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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Slovakia**

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## **I. Preparation of the report at the national level**

1. The initial draft of the report was prepared by the Human Rights Department of the Ministry of Foreign and European Affairs in accordance with guidelines laid down by the Human Rights Council in its Decision 17/119. The report was circulated to the Government Council for Human Rights, National Minorities and Gender Equality, an advisory body of the Government for human rights issues, consisting of representatives of governmental bodies, non-governmental organisations, MPs and academic institutions, with a request for comments. The consolidated report was reviewed in the consultation process and finally approved by the Government.

## **II. Developments in Slovakia in the field of human rights promotion and protection in 2009–2013**

2. During the period under review, the institutional framework of human rights underwent significant changes. In 2012, the field of responsibility of the Ministry of Foreign and European Affairs was significantly strengthened in relation to human rights. The shift of responsibilities was a response to the vacant position of Deputy Prime Minister for Human Rights and National Minorities in the current Government. Coordination and management of the Government Council for Human Rights, National Minorities and Gender Equality, an advisory body of the Government for human rights issues, is under the responsibility of the Deputy Prime Minister and the Minister of Foreign and European Affairs. Coordination of national human rights policies pertains thus to the Deputy Prime Minister and Minister of Foreign and European Affairs, while their implementation is under the responsibility of individual ministries. Permanent dialogue with civil society is an indispensable part of national human rights policy. This approach fully reflects mainstreaming of human rights. In relation to the institutional changes, the Ministry of Foreign and European Affairs manages two subsidy human rights schemes: 1. promotion and protection of human rights; and 2. prevention of all forms of discrimination, racism, xenophobia, homophobia, anti-Semitism and other forms of intolerance.

3. In June 2012, the Government Plenipotentiary for National Minorities, an advisory body for national minorities was established with a view to further institutional strengthening of the protection of human rights, including the rights of persons belonging to national minorities. The Plenipotentiary's main tasks are related to preserving, development and promotion of the rights of persons belonging to national minorities. The Plenipotentiary's Office submits to the Government an annual "Report on the Status and Rights of Persons belonging to National Minorities". The Plenipotentiary is the Chairman of the Committee for National Minorities and Ethnic Groups, an expert body of the Government Council for Human Rights, National Minorities and Gender Equality and also acts in the area of the implementation of two legally binding conventions related to national minorities, i.e. Framework Convention for the Protection of National Minorities and European Charter for Regional or Minority Languages.

4. During the period under review, the Plenipotentiary of the Government for Roma Communities has continued his activities. Improvement of the situation of Roma remains among priorities of the Government. In January 2012, the Strategy for Roma Integration up to 2020 was approved as a comprehensive policy document that addresses challenges of social inclusion of Roma communities also at the EU level. Principles of the Strategy are intended to provide basis for policies related to unfavourable situation of Roma for the period up to 2020, in particular in the field of education, employment, housing and healthcare, and also for the programming period of 2014–2020 for purpose of using

structural funds. Focus of policies on majority population is an important element of the Strategy.

5. The amendment to the Antidiscrimination Act of April 2013 represents an important step in further strengthening the anti-discrimination legislation. The amendment extended the definition of indirect discrimination, so that it also involves the threat of discrimination in accordance with EU directives. At the same time, definition of the affirmative action was modified in the way which expressly includes the elimination of disadvantages resulting from discrimination based on racial and ethnic origin, or affiliation to national minority or ethnic group. In addition to state authorities, the possibility to use the affirmative action was extended to local authorities and private legal entities with a view to its promotion.

6. In October 2012, the Committee for the Rights of Lesbians, Gays, Bisexual, Transgender and Intersexual Persons was endorsed by the Government as an advisory body to the Government Council for Human Rights, National Minorities and Gender Equality. The LGBTI Committee, consisting of representatives of state authorities and non-governmental organisations, is an expert body with mandate to contribute to further promotion of the rights of LGBTI persons, and to participate in policy preparation with impact on LGBTI.

7. The national strategy for the promotion and protection of human rights is currently under preparation. Its development is managed under the auspices of the Deputy Prime Minister and the Minister of Foreign and European Affairs in cooperation with the Plenipotentiary of the Government for Civil Society. The Strategy will be an open document with thematic focus on human rights matters; each of the topics will be divided into three parts: analysis of the situation at the national level, proposed action and institutional framework for its implementation. The document will reflect recommendations of international monitoring bodies together with human rights developments at the national, European and international level. Participatory character of the preparatory process creates suitable space for opinions of a wide range of stakeholders involved. As a part of its preparation, workshops for civil society, public administration and experts were organised in Bratislava, Banská Bystrica and Košice with a view to provide valuable input to discussion on improvement of human rights.

8. In June 2013, the Government approved legislative plan to re-codifying Civil Procedure Act. It provides legal framework for new legal sets in the area of civil procedure. The objective of the proposed change is to improve law enforcement, inter alia, by enhancing the enforceability of law, shortening the length and eliminating delays in court proceedings, and building space for improvement of quality of court rulings and thus create prerequisites for increasing trust and confidence in justice. The legislative plan points out shortcomings in the current system and proposes tools to address them.

9. Slovakia signed and ratified several UN and Council of Europe human rights instruments during the period under review. In May 2010, Slovakia became a State party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol. In March 2012, Slovakia ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. National ratification procedure with respect to the Optional Protocol to the Convention on the Rights of the Child on Communication Procedure is currently under way. At the regional level, Slovakia was among the first countries to sign the Council of Europe Convention on preventing and combating violence against women and domestic violence; the treaty is currently subject to national ratification procedure. National ratification procedure was launched with respect to the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse (more details on international human rights treaties in paragraph 74–75 of the report).

### **III. Implementation of the recommendations from the first UPR cycle**

10. In the first cycle of the universal periodic review, 91 recommendations were given to Slovakia. With the exception of nine rejected recommendations, the remaining ones are implemented. Information on implementation of the recommendations is divided into chapters according to the thematic areas they cover. In addition, the report includes challenges and measures foreseen for the future. As some recommendations cover several thematic areas, they might be referred to in several chapters.

#### **A. Combating discrimination, racism and racially motivated crimes (recommendations No 17, 24, 29, 32, 35-37, 50-52)**

11. The amendment to the Anti-Discrimination Act effective from 1 April 2013 extended the scope of definition of indirect discrimination so that it includes a threat of discrimination. In addition, a definition of affirmative action was modified so that it includes explicit reference to the elimination of disadvantages resulting from discrimination based on racial and ethnic origin, affiliation to national minority or ethnic group. By this amendment a possibility to take affirmative action was extended to local authorities and private legal entities with a view to promote its application.

