

**Council of Europe contribution for the 18th UPR session
regarding the Slovak Republic**

Prevention of Torture

On 11 February 2010, the Council of Europe's Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) published the report on its fourth periodic visit to the Slovak Republic, carried out from 24 March to 2 April 2009, together with the response of the Slovak Government (both documents are attached below).

The findings of the visit indicate that there has been an improvement in the treatment of persons deprived of their liberty by law enforcement officials, as compared to the situation found during previous visits to Slovakia by the CPT. However, in addition to a number of complaints concerning remarks of a racist nature, the delegation did receive several allegations of physical ill-treatment of detained persons by police officers, which concerned mainly excessive use of force during apprehension. As for investigations into allegations of police ill-treatment, the CPT has recommended that the Slovak authorities improve the effectiveness and independence of such investigations. The report also assesses the procedural safeguards against ill-treatment and concludes that further action is required in order to bring the law and practice in this area into line with the Committee's standards.

As regards the detention centres for foreigners visited in Medved'ov and Sečovce, the CPT gives an overall positive assessment. However, it is recommended that the programme of activities offered to foreigners be developed. The report also expresses concern over the unregulated nature of the "separation regime" in place for the seclusion of certain detainees and the lack of appropriate safeguards surrounding that regime. According to the authorities' response, an alien is placed under a separation regime in circumstances determined by law and for a period of time which is reasonably necessary.

On prison matters, the Committee criticises the practice of collective strip searches and the use of dogs for routine prison duties involving inmates. As for the situation of life-sentenced prisoners, the report notes that certain measures have been taken to improve the detention regime of these persons, most notably by the introduction of an internal differentiation aimed at mitigating the standard regime. However, it would appear that this development has yet to be fully implemented; the regime afforded to the vast majority of life-sentenced prisoners remained impoverished. The conditions of prisoners held in the High-Security Department in Leopoldov Prison is another issue of concern for the CPT. The Committee observed that the High Security Department is limited to providing a secure setting, while the majority of prisoners it accommodates appear to be in need of psychiatric care.

The Committee also visited the psychiatric ward at Trenčín Prison Hospital. The report highlights that patients placed in the protective psychiatric treatment unit and those receiving protective treatment for substance abuse benefit from a full programme of activities, whereas the regime offered to patients in the unit for acute psychiatric conditions is poor.

A complete list of the CPT's recommendations, comments and requests for information is contained in Appendix I to the report.¹



Slovak Republic 2009 report.pdf



Slovak Republic 2009 response.pdf



Slovak Republic 2009 response addendum.pdf

¹ pp. 59-70.

Execution of judgments and decisions of the European Court of Human Rights

At 31 December 2012, there were 48 cases pending before the Committee of Ministers for supervision of their execution, 14 of these cases were “leading cases”, i.e. raising a new structural /general problem and requiring the adoption of general measures. The main case or group of cases revealing such structural problems is listed below:

- ❖ Expulsion contrary to the interim measure (Rule 39 of the Rules of the Court) without sufficient guarantees for protection against the risk of ill-treatment and lack of access to the Constitutional Court - *Labsi v. Slovakia* (application No. 33809/08, judgment final on 24.09.2012).

The document attached presents a brief description of the violation and the latest detailed decision taken by the Committee of Ministers and the responses given thereto by the respondent state.



Contributions to the
18th session of the U

Fight against racism and intolerance

On 26 May 2009, the European Commission against Racism and Intolerance (ECRI) published its fourth report on the Slovak Republic.²

The ECRI report notes positive developments in the country, but also details continuing grounds for concern, said the Chair of ECRI, Eva Smith Asmussen.

A new Criminal Code containing several provisions on racially-motivated crimes was adopted in 2006 and the Anti-Discrimination Act, which prohibits discrimination based on, among others, race, religion, national or ethnic origin, colour and language, was passed in 2004. However, the situation of the Roma remains worrying in areas such as education, housing, employment and health and instances of police brutality against members of this minority still occur. A rise in racist political discourse by some politicians targeting primarily Hungarians, as well as Roma and Jewish people, has been noted. The integration of refugees is still an issue that needs to be tackled, namely through the integration strategy devised by the Slovak authorities.

