

**Questionnaire**  
**Human Rights Council resolution 24/16 on “The role of prevention in the promoting and protection of human rights”**

1.

a. Please describe legislative, judicial, administrative and other measures aimed at prevention of human rights violations and abuses in place at the domestic level, both with regard to direct prevention (aiming to prevent violations from occurring by reducing the risk factors that cause violations) and indirect prevention (aimed at ensuring non-recurrence through investigation and addressing causes of violations as well as accountability).

b. Please describe any good practices in the implementation of these measures, as well as any challenges which have been faced.

c. Please describe how such measures encompass all branches of the State (executive, legislative and judicial), and other public of governmental authorities, at whatever level – national regional or local).

**Re: Ministry of Justice of the Slovak Republic, questions 1.a and 1.b:**

Article 46 of the Constitution of the Slovak Republic (Act No. 460/1992 Coll., as amended) guarantees **everyone the right to judicial and other protection of their rights.**

Pursuant to Article 46(1) of the Slovak Constitution, everyone may claim their rights in a manner laid down by law before an independent and impartial court and, in cases laid down by law, before other bodies of the Slovak Republic.

Anyone who claims to have been deprived of their rights by a decision of a public authority may turn to the court in order to have the lawfulness of such a decision reviewed unless the law provides otherwise. The review of decisions concerning the fundamental rights and freedoms may not, however, be excluded from the jurisdiction of courts (Article 46(2) of the Constitution).

Everyone is entitled to compensation for damage sustained as a result of an unlawful decision by court or another state or public administration body, or as a result of an incorrect official procedure (Article 46(3) of the Constitution).

**Judicial protection of human rights** in Slovakia is ensured through courts, i.e., **general courts** (the system comprises 54 district courts and 8 regional courts, plus Specialised Penal Court and Supreme Court) **and the Constitutional Court.**

**The extra-judicial protection of human rights** is ensured, within the remit of their decision-making competences) by the (central, local and specialised) **bodies of public administration and by the Public Defender of Rights (Ombudsman).**

**The bodies of public administration** decide on the rights and on the lawfully protected interests and duties of natural and legal persons in line with the general laws and regulations governing the administrative proceedings, as well as in line with the act on minor offences, tax laws and other generally binding regulations.

Pursuant to Act No. 71/1967 Coll. On Administrative Proceedings, as amended (the “Administrative Code”), the administrative authority competent to issue a decision in a particular case must establish, precisely and fully, all the facts of the case and obtain any and all documents it needs to issue its decision.

Anyone whose rights have been affected by a decision of an administrative authority has the right of appeal against the decision issued by the first-instance authority.

If, even with the appellate procedure completed, the citizen continues to believe that the administrative decision breaches of any of his fundamental rights or freedoms, he/she may turn to a **general court** which is, in certain cases stipulated by law, competent to **review the decisions issued by public administration bodies**. Where the general court lacks competence to rule on the matter, the citizen may turn to the Constitutional Court by filing a constitutional complaint pursuant to Article 127a of the Constitution.

The **Public Defender of Rights (Ombudsman)**, as an independent body, and the **Slovak National Centre for Human Rights**, as an independent national human rights institution (NHRI) and the national equality body, play a specific role in Slovakia’s system of the extra-judicial protection of human rights.

According to Article 151a(1) of the Slovak Constitution, “*The Public Defender of Rights is an independent body of the Slovak Republic which, within the scope and in the manner laid down by law, protects the fundamental rights and freedoms of natural and legal persons in proceedings before public administration bodies and other public authorities insofar as their acts, decision-making, or omission to act, are in conflict with the legal order. In cases laid down by law, the Public Defender of Rights may participate in holding to account those public officials who have violated a fundamental human right or freedom of a natural or legal person. All public authorities shall provide the Public Defender of Rights with the necessary cooperation.*”

The details concerning the election to/removal from office of the Public Defender of Rights, including his competences and modalities for the performance of his functions and ways in which both natural and legal persons may exercise their rights, are laid down in **Act No. 564/2001 Coll. On Public Defender of Rights, as amended**, adopted by the National Council of the Slovak Republic on 4 December 2001. The Public Defender of Rights is elected by the National Council of the Slovak Republic (parliament) to a seven-year term of office from among the candidates nominated by no less than 15 members of parliament.

