



**Presentation on the occasion of the adoption of the outcome
of the Universal Periodic Review
of the SLOVAK REPUBLIC**

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Mr. President,

It is my pleasure to address the Human Rights Council on the occasion of the consideration of the outcome document of the UPR of Slovakia. We have provided you with the written replies on the recommendations contained in the report of the UPR Working Group and now, in addition to these, I would like to focus on a clear identification of the recommendations that we do or do not accept, or that we accept with reservation.

Slovakia believes that the Universal Periodic Review can serve an efficient tool of the Human Rights Council in evaluating the human rights situation in each and every member state of the United Nations. The whole process has been given considerable attention by the Government of the Slovak Republic, starting with the preparation of the national report followed by the inter-active dialogue within the Working Group, the assessment of the questions and recommendations and the preparation of the responses by national stakeholders.

We have found all the elements of the process very inspiring and useful. The UPR has been a unique opportunity for us to assess the implementation of our international obligations in the field of human rights. At the same time, the UPR has given us a chance to compare our views on practical realisation of human rights with the opinion of the UN human rights bodies, members of the United Nations family and non-governmental organizations.

Various governmental bodies and institutions have devoted much time and effort to a detailed analysis of the questions and recommendations addressed to Slovakia during the May session of the Working Group. The majority of the recommendations have been identified as constructive, target-oriented and therefore deserving appropriate attention of different bodies dealing with human rights in Slovakia. However, it is necessary to add that many of the recommended measures have already been incorporated in various strategic documents and action plans and are at different stages of practical implementation.

Having said that we would like to emphasize several important points.

First, the majority of the recommendations have been related to the situation of the Roma community in Slovakia, to the improvement of their standard of living, access to appropriate housing, education, health care, employment etc., as well as to the elimination of acts of discrimination, ethnically motivated violence, ill-treatment by law enforcement authorities vis-à-vis the Roma community. In addition to our viewpoint on this particular subject, as articulated in the written responses, I would like to make one general observation: This set of recommendations is a very complex one and requires huge financial resources, a lot of efforts and determination, creativity and, last but not least, cooperation of all the involved. Solutions are not imminent - they bring fruits at a later stage.

Second, I would like to stress that it is our intention to initiate, where appropriate, the legislative process aimed at improving or upgrading the national legal norms in the field of promotion and protection of human rights. As we all know, these are long-term processes, so here again, we ask for understanding and patience if some of our pledges do not materialize as quickly as we would want.

Finally, allow me to depict one of the practical difficulties in the process of preparing written responses to the 91 recommendations addressed to Slovakia, which was posed by decision on the word limit. While this may not create problems for a country responding to two or three dozens of recommendations, for us it has been the main limiting factor. We had to formulate

our responses restrictively and often fit the responses to several recommendations into a brief sentence. Comprehensive answers to many recommendations can nevertheless be found in the National Report or in the oral replies given by Slovakia during the May review.

In order to provide a clear-cut picture of the status of recommendations addressed to Slovakia, we would divide them into three categories: Those accepted without any reservation (79), recommendations that Slovakia cannot accept (9) and recommendations we support with reservation (3).

Let me start with identifying the **recommendations, which Slovakia can not accept.**

We cannot accept **the recommendation No. 9** calling for adoption of a comprehensive legal instrument which would recognize the rights of persons belonging to minority groups and would offer the necessary protection especially to children. Slovakia ascribes high importance to protection of minority groups, including children. Rights of persons belonging to national minorities are guaranteed by the Constitution of the Slovak Republic and other existing legal norms. We deem this framework sufficient and do not foresee any new legal instrument.

Similarly, **the recommendation No. 11** proposes the development of more legislative guarantees aimed at full compliance with the provisions of the Framework Convention for the Protection of National Minorities and of the European Charter for Regional or Minority Languages. I would like to repeat that the existing legislative guarantees are sufficient. The Council of the Government for National and Ethnic Minorities reviewed the current periodical reports on the implementation of these two conventions without requesting any additional measures.