The report contains findings and recommendations regarding the following issues:

- Existence and implementation of legal provisions³
- Discrimination in various fields, including education, housing, health, employment and access to welfare⁴
- Racist violence⁵
- Racism in public discourse⁶
- Vulnerable/target groups, including Roma, the Hungarian minority, migrants, refugees and asylum seekers⁷
- Antisemitism⁸

² A summary of the report can be found on pp. 7-10.

³ pp. 11-18.

⁴ pp. 18-26.

⁵ pp. 26-27.

⁶ pp. 27-28.

⁷ pp. 29-33.

⁸ pp. 33-35.

- Conduct of law enforcement officials⁹
- Monitoring of racism and racial discrimination¹⁰

The following three recommendations were selected for priority implementation to be revisited two years later:

1. ECRI recommends that the Slovak authorities take steps to strengthen the role of the Slovak National Centre for Human Rights as an anti-discrimination body by ensuring that it is perceived as being fully independent in practice, that it has the power to represent victims of racial discrimination in court and that it receives sufficient human and financial resources. In line with its General Policy Recommendation No. 2 on specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level, ECRI further recommends that the strengthening of the Slovak National Centre for Human Rights include more active research on its part on issues pertaining to racism and racial discrimination as well as on the situation of minority groups, and widespread awareness-raising campaigns on these questions.
2. ECRI commends the Slovak authorities for making issues pertaining to Roma a horizontal priority and urges them to increase the capacity of the Office of the Plenipotentiary for Roma to manage funds allocated to that end by increasing the human and financial resources available to this Office. ECRI further recommends wide-ranging consultations and involvement of Roma communities leaders in decisions on the manner in which these funds are spent as well as the regular monitoring and assessment of the impact of measures taken.
3. ECRI strongly recommends that in order to combat the de facto segregation of Roma children in education, the Slovak authorities provide incentives, including financial ones, to local authorities to draw up and implement action plans to desegregate schools in their areas.

Subsequently, on 22 May 2012 ECRI published conclusions on the implementation of these priority recommendations.

As regards the first priority recommendation, ECRI notes that to date, there is no specialised body for combating racism and racial discrimination in Slovak Republic, which is regretful; it considers that its recommendation has not been implemented.

As regards the second priority recommendation, ECRI considers that the staffing available to the Office of the Plenipotentiary for implementing the horizontal priority is insufficient. It also notes that the authorities have not indicated the financial resources allocated to the Office of the Plenipotentiary nor have they mentioned what measures, if any, have been taken to consult Roma community leaders.

As regards the third priority recommendation, ECRI considers that the initiatives taken by the Slovak authorities do not appear to have had the intended impact yet, as the general feeling is that the situation of the Roma in the school system remains unchanged. Moreover, ECRI considers that its specific recommendation - to provide incentives, including financial ones, to local authorities to draw up and implement action plans to desegregate schools in their areas - has not been implemented.

⁹ pp. 35-36.

¹⁰ p. 36.

ECRI's report on the Slovak Republic and the conclusions on the implementation of the recommendations subject to interim follow-up are attached below.



SVK-CbC-IV-2009-02 0-ENG.pdf



SVK-IFU-IV-2012-02 9-ENG.pdf

Protection of Minorities

Framework Convention for the Protection of National Minorities

On 6 July 2011, the Committee of Ministers adopted a resolution on the protection of national minorities in the Slovak Republic (attached below). The resolution contains conclusions and recommendations, highlighting positive developments¹¹ but also mentioning issues of concern¹². Moreover, it mentions a number of areas where further measures are needed to advance the implementation of the Framework Convention for the Protection of National Minorities.

In addition to the measures to be taken to implement the detailed recommendations contained in Sections I¹³ and II¹⁴ of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention.

