly reports on investigation of the submissions by detained, arrested and accused persons who according to their complaints were injured by members of the police. The information is processed on the basis of materials submitted by the individual departments of the inspection service office of the section of control and inspection of the Ministry of Interior.

112. Investigation of potential ill treatment of persons with restricted personal freedom by the police performed by the Section of control and inspection of the Ministry of Interior represent a complementary control mechanism. Investigation of potential ill treatment of persons with restricted personal freedom in Slovakia, including potential ill treatment by

the police, is mainly assured by the prosecutor office and by the ombudsperson, the constitutional authorities, providing the maximum possible guarantee of institutional independence.

113. Prosecutor office is a separate level of state authorities separated from the other instruments of state power. It is an authority protecting rights and vested interests of natural persons and legal entities and the state, liable to take measures in public interest to prevent violations of the law, detect and remedy violations of the law, renew violated rights and draw liability from the violations. The competent prosecutor also examines every decision taken by police investigators and authorised members of the police. Prosecutors supervise compliance in places where persons with court or state authority restricted personal freedom are detained, holding the relevant authorisations for this purpose granted to them by law.

114. Potential ill treatment of persons with restricted personal freedom is also addressed by the ombudsperson, an independent authority protects fundamental human rights and liberties of natural persons and legal entities in proceedings against state power representatives if the conduct of the latter, their decisions or inactivity contradict the law. The section of control and inspection of the Ministry of Interior, in compliance with its internal bylaws, once a year informs the police about selected provisions of the Act on the Police Force, ethical code of members of the police and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

115. A criminal proceeding is currently in progress to settle the case of the police intervention in the Roma settlement at Moldava nad Bodvou of June 2013. The proceeding is supervised by an independent prosecutor office. In January 2014 the Ministry of Interior, in cooperation with the Plenipotentiary for Roma Communities, issued an internal bylaw on the basis of which the commander of any intervention unit of the Police Force involving deployment of a larger number of police members and equipment must assure an audio, video or another recording of the progress of the intervention.

116. The ombudsperson, following examination of the submission concerning a police raid, raised doubt concerning independence of investigation by the inspection service of the Ministry of Interior. In her opinion the inspection did not fulfil the requirements for independent investigation of police raids in the sense of the judicature of the European Court of Human Rights (*Eremiášová and Pechová vs. the Czech Republic* and *Kramer vs. Czech Republic*). In this context, on 8 January 2014 the ombudsperson submitted to the Government of her “Notification of the ombudsperson’s disapproval of the standpoint of the Ministry of Interior and Notification of the ombudsperson’s disapproval of non-adoption of measure”. Slovak Government took note of the material.

117. On 16 August 2013 the ombudsperson submitted to National Council an extraordinary report on facts suggesting serious violation of fundamental human rights and liberties by actions of certain authorities. In her extraordinary report the ombudsperson proposed, inter alia, establishment of an independent institution for independent investigation of police raids. The Parliamentary Committee for Human Rights and National Minorities took note of the report on 27 August 2013.

## **Article 15**

118. No changes have taken place in the area governed by article 15 of the Covenant since submission of the third periodic report.



## Article 16

119. No changes have taken place in the area governed by article 16 of the Covenant since submission of the third periodic report.

## Article 17

120. In the evaluated period legislative changes affected the liabilities of periodic press publishers. The effective Press Act stipulates the liability of protection of the course and content of information. Periodic press publishers and press agencies are liable to keep confidential the sources of information obtained for publication in periodic press or agency reports and the content of the information to protect identity of the source if so requested by the natural person providing the information and also to protect third party rights that might be damaged by revealing certain content of the information.

## Article 18

121. Churches and religious societies perform an important role in Slovak social and cultural life. They are institutions with stable and continuing high level of trust. In the context of the latest census in 2011 affiliation to a church or religious society registered in Slovakia was declared by 75.5% of the country population.

122. Freedom of confession is declared in the Constitution. National law guarantees equal rights to all churches and religious societies regardless their size. The right to confession at the same time respects and guarantees the constitutional liability to provide freedom of thought, conscience and religious confession or belief. The state respects social and legal status of its registered churches as legal entities “sui generis”, with specific approach to them and working with them on the basis of principles of partnership and cooperation. Fundamental issues of the relationship between the state and the church are stipulated by Act No. 308/1991 Coll., on religious freedom and status of churches and religious societies, as amended (“Religious Freedom Act”). In addition to provision of guarantees of observance of the freedom of conscience and religious belief, definition of the status of churches and declaration of their equality the act also stipulates certain conditions of church registration.

123. As of 1 December 2014 there were 18 registered churches and religious societies active in Slovakia. The churches can be divided into 6 historic churches (Roman Catholic, Greek Catholic, Evangelic, Reformed Christian, Eastern Christian and Central Union of Jewish Religious Communities) to which up to 98.6% of members of all churches existing in Slovakia are affiliated. Hence 1.4% of the believers are affiliated to the remaining 12 active churches in the country.

124. Churches and religious societies are equal according to the law. In 2000 the Basic Agreement between Slovakia and the Holy See and in 2002 the contracts between Slovakia and 11 registered churches stipulating status of these registered churches including small churches were executed. Subsequently the Parliament passed contractual documents of church activities in education and in armed forces. These documents provide equal opportunities to minority churches and represent real implementation of the commitment of Slovakia to preserve rights of small churches with low numbers of affiliate believers.