12. Racial violence, including incitement to racial hatred, is a crime in Slovakia. The Criminal Code punishes crimes related to extremism. In 2011, a new crime was introduced in the Criminal Code that punishes denying, challenging, approving or any attempts to justify the holocaust or crimes based on Fascist and Communist ideology. Based on the amendment to the Code of Criminal Procedure effective from 1 August 2013, an investigation of crimes related to extremism is obligatory conducted by investigators of the police force (until now members of the police force).

13. In June 2011, the Government approved the Concept of Combating Extremism for 2011-2014. The Concept is a complex policy document adopted as a follow-up to the Concept for 2006–2010. Reflecting current developments in extremism, it focuses on both preventive and repressive measures in the field of fight against extremism and identifies basic objectives for combating this phenomenon, including concrete steps to achieve them. Institutional framework for combating extremism with an element of cooperation among relevant ministries is a part of the Concept as well. Depending on current circumstances, the measures of the Concept may be subject to annual update.

14. The Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance established in March 2011 represents a significant step in combating hate crimes by providing a platform for coordination of activities, identifying priorities of public policies focused on the prevention and elimination of racism, xenophobia and extremism. Chaired by the Minister of Interior, the Committee serves as a tool for exchange of information among state authorities, municipalities and civil society. The Committee and its working groups may submit analyses or studies and engage in preparation of educational programmes and trainings for stakeholders involved in the fight against these phenomena. The Committee may also monitor serious cases related to its mandate and obtain information in this regard. Beyond the Committee, an interministerial expert group was established to further develop legislation in this area and from the long-time perspective to make legal order in the field of extremisms more compendious.

15. Slovakia pays due attention to the fight against incitement to discrimination and racial violence against minorities and migrants. The possibility to use an agent and legal

interception for purpose of the fight against extremism was introduced into law with a view to step up efforts in this area. Another step foreseen for the future is to introduce extremist offences that would also punish expressions of racial violence against minorities and migrants.

16. The Ministry of Interior carries out projects and activities for students of primary and secondary schools on awareness-raising to combat extremism, racism and various forms of discrimination (e.g. the project Behave normally, Everybody is different!, Teachers, learn!, and: Do not tolerate violence and extremism). Prevention of racially motivated crimes is the part of projects and programmes performed by the police force. Due attention is given to human rights education for prosecutors as well. A workshop for prosecutors on human rights protection in preparatory proceedings was held in October 2013. An educational programme on victims of crimes, violence against women and children is scheduled to be included in the curricula of the Academy of Justice. It will focus on crimes committed in couples, custody; abuse of children as a tool to blackmail a partner, legal assistance to victims of domestic violence and the rights and assistance to victims. Awareness-raising activities to combat racism and discrimination are conducted by the Slovak National Centre for Human Rights as well. Human rights education with emphasis on treatment of prisoners is provided to members of the Prison and Justice Guard.

## **B. Gender equality, protection of women and children against violence (recommendations No 8, 10, 15, 24, 38, 39, 41, 42, 45, 46, 58, 63, 87)**

17. The amendment to the Anti-Discrimination Act of April 2013 enables the adoption of affirmative actions to eliminate disadvantages based on, inter alia, sex/gender. By this modification, prerequisite for effective measures targeted, inter alia, on increasing of women participation in decision-making positions was fulfilled. Slovakia is fully aware of the need to adopt further steps with respect to electoral legislation. However, none are currently under consideration. There are no political initiatives to increase the participation of women in political parties.

18. With respect to the implementation of the recommendation to narrow and close wage gap and enact equal pay for equal work, Slovakia took necessary legislative steps in this regard. In 2007, an important provision that legislatively enacted a wage for equal work; and for work of equal value for men and women was added to the Labour Code. Despite existing legislation significant differences in remuneration for men and women, however, persist. Inequalities gradually decrease; the difference currently represents approximately 20%. In other words, the average wage of women represents less than 80% of the average wage of men.

19. Several measures are currently carried out and envisaged respectively to step up efforts in equal remuneration of men and women, including exchange of good practice in the EU, implementation of gender audits at least in public administration, preparation of trainings and certification of gender audits in cooperation with the ILO. The day of equal remuneration for men and women (5 April) was introduced as a mean for public awareness.

20. At national level, several initiatives were launched in the area of combating violence against women, including the ratification and implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence, and the adoption of the National Action Plan for Prevention and Elimination of Violence against Women. The Institute for Research of Labour and Family submits an annual Report on Violence against Women which assesses the scope and efficiency of support provided to victims. As regards initiatives envisaged for the future, establishment of coordination centre for violence against women and domestic violence is under preparation aimed at providing

guidance on the prevention and elimination of violence. A project focused on social inclusion of perpetrators of domestic violence in prison and training of staff working with perpetrators is carried out in cooperation with NGOs.

21. Two EU Regulations were transposed by the amendment to the Criminal Code of 1 August 2013.

- Directive 2011/93/EU of the *European Parliament and the Council of 13 December 2011* on combating the sexual abuse and sexual exploitation of children and child pornography;
- Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims.

22. The aim of the amendment was to achieve compliance with the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (signed by Slovakia in 2009) and the Convention on combating trafficking in human beings in line with recommendations made by relevant monitoring body (GRETA).

23. The Code of Criminal Procedure guarantees victims the access to legal assistance through mandatory reporting of authorities conducting criminal proceedings. The legislation enables organizations to provide assistance and legal aid to victims. Current legal framework guarantees victims the right to be provided with free legal assistance in exercising compensation claims in criminal and civil proceedings through the Centre of Legal Assistance. The Ministry of Justice will transpose Directive 2012/29/EU of the European Parliament and the Council of 25 October 2012, establishing minimum standards on the rights, support and protection of victims of crime, with a view to reach comprehensive arrangement of victims' rights in criminal proceedings, including their access to legal assistance.

24. The Act on compensation of persons affected by violent crimes was amended as of 1 June 2013 with a view to explicitly stipulate that persons affected by the crime of rape, sexual violence and sexual abuse have the right to pecuniary compensation for bodily injury and for moral damages (mental trauma, stress, anxiety, frustration).

25. Since 2009, the so-called zero tolerance of physical punishment of children has been introduced into legislation. It means that according to the Act on Social and Legal Protection of Children and on Social Care, it is prohibited to use any forms of physical punishment against children and other gross or degrading forms of treatment or punishment which cause or may cause physical or mental injury. Everybody has the obligation to report the violation of children's rights to the socio-legal protection authority. The ban of physical punishment in exercising parental rights and obligations is proposed to be included in the new Civil Code, currently under preparation.