Issues for immediate action¹⁵

- take adequate legislative steps to adopt a more comprehensive legislation on minority languages in order to ensure an appropriate balance between the legitimate promotion of the State language and the right to use minority languages, as provided in the Framework Convention; favour a policy of incentives over a punitive approach in relation to the implementation of the 2009 State Language Law, both in the public and private sphere;
- take more resolute measures to combat intolerance based on ethnic origin and take further steps to promote mutual understanding and respect between persons belonging to various groups; increase efforts to fight against and sanction effectively discrimination and take resolute steps to design and implement positive measures, accompanied by adequate awareness-raising;
- take resolute measures to put an end, without further delay, to the continuing segregation of Roma children at school and their unjustified assignment to 'special' schools. Pursue and strengthen efforts to ensure adequate inclusion of Roma children into mainstream education.

Further recommendations¹⁶

- take more resolute measures to ensure that the implementation of various programmes and strategies for Roma results in substantial and lasting improvement of their situation in education, employment, healthcare and housing; improve the collection of data on the situation of persons belonging to national minorities in all sectors of society;
- pursue the policy of support for the preservation and development of the cultures of national minorities, through transparent procedures and in consultation with those concerned;
- consider the adoption of laws on the financing of minority cultural activities and, as a whole, the protection of persons belonging to national minorities; when adopting legislative and policy initiatives affecting national minorities, take a particularly careful and balanced approach, including appropriate prior consultation with representatives of national minorities and adequate awareness-raising measures;

¹¹ Part 1.a) of the resolution

¹² Part 1.b) of the resolution.

¹³ pp. 6-9 of the third Opinion of the Advisory Committee on the Framework Convention on the Slovak Republic.

¹⁴ pp. 10-44 *ibid*

¹⁵ The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

¹⁶ *Idem*.

- encourage the access to and participation in the media of persons belonging to national minorities, including the Roma; increase support to minority media as well as to the production of quality programmes designed for persons belonging to national minorities;
- favour a flexible approach to the numerical conditions required under the law in order to allow persons belonging to national minorities to use their language in the public sphere, as provided by the Framework Convention;
- provide greater support to minority language teaching in schools with instruction in the Slovak language located in ethnically-mixed areas, including those inhabited by persons belonging to the Hungarian minority, in order to ensure that children belonging to national minorities have adequate opportunities to learn their minority language;
- ensure that textbooks pay adequate attention to the cultures and identity of national minorities, including the numerically-smaller ones;
- step up efforts to ensure the participation of persons belonging to national minorities, including numerically smaller minorities, in public administration and law-enforcement agencies, and promote increased participation of persons belonging to the Roma minority in elected bodies, in particular at the central level.

The Committee of Ministers' resolution is largely based on the corresponding third Opinion of the Advisory Committee on the Framework Convention on the Slovak Republic¹⁷. The concluding remarks, contained in Section III¹⁸, serve as the basis for the Committee of Ministers' Resolution. The Opinion of the Advisory Committee and the comments on the Opinion by the Government of the Slovak Republic are also attached below.



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European Charter for Regional or Minority Languages

On 30 January 2013, the Council of Europe Committee of Ministers made public the third report on the application of the European Charter for Regional or Minority Languages by the Slovak Republic. The report drawn up by a committee of independent experts, which monitors the application of the Charter, is contained in the attachment below. It includes the Committee of Ministers' Recommendation on the application of the European Charter for Regional or Minority Languages by the Slovak Republic.

On the basis of the report, the Committee of Ministers calls on the Slovak Republic to review the legislation so that minority languages are used in administration even if the persons belonging to a national minority represent less than 20% of the population. The Slovak authorities are also called upon to develop further minority language education and to improve the training of teachers for this field. Furthermore, Romani should be taught on a large scale and measures be pursued to abolish the unjustified enrolments of Roma children in separate schools or classes. The Slovak authorities are further requested to take steps so that more public radio and television programmes are broadcast in the minority languages. Finally, the Committee of Ministers calls on the Slovak authorities to promote in the Slovak society awareness and tolerance in regard of all minority languages in the country.