125. Fundamental human rights and liberties are equally secured for members of registered as well as unregistered churches and religious societies in the country. The state does not interfere with these constitutionally guarantee liberties. Obtaining the registered status means in the Slovak confession law access to a wide range of guaranteed rights. The

rights and options following from the status of registered church are quite generous in their concept in comparison to the neighbouring countries and provide options that may be considered super-standard.

## **Article 19**

126. The issue of public broadcasting is covered by Act No. 532/2010 Coll. on Slovak Radio and Television, as amended, in force since 1 January 2011. The most significant change in the evaluated period was integration of the Slovak Television and the Slovak Radio into a single new legal entity – Radio and Television of Slovakia. Its objective was improvement of status, independence, objectivity, truthfulness, transparency and effective use of public funds and establishment of the maximum possible public trust in these media.

127. The National Educational Centre is a national cultural establishment, the supreme state institution in the area of education and awareness, and a scientific and educational institution in the area of culture. Its activities focus on theory and concepts, advisory and education service, information and documentation, research and analysis, publication, presentations and organisation. The Centre assists spiritual development of the population and life non-professional culture which is part of the intangible cultural heritage of Slovakia. The Centre also performs a significant role in the area of development, protection and support of human rights and dissemination of information in the cultural field by means of the bulletin entitled Social Prevention, focused on long-term publication of articles and studies in the area of human rights, prevention of discrimination and all forms of violence (themes: human trafficking, prevention of extremism, religious extremism, violence against women and threat of violence from media, internet).

128. In June 2008 the President of the Slovak Syndicate of Journalists addressed in writing the ombudsperson with the requirement of acquaintance with the legal argumentation of the syndicate about the contradiction between the Press Act and the Constitution and the Convention. The ombudsperson did not submit a proposal to the Constitutional Court to start a proceeding concerning the matter of compliance. In September 2008, a group of deputies of the National Council propose review of compliance of Section 4 (1) – (4) of the Press Act with Art. 13 (4) sentence one of the Constitution in connection with Art. 26 (4) of the Constitution and Art. 10 (2) of the Convention as well as compliance of Section 7 (1), Section 8 (1) sentence two of the part after the semicolon and Section 10 (4) of the Press Act with Art. 26 (4) of the Constitution and Art. 10 (2) of the Convention. The Constitutional Court suspended the proceeding and rejected the remaining part of the proposal, thus confirming compliance of the contested provisions of the press act with the Convention and the Constitution (Find of the Constitutional Court ref. PL. ÚS 12/09 of 11 July 2012).

## **Article 20**

### **Implementation of the recommendation in paragraph 8 of the concluding observations**

#### *Racially motivated attacks*

129. By Resolution of the Government No. 158 of 2 March 2011 the Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance (hereinafter “the Committee”) was established as one of the committees of the Council for Human Rights. At present the Committee is the only advisory body of the Government specifically focused on prevention and elimination of racism, xenophobia, anti-Semitism and other forms of intolerance. Establishment of this supra-ministerial

advisory body with representatives of relevant line ministries, independent institutions, experts as well as the civic society was inspired by the requirement of a coordinated and conceptual approach to racism, xenophobia, and extremism and their effective prevention and elimination combining activities of different subjects.

130. The main ambition of the Committee is to serve as a platform for coordination of activities, definition of priorities and orientations in the course of formulation of public policies focused on prevention and elimination of racism, extremism and xenophobia. At the same time this Committee is an appropriate instrument of exchange of information between representatives of public administration, self-governing bodies and the civic society helping to address the issues within the powers and competence of the Committee. In addition to this function the Committee or its working groups may initiate measures and activities in the form of preparation of analyses, studies and initiative materials and can contribute to preparation of educational programmes in the area of its responsibility, preparation and implementation of publications and training courses for the staff of the stakeholders in combating racism, xenophobia and extremism.

131. Council of the Government for the Prevention of Criminality is an advisory, initiative, coordinating and professional body of the Government in the area of prevention of criminality and other anti-social activities that forms expert groups of selected specialists, mainly in addressing particular issues of prevention, preparation of materials and fulfilment of tasks related to cooperation of Slovakia with other countries.

132. Slovakia pays extensive attention to combating racially-motivated violence. This issue is addressed in the context of combating extremism. Criminality of extremists and extremist groups generally means crimes and other anti-social activities with extremist element including criminal offences and offences motivated by racial and national intolerance or committed by adherents to the extremist groups regardless the final classification of the individual cases from the viewpoint of criminal law. The basic document for combating extremism is the Concept of Combating Extremism for the Years 2011–2014, passed on 8 June 2011 by Resolution of the Government No. 379/2011. The Government prepares Concept of Combating Extremism for the Years 2015–2019.

133. The Police Force intensified its activities in prevention of violence against the Roma communities, Jews and migrants coming from countries outside the European Union, which was manifested, inter alia, in systematic monitoring of public gatherings summoned by “nationalists”. For every gathering a police coordination body was summoned including representatives of the city council instructed about the legislative conditions under which the public gathering may be terminated.