26. In case of suspicion that a child is victim of violence, a socio-legal protection authority shall take appropriate steps, including provide social assistance, field social work and facilitate involvement in programmes for victims of violence. The socio-legal protection authority is in close contact with law enforcement authorities (police, court, and prosecution), school, municipalities, territorial units, healthcare facilities and other relevant stakeholders involved in the protection of children. Based on the overall case history, the socio-legal protection authority develops a social work plan and proposes solution of the situation.

27. If a child is threatened within his/her own family and it is not possible to ensure his/her upbringing within a wider family, the socio-legal protection authority shall ensure the alternative care by a court ruling. The actions of socio-legal protection staff in protecting the minors – victims of violence are guided by an internal rule of the Centre of

Labour, Social Affairs and Family of December 2010. For the purpose of crisis intervention, 24/7 availability of the socio-legal protection authority is ensured. Suspicions of torture, abuse or neglect of a child can be anonymously reported to a free phone line of the Centre of Labour, Social Affairs and Family. In 2012, 111 reports of suspicion for violation of children's rights were recorded in this way.

28. In 2010, the Ministry of Labour, Social Affairs and Family carried out campaign on alternative forms of upbringing and on strengthening parental rights. Manuals from the Council of Europe programme "Building a Europe for and with Children" and from campaign on sexual violence against children were distributed to foster homes and to offices of labour, social affairs and family.

29. The Ministry of Labour, Social Affairs and Family is responsible for the preparation of the National Strategy for Protection of Children against Violence. The Strategy is expected to apply an integrated and holistic approach to the fight violence against children and is envisaged to be discussed by the Government in November 2013.

30. Slovakia recognizes the need to develop further steps to increase the protection of children's rights. The National Action Plan for Children for 2013–2017, currently under preparation, gives an emphasis to the adoption of measures in the area of human rights education with special focus on children's rights. Tasks resulting from the Action Plan will pertain, inter alia, to education of professionals working for and with children, spirit and principles of the Convention on the Rights of the Child, including the principle of the best interests of the child. The Action Plan will also focus on training of judges, prosecutors and judicial staff.

### **C. Ensuring fundamental rights of detained juveniles and imposing punishment (recommendation No 54)**

31. The Code of Criminal Procedure strictly limits juvenile custody; it is permitted only if necessary. Relevant authorities have the obligation to investigate, in each stage of criminal proceedings whether the purpose of custody cannot be achieved in different manner. During the custody, the accused juvenile may be limited in exercising his/her rights only in restricted extent. The human dignity of the accused is to be strictly respected; it is prohibited to use cruel, inhuman or degrading forms of treatment. Juveniles may only receive disciplinary punishment – solitary confinement of not more than 10 days. In case a juvenile is involved in educational activities, he/she may also participate in those during the placement in solitary confinement.

32. Juvenile custody is considered an exceptional custodial mean which is applied only if its purpose cannot be achieved in different manner. Juveniles are placed separately from the accused adults. Detention centre may create a separate section with moderate regime for juveniles; or a juvenile is placed in section with moderate regime together with accused adults but in a separate cell. Juvenile custody may be replaced by a guarantee, promise, supervision or a pecuniary guarantee.

33. The prosecution pays relevant attention to juvenile custody. Since 2008, there have been prosecutors specializing in dealing with criminal activities committed by juveniles and minors; and crimes committed against children and domestic violence. Regular trainings are organized for prosecutors. A seminar about criminal activities committed by juveniles and violence against women is scheduled for November 2013. The issue of criminal prosecution against juveniles is a part of the curricula at the Academy of Justice.

#### **D. Combating human trafficking and assistance to victims (recommendations No 43, 44 and 47)**

34. Combating trafficking in human beings, including assistance to victims has been among priorities of the Ministry of Interior for a long time. Since 2006, the policy against human trafficking is guided by the National Programme of Combating Trafficking in Human Beings. Programme for the Promotion and Protection of Victims of Human Trafficking is part of the national programme. In line with the principle of equality and non-discrimination, victims are provided with services according to their individual needs on an equal basis, i.e. regardless of their nationality. Additional measures are applied towards victims – foreigners with respect to language barrier, legalization of residence and voluntary return to the country of origin.

35. Complex assistance is provided to victims of human trafficking during the period of emergency assistance and 90-day period of recovery respectively. The assistance may be extended to the whole criminal proceedings subject to victims' approval; if needed the assistance may be provided during 90-day reintegration process following the criminal proceedings. As a first step, victims are isolated from criminal environment. They are also provided with assistance in voluntary return to Slovakia, 90-day period of emergency assistance, financial and social assistance, psychological treatment, therapy, legal assistance, healthcare services, re-qualification trainings, and 90-day period of reintegration.

36. The legal order contains provisions on combating trafficking in human beings. Its criminal aspects based on the Protocol to prevent, suppress and punish trafficking in persons, especially women and children are reflected in the Criminal Code. The crime of trafficking in human beings committed against person under the age of 18 is considered an aggravated circumstance with respect to imposing criminal penalty (further details on the protection and assistance to victims are included in paragraphs 21–24 of the report).

37. In case a minor becomes a victim of trafficking, a socio-legal protection authority in cooperation with the International Organization for Migration (IMO) or with non-governmental organization shall ensure that a minor is involved in the Programme of Support and Protection of Victims of Human Trafficking, and that he/she is provided with assistance and protection in a safe facility such as foster homes and crisis centres. Trainings on identification of victims of trafficking are regularly conducted for professionals working with children; training is also provided to staff of foster homes.

#### **E. Migration and asylum policy (recommendations No. 85 and 86)**

38. The Slovak legal framework complies with relevant international UN instruments and EU regulations and directives in the field of asylum. By the amendment to the Act on Residence of Foreigners of May 2013, categories of third country nationals to whom a long-term residence permit may be granted subject to meeting specific conditions were extended to asylum-seekers and foreigners to whom complementary protection was provided. Foreigners who benefit from complementary protection have simplified access to the labour market. In practical terms, they have the same status as persons who have been granted asylum, i.e. no job permission is required and they are considered as disadvantaged job-seekers at the same time. A draft amendment has been prepared aimed at facilitating of the verification of education of asylum-seekers and foreigners with complementary protection who are not in a position to prove their previous education in view of the circumstances due to which they left their country of origin.