(see answers to Questions 7.A and 7.B for more information)

## **Re: Ministry of Interior of the Slovak Republic**

### **1a:**

The Slovak Republic is involved in a number of international projects aimed at protecting human rights. Human rights and fundamental freedoms are enshrined in the Constitution of

the Slovak Republic and their protection is also guaranteed by specific legal acts. In this regard, very significant is the area of criminal law which provides protection of fundamental rights and freedoms enshrined not only in the Constitution of the Slovak Republic, but also in civil law, administrative law, international law and other branches of law. It has protective, preventive as well as repressive function and provides protection of rights and interests of individuals, legal entities and the society in general against serious misconduct. Specifically, criminal law defines criminal offenses, requirements for criminal responsibility, provides for penalties and protective measures.

The Government of the Slovak Republic approves various strategies, national action plans and national programs related to human rights protection. As an example, concerning the specific question of human trafficking, the National Program on the Fight against Human Trafficking for years 2015 - 2018 was approved in February 2015.

Further, measures that aim to prevent violations and abuses of human rights on national level are also adopted by the Ministry of Interior of the Slovak Republic and the Presidium of the Police Force. These rules impose obligations to senior officials and are aimed at preventing human rights violations, particularly in case of persons deprived of their liberty. Specifically, the measure of the Minister of Interior of the Slovak Republic no. 17/2015 on the implementation of tasks and measures of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the order of the President of the Police Force no. 4/2015 on the execution of tasks to ensure recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) or also the order of the Minister of Interior of the Slovak Republic no. 21/2009 on tasks to prevent violations of human rights and freedoms by members of the Police Force and the Railway Police while performing police interventions and restricting liberty.

Various provisions focused on the human rights protection in relation to aliens are enshrined in the Aliens Act no. 404/2011 Coll. which is fully consistent with the European legislation standards. For instance, the act defines a vulnerable person and contains specific provisions in relation to vulnerable persons, e.g. authorization to shorten the time of the entry ban or not to execute administrative expulsion of a third country national who is a vulnerable person, or who was granted a residence if the consequences of the procedure were disproportionate in relation to private and family life of the third country national, the length of his stay, health, age or bonds with the country of origin.

Further, the Aliens Act contains several procedural provisions concerning information obligations of the police in relation to aliens, the obligation to ensure the interpretation of the content and reasons of decisions (e.g. a decision on administrative expulsion) into a language the alien understands etc.

In case of administrative expulsion or detention proceedings against a third country national, each case is assessed individually according to the specific circumstances and the seriousness of an alien's action, with due regard to its consequences and in particular with respect to private and family life of the alien. Moreover, it is prohibited to expel an alien to a country in which his life or health or freedom could be threatened. During the process, a third country national is guaranteed the right to a legal representation as well as all the rights granted by the Convention for the Protection of Human Rights and Freedoms.

#### **1b:**

Good practices in implementing the above mentioned legislation consist mainly of trainings organized for officers and subsequent control by senior officers and superiors.

Further, in relation to human trafficking, its prevention and raising awareness of this question, information campaigns, training activities for entities cooperating in the area of detection of

human trafficking and providing adequate information for potential victims of trafficking have proved to have positive results. Very effective tool in this area is also a long-term operation of the national helpline for victims of trafficking 0800 800 818 established not only for the purpose of providing preventive information.

**1c:**

Several councils, committees and expert groups comprising members from different bodies and authorities on national level are operating in the area of prevention of violations and abuses of human rights, among many examples – Council of the Government of the Slovak Republic for the Prevention of Criminality, Committee for the prevention and elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance as one of the committees of the Council of the Government of the Slovak Republic for Human Rights, National Minorities and Gender Equality, or Expert Group for the Area of Fight against Human Trafficking.