134. All extremist and racially-motivated criminal offences were duly documented and investigated. For the purpose of systematic documentation and investigation instructive methodological courses are held every year for the members of the police of where they are retrained in new trends in committing these criminal activities in question as well as in their investigations and in compliance with human rights principles in this context. This professional training and its part focused on compliance with human rights principles is provided by the staff of the Centre with annual periodicity. Intense cooperation exists between the Office of the Plenipotentiary for Roma Communities (hereinafter “the Office”) and the Ministry of Interior and its departments.

135. Equally successful is the continued project of police specialists for work with Roma communities focused on improvement of cooperation of the police with the Roma communities contributing to building of trust and space for communication between the Roma communities and the police. The project of police specialists for work with Roma communities is a continuation of the already ongoing successful projects focused on field social work, achieving positive changes in the selected Roma communities along the line of

fulfilment of the tasks of the police. By establishment of routine operation of the Project of Police Specialists for Work with Roma Communities the order-keeping section of the Police Force took a significant step forwards in improvement of public service, the project itself showing a new direction in the activities of the police focused on communication with people, finding out about their problems and provision of adequate help. In 2012 an additional course was provided to the police staff focused on service in Roma community adapted to the current needs for standard service of specialist police referents. The specialist referents received a certificate of attendance after completing the course. The course also focuses on protection of fundamental rights and liberties of members of the marginalised Roma communities (hereinafter "MRC") in service of the police in the area of MRC settlements and execution of preventive measures against criminal acts against members of MRC, especially in the areas of racism, discrimination and extremism.

136. Activities of the police specialists mainly include preparation of proposals for decisions in the matters of coordination and orientation of activities of the police in relation to the Roma community, in the area of cooperation with field social workers and community centres providing support to MRC, in the area of cooperation with local state administration and self-governing bodies, in the places of dislocated settlements MRC, in the area of cooperation with MRC representatives on the local level, in the area of cooperation in selection of suitable candidates from among the Roma national minority for recruitment to the police. In the practical everyday activity these specialist policemen help members of MRC solve their personal problems, supporting them in obtaining identity cards and other documents, and performing various voluntary activities for the purpose of improvement of the status of the MRC members. There are currently 233 specialist referents active in the localities where Roma communities live to work with them.

137. Educational programmes of secondary technical schools for the Police Force include the following themes within more different subjects: Human rights and liberties, extremism, interventions in extremist environment and domestic violence, prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other manifestations of intolerance, activities of criminal police in the field of extremism and race-motivated, nationality-motivated crimes or other expressions of intolerance, with lecturers from among specialised units of the Police Force.

138. Since 2013 an educational course for regional police managers has been accredited to train specialists in crimes motivated by extremism or racial intolerance. These police managers will subsequently train lower police ranks in extremism, racism, intolerance, xenophobia, anti-Semitism, aggressive nationalism and human rights. The first course was held in April 2014 and will be repeated on the annual basis.

139. The Ministry of Interior offers another accredited course for further education of police for service in the Roma community, with the aim to introduce the characteristics of the Roma community, specifics of criminal offences committed by and against the Roma community members, tactics of police intervention in the community and specifics of service in the Roma community with an emphasis on respecting fundamental human rights and liberties.

140. The agenda of racially motivated violence and compensation of the victim is also dealt with by the Office if the affected victims address this institution with a request for help. In such case the Office forwards these requests to the Slovak General Prosecutor or the section of control and inspection of the Ministry of Interior where the plenipotentiary for Roma communities obtains detailed information about cases of race-motivated violence. At the same time the plenipotentiary provides relevant assistance to these victims within the scope of his powers.

141. The Centre is also engaged in the combat against race-motivated violence. The Centre organises educational events also for members of police, border police and foreigner police. At the turn of 2012 and 2013 the Centre organised an educational course for the department of extremism and audience violence of the office of the criminal police of the Presidium of the Police Force at Trnava and Košice. The trainees were instructed in human rights protection. The Centre cooperates with the department for extremism and audience violence of the office of the criminal police of the Police Force Presidium. In the context of this cooperation the Centre provides professional standpoints to extremist cases on request.

142. The Centre further assists in the activities of the Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance. In harmony with the Concept of combating extremism for the years 2011–2014 the Centre prepares a report for the Ministry of Interior on monitoring of media with special focus on manifestations of racism, xenophobia and anti-Semitism.

143. The Centre issues an annual report on compliance with human rights principles including the principle of equal treatment and rights of the child in Slovakia. The report for 2013 also includes the theme of the police intervention in the Roma settlement at Moldava nad Bodvou. The Centre monitored the police intervention at Moldava nad Bodvou.

## **Article 21**

144. No changes have taken place in the area governed by article 21 of the Covenant since submission of the third periodic report.

## **Article 22**

145. Conditions of establishment of a political party and a political movement, the register of political parties, Proceedings for change of data entered in the register of parties, conditions of wind up of a political party, rights and liabilities of political parties, economy and financing of political parties and sanctions for non-fulfilment of liabilities are stipulated by Act No. 85/2005 Coll., on political parties and political movements, as amended (hereinafter “Party Act”).

146. The Ministry of Interior performs the role of administrator and material guarantor of the register of political parties and political movements where data required by law are entered on the party establishment, changes of the recorded data, information about changes of articles of association and party wind up. Data entered in the register are available to the public and the Ministry publishes them on its web site.