39. An amendment to the Asylum Act was elaborated in order to strengthen the protection of asylum-seekers/persons who have been granted asylum. The most significant changes to the law will include:

- extension of places where a foreigner may submit request for asylum after entering the territory of Slovakia;
- amended option to use the internal protection (alternative to the so called internal relocation);
- extension of conditions to be fulfilled with respect to the protection against pursuit and serious injustice;
- extension of possibility to grant asylum or provide complementary protection for the purpose of family reunification;
- extension of complementary protection to 2 years (currently 1 year).

40. Domestic legal framework related to the residence of foreigners complies with international standards, in particular with the Convention Relating to the Status of Refugees, Convention for the Protection of Human Rights and Fundamental Freedoms, Convention on the Rights of the Child and with the EU law in the field of administrative expulsion. The Ministry of Interior endeavours to protect the rights of foreign nationals, migrants and asylum-seekers. With this in mind various forms of legal assistance are reflected in the Act on Residence of Foreigners, including the obligation of the police to advise a third-country national immediately after his/her detention about the possibility to communicate a legal representative about his/her detention, possibility to review decision on detention and to submit a request for assisted voluntary return, and the possibility to contact NGOs and UNHCR on issues asylum-related matters.

41. In alien detention centres brochures on the rights and obligations of foreigners in Slovakia, procedure of administrative expulsion and detention are available in 26 language versions. The right to legal assistance in proceedings before domestic courts and other state and public administration authorities follows from the Constitution. Free legal assistance to persons in material need is guaranteed to third-party nationals in detention during the review proceedings on detention. Free legal assistance is also provided in asylum cases and cases on administrative expulsion. The Ombudsperson addresses the issue of legal assistance to third-country nationals. In June 2013, a report was published in which the Ombudsperson pointed out, inter alia, to shortcomings in providing legal assistance to foreigners.

42. Provisions of the Code of Civil Procedure on administrative justice do not address so-called cases of emergency in terms of their urgency. The new Code of Civil Procedure, currently under preparation, will include the specific reference to time limits with respect to asylum related matters and the power of the administrative court to issue an order on releasing person in detention will be stipulated in provisions on detention proceedings as well.

43. The Concept of Integration of Foreigners in Slovakia adopted in May 2009 contains, inter alia, provisions on awareness-raising, promotion of tolerance and mutual respect. It underlines the need to strengthen intercultural education in schools with an emphasis on migration and integration of foreigners, and to provide training to professionals working with migrants and foreigners. Concept objectives of the Slovak Migration Policy for 2011-2015 include measures on positive influence of public in relation to foreigners, including activities on preventing negative phenomena in society such as racism, xenophobia and intolerance. Migration Policy up to 2020, adopted in August 2011, stipulates, inter alia, that its objective in relation to the integration of migrants is to “increase an emphasis on human rights and tolerance, combat discrimination and intolerance by creating a coordinated

communication strategy, develop activities on raising awareness, cooperate systematically with public media and launch discussion concerning the pros and contras of the integration of foreigners“.

44. A subsidy programme “Culture of Disadvantaged Groups” was developed within the Ministry of Culture with a view to support the integration of foreigners. In 2012, multimedia events, electronic magazine, workshops for children of migrants, theatre for migrants were funded under the programme. Events focused on the prevention of xenophobia, discrimination of foreigners, racism and all forms of violence were organized by several institutions, including National Cultural Centre, Slovak National Gallery and Slovak National Museum.

## **F. Misconduct by public officials (recommendations No 33, 34, 36, 48, 49, 52)**

45. With respect to the implementation of the recommendation to duly investigate cases of harassment of Roma by the police force, all complaints on alleged excessive use of violence are properly investigated. The Ministry of Interior does not collect any data related to ethnic origin of applicants. Suspicions and complaints about inhuman or degrading treatment or about the use of violence against persons in detention, arrested and accused persons by members of the police force are duly reviewed and investigated in accordance with the Code of Criminal Procedure. Supervision on respecting lawfulness prior to the initiation of criminal proceedings and in preparatory proceedings shall be performed by a prosecutor. Each decision on the merits issued by the investigator or a member of the police force is reviewed by relevant prosecution.

46. A position of “the police specialists for the work with Roma communities” was created in order to improve relations between police and Roma communities. Currently, 231 police specialists perform their activities on a daily basis; their number will gradually increase. In 2009, the Ministry of Interior issued a guideline “Project of the Police Specialists for the Work with Roma Communities” which may be used as a methodology for similar prevention projects carried out by state and non-state actors. One of the basic tasks of the police specialist is to patrol areas with increased concentration of Roma/minority communities, investigate offences, in particular offences committed by Roma/minority communities and to cooperate with law enforcement officials, to involve in activities on awareness-raising and cooperate with social workers and relevant public administration authorities.

47. A follow-up training for members of the police force is currently conducted focusing on their actions in Roma communities as well as on the protection of the rights of members of marginalized Roma communities and on preventive measures with a view to prevent crimes against Roma community committed by police, in particular those related to racism, discrimination and extremism. Members of the police force participate in various programmes, including Romani language course, aimed at the improvement of relations with Roma. During the period under review, educational activities for the police were also conducted by the Slovak National Centre for Human Rights.

48. As regards the implementation of the recommendation No 52 related to the criminal investigation and prosecution of the police officers involved in the mistreatment of six Roma minors in Košice and the adoption of follow-up measures in the field of enhancing tolerance, seven persons (police officers) were charged with the crime of misusing of the power by a public official and for the crime of blackmailing on 14 April 2009. In August 2009, another three persons were charged with the crime of misusing of the power by a public official. On 13 May 2010 a prosecutor of the General Prosecution brought a charge

against 10 persons to the District Court in Košice II with the crime of misusing of the power by a public official. In this connection it should be pointed out that the accusation also involves acting based on a special motive – ethnic hatred. The investigation of the case was conducted in close cooperation with the legal representative of persons concerned (Roma minors). A prosecutor of the General Prosecution performing supervision of the case participated in most procedural acts in the course of the preparatory proceedings (i.e. the stage before filing an action). The main proceedings in the case is held at the District Court of Košice II, and nine proceedings have been held so far (latest in late June 2013); the next date of the main proceedings was scheduled for September 2013. The accused and victims were interviewed; witnesses will be heard and other evidence will be developed. In order to prevent similar cases in the future, the Minister of Interior released an order related to the prevention of human rights violations committed by members of the police force and of the railway police in conducting official duties, including limiting personal freedom. Annual trainings for members of the police force are held. Human rights education, combating extremism, racially motivated crimes and all forms of discrimination is a part of curricula at secondary vocational schools of the police force.