**2.**

**a. What action-oriented policies, practices and strategies to prevent human rights violations and abuses have been put in place at the national level including the establishment of independent national institutions, national human rights action plans and any early warning mechanisms?**

**b. Please describe how national human rights institutions contribute to prevention of human rights violations.**

**c. In those States that have established a national preventive mechanism under the Optional Protocol to the Convention against Torture, please provide information on any lessons learnt regarding prevention of torture that may also apply to prevention of other human rights violations.**

**Re: Ministry of Interior of the Slovak Republic, question 2a:**

Concerning strategies, national action plans and national programs related to prevention of human rights violations in the Slovak Republic, we could mention for example in the area of domestic violence - the National Action Plan for the Prevention and Elimination of Violence against Women for the years 2014 - 2019 which was approved in December 2013, the National Program on the Fight against Human Trafficking for years 2015 – 2018, related to human trafficking and approved in February 2015, present drafts of the National Plan of Border Control Management of the Slovak Republic for the years 2015 – 2018, National Strategy for the Protection of Children from Violence, etc.

A body at the national level dealing with the issue of human trafficking is the Information Center on the Fight against Human Trafficking and the Prevention of Criminality, established by the Act no. 583/2008 Coll. on the prevention of criminality and other antisocial activities.

**Re: Ministry of Labour, Social Affairs and Family of the Slovak Republic, question 2a:**

**I.**

The government of the Slovak Republic approved the proposed “**National Programme for Active Ageing 2014–2020**” in Government Resolution No 688 of 04 December 2013.

The National Programme for Active Ageing 2014–2020 is a programming document in which the Slovak Republic declares active ageing to be a political priority in all its aspects. The aforementioned document is oriented towards support for the human rights of persons over 50 years of age through activation by means of public support policies. The document is primarily concerned with policies on the employment and employability of older people and with policies that support lifelong learning and the civic and social activities of older people outside the labour market, the promotion of their independence, dignity, economic and social security including protection against abuse in all social spheres and relations.

The objectives of the programming document are based on the following public policy principles for active ageing:

- the principle of dignity – based on the obligation to respect the equal importance of the needs of people of every age and the fact that meeting their needs is worthy of public support. Applying the principle of dignity also includes respecting the right of older people and senior citizens to protection against various forms of abuse in all areas of life.
- the principle of equal treatment – establishing the prohibition of discrimination based on age, especially in the areas of employment and remuneration for work, but also in the areas of access to health care, lifelong learning, housing and social and financial service of every kind.

Many objectives laid down by the document within the competence of relevant subjects but emphasise prevention as a means to reduce the risk factors resulting from the specific problems in each area. The affected areas include in particular:

1. protection of human rights, support for the active independence and civil participation of older people,
2. health care,
3. social services,
4. material need and poverty.

One of the objectives of the National Programme for Active Ageing 2014–2020 that is particularly relevant to “the role of prevention in the promotion and protection of human rights” and which is under the supervision of the Social Insurance and Pension Savings Section. This objective is:

In the area “Protection of human rights, support for the active independence and civil participation of older people” – specifically objective 1 in the area – “Promotion of the rights, legally protected interests and needs of older people through support for senior citizens’ organisations”: Organisations representing the interests of older people shall be considered active partners in the designing of public policies; their knowledge, experience and potential to improve conditions for older people shall be taken into account in social policies that affect them directly (implementation period 2014–2020). The fundamental purpose of this objective is to create a society that is friendly to all age groups and in which also older people can live an active life without discrimination.

Persons over the age of 50 years make up one of the most vulnerable sections of society, having difficulty exercising their rights and experiencing mistreatment or illegal abuse. Respect for human rights requires that this category of persons know and be conscious of their rights and how to exercise them, and also that relatives and the broader community be able to detect infringements of older people’s rights. This means that it should be a national priority

to ensure that the general public and older people themselves have good quality information about older people's rights and pay attention to them.

Another notable objective of the programming document that falls under the competence of the Social insurance and Pension Savings Section and which relates to the promotion and protection of the human rights of older people (in particular Articles 19 and 39 of the Constitution of the Slovak Republic) is the objective to implement a minimum pension. The achievement of this objective could help to implement the right to material conditions in old age that are sufficient to maintain human dignity, which includes providing the material conditions for a decent life for the recipients of old age and invalidity pensions after they reach retirement age.