147. The act was amended by the provision on the basis of which the preparatory committee may notify the Ministry about commenced collection of signatures in a list of citizens with the proposed name of the party and the abbreviation to be used as reference to the party. The notification shall be published by the Ministry on its website without delay for the period of 180 days, in the course of which the Ministry shall not accept any other notification of another preparatory committee about the name or abbreviation of a party identical with the party name and abbreviation published in the displayed notification, shall not register any other party with the same name or abbreviation and shall not change the name or abbreviation of an already registered party not different from the name or abbreviation published in the notification. These limitations shall cease to apply if the preparatory committee fails to submit to the Ministry a proposal for registration of the party within the required deadline.

148. The amended Act on political parties also allows establishment of a political party by nationals of other European Union countries with permanent residence in Slovakia who can also become members of an existing political party in Slovakia. It also makes the rules and control of political party financing more stringent.

### **Article 23**

149. The Ministry of Interior placing a foreigner in an asylum establishment considers their age, health condition, family relations and religious, ethnic or national specifics. Males and females are placed separately as well as minors and adults, with consideration of family relations. Relocation of foreigners from one asylum home to another is performed only exceptionally when absolutely necessary.

150. The fact that the conditions provided by asylum homes for complex care of minors without accompaniment has recently generated numerous changes resulting in transfer of most competencies concerning minors without accompaniment onto the Ministry of Labour. Until now the minors without accompaniment have been placed in asylum homes of the Ministry of Interior. After asylum or additional protection status is granted the minors are moved to establishment of social and legal protection and social custody.

151. The amended Asylum Act, currently in the legislative process, proposes fundamental changes in this process, though. One of the main changes addressed by the draft amendment, is placement of minors without accompaniment. With effect as of 1 July 2015 minors without accompaniment should be placed in the establishments of social and legal protection of children even in the course of the asylum proceeding, which means elimination of their moves to the asylum homes of the Ministry of Interior. Thus the new amendment will better meet the needs of the minor children. At the same time the amendment will fully comply with the relevant European directive. In the interest of the best possible care of young adults the minors without accompaniment reaching the adult age in the course of the asylum proceeding are allowed to stay in the establishment of social protection of children and social custody even after becoming adults.

### **Article 24**

152. In the context of complex assistance to asylum seekers and integration of the persons granted asylum or additional protection to the society subsidies from the European Refugee Fund have been used until recently. In the period 2011–2012 the subsidised integration projects were implemented by the Slovak Humanitarian Council for Western and Central Slovakia and by the civic association ETP — Slovakia — Centre for Sustainable Development — for Eastern Slovakia. In 2013 an integration project ASAP IV was implemented in Western Slovakia, again by a NGO entitled Slovak Humanitarian Council, and a project of the civic association Marginal entitled STEP was implemented in Central and Eastern Slovakia. In 2014 further changes were introduced. In the area of Western Slovakia services for persons with international protection are provided in the context of the RAFAEL project, implemented by the Slovak Catholic Charity, and in the Central and Eastern Slovakia the Marginal civic association continues with the STEP 2 project. However, in near future the situation concerning care of minors without accompaniment will be changed considerably by the asylum act amendment.

153. Current projects of the European Refugee Fund in asylum homes focus on legal advisory service, education, social assistance and protection especially of the vulnerable groups of asylum seekers. In 2014 the projects included “Rovné municipality – assistance

to asylum seekers II” in ZT Humenné and PT Opatovská Nová Ves and “Better quality of life for everybody VI” in PT Rohovce implemented by the Slovak Humanitarian Council.

## Article 25

154. In May 2014 Act No. 180/2014 on conditions of exercise of voting right applicable to all elections held in Slovakia (Election code) was passed. The act unifies the current set of six separate acts<sup>7</sup> addressing the issues of elections and referenda into a single legislative act.

## Article 26

155. An important instrument of support for integration of foreigners is the subsidy system of the Ministry of Culture entitled Culture for Disadvantaged Population Groups. Its basic aim is assistance to integration of the disadvantaged population groups into the society in the area of culture, creation of equal opportunities and thus better conditions for dignity of marginalised groups of people. In the context of the support for integration of foreigners and support for intercultural dialogue 11 projects were supported with the total sum of €45,200 in the years 2010–2014 from the subsidy programme Culture for Disadvantaged Population Groups.

156. The Ministry of Culture as the central body of state administration in the area of the national language supervises compliance with Act No. 270/1995 Coll., on the Official Language, as amended, at the same time providing professional and methodological assistance to bodies of public administration as well as organisational units of security and rescue corps in execution of this act. In the context of this activity the Ministry of Culture detected violation of the right of the country population to information in the official language of the country, which discriminated the Slovak-speaking population and as a consequence of non-provision of information in Slovak also exposed the population of Slovakia to risks for their life, health and safety and for their property. Most of these cases concerned the ethnically mixed territories of Slovakia, with Slovak and Hungarian population, where the respective information was published only in the minority Hungarian language. The Ministry of Culture addressed these violations and in most cases remedy was only achieved after the intervention of the Ministry. In this context the Ministry of Culture received 57 submissions filed by citizens in the period 2013 and 2014.