SlovakiaECRML3_en.
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¹⁷ A summary of the report can be found on pp. 1-3.

¹⁸ pp. 45-48.

Council of Europe Commissioner for Human Rights

On 20 December 2011, the Commissioner for Human Rights, Thomas Hammarberg, released his report following a visit to the Slovak Republic from 26 to 27 September 2011, which focuses on the protection of the human rights of Roma and persons with disabilities.¹⁹ The Commissioner's report, which includes the response of the Slovak authorities²⁰, is attached below.

The Commissioner's report focuses on the following selected human rights issues:

- I. Protection of the human rights of Roma²¹
- II. Protection of the human rights of persons with disability²²

For each issue the Commissioner provides specific conclusions and recommendations.²³

Upon releasing his report Thomas Hammarberg said that "concrete action to counter anti-Gypsyism and discrimination against Roma must be given priority by the authorities of Slovakia". Racist and anti-Roma discourse is still common among mainstream politicians in the Slovak Republic, as well as in the broadcasting and print media. "The Slovak authorities should increase their efforts to prevent the spreading of such prejudices, including by promoting self-regulation within political parties and the media and implementing more thoroughly the relevant criminal provisions."

In order to address continuing reported instances of violent hate crimes targeting ethnic minorities, including Roma, the Commissioner calls on the Slovak authorities to better apply the criminal law provisions establishing racial motivation as an aggravating circumstance.

The Slovak authorities have taken initiatives to tackle misconduct of law enforcement officers targeting Roma, but this practice persists. Efforts underway must therefore be extended, ensuring that effective investigations take place and any officials found responsible is adequately punished. "The Slovak authorities should consider the establishment of a body, independent from the police and prosecution authorities, able to investigate police misconduct, including in cases of racial discrimination", the Commissioner said.

The Commissioner is concerned that many Roma children in the Slovak Republic continue to receive education of lower quality than their non-Roma peers due to policies and practices resulting in segregation. "Roma children are disproportionately placed in special schools for children with mild mental disabilities or assigned to Roma-only mainstream schools or classes. There is an urgent need to address this situation by fostering inclusive education."

Roma families also suffer from inadequate housing and a number of interconnected problems, including sub-standard material conditions, segregation, lack of security of tenure and difficulties accessing social housing. "Authorities at all levels should invest in the development of safe and affordable housing solutions for Roma in integrated communities and avoid housing programmes and practices that currently result in segregation. Walls separating Roma from non-Roma areas should be dismantled and never rebuilt. The Commissioner further recommends improvements in the material conditions prevailing in many Roma settlements, including ensuring access to potable water, electricity, sewage and waste removal, as well as transportation and road provisions.

Progress remains to be made in the Slovak Republic in dealing with past practices and with cases of sterilisation of Roma women without their full and informed consent. Effective

¹⁹A summary of the report appears on pp. 2-4.

²⁰ Appendix to the report.

²¹ paras. 6-15, 21-23, 29-31, 36-39, 42-51, 57-62, 68-75, 80-81.

²² paras. 85-87, 90-92, 95-97, 100-103.

²³ paras. 16-20, 24-28, 32-35, 40-41, 52-56, 63-67, 76-79, 82-84, 88-89, 93-94, 98-99, 104-106.

investigations into all such allegations and adequate punishment of those responsible must be ensured. "This includes both adequate compensation and a public acknowledgment and expression of regret over forced sterilisations" said the Commissioner.

Another concern is that many Roma children are placed in institutional care. "No child should be placed in institutional care solely on grounds relating to the poor housing conditions or financial situation of the child's family. Priority should be given to supporting and fostering the development of the child within the family, while the institutionalisation of children, including Roma children, should remain the exception."