### **G. Human rights education, implementation of multicultural aspect into educational programmes (recommendations No 16, 71, 91)**

49. Human rights education is an integral part of the Plan on Human Rights Education in the School System for 2005–2014, a comprehensive programme of the Ministry of Education, Science, Research and Sport. Since 2008, it has been included in national educational programmes for primary (1<sup>st</sup> level of primary schools), lower secondary (2<sup>nd</sup> level of elementary schools), and higher secondary education (secondary schools). The Plan is conducted through educational topics such as “People and society”, “People and values”, “Art and culture”, “People and health”, as well as through the implementation of cross-cutting topics such as “Multicultural education” and “Personal and social development” in educational programmes of primary and secondary schools. The National School Inspectorate supervises the implementation of the Plan on Human Rights Education on the basis of criteria elaborated in line with legal regulations and international human rights treaties. The Inspectorate’s findings at elementary and secondary schools confirmed sufficient equipment of schools with international and national documents on human rights, appropriate level of the implementation of human rights aspects into school educational programmes and integration of human rights education into educational plans. The functioning of school coordinators obtained positive evaluation as well as the involvement of pupils in school projects focused on human rights and multicultural education. Establishment of pupils’ school councils/parliaments in 40% of the assessed schools was assessed as a clearly positive achievement. Certain space for the improvement was identified with respect to building of barrier-free environment aimed at the inclusive education of physically disadvantaged children.

50. In 2012, a research of the opinions and attitudes of pupils “Example of tolerant behaviour of young people in the family and school” was carried out. The research was a response to the requirement to review the status of the implementation of multicultural education into educational process with an emphasis on models of behaviour and awareness about culturally different groups presented to young people by their nearest surroundings (family and school). The national project “Comprehensive Advisory System for the Prevention and Influence of Social-Pathologic Phenomena in School Environment” carried out since 2013 has been focusing, inter alia, on increasing the quality of psychological services (psychological testing, psychological, career and educational advisory) in school and counselling facilities for Roma pupils.

51. The intercultural aspect in view of the culture and history of minorities is applied in national educational programmes, in particular in cross-cutting topics of “Multicultural education”, “Personal and social development” as well as in educational areas such as “People and values”, “Art and culture”, “People and society”. The Ministry of Education, Science, Research and Sport approved the reviewed national educational programmes effective from September 2013. They pay special attention to human rights; in addition, individual contextual standards of vocational education in the field of human rights were elaborated as well.

52. Slovakia pays appropriate attention to raising awareness of human rights also through information campaigns. IUVENTA – Slovak Youth Institute – performs educational and cultural activities involving human rights aspects. A “Live library” is scheduled for December 2013, creating space for an informal dialogue between readers - members of the public and books - members of disadvantaged groups. In 2013, an art and literary competition of primary schools - Human Rights as Seen by Children – was carried out under the auspices of the Deputy Prime Minister and the Minister of Foreign and European Affairs. A competition about human rights, consisting of tests and essays on human rights topics is organized for secondary schools. Slovakia actively participates in the Council of Europe campaigns (in 2013 the “No hate speech movement” internet campaign). Activities focused on raising awareness for primary and secondary schools and for university students, including organizing literary and art competition were performed by the Slovak National Centre for Human Rights as well.

## **H. Cases of sterilization of Roma women (recommendation No 68)**

53. In 2005, Slovakia adopted legislative measures with respect to the rights of patients to comply with international standards. Women allegedly affected by shortcomings in connection with sterilization prior to 1 January 2005 can seek compensation before the courts in civil proceedings. In relation to the call for the thorough investigation of all cases of forced sterilizations, Slovakia refers to the report of the Council of Europe Commissioner for Human Rights on Slovakia of March 2006 (CommDH(2006)5) stating that considerable effort has been made to investigate allegations about involuntary and forced sterilizations of Roma women in Slovakia. A professional medical inspection was established beyond the framework of criminal investigation, and an expert opinion of the Faculty of the Medicine of the Comenius University in Bratislava was requested. It was not confirmed that the Government supported an organized discrimination sterilization policy. The Government adopted legislative and practical measures with a view to eliminate administrative shortcomings identified during the investigation, and to prevent similar situations from occurring in the future. In his findings, the Commissioner did not require Slovakia to conduct any further investigation. His recommendations were only related to the issue of compensation of victims of violations according to the European Convention on Human Rights (ECHR) as a result of performing illegal sterilizations.

54. The European Court of Human Rights (ECtHR) delivered judgments against Slovakia in three cases related to sterilization of women without their informed consent (*V.C. against Slovakia* (judgment of 8 November 2011 which became effective on 8 February 2012), (*N.B. against SR* (judgment of 12 June 2012 which became effective on 12 September 2012) and (*I.G., M.K. and R.H. against Slovakia* (judgment of 13 November 2012 which became effective on 29 April 2013). In the case of *V.C. against Slovakia*, the ECtHR did not require national authorities to initiate criminal proceedings on their own initiative, as it did not find that medical staff acted with the intention of ill-treatment of the applicant. The ECtHR declared non-violation of procedural part of Article 3 of the ECHR in the case of *V.C. against Slovakia* related to the inefficiency of the investigation. Similarly in the case of *N.B. against Slovakia*, the ECtHR did not accept the applicant’s

allegation on ineffective investigation of her sterilization. It stated that the complaint had been reviewed at three levels of proceedings, and the General Prosecutor acknowledged that the applicant had been sterilized contrary to the relevant law, as her legal representative had not given consent. The ECtHR only concluded that Article 3 of the ECHR in its procedural part had been violated in the case of I.G., M.K. and R.H. against Slovakia, namely due to the particular subject-matter of the case. The ECtHR stated that the manner in which national authorities had been acting was not in compliance with the requirement of promptness and reasonable expedition. The submitted evidence did not, however, convince the ECtHR that it could have been a part of an organized policy, or that the behaviour of the medical staff had been racially motivated. The rulings of the ECtHR in these cases did not confirm the allegations of numerous illegal sterilizations of Roma women.

55. Measures applied by Slovakia in relation to the execution of the judgments (legislative and other) are currently supervised by the Committee of Ministers of the Council of Europe. The applicants were paid the financial compensation awarded by the ECtHR. Judgments in the case of V.C. and N.B. against Slovakia were sent to the President of the Constitutional Court and to Presidents of all District and Regional Courts. The agent before the ECtHR familiarises judges and prosecutors with the judgments as a part of educational activities. For domestic courts, the judgment in the case of V.C. against Slovakia (as well as the other two cases) provides an important guidance on reviewing claims for compensations for women affected by sterilization and on awarding compensations.