In accordance with the aforementioned objective of the National Programme for Active Ageing 2014–2020, at the end of 2014 the government proposed an act amending Act No 461/2003 on social insurance, as amended, and amending certain acts, which would establish **a new social insurance benefit – the minimum pension.**

The minimum pension will ensure that if insured persons have worked for pay for the majority of their working lives, they will receive a pension income of a sufficient level that they will not have to have recourse as an individual to material need assistance. To this end, an old age pension or invalidity pension paid after reaching the retirement age to an insured person who has acquired at least 30 qualifying years of pension insurance shall be increased to a level at which the insured person's total pension income is not less than 136% of the amount of the subsistence minimum for one adult person. The amount of the overall minimum pension income that an insured person is entitled to increases in line with increases in the number of qualifying years.

The act is expected to enter into effect from 01 July 2015.

Link to the National Programme for Active Ageing

<http://www.employment.gov.sk/files/slovensky/ministerstvo/rada-vlady-sr-prava-seniorov/npas-2014-2020.pdf>

Link to the Statutes

<http://www.employment.gov.sk/files/legislativa/dokumenty-zoznamy-pod/statut.pdf>

The government of the Slovak Republic established, with effect from 01 January 2014, the **Government Council for the Rights of Seniors and the Adaptation of Public Policies to the Ageing of the Population**, as a permanent expert, advisory, coordination and proposal-making body for the rights of seniors and for close cooperation between authorities and organisations involved in dealing with the consequences of an ageing population. The Council is the successor to the Committee for Seniors, which was a specialist body of the Government Council for Human Rights, National Minorities and Gender Equality (the Committee for Seniors became the Government Council for the Rights of Seniors and the Adaptation of Public Policies to the Ageing of the Population as a result of Government Resolution No 17 of 08 January 2014).

Article 4(2) of the Statutes of the Government Council, which is made up of representatives of public administration authorities and non-governmental organisations representing the interests of seniors (with equal representation), give the Council the following powers, amongst others:

- b) to make proposals to the Slovak government to increase the level of support, protection and enforcement of the rights of seniors,
- c) to process proposals and to initiate the preparation of partial and systematic measures promoting the interests of seniors in matters relating to the living conditions, equal opportunities and equal treatment of seniors and improvements in respect for the rights of seniors.
- d) to monitor, comment on and initiate the preparation of policy documents and to assess the fulfillment of measures resulting from approved policy documents on the design and development of living conditions for seniors in all areas of life and their social integration prepared by ministries and other central state administration bodies, municipalities and self-governing regions.
- e) to take standpoints and adopt resolutions on proposed acts and other legislation that could have an effect on the current situation and development of the living conditions of seniors, to submit to ministries and other central state administration bodies proposals for the design and amendment of legislation regulating the rights, duties and support for seniors in all areas of life,...

## II.

With regard to the issue of social services, which are an integral part of social rights and therefore also a human rights issue, such services are regulated by the general legislative framework (the Constitution of the Slovak Republic, the Anti-discrimination Act – the principle of equal treatment and means of legal protection if this principle is infringed, the general courts and the Constitutional Court of the Slovak Republic), the institutional framework and the implementation and control mechanisms for human rights in the Slovak Republic (the Constitutional Court, the courts, the ombudsman, the prosecution service, the police, the Slovak National Centre for Human Rights and institutions established under the government e.g. government plenipotentiaries and advisory bodies to the government including the Government Council for Human Rights, National Minorities and Gender Equality).

Legal relations in the provision of social services, the financing of social services and the supervision of the provision of social services are regulated by Act No 448/2008 on social services and amending Act No 455/1991 Zb on trade licensing (the Trade Licensing Act), as amended, as amended (hereinafter the Social Services Act). Through a part of its normative content (in particular sections 24 to 30 and section 57 to 60 of the Social Services Act), the act also contributes to the legislative conditions implementing the fundamental right established by Article 39(2) of the Constitution of the Slovak Republic, i.e. **the right of everyone (every natural person) who is in material need to receive the assistance necessary to provide for their basic living conditions.**

The Social Services Act defines the specific rights of recipients of social services (including the right to the provision of social services in a scope, form and method of provision that permits them to exercise their basic human rights and freedoms and to maintain their human dignity, that motivates them to increase their self-sufficiency, prevents their social exclusion and supports their social integration) in a way that permits the real exercise of rights without unreasonable restrictions.