The Commissioner notes that many persons with disabilities in the Slovak Republic live in large institutions separated from the rest of society and that most children with intellectual disabilities are educated in special schools. "These situations of separation must be reversed" said the Commissioner as he called on the Slovak authorities to adopt a comprehensive action plan on de-institutionalisation and "make concrete advances in meeting their obligation to provide children with disabilities with inclusive education in mainstream schools." Furthermore, the Commissioner notes that persons with psycho-social or intellectual disabilities are often deprived of their legal capacity to make important decisions concerning their lives, including family matters, health, and political participation. "Instead, these persons should be provided with the specific assistance they may need to take these decisions", he said.



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Action against Trafficking in Human Beings

On 19 September 2011, the Group of Experts on Action against Trafficking in Human Beings (GRETA) published its first evaluation report on the Slovak Republic²⁴, together with the final comments of the Slovak Government. Both documents are contained in the attachment below.

In its report, GRETA notes the efforts of the Slovak authorities to combat trafficking in human beings. In particular, GRETA welcomes the creation of Expert Group for Combating Trafficking in Human Beings, a multidisciplinary entity composed of relevant public bodies and non-governmental organisations and the adoption and implementation of multiannual National Action Plans. However, GRETA considers that the Slovak authorities should strengthen the institutional framework for action against trafficking in order to achieve a more active and effective involvement of all governmental bodies with responsibilities relevant to prevention of trafficking in human beings and protecting the rights of victims.

As regards prevention, the Slovak authorities have taken measures to raise public awareness and train relevant professionals on trafficking in human beings, in co-operation with non-governmental and international organisations. That said, GRETA stresses the need for developing the aspect of prevention of trafficking in human beings by targeting information and awareness-raising measures to specific groups vulnerable to trafficking, stepping up the research, and reinforcing economic and social measures to the benefit of potential victims of trafficking.

Moreover, GRETA considers that the identification of victims of trafficking, including child victims, should be improved, in particular by setting up of a coherent national mechanism for this purpose and adopting a proactive approach to the identification of victims.

²⁴ A summary of the report can be found on pp. 6-7.

In its report GRETA provides concluding remarks²⁵ as well as a complete list of proposals to the Slovak authorities.²⁶



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Preventing and Combating Violence against Women and Domestic Violence

The Slovak Republic has signed but not yet ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence. For this reason, it is not yet concerned by the monitoring procedure which to be carried out once the convention will enter into force.

Social and economic rights

The Slovak Republic ratified the European Social Charter and its Additional Protocol on 22/06/1998, accepting 60 of the Charter's 72 paragraphs, and all four articles of the Additional Protocol. On the same occasion, it also ratified the Amending Protocol to the Charter.

The Slovak Republic ratified the Revised European Social Charter on 23/04/2009, accepting 86 of the Revised Charter's 98 paragraphs.

It has signed but not yet ratified the Additional Protocol providing for a system of collective complaints on 18/11/1999.

Cases of non-compliance

Thematic Group 1 "Employment, training and equal opportunities"

► Article 1§1 - Right to work - Policy of full employment

Employment policy efforts have been inadequate in view of the persisting high levels of unemployment in a context of relative economic growth.

(Conclusions 2012, p. 6)

► Article 1§2 - Right to work - Freely undertaken work (non-discrimination, prohibition of forced labour, other aspects)

It has not been established that the restrictions on access of foreign nationals non EU/EEA nationals to posts in the public/state service, not linked to state sovereignty, are not excessive.

(Conclusions 2012, p. 9)

► Article 1§3 - Right to work – Free placement services

It has not been established that placement services operate in an efficient manner.

(Conclusions 2012, p. 10)

► Article 1§4 - Right to work - Vocational guidance, training and rehabilitation

It has not been established that:

1. vocational guidance services operate in an efficient manner;
2. the right to vocational training of employed and unemployed persons is adequately guaranteed;
3. the right of persons with disabilities to mainstream training is effectively guaranteed.

(Conclusions 2012, p. 11)

²⁵ p. 35.

²⁶ Appendix I.