#### **I. Social inclusion of Roma, use of EU funding (recommendations No 13, 19, 20, 21, 25, 26, 62, 64–66, 70, 81–84, 89)**

56. During the period under review, Slovakia adopted several key policy programmes for Roma integration. In 2011, the Reviewed National Action Plan for the Decade of Roma Inclusion 2005-2015 updated for 2011–2015 was adopted focusing on Roma integration in four priority areas (education, employment, health, and housing). In 2012, the Government approved the Strategy for Roma Integration up to 2020 which recognized the Reviewed National Action Plan for the Decade of Roma Inclusion 2005-2015, updated for 2011–2015 as the Strategy's Action Plan for four priority areas. In addition, the Strategy covers financial inclusion, non-discrimination and attitudes towards majority and active involvement of Roma in the process of integration.

57. Monitoring and evaluation of the Strategy's objectives and individual measures forms its essential part. The Strategy brings an elaborated set of tools for evaluation of the impact of governmental policies aimed at ensuring transparency and accountability with respect to the implementation of obligations towards the inclusion of Roma. It defines particular measurable indicators for each priority area in order to monitor how objectives are fulfilled. The Office of the Plenipotentiary of the Government for Roma Communities being a coordinator of the implementation of the Strategy is the body with main responsibility for supervising the application of individual policies, programmes and projects.

58. Slovakia pays appropriate attention to the social inclusion of Roma. Support of social inclusion of persons endangered by social exclusion or socially excluded persons through the development of services with special focus on marginalized Roma communities is among priorities of the Operational Programme Employment and Social Inclusion (2007–2013). Emphasis on creation of equal opportunities in access to the labour market and support of the integration of disadvantaged groups in the labour market with special focus on marginalized Roma communities is another important field of responsibility of the Operational Programme.

59. The Ministry of Labour, Social Affairs and Family belongs to pivotal bodies to fulfil tasks and measures resulting from the Decade of Roma Inclusion 2005-2015 updated for 2011-2015. The Government has set a global objective focused on the improvement of access to work opportunities with particular emphasis on non-discriminatory access to the labour market as well as on active policies and programmes directed to the labour market, education, continuing education, and the support of self-employment activities. In 2012, the labour offices provided a wide range of information and counselling services with respect to career choice, job selection and job seeking.

60. Two national projects are currently carried out aimed at support of employment of persons from socially excluded communities, in particular from marginalized Roma communities. In addition, the Ministry of Labour, Social Affairs and Family performs a project on Field Social Work in Municipalities (2011–2015) in almost 300 Slovak cities focused on the improvement of living conditions in Roma settlements and on the promotion of employment. Community work represents an important tool for social assistance. In this connection, a project for social inclusion and positive changes in communities, in particular in marginalized Roma communities is currently under preparation. Its results are expected to contribute to the extension of social and community work, and thus prepare appropriate basis for legal regulation of community centres.

61. As a part of the Housing Development Programme, the Ministry of Transport, Construction and Regional Development provides subsidies to obtain rental housing. Subsidies are provided to municipalities and higher territorial units to construct rental apartments of regular and lower standard intended mainly for lower income groups, including socially excluded Roma communities. A subsidy up to 30% of costs is provided for apartments of regular standard (since 1 January 2014 up to 40%) and a subsidy up to 75% for apartments of lower standard. Purpose, amount of support for housing development and definition of “social housing” are stipulated by law. Social housing is defined as “housing constructed with the use of public funds intended for appropriate and dignified housing of persons who cannot obtain it on their own.

62. Subsidies to rental housing, infrastructure, as well as to the elimination of system failures of residential homes are allocated from the state budget on an annual basis. In 2010, 2344 rental apartments for socially disadvantaged groups were supported through these subsidies; in 2011, 1589 rental apartments and in 2012, 1288 rental apartments. Funds in the amount of EUR 162,098,748.94 were provided through the State Housing Development Fund (under the responsibility of the Ministry of Transport, Construction and Regional Development) and in the form of subsidies in the area of housing development in 2012. Slovakia will continue to take steps to support rental housing with the aim to ensure its affordability. Municipalities will be encouraged to create comprehensive plans of territorial development and to increase the accessibility of rental housing, inter alia, by integration of marginalized groups, limitation of social exclusion, and elimination of so-called city ghettos through suitable social mixing of population. As regards the future of Roma settlements, the Government is fully aware of the need to address the issue of non-authorized (illegal) dwellings in the context of the reform of building regulations.

63. In 2011, the Government approved the Draft pilot approach for the support of housing infrastructure from EU structural funds. In October 2012, the Government endorsed the Draft implementation mechanism for the support of housing infrastructure from EU structural funds which also includes a pilot project for construction of rental housing for marginalized groups. The amount of EUR 18.529 million is expected to be allocated to carry out the pilot project through operational programmes. Funding of the project will be supplementary ensured by loans from the National Housing Development Fund in the amount of EUR 3 million.

64. A programme for health support for disadvantaged communities has been performed by the Ministry of Health since 2007; currently its 2<sup>nd</sup> stage is under way (2009–2015). It is aimed at segregated Roma settlements and locations of Banská Bystrica, Košice and Prešov regions, where health conditions and sanitation are most critical. The programme is realized through community workers for health education who facilitate contacts between inhabitants of the settlements and medical staff. The main task of the community workers is to establish contacts with inhabitants of segregated Roma settlements, and to assist in increasing healthy conditions, including raising awareness of the prevention of diseases, healthcare, health insurance and the rights of patients. During the period under review, the number of community workers for healthcare has gradually increased – in 2009 they worked in 115 and in 2011 in 122 Roma settlements. Their action is focused mainly on direct work with families living in settlements, as well as on specific activities with children and young women. Health education is focused, inter alia, on personal hygiene, prevention of infectious diseases, sexual and reproductive health and children care. The programme is accompanied with informal discussions in community centres, settlements and schools. In 2013, a programme “Draft to Ensure Financial Stabilization of the Programme of Health Support in Disadvantaged Communities in Slovakia for 2013-2015” was prepared. It includes significant extension of the network of community workers in the area of healthcare; their number is presumed to triple by late 2013.

65. The Office of the Plenipotentiary of the Government for Roma Communities coordinates the horizontal priority marginalized Roma communities in the programming period 2007–2013. The horizontal priority was established as a part of the National Strategic Referential Framework 2007-2013, being a specialized tool for the comprehensive and effective use of European assistance. As a part of it, the amount of EUR 200 million was allocated, out of which EUR 177,907,751,00 was contracted. As regards EU funds from the programming period 2007 – 2013, EUR 163,748,285,43 was contracted as of 31 December 2012 for Roma integration, out of which EUR 50,720,399,85 was spent as follows:

- European Social Fund (ESF): The amount of EUR 109,883,263,67 was contracted and EUR 37,982,380,60 was spent in the area of education, support of social inclusion and employment.
- European Regional Development Fund (ERDF): The amount of EUR 53,865,026,46 was contracted as a part of ERDF and EUR 12,738,019,25 was spent in the area of development of municipalities with Roma settlements and healthcare.