## Implementation of the recommendation in paragraph 9 of the concluding observations

### *Asylum and the integration of foreigners*

157. Education of children of foreigners in regional schools is covered by the Education Act (§ 146) with effect as of 1 September 2008.

158. Children of foreigners with permitted stay in Slovakia, children of asylum seekers and Slovaks living abroad are provided with education, accommodation and catering at schools pursuant to the Education Act under the same conditions as the citizens of

<sup>7</sup> Act No. 346/1990 Coll. on elections to self-governing municipal bodies, as amended, Act No. 564/1992 Coll., on referendum, as amended, Act No. 46/1999 Coll., on election of President of Slovak Republic, public vote and recall, as amended, Act No. 303/2001 Coll., on elections to self-governing regional bodies, as amended, Act No. 331/2003 Coll., on election to the European Parliament, as amended, and Act No. 333/2004 Coll., on elections to the National Council of Slovak Republic, as amended.

Slovakia. Basic and extended courses of Slovak language are provided to children of foreigners for elimination of the language barrier.

159. The exchange programme (§ 147 and § 148) is implemented between the secondary schools of Slovakia and other European Union member States or third countries (hereinafter “third country”) which are not members of European Union. The exchange programme is usually implemented between secondary schools with the same subject of study or apprenticeship. A student — citizen of Slovakia, another European Union member State or a third country — is entitled to attend part of the accredited educational programme abroad in the context of the exchange programme organised by their school. The exchange programmes are implemented on the basis of rules formulated by every school according to its educational programme.

### **Implementation of the recommendation in paragraph 16 of the concluding observations**

#### *Support for Roma integration*

160. Improvement of conditions of Roma has been a long-term priority of the Government. On 11 January 2012 the Government by Resolution No. 1 approved the Strategy for Integration of the Roma community by 2020, at the same time defining the revised National Action Plan Decades of Inclusion of Roma 2005–2015, updated for 2011–2015 as the action plan of the Strategy for integration of the Roma by 2020 for the areas of education, employment, healthcare and housing. The adopted material also included definitions of other policies in the areas of financial inclusion, non-discrimination and approach to the majority society – Initiative of Roma integration by means of communication. Slovakia currently prepares the final versions of the plans for the three last mentioned areas. The strategy includes building principles as well as implementation principles in compliance with the recommendations of the Action Plan of the OSCE for improvement of conditions of Roma and Sinti. The strategy itself is based on principles of complex solution, destigmatisation, desegregation, deghettoisation, as well as complexity, conceptuality, systematic approach and continuous sustainability, respect for regional and sub-ethnic characteristics, gender equality. Despite the fact that Slovakia prepares a separate action plan for the policy of non-discrimination, the anti-discrimination instruments as well as the temporary balancing measures in the individual areas of education, healthcare, employment and housing were included in the action plans for the strategy in the individual thematic areas.

161. One of the global objectives of the Strategy for integration of Roma population by 2020 is a focus on elimination of multiple discrimination of women and reduction of gender inequalities in private and public life of the marginalised Roma communities and support for economic independence of Roma women through instruction about gender equality in cooperation with NGOs dealing with gender equality. The strategy includes multiple objectives for improvement of gender equality in all areas of its application. The strategy defines temporary balancing measures especially in the areas of recommendations — healthcare, education, employment and housing — as well as measures for increase of participation of Roma males as well as females in public political life.

162. One of the instruments of protection and prevention in the area of healthcare increasing awareness and improving access to healthcare services is the project entitled “Healthy Communities”, implemented in the latter half of 2013, on the basis of subsidies provided in cooperation of the Plenipotentiary for Roma Communities and the Ministry of Interior, to the implementing NGO – Platform for Support of Health of the Disadvantaged Groups. The primary target group is represented by the marginalised Roma communities in Slovakia. The purpose of the project is, inter alia, improvement of communication between



the community and healthcare providers, trust in the healthcare system, elimination of barriers preventing access to healthcare, improvement of the hygienic standards, increase of the total number of preventive medical examinations, increased number of women attending pregnancy centres and increased participation in the compulsory vaccination of children.

163. In 2014 € 750,000.00 were allocated to the project continuation in Q1 and Q2 of 2014. In 2014 the project was extended on the basis of the provided allocations into another 36 localities and the number of healthcare education providers was increased by 36 assistants and 4 coordinators. In the context of the project there are currently 160 field healthcare assistants covering more than 100 thousand members of the marginalised communities selected on the basis of data processing results in the Atlas of Roma Communities 2013.

164. The Government supports increased participation of members of Roma communities in public life, namely on the level of local self-governing bodies. The Office, especially in elections to local self-governing bodies, obtained from candidates identifying themselves as members of Roma national minority, information about programmes they would like to assert and implement in the case of their success in the election to improve the status of the marginalised Roma communities living in the electoral district of the respective self-governing body. In the case of success of the candidates — obtaining the mandate — the office provided support to these persons in the form of consultations, recommendations or advice. Support for education of mayors of Roma origin in the form of special educational programmes — courses — is also provided by certain universities. In the parliamentary election in March 2012 the first deputy of Roma origin was elected to the National Council, Peter Pollák, who in October 2012, as opposition deputy, also took over the function of the Plenipotentiary for Roma Communities.