► Article 9 - Right to vocational guidance

It has not been established that vocational guidance services operate in an efficient manner.
(Conclusions 2012, p. 12)

► Article 10§1 - Right to vocational training - Promotion of technical and vocational training; access to higher technical and university education

It has not been established that the right to vocational education is adequately guaranteed.
(Conclusions 2012, p. 14)

► Article 10§2 - Right to vocational training – Apprenticeship

It has not been established that the right to apprenticeship is adequately guaranteed.
(Conclusions 2012, p. 15)

► Article 10§3 - Right to vocational training - Vocational training and retraining of adult workers

It has not been established that:

1. the right to vocational training of employed persons is adequately guaranteed, and that
2. the right to vocational training of unemployed persons is adequately guaranteed.

(Conclusions 2012, p. 16)

► Article 15§1 (and Article 1§4) - Right of physically or mentally disabled persons to vocational training, rehabilitation and social resettlement - Education and training for persons with disabilities (Right to work - Vocational guidance, training and rehabilitation)

It has not been established that mainstreaming of persons with disabilities is effectively guaranteed in education and training.

(Conclusions 2012, p. 23 (and p. 11))

► Article 15§2 – Right of physically or mentally disabled persons to vocational training, rehabilitation and social resettlement - Employment of persons with disabilities

1. It has not been established that there is effective anti-discrimination legislation;
2. It has not been established that persons with disabilities are guaranteed an effective equal access to employment.

(Conclusions 2012, p. 26)

► Article 18§1 - Right to engage in a gainful occupation in the territory of other States Parties - Applying existing regulations in a spirit of liberality

It has not been established that existing regulations are applied in a spirit of liberality.

(Conclusions 2012, p. 28)

► Article 18§2 - Right to engage in a gainful occupation in the territory of other States Parties – Simplifying existing formalities and reducing dues and taxes

The formalities for the granting of temporary residence permits have not been simplified.

(Conclusions 2012, p. 30)

► Article 20 - Right to equal opportunities and equal treatment in employment and occupation without sex discrimination

It has not been established that equal opportunities and equal treatment in matters of employment without discrimination on grounds of sex are guaranteed.

(Conclusions 2012, p. 32)

► Article 24 - Right to protection in case of dismissal

The maximum compensatory payment in case of unlawful termination of employment is inadequate.

(Conclusions 2012, p. 36)

Thematic Group 2 "Health, social security and social protection"

► Article 11§1 – Right to protection of health – Removal of the causes of ill health
It has not been established that the health care system is sufficiently accessible.
(Conclusions XIX-2 (2009), p. 11)

► Article 11§2 – Right to protection of health - Advisory and educational facilities
It has not been established that health education is incorporated into the school curriculum nor has it been established that screening for illnesses responsible for high levels of early death is practised systematically and available free of charge.
(Conclusions XIX-2 (2009), p. 14)

► Article 12§1 – Right to social security - Existence of a social security system
There is no evidence that the adequacy of social security benefits is secured.
(Conclusions XIX-2 (2009), p. 17)

► Article 12§2 - Right to social security - Maintenance of a social security system at a satisfactory level at least equal to that required for ratification of the International Labour Convention No. 102
It has not been established that the Slovak Republic maintains a social security system that meets the requirements of the ILO Convention No. 102.
(Conclusions XIX-2 (2009), p. 17)

► Article 12§4 - Right to social security - Social security of persons moving between states
It has not been established that:
- equal treatment of nationals of other States Parties which are not members of the EU or Parties to EEA is guaranteed;
- the retention of accrued benefits for persons moving to a State Party which is not covered by Community regulations or not bound by an agreement with the Slovak Republic is guaranteed;-
the accumulation of insurance or employment periods completed in other States Parties not covered by Community regulations and not bound by a bilateral agreement with the Slovak Republic is guaranteed.
(Conclusions XIX-2 (2009), p. 21)

► Article 13§1 - Right to social security - Right for every person in need to adequate assistance
It has not been established that:
- social assistance is provided for everyone in need
- equality of treatment of foreign nationals legally resident in the Slovak Republic is guaranteed in the matters of social assistance.
(Conclusions XIX-2 (2009), p. 24)