66. In order to reduce negative impact of the economic crisis on the most vulnerable groups, the Government adopted a Stability Programme for 2013–2016. To achieve sustainable economic growth, employment and quality of life, the Government considers education, science and innovation, employment and social inclusion, entrepreneurial environment, transport and telecommunication, modern and efficient public administration, health, environmental sustainability and energy as its priorities. Following an agreement with the European Commission from 2013, resources for more direct projects in key areas are concentrating with a view to achieve more efficiency of EU funds. According to the draft EU multiannual financial framework for 2014–2020, an allocation of EUR 18.2 billion is expected for Slovakia from EU funds. The Government will strive to achieve maximum efficiency in the preparation of programme documents related to this area.

**J. Access of children to education with focus on education of Roma children (recommendations No. 72–77)**

67. The access to education is ensured systematically from both the financial and institutional point of view. It includes free pre-school education from the fifth year of age, zero class at primary schools, specialized classes at primary schools with compensation and development programme (4–8 children per class), teacher's assistant, contribution for socially disadvantaged children, food subsidies and school things assistance for children whose parents are in material need, developing and standardization of relevant diagnostic tools. Measures are adopted on a conceptual basis, addressing causes of school failure of Roma children from socially disadvantaged environment as well. The School Act prohibits measures that would lead to the exclusion of Roma children from mainstream school system and their placement in special schools and thus to lead to continuing segregation. Children are enrolled to primary schools subject to their permanent residence, unless child's parents select different primary school. This approach is applied to all children regardless of their nationality, sex, ethnic origin etc. Rights stipulated by the School Act are guaranteed equally to everyone in accordance with the principle of equal treatment in education as specified by the Anti-Discrimination Act.

68. The legal order does not allow the schoolmaster to enrol a pupil to special school or special class without certificate issued by relevant authority (counselling services) proving a disability of a child and setting the diagnosis. The State School Inspection reviews justification of enrolment of children to special schools and special classes. Since 2004, counselling diagnostic services have used tests developed for children from socially and linguistically disadvantaged environment which enable to identify the reasons for children's lag behind and thus to avoid their enrolment to special schools for reasons other than mental disability. The Ministry of Education, Science, Research and Sport issued a guideline which excludes that children without disability coming from socially disadvantaged environment are examined by psycho-pedagogical counselling services for children with disability. Another practical measure to avoid unjustified enrolment of children to special schools is re-diagnostics after the first year of school attendance.

69. Enrolment of children to special schools is subject to regular monitoring. The State School Inspection reviewed the situation in 37 special primary schools. According to findings of the inspection the enrolment of children to special schools complied with relevant laws with the exception of one primary school which did not justify disability of children. Sensitive attitude of teachers, efforts to improve children's school attendance, cooperation between schools and counselling services, out-of-schools activities, including involvement of children in projects are among positive achievements. The level of school integration is regularly reviewed as well. As a result of follow-up inspections at schools and in psycho-pedagogical counselling centres most of the shortcomings were remedied. Respect for equality of access to education for all children and identification of hidden forms of racism and segregation of children is supervised as well. Several areas should be further addressed, including the need to establish classes with compensation or development programme, modification of curricula for children from socially disadvantaged environment, adoption of measures to improve school attendance and school results in upper classes, removing language barrier in a nationally mixed territory, and preparation of children at home. The State School Inspection currently monitors how the principle of non-discrimination with focus on Roma children from socially disadvantaged environment is respected and assesses events that could be identified as segregation in education based on ethnic origin, including follow-up steps to be taken with a view to its prevention.



70. Financial contribution represents a tool to increase conditions for education of children from socially disadvantaged environment. In 2012, EUR 6,546,000 was allocated to 65,460 children from socially disadvantaged environment. Romani language, literature and history may be included in school curricula subject to the interest of schools. Textbooks are available in both Romani and Slovak language. Two projects on inclusive education and improvement of access of Roma children to pre-school and primary education are currently performed by the Methodology and Pedagogical Centre.

#### **K. Participation of Roma in public life, including their involvement in civil society (recommendations No 61, 80)**

71. The Strategy for Roma Integration up to 2020 and the Decade of Roma Inclusion 2005-2015 are reference documents with respect to the involvement of Roma in civil society. Cooperation with civil society, including cooperation with Roma NGOs forms a solid part of the Strategy. Cooperation between the Office of the Government Plenipotentiary for Roma Communities and NGOs concerns, inter alia, the preparation of programme documents and contribution to fulfilling of the Government Plenipotentiary's tasks being an advisory body of the Government. The Strategy for Roma Integration up to 2020 defines the necessary impetus and conditions for strengthening capacities of Roma NGOs by improving and supporting internal functioning of Roma NGOs, strengthening their administrative capacities, financial planning and sustainability. Emphasis is placed on human resources, mainly through the education and increasing credibility of NGOs, building NGO networks and partnership at regional and local level. No special funds have been allocated for these purpose from the state budget so far; NGOs may apply for subsidies within subsidy systems of individual ministries and at regional or local level.

72. In 2010–2011, the Board of Non-Governmental Organizations of Roma Communities achieved financial contribution to carry out the project “Assistant for Marginalized Roma Communities” focused on the human rights promotion and the improvement of NGO's work. A coalition of non-governmental organizations coordinated by the NGO Roma Institute monitors the implementation of strategic governmental policy documents related to Roma. The Office of the Plenipotentiary of the Government for Roma Communities has one position assigned for the cooperation with NGOs. Regional territorial units, municipalities and the Slovak National Centre for Human Rights cooperate with NGOs as well. As a part of its communication policy, the Office of the Plenipotentiary of the Government for Roma Communities has been encouraging the inclusion of Roma into politics, in particular at local level.

73. The Office of the Plenipotentiary of the Government for Roma Communities pays due attention to the involvement of Roma in public life. In connection with local elections it collected information provided by candidates (identifying themselves as belonging to Roma minority) about their plans and projects related to Roma communities to be carried out in case they obtain a mandate. The Office of the Plenipotentiary for Roma Communities and other public administration authorities provide consultation services to elected Roma candidates. Education for Roma mayors is provided by certain universities. Following the 2010 local elections, 28 mayors were elected identifying themselves as belonging to Roma minority. In view of the legal restriction on processing personal data based on ethnic origin, the number of local MPs can only be estimated. According to the Office of the Plenipotentiary for Roma Communities there are less than 100 local Roma MPs. In 2013, a manual “Theoretical and Practical Issues of Roma Participation at Local Level” was published, summarizing the set of recommendations for the involvement of Roma participation in public life.