165. In 2013 a miscellany was issued under the title Theoretical and Practical Questions of Participation of Roma citizens on the Local Level in the context of the project entitled “Tolerance in Each of Us”. The project was implemented with financial support of the Office of Slovak Government from the subsidy programme Support and Protection of Human Rights and Liberties. The publication was issued jointly by the Slovak Society for Foreign Policy, Prešov University, the Institute of Ethnology of the Slovak Academy of Sciences in Bratislava, the National Democratic Institute and the Office of the Slovak Government. The project also included an international conference aimed at formulation of recommendations for the Government in the area of further implementation of the policy in this area. In 2014 the Office issued a brochure for mayors of municipalities in their first term in their office and provided training to them in November 2014.

166. The fight against stereotypes and support for tolerance in relation to the Roma community has been one of the priorities of the Action Plan for the Strategy of Integration of the Roma Community by 2020 in the case of access to the majority society - Initiative of Roma Integration by Communication, currently under the approval process. The purpose of the action plan is mitigation of prejudices and stereotypes towards Roma (from the viewpoints of the majority society), as well as towards the majority society (from the viewpoint of the Roma community), de-ethnicisation of the public discussion and opening the theme of shared values. One of the particular measures is adoption of a communication strategy. The action plan further aims at improvement of correct depiction of the Roma communities, individuals and the wider context of their marginalisation in the media; improvement of responsible information on the part of the state administrative authorities, education in the area of media and education of journalists with an emphasis on public media, support for development of correct media content, presentations of public policies and their action plans. The action plan also focuses on continuous education of professional groups with the aim of complex development of competence.

167. The Office supports projects focused on awareness-raising of Roma culture, history, language and its standardisation, projects focused on motivation of the Roma community for presentations of their traditions, customs and cultural values. In the context of the subsidy scheme the office has supported multiple projects focused on positive depiction of members of Roma communities as well as increase of awareness of members of the Roma national minority. Regular activities of the office include events on the occasions of International Roma Day and Roma Holocaust Remembrance Day. On International Roma Day public media broadcast programmes on positive examples of Roma integration, with the interviews focused on the way of life, traditions and Roma culture. Activities are also organised on International Romani Language Day.

168. The Office initiated compilation of a list of examples of best practices of cities and municipalities which, thanks to active cooperation of mayors with the Office, NGOs and churches, successfully improved living conditions of members of the Roma communities, thus eliminating social tension between the majority population and the population of the marginalised Roma communities. At the same time there is a proposed and implemented list of Roma personalities active in the areas of research and culture. The Office provides this information to mass media with the aim to increase positive awareness of the Roma population. A new instrument of communication strategy, awareness and dialogue of the governmental strategy in the area of Roma integration is since 2014 the magazine entitled *Romane nevipena – Roma paper*, issued by the Office. The purpose of the periodical is increase of awareness of members of the marginalised Roma communities, state administrative authorities, self-governing bodies, NGOs, support professions (such as teaching assistants, field social workers, community workers, healthcare education assistants, specialist referents etc.) and both general and professional public on the current processes and problems of Roma integration, including but not limited to major projects focused on improvement of the conditions of Roma community life in Slovakia. At the same time the periodical supports the process of national self-awareness of the Roma community, culture of the Romani language and the process of positive perception of the Roma community by the majority society.

### **Implementation of the recommendation in paragraph 17 of the concluding observations**

#### *Segregation of Roma children in education*

169. This task is stipulated by Act No. 245/2008 Coll. on education and upbringing, as amended (Education Act), Decree of the Ministry of Education No. 325/2008 Coll. on School Institutes of Educational Consultancy and Prevention. At the same time this Ministry prepared the informative material entitled “Conditions for the upbringing and education of children and students from socially disadvantaged environments in the Slovak Republic”. The purpose of this material is presentation and information about the matter from the viewpoint of legislation, content and controlling. The material is available in English at [www.minedu.sk/data/files/213\\_06\\_podmienky\\_vvv-szp\\_march\\_2012.pdf](http://www.minedu.sk/data/files/213_06_podmienky_vvv-szp_march_2012.pdf).

170. Slovakia clearly rejected segregation inter alia, by regulation of the Ministry of Education – Pedagogical and Organisational Guidelines for the relevant school year beginning from 2012/2013 in its part 1.6.4. National minorities, socially disadvantaged environments, foreigners, discrimination. For example in the school year 2014/2015 section 2: Ban of all forms of discrimination and segregation should be systematically applied in all schools and school establishments. Undesirable phenomena should be eliminated, such as spatial, organisational, physical or symbolic exclusion of Roma pupils for their ethnic affiliation (often in combination with social disadvantaging) with the result of their separation from the other pupils. Problems of children and pupils coming from marginalised groups complicating the process of their admission to ordinary schools,

standard classes and the subsequent educational process should be addressed. Good conditions of their education in schools and classes together with the majority population should be created. It is not recommended to establish separate classes for children and pupils from the socially disadvantaged environments except for the zero grade.

171. On 20 January 2012 a work meeting was held between the Ministry of Education and representatives of the State School inspection where inspection activities focused on inclusion of pupils into special classes of elementary school and special elementary schools as a solution related to segregation of Roma children and pupils in nurseries, elementary and special elementary schools were discussed.