Section 5 of the Social Services Act states that the rights laid down by the act are guaranteed equally to all in accordance with the principle of equal treatment laid down by Act

No 365/2004 on equal treatment in certain areas and on protection against discrimination and amending certain acts (the Anti-discrimination Act), as amended. The principle of equal treatment is implemented by the prohibition of discrimination on grounds of sex, religious belief or faith, race, membership of a national or ethnic group, disability, age, sexual orientation, marital or family status, skin colour, language, political or other views, national or social origin, property, lineage or other status.

Section 10 of the Social Services Act strictly stipulates that social service facilities must not use corporal or non-corporal restraint measures on recipients of social services. An exception is permitted only when the life or health of a recipient or other persons is at risk. Even in such cases, restraint measures can only be used for the time necessary to eliminate the direct threat and non-physical restraint measures (e.g. verbal communication) are to be preferred over physical restraint measures (e.g. the use of various grips, placing a recipient in a special room intended for safe movement or the use of medication). Necessary physical restraint measures shall be ordered, approved or retroactively approved without delay by a doctor specialising in psychiatry and a written statement must be made by a social worker on the staff of the social service facility. Every social service provider must establish and keep a register of physical and non-physical social service restraint measures and every use of a restraint measure must be reported in writing to the Ministry of Labour, Social Affairs and Family, which may, where there are any doubts, check that the use of restraint measures was reasonable in the course of supervision of the provision of social services.

The Social Services Act stipulates that the Ministry of Labour, Social Affairs and Family shall supervise compliance with the act and other legislation regulating social services and defines the way the ministry shall carry out supervision, in particular as regards respect for fundamental human rights and freedoms. With effect from 01 January 2016 the Ministry of Labour, Social Affairs and Family will evaluate the quality of provided social services according to qualitative and quantitative criteria, standards and indicators of the quality of the provided social services which are defined in the annexes to the act on respect for fundamental human rights and freedoms, on procedural requirements, on personnel requirements and on operational requirements.

To promote independent living and the integration of persons with disabilities into society, on 30 November 2011 the government of the Slovak Republic approved the **Strategy of deinstitutionalisation of social services and the alternative care system in the Slovak Republic** (hereinafter the Deinstitutionalisation Strategy), officially declaring its commitment to the global trend to replace the institutional isolation and segregation of people requiring long-term assistance and care in specialised institutions with an alternative model of a network of cooperating and interconnected social services provided in integrated conditions within local communities. It relates to the need to provide social services that enable individuals to live an independent life, engage in activities and participate in society.

The main tasks within the Deinstitutionalisation Strategy include:

- designing legislation that supports the deinstitutionalisation of social services,
- preparing the National action plan for the transition from institutional to community based care in the system of social services 2012–2015,
- preparing the National project to support the deinstitutionalisation of care services.

On 14 December 2011 the Ministry of Labour, Social Affairs and Family approved the National action plan for the transition from institutional to community based care in the



system of social services 2012–2015, which is the basic planning and implementation document for the transformation and deinstitutionalisation of the system of social services and alternative care.

The basic objective of social policy in the Slovak Republic is to adopt and implement measures for the retention and development of human, economic, social and cultural rights in order to ensure that everyone enjoys a decent standard of living even in periods of commercial and economic crisis.

Protection against poverty and social exclusion is one of the main pillars for the implementation of human rights and the principle of equal treatment. National legislation promotes the adequate provision of information and education, participation and institutional arrangements for the inspection and monitoring of respect for human rights and the principles of equal treatment because many citizens at risk of social exclusion and poverty also have difficulty in protecting their rights and the rights of their family members.

In the law of the Slovak Republic, the fundamental legislative protection against poverty is Article 39(2) of the Constitution of the Slovak Republic, which guarantees the right of citizens who find themselves in material need to assistance that is necessary to provide for their basic living conditions. If citizens find themselves in need, with insufficient or no income for various reasons, the state will provide social protection. The system of social protection operates primarily through the material need assistance system established by Act No 417/2013 on assistance in material need and amending certain acts. The Act on assistance in material need implements the constitutional guarantee that citizens will receive the assistance necessary to provide for their basic living conditions defined as one hot meal daily, necessary clothing, shelter and basic personal hygiene.