► Article 14§1 - Right to benefit from social services - Promotion or provision of social services
It has not been established that:
- remedies enabling users to assert their rights do exist;
- monitoring arrangements for guaranteeing the quality of the social services provided by the various providers do exist.
(Conclusions XIX-2 (2009), p. 27)

Thematic Group 3 "Labour rights"

► Article 2§1 - Right to just conditions of work - Reasonable working time
The Labour Code permits daily working time of up to 16 hours in certain types of work.
(Conclusions XIX-3 (2010), p. 5)

► Article 2§2 - Right to just conditions of work - Public holidays with pay

Work performed on a public holiday is not compensated at a sufficiently high level.
(Conclusions XIX-3 (2010), p. 6)

► Article 4§1 - Right to a fair remuneration - Decent remuneration
The minimum wage is manifestly unfair.
(Conclusions XIX-3 (2010), p. 9)

► Article 4§2 - Right to a fair remuneration - Increased remuneration for overtime work
Time off to compensate overtime work is not sufficiently long.
(Conclusions XIX-3 (2010), p. 10)

► Article 4§4 - Right to a fair remuneration - Reasonable notice of termination of employment
The length of service of employees who work fewer than fifteen hours a week is not taken into account when calculating notice periods.
(Conclusions XIX-3 (2010), p. 11)

► Article 4§5 - Right to a fair remuneration - Limits to deduction from wages
Deductions from wages may deprive workers of the means of subsistence required to provide for themselves and their families.
(Conclusions XIX-3 (2010), p. 11)

► Article 6§2 - Right to bargain collectively - Negotiation procedures
1. It has not been established whether the development of collective bargaining is encouraged;
2. It has not been established that police officers are entitled to participate in the processes that result in the determination of the regulations applicable to them.
(Conclusions XIX-3 (2010), p. 15)

► Article 6§4 - Right to bargain collectively - Collective action
Restrictions on the right to strike for persons working in nuclear power stations or those employed in air traffic control go beyond those permitted by Article 31 of the Charter.
(Conclusions XIX-3 (2010), p. 17)

Thematic Group 4 “Children, families, migrants”

► Article 7§1 – Right of children and young persons to protection - Prohibition of employment under the age of 15
It has not been established that the definition of light work and its duration are sufficiently precise.
(Conclusions 2011, p. 4)

► Article 7§3 – Right of children and young persons to protection - Prohibition of employment of children subject to compulsory education
It has not been established that the definition of light work and its duration for children subject to compulsory education are sufficiently precise.
(Conclusions 2011, p. 5)

► Article 7§5 – Right of children and young persons to protection - Fair pay
It has not been established that young workers receive a fair pay.
(Conclusions 2011, p. 6)

► Article 8§1 – Right of employed women to protection - Maternity leave
Maternity benefits are not of an adequate level.
(Conclusions 2011, p. 10)

► Article 8§2 – Right of employed women to protection - Illegality of dismissal during maternity leave

The dismissal of pregnant women and women on maternity leave can be justified by the relocation of activities of the undertaking where they are employed.

(Conclusions 2011, p. 11)

► Article 16 – Right of the family to social, legal and economic protection

1. The right to housing of Roma families is not effectively guaranteed.

2. Entitlement to childbirth allowance and childminding allowance is subject to an excessive length of residence requirement.

(Conclusions 2011, p. 15)

► Article 17§1 – Right of children and young persons to social, legal and economic protection – Assistance, education and training

- All forms of corporal punishment of children are not explicitly prohibited in the home;

- The maximum length of pre-trial detention of minors is excessive.

(Conclusions 2011, p. 18)

► Article 17§2 – Right of children and young persons to social, legal and economic protection -

Free primary and secondary education - regular attendance at school

Roma children are disproportionately represented in special classes.

(Conclusions 2011, p. 19)

Please find attached below the Conclusions regarding the Slovak Republic from 2009, 2010, 2011 and 2012, as well as the fact sheet.



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SlovakiaXIX3_en.pdf



Slovakia2011_en.pdf



Slovakia2012_en.pdf



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