172. The United Nations Educational, Scientific and Cultural Organization (UNESCO) requested from Slovakia information about implementation of the Convention against Discrimination in Education for the period 2006–2011. Slovakia provided this information.

173. The decision of the District Court in Prešov in 2011 concerning the elementary school at Šarišské Michalany<sup>8</sup> was a signal for the Ministry of Education that schools needed more help. In 2012 the Ministry announced a call for a development project – Support for creation of a positive social climate and motivation in multicultural classes of elementary schools. The total number of subsidised projects was 23 and the sum of the subsidies amounted to € 60,500. The support includes cooperation with NGOs working in this area whose partnership in the project was a compulsory condition for inclusion in the programme.

174. In 2013 the Ministry repeated the call for the development project of “Support or Education and Upbringing of Pupils from Socially Disadvantaged Environment at Elementary Schools 2013”. The commission for selection, evaluation and subsidy of the projects in the context of the call for “Support of Education and Upbringing of Pupils from Socially Disadvantaged Environment at Elementary Schools 2013” selected 16 projects and distributed among them the total sum of € 52,437. In 2014 the Ministry again repeated the call for the development project of “Support or Education and Upbringing of Pupils from Socially Disadvantaged Environment at Elementary Schools 2014”. The commission for selection, evaluation and subsidy of the projects in the context of the call for “Support of Education and Upbringing of Pupils from Socially Disadvantaged Environment at Elementary Schools 2014” selected 21 projects and distributed among them the total sum of € 50,000.

175. Another significant fact in this area is implementation of national projects focused on “Education of Teachers for Inclusion of Marginalised Roma Communities” from the ESF for the Operation Programme Education whose implementation started on 1 October 2011. The project has been implemented by the Centre for Methodology of Teaching. The project will be completed on 30 June 2015. The project will be implemented at 200 elementary school offering 400 positions of teaching assistants. The project includes an inclusive school model with the all-day upbringing system including educational programme for work with pupils from socially disadvantaged environment. The teachers from all involved schools are and will be educated in the area of specifics of work with pupils from socially disadvantaged environment.

176. Another national project of MPC – “Inclusive model of education at pre-primary level of the education system (MRC2)”. The project has been implemented since February 2013 and will be completed in November 2015. The project will be implemented at

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<sup>8</sup> In October 2012 the Regional Court in Prešov finally confirmed the verdict of the first instance court in the matter of segregation of the Roma pupils in the Elementary School and Nursery at Šarišské Michalany.

110 nurseries offering 110 positions of teaching assistants. The whole subsidy is directed towards nurseries attended by children from marginalised Roma communities. The individual project activities are focused on:

- Teachers at these nurseries. The project assumes offer of its activities to 500 nursery teachers including 110 assistant teachers;
- Professional staff: 50 professionals in educational consultancy;
- Children from MRC: 2,000 children from MRC from socially disadvantaged environment at the age of 3–7 years, attending the nurseries enrolled in the project in the course of the project implementation;
- Parents of the children: 500 parents of children from MRC attending the nurseries enrolled in the project in the course of the project implementation;
- Employees of state administrative and self-governing bodies working with MRC: about 200 employees.

177. The national project “PRINED – Project of INclusive EDucation” is being implemented at 50 nurseries and 100 elementary schools. The national project supports all-day upbringing system focused on reduction of the number of children needing placement in special schools/classes, improvement of quality of the educational process, improvement of quality of work of the teachers by creation of positions for experts such as special school teacher, social pedagogical expert, school psychologist, therapeutic teacher and assistant teacher. The purpose of the project is strong support for inclusive environment at nurseries and elementary schools for prevention of unjustified placement of pupils in the special school system. Acceleration programmes in the context of the project will improve quality of the diagnostic process at nurseries. Inclusive teams are being established at elementary schools for learning professional competences for development of specific educational needs of pupils coming from MRC.

178. The PRINED project follows the ongoing projects of the Centre for Teaching Methodology entitled “Education of Teachers for Inclusion of Marginalised Roma Communities” and “Inclusive Model of Education at Pre-Primary Level of the School System”. The inclusive model of education is designed to assist better preparation of children from marginalised Roma communities for support of their social inclusion. The substantial assets of the project include establishment of inclusive teams consisting of teachers and experts (psychologist, special teacher, therapeutic teacher, or social teacher) who will work not only at schools but also in the field. The project significantly contributes to addressing the issue of employment by creating 250 new job opportunities for positions of assistant teacher, of which 200 employees will work at elementary schools and another 50 at nurseries. The national project is implemented in all self-governed regions of Slovakia except for the Bratislava region. The hierarchy of the regional with regard to the number of the enrolled schools is as follows: Prešov region (31 elementary schools and 11 nurseries), Košice region (26 elementary schools and 17 nurseries) and Banská Bystrica region (23 elementary schools and 14 nurseries).

179. Education of Roma children has been addressed for several decades and the expected results only come very slowly. In the past there were several conceptual and legislative solutions in the process of preparation which aimed at helping improve the situation, a lot of good ideas were successfully implemented, such as free pre-primary education since 5 years of the child age, the zero grade at elementary school, specialised classes at elementary school – a compensatory and development programme, teaching assistant, contribution per pupil from socially disadvantaged environment; subsidies for catering and school aids; allowance in material need to assure basic living conditions for the child in the process of compulsory elementary education etc.