The Slovak Republic has signed and ratified a number of international treaties on human rights adopted by the UN and the Council of Europe and has also adopted additional strategies that are taken into account in designing and delivering public policies.

In 2007 the UN Committee on the Rights of the Child issued recommendations for the Slovak Republic (36 and 37) drawing attention to corporal punishments. Slovak law reflects this recommendation except that it does not expressly prohibit them within the area of family law, which is governed by the principle that parents have the right and also the duty to choose reasonable forms of discipline in bringing up their children. An express prohibition of corporal punishments was implemented in the social and legal protection of children and social guardianship by the amendment of the Act on social and legal protection of children and social guardianship effective from 01/01/2009.

The Act on social and legal protection of children and social guardianship gives an exhaustive definition of “zero tolerance” for corporal punishments and other gross and humiliating treatment of children (“it is prohibited in the performance of measures under this act to use any form corporal punishment on a child or any other gross or humiliating form of punishment for a child, which causes or could cause him/her physical injury or mental trauma”). The aforementioned act requires everyone to inform the authorities for the social and legal protection of children and social guardianship of any violation of the rights of the child. If the authorities for the social and legal protection of children and social guardianship receive a complaint of the use of gross or humiliating treatment or punishment of a child, or if, in the course of carrying out measures under this act, they become aware of their use by a

parent or person providing personal care for a child, they must take measures pursuant to this act in accordance with the character and severity of the treatment or punishment.

Children **have the right to request assistance in protecting their rights** from the authorities for the social and legal protection of children and social guardianship, other state bodies competent to protect the rights and legally protected interests of children, institutions, municipalities, self-governing regions, accredited subjects, schools, school establishments and health care providers, and all such bodies are obliged to provide children with immediate assistance in protecting their life and health, to take measures to ensure respect for their rights and legally protected interests, including by arranging such assistance. This applies also in the event that a child's age and intellectual maturity means that he/she cannot request assistance alone but needs the assistance of a third party.

As the main contact point for the implementation of the UN Convention on the Rights of Persons with Disabilities, the Ministry of Labour, Social Affairs and Family carries out activities under Article 1 of the Convention, in which the states parties undertake to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

One of the ministry's key tasks in 2014 was to implement the UN Convention on the Rights of Persons with Disabilities, which was incorporated into a strategic document, the National Programme for the Development of Living Conditions for Persons with Disabilities 2014–2020.

The fundamental objective of this document is to define tasks and measures to promote protection of the rights of persons with disabilities recognised in the UN Convention on the Rights of Persons with Disabilities and the exercise of these rights. The National Programme for the Development of Living Conditions for Persons with Disabilities 2014–2020 was approved by Government Resolution No 25/2014 of 15 January 2014 and was published on the website of the Ministry of Labour, Social Affairs and Family.

The Ministry of Labour, Social Affairs and Family has drafted, in cooperation with the Ministry of Justice and the Ministry of Foreign and European Affairs, a proposal for an act on a commissioner for children and a commissioner for persons with disabilities. The basic framework for these tasks is defined by the Slovak Republic's obligations under the UN international conventions. The proposed act is fully in accordance with the Paris Principles.

Each commissioner will act as a specialised ombudsman – specialisation in this case meaning, amongst other things, that the commissioner for children will deal exclusively with children's rights and the commissioner for persons with disabilities will deal exclusively with the rights of this group and unlike the general ombudsman they will be concerned expressly with the rights recognised in the conventions that are beyond the definition of fundamental rights and freedoms laid down in the Constitution of the Slovak Republic. The proposed act also addresses the question of the commissioner's acceptance by representative organisations; these organisations will be asked for their opinion on nominees for the post of commissioner before selection.

On 04/12/2014 the proposed act was submitted for interministerial consultation and the text is currently being updated to take account of the results of consultation.

In May 2010 Slovakia became a state party to the Convention on the Rights of Persons with Disabilities and the optional protocol to the convention. In March 2012 it ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. It has begun the domestic ratification process for the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

In the years 2009–2012 the Slovak Republic made a major contribution to the adoption of a new international treaty – the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure. Slovakia ratified the finished protocol in December 2012.