**L. Adoption of international human rights treaties and cooperation with special procedures of the Human Rights Council (recommendations 1–6 and 22)**

74. During the period under review, Slovakia became a State party to several human rights treaties. In May 2010, Slovakia ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol. In relation to the recommendation to consider ratification of the Convention for the Protection of All Persons from Enforced Disappearance, the national ratification process has already started. In March 2012, Slovakia became a State party to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. With respect to the Protocol No 12 to the Convention on Protection of Human Rights, Slovakia closely follows developments, in particular the relevant case-law of the European Court of Human Rights. Its possible ratification is subject to further examination. As regards the recommendation to ratify the International Convention on the Protection of the Rights of All Migrant Workers and their Families it should be pointed out that issues covered by the Convention are to a large extent reflected in the EU migration policy with the exception that the EU policy distinguishes between the status of third countries nationals with legal residence and those who are in the territory of member states illegally. Slovakia does not intend to ratify this international treaty in the near future. With respect to the possible ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, it is subject to examination, however without intention to ratify it in the near future.

75. There is a permanent dialogue between Slovakia and the UN monitoring mechanisms. In 2013, the Initial Report on the Implementation of Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts and on the Sale of Children, Child Prostitution and Child Pornography was considered by the Committee on the Rights of the Child. The Committee for the Elimination of Racial Discrimination considered the 9<sup>th</sup> and 10<sup>th</sup> periodic report on the Implementation of the International Convention on Elimination of all Forms of Racial Discrimination. By the end of 2013, Slovakia will submit its next periodic report on the Implementation of the Convention on the Rights of the Child and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

**M. Establishment of national human rights institution in line with the Paris principles (recommendation No 12)**

76. Slovakia does not have the national human rights institution (NHRI) in line with the Paris principles. Accreditation of the Slovak National Centre for Human Rights (SNCHR) as the Slovak NHRI in the “B” category expired in March 2012. Slovakia is fully aware of the necessity to address the current situation, in particular to strengthen the SNCHR’s efficiency to perform its mandate. The institutional reform of the SNCHR was launched by the Ministry of Justice in October 2012. The legislative amendments, currently under preparation, will mainly focus on the structure of the Administrative Board of the SNCHR with the aim to reflect the principle of pluralism, and increase the transparency of the election of a SNCHR director. The changes will reflect recommendations of relevant UN treaty bodies and the cooperation with the Government Council for Human Rights, National Minorities and Gender Equality. The issue is subject to further discussions.

**N. Protection of life, promotion of religious freedom, the right to conscientious objection (recommendations No 31, 55 and 56)**

77. The right to life is guaranteed by the Constitution, Charter of Fundamental Rights and Freedoms and international human rights treaties to which Slovakia is a State party. There have been no changes in this area; the recommendation is implemented.

78. The right to conscientious objection is guaranteed by law. Medical personnel may not be required to perform an operation or to participate in operation contrary to their conscience, with the exception of cases of immediate threat to life or health. Ethical issues in providing healthcare are reviewed by an independent ethical committee; its mandate is regulated by law. The right to conscientious objection applies exclusively to cases of induced abortions, sterilization and assisted reproduction.

79. Eighteen churches and religious communities were registered as of 1 June 2013 in Slovakia. Churches and religious communities have equal status before the law. The state may conclude agreements on mutual cooperation with churches; the Fundamental Agreement between Slovakia and the Holy See of 2000 and the Agreement between Slovakia and Registered Churches and Religious Communities of 2002 on status of 11 registered churches, including significantly smaller churches, serve as a concrete example in this regard. Agreements between the state and churches represent the implementation of the obligation to preserve the rights of small religious communities. The state provides significant support to registered churches and religious communities through direct financial contribution from the state budget which represents a major part of incomes of most churches with small number of adherents. Out of 18 registered churches, four do not apply for financial subsidies. The key criterion to determine the amount of contribution depends on the number of clergymen. In practical terms, compared to large-adherent churches, the contribution for wages and tax payment of the clergymen and contribution for functioning of the religious centre calculated per number of adherents is higher for small churches.

**O. Freedom of expression (recommendations No 57 and 59)**

80. Slovakia benefits from constructive dialogue with the OSCE on issues related to the freedom of expression. In relation to the implementation of the recommendation to take measures that laws that require publishers to print responses to any statement of fact that impinges the honour and reputation of a person or legal entity do not become subject to abuse by the authorities or different interest groups, an amendment to the Press Act of September 2011 is relevant. On its basis a public official (e.g. the President, MPs, members of the Government, judges of the Constitutional and the Supreme Court, mayors ) and presidents and vice-presidents of political parties have no right to request publishing an answer if they objects allegations related to fulfilling their mandate. As the limits of criticism are wider towards public officials, the current legal regulation strengthens the freedom of political discussion. The amendment to the Press Act put in more precise terms the allegation to which the person concerned may exercise the right to answer. The right to answer applies only to false and incomplete allegations and allegations distorting the truth.

**P. Development cooperation and humanitarian assistance (recommendation No 90)**

81. Since 2003, the Slovak Official Development Assistance (ODA) has been achieving an annual volume of over EUR 60 million (in 2012 EUR 68.6 million). Development of legal and institutional framework, strengthening the inclusive development of partnership

countries, capacity-building and sustainability of human rights principles are an imminent part of the Slovak ODA.

82. In 2012 and 2013, development cooperation focused on gradual decrease of the number of priority countries and sector focus of the ODA. The ODA was provided to the following priority countries – Kenya, South Sudan, Afghanistan being the programme countries with long-term cooperation; countries of the Western Balkan (Bosnia and Herzegovina, Montenegro, Macedonia, Serbia); countries of the Eastern Partnership with the EU (Belarus, Georgia, Moldova and Ukraine) and countries of the Southern Partnership (Tunisia and Egypt). During the period under review, the fundamental sector priorities of the Slovak ODA focused on building democracy, developing infrastructure (healthcare, education), protection of environment, climate change and agriculture development. In addition to the basic fundamental sector priorities, cross-cutting priorities with emphasis on gender equality and good governance were supported as well. All programmes and specific projects of the Slovak ODA include the element of promotion and respect for human rights. Slovakia has so far supported 382 bilateral development projects.

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