180. Further measure for prevention of inclusion of Roma children into special schools was issued by the Ministry of Education in 2013 in the form of a ministerial regulation entitled Procedure of Centres of Educational and Psychological Advisory Service and Prevention in assessment of learning abilities of children from socially disadvantaged environment and their enrolment in elementary school.

181. The Government intensely addresses the issue of equal access to compulsory education in municipalities with high concentrations of children from marginalised Roma communities. The Government intervenes in reduction of their numbers in special elementary schools/special classes of elementary schools by creation of spatial capacity at elementary schools, mainly by building modular schools in localities with morning and afternoon lessons, i.e. in places with critical lack of room at schools for assurance of compulsory school attendance.

182. In 2013 there were 5 modular schools in total worth € 1,000,000 in the municipalities of Jarovnice, Stráne pod Tatrami, Krížová Ves, Podhorany and Kecerovce. In 2014 funds were raised in the total amount of € 3,000,000 for more such schools. There are currently 12 modular schools under construction at Chminianske Jakubovany, Podhorany, Jarovnice, Jurské, Stará Ľubovňa, Gemerská Ves, Muránska Dlhá Lúka, Dunajská Lužná, Miloslavov, Stráne pod Tatrami, Žehra and Chorvátsky Grob. Further modular school buildings are planned by the Ministry of Education to be built by 2020.

183. The Government places special emphasis on desegregation. It is considered imperative to seek effective win-win solutions, i.e. on the one hand prevention of segregation and reduction of the number of pupils in special elementary schools by increase of the capacity of standard elementary schools and on the other hand accommodation of the requirements of the locals for approximation of the school to the place of residence of the pupils.

184. The Ministry of Education supports creation of a complex system of education and upbringing of disadvantaged children in the context of inclusive lifelong education. The principle of desegregation is the main principle and criterion for subsidising mainly educational projects from the European and Structural Funds in the period 2014–2020. Roma integration has the key position in the Partnership Agreement in the context of the new programme period 2014–2020 not only in the Operation Programme Human Resources.

185. Another important factor in the area of education of Roma children is the feedback – monitoring of the achieved results, or adopted and implemented policies. In the sense of the applicable legislation the key agent in monitoring of the educational process including segregation is the State School Inspection which in the school year 2011/2012 focused, inter alia, on monitoring of the condition and standards of education of pupils from socially disadvantaged environment at elementary and secondary schools and in the school year 2012/2013 emphasized the conditions for creation of assumptions for inclusive education of pupils from socially disadvantaged environment at elementary and secondary technical schools.

186. The Ministry of Education has been involved in long-term Survey of Position and Child and Pupil from Socially Disadvantaged Environment in the Educational System of Slovakia implemented by the Regional Office of the Centre of Teaching Methodology in Prešov – ROCEPO, monitoring, inter alia, study results, attendance, conduct, completion of compulsory school education, specialised classes, teacher assistants etc. Since 2012 the survey has focused on quality of the educational process. The Ministry of Education has been involved in long-term research or monitoring of compliance with human rights principles at elementary and secondary schools implemented by the Centre of Research and Technology Information. A project is being implemented inside the school system under

the title “Research into school educational programmes at schools with high percentages of pupils from socially disadvantaged environment with a focus on principles of inclusive education” and sub-themes of involvement of children from socially disadvantaged environment into organised leisure-time activities at schools, investigation of teacher approaches and attitudes of the assistant teachers and school management to the principles of inclusive education, and investigation of how and to what extent the content of the teaching plans reflects specific needs of children and pupils from socially disadvantaged environment in school lessons and in upbringing in the context of afterschool activities.

187. The Government has paid increased attention to the education of Roma children. Education and upbringing of Roma pupils is part of the Educational System of Slovakia, financed in the sense of Act No. 597/2003 Coll. on Financing of Elementary Schools, Secondary schools and School establishments, as amended — such as free pre-school education of all children reaching 5 years of age — the state provides a contribution to partial coverage of the costs of education and upbringing of children one year before commencement of their compulsory school attendance at nurseries, the state further contributes to organised afterschool activities of school children to schools that are part of the network, provides subsidies for support of pupils from socially disadvantaged environment including state budget financing of the zero grade at elementary school — the standard for 1 class of the zero grade is 200%.

## **Article 27**

188. According to the census of 2011 out of the total number of 5,397,036 of the population of Slovakia 651,943 citizens, representing about 12%, claimed non-Slovak ethnicity. The highest representation in the ethnic structure was shown by 13 national minorities – Hungarian, Roma, Ruthenian, Czech, Ukrainian, German, Moravian, Polish, Russian, Bulgarian, Croatian, Serbian and Jewish.<sup>9</sup>

189. The permanent professional body of the Council for Human Rights for issues of national minorities and ethnic groups and their members, for the area of implementation of the European Charter for Regional and/or Minority Languages and the Framework Convention for the Protection of National Minorities is the Committee for National Minorities and Ethnic Groups.

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<sup>9</sup> Report on the status and rights of members of national minorities for 2012, available at [www.narodnostnemensiny.gov.sk/data/files/5123\\_sprava-en-2012.pdf](http://www.narodnostnemensiny.gov.sk/data/files/5123_sprava-en-2012.pdf).