On 11 May 2011, it was one of the first states to sign the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which is a breakthrough document by which the Member States of the COE undertake to adopt effective measures for combatting violence against women and domestic violence. The Convention is a multilateral international treaty of a presidential character, an international treaty on human rights and fundamental freedoms, an international treaty directly establishing rights or duties of natural persons or legal entities and an international treaty whose implementation requires a law. Pursuant to article 7(4) of the Constitution of the Slovak Republic the consent of the National Council of the Slovak Republic is required before its ratification. Under article 7(5) of the Constitution of the Slovak Republic it has priority over national law.

The government deliberated on the Convention at its session of 04 May 2011, where it adopted Resolution no. 297 on its signing by the Slovak Republic subject to ratification. At present, domestic implementation is proceeding based on a comprehensive analysis of the Convention.

Government Resolution No 71 of 18 February 2015 approved the **“Nation-wide strategy on the protection and promotion of human rights in the SR”**.

This is a comprehensive national programming document of a strategic character on the protection and promotion of human rights; its aim is to improve the national system for the protection and promotion of human rights including identification of the needs and requirements of vulnerable groups. In addition to state administration authorities, the broadest possible range of non-governmental organisations and other relevant representatives of civic society were also involved in defining the content and priorities of the strategy.

The government has given the minister of justice the task of preparing, in cooperation with the minister of labour, social affairs and family, a proposed Action plan for preventing all forms of discrimination, and submitting the proposal for deliberation in the government by 30 June 2015.

In 2014 the government also approved the Nation-wide strategy for gender equality and the follow-up Action plan for gender equality 2014–2019, which are based on fundamental strategic documents of the European Union and the Council of Europe laying down positive measures for Member States to take on gender equality.

It also reflects the recommendations of international monitoring authorities that are relevant to gender equality and the undertakings that the Slovak Republic has made in implementing these recommendations. The strategy also includes tasks related to the

Partnership agreement between the Slovak Republic and the EU on the use of EU structural and investment funds in the Slovak Republic in the programming period 2014–2020 and reflecting the important status of the equality of men and women as a horizontal principle and ex-ante conditionality for disbursements from the structural and investment funds. Not least, the strategy reflects the recommendations on gender equality made in the comments of the EU Council on the National Reform Programme of the Slovak Republic.

The action plan builds upon the strategy and together then form an integrated policy framework for promoting gender equality in practice. The tasks in the action plan are linked to the operational objectives in the strategy and cover all the areas within the scope defined by the strategy and its objectives, including the area of women's fundamental human rights.

The Slovak Republic has adopted a number of measures and initiatives to combat violence against women including two national action plans for the prevention and elimination of violence against women covering the periods 2009–2012 and 2014–2019.

The objective of the national action plan is to design, implement and coordinate a comprehensive, nationwide policy on the prevention and elimination of violence against women. The plan includes specific proposals such as the preparation of a law on domestic violence and violence against women, the establishment of a Coordination Methodological Centre and support for services, education and awareness in this area.

Government Resolution No 1 of 11 January 2012 approved the **Strategy of the Slovak Republic for the integration of Roma up to 2020** an integral part of which is the Revised national action plan for the Decade of Roma inclusion 2005 – 2015 for the years 2011 – 2015, which aims to provide strong support for the social and economic integration of Roma communities in Slovakia.

Government Resolution No 24 of 15 January 2014 approved the National strategy for the protection of children against violence and the establishment of the National Coordination Centre for addressing the issues related to violence against children as an autonomous organisational unit of the Ministry of Labour, Social Affairs and Family.

The prevention of violations of children's rights in the relevant area is expressly referred to in strategic objective 3 (Preventing institutional and systematic violations of children's rights) and strategic objective 5 (Raising awareness of the problem of violence against children) of the National strategy for the protection of children against violence.

The Slovak National Centre for Human Rights is an independent national institution for the protection of human rights and fundamental freedoms including the rights of the child and for supervision of compliance with the principle of equal treatment.

The Centre provides legal advice on questions of discrimination, expressions of intolerance and breaches of the principle of equal treatment for all inhabitants of the Slovak Republic and the law also allows it, on request, to represent parties in proceedings on violations of the principle of equal treatment.