As regards **the recommendation No. 14** calling for the formulation and implementation of the National Action Plan on the Protection of Civil Rights of lesbians, gays, bisexuals and transgender persons, I would like to draw your attention to the Action Plan for the Prevention of all Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Intolerance that is currently in place. It is a comprehensive document pertaining also to LGBT rights.

We do not accept **the recommendations No. 67-69** related to the alleged forced sterilizations of Roma women and remedies to the victims, as there has never been an official state policy or officially endorsed practice of forced sterilizations. Therefore the Slovak Government cannot take any political responsibility. The accusations of alleged forced sterilisations of Roma women in Eastern Slovakia caused immediate reaction from the Government, which initiated a criminal prosecution against unidentified offender for the criminal offence of genocide. In 2003, the criminal prosecution was stopped since it was apparent that the act for which the criminal prosecution was undertaken had not happened. In this connection, the legislation on healthcare was revisited and the Act No. 576 of 2004 stipulated the conditions necessary for sterilization and institutionalized the “informed consent” as a precondition.

We neither accept **the recommendation No. 72** calling for enacting and implementing new legislative norms in order to put an end to discriminatory practices against Roma in the educational process. The School Act of 2008 together with the Anti-discrimination Act provides equal conditions for all children with regard to access to education. The School Act namely accentuates the following main principles of training and education: The principles of equal access to education and training, taking into account the educational needs of individuals and their co-responsibility for their own education; and prohibition of all forms of

discrimination and, in particular, segregation. For the time being the above-mentioned legal framework is considered sufficient.

Finally, we do not accept **the recommendations No. 75-76** proposing working out and implementing strategy for addressing the disproportionate enrolment of Roma children into special schools. The School Act provides clear criteria for enrolling children to the “specialized schools or classes” and clearly defines and distinguishes between children and students with special educational needs, handicaps, disabilities, or feeble health from those children and students, who come from a socially disadvantaged environment. No additional or new measures are planned.

Recommendations which Slovakia supports with reservation

While supporting the general aim of the **second part of recommendation No. 47** calling for combating exploitation of children in the workplace, we would like to stress that no cases of exploitation of children in the workplace have been reported in Slovakia. In other words, the issue does not constitute a problem in our country, as employment of children under 15 is prohibited and only light work can be performed under exceptional circumstances.

We have reservation to **the recommendation No. 55** proposing measures on religious freedom and more flexible norms and rules for religious groups with a small number of believers and avoiding their discrimination. The recommendation does not clearly identify the nature of the requested flexibility, quantitative parameters of a small number of believers and the form of discrimination, which should be avoided.

Finally, we have a reservation to **the recommendation No. 22** asking for regular responding to questionnaires sent by special procedures mandate holders. The Slovak Republic as a small country has limited capacities and despite all our efforts, we might not always be able to provide the requested information. We would do our utmost to meet the requirements but we ask for understanding if we not always respond in time.

The Slovak Republic accepts all remaining 89 recommendations. It is our understanding that the UPR is a continuing process that will not end up today. As we stated during the May review, we do not consider Slovakia an exception to the rule that no country has a perfect human rights record. We are determined to further improve and promote human rights in Slovakia and to implement the received recommendations in joint cooperation of governmental and nongovernmental bodies. In the same venue, we remain committed to work towards the implementation of the voluntary pledges we have undertaken when presenting our candidature to the Human Rights Council.

In conclusion, I would like to reiterate that the UPR process has helped us to evaluate the progress made in various domains, for instance with regard to ratification of international human rights treaties. In this context, I am pleased to inform you that Slovakia was among the first countries that signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights yesterday during the Treaty Event in New York.

The UPR also helped to feed in human rights debates with NGOs. As we have noted in our written replies, the information about the UPR recommendations and their implementation will be presented at the upcoming meeting of the Council of the Government of the Slovak Republic for Non-Governmental Non-Profit Organisations, which also comprises NGO representatives.