## **Re: Ministry of Education, Science, Research and Sport of the Slovak Republic**

In 2013, youth department and IUVENTA (*Iuventa – Slovak Youth Institute; managed by the Ministry of Education, Science, Research and Sport of the Slovak Republic*) prepared two key documents for the area of youth:

- Youth Report 2014
- Strategy of the Slovak Republic for Youth for the Years 2014-2020. <sup>1</sup>

Both documents are closely linked and define the parameters of the situation of children and young people in Slovakia. They recall to the values of inclusiveness, intergenerational solidarity, participation and so on. An important topic included in the key documents is inclusion of young people with fewer opportunities.

## **Re: Slovak National Centre for Human Rights; question 2b:**

Slovak National Centre for Human Rights (the Centre) is the only NHRI in Slovakia, which was established by the Act of the National Council of the Slovak Republic No 308/1993 Coll. on the Establishment of the Slovak National Centre for Human Rights. The Centre plays an active role in prevention of human rights violations and abuses. The aim of the Centre is to contribute to prevention not only of the occurrence of such violation but also to foster a human rights culture among the wide public and play a vital role in preventing reoccurrences of human rights abuses.

According to the **mandate** of the Centre as articulated in the establishing act the Centre:

- Monitors and reviews the observance of human rights and the observance of the principle of equal treatment under the Act No 365/2004 Call. on Equal Treatment in Some Areas and on Protection against Discrimination
- Collects and provides upon request information on racism, xenophobia and anti-Semitism in the Slovak Republic
- Conducts research and surveys necessary for provision of information concerning human rights and acquires and disseminates information in this field
- Provides legal advice for victims of discrimination and manifestation of intolerance and represents a party in judicial proceedings concerning violations of the principle of equal treatment
- Prepares, upon request from natural persons or legal entities or on its own initiative, expert opinions concerning compliance with the principle of equal treatment
- Carries out independent investigations concerning discrimination
- Prepares and publishes reports and recommendations on discrimination matters
- Provides library services and services in the area of human rights

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<sup>1</sup> [http://www.minedu.sk/data/files/3890\\_strategy\\_sr\\_for\\_youth-2014-2020\\_final-en.pdf](http://www.minedu.sk/data/files/3890_strategy_sr_for_youth-2014-2020_final-en.pdf)

## **Practical examples of how the Centre exercises its mandate in terms of contributing to prevention of human rights violations**

### **A. Awareness raising, training and educational activities**

The Centre believes that the most effective tool for prevention of human rights violations is an effective human rights education for the right holders and with a particular importance for the duty bearers. Hence, the Centre prepares and delivers various training and educational activities for different audience. The Centre welcomes any invitation for cooperation with this aim and also proactively offers its services to targeted groups. Among the various educational activities and trainings, the following sup-groups can be mentioned as **examples** (beyond the mentioned targeted groups the Centre provides its services to various other groups such as imprisoned persons, offices of social affairs and family, labour inspectorates, trade unions etc.) .

#### **• Educational activities for students**

The Centre offers educational activities for primary schools, high schools and universities aimed on human rights, non-discrimination, gender equality, holocaust, extremism and racism and rights of the child (for further information on the content of each topic please see the website of the Centre: <http://snslp.sk/?locale=en#menu=2174>). During educational activities, the Centre delivers lectures, discussions, use various games and other interactive tools in order to support the most participatory human rights education possible. In 2014, the Centre organised 45 educational activities for students throughout Slovakia with 1135 pupils and students participating. From these, 24 were organised for primary schools and 21 for high schools. Further information and statistics are available at the Centre's website.

#### **• Trainings for public officials and professionals in whose work potential human rights abuses may occur**

With regards to training activities targeting public officials and professionals in whose work potential abuses of human rights may occur, the Centre particularly highlights its activities for members of the Police Force and students preparing for a career in the Police Force. The aim of these trainings is to foster a human rights education and to contribute to prevention of any human rights violations caused by the members of the Police Force occurred when acting in their duty. The following are **several examples** from the trainings delivered by the Centre in the past.

The Centre has an established cooperation with the **Academy of the Police Force in Bratislava**, within which it provides trainings from students on topics of human rights and anti-discrimination. These trainings are provided annually (in 2014 there were 2 lectures) and they traditionally form part of a course Constitutional Law.

In April 2014, the Centre delivered training on human rights and extremism within a training for lecturers- members of police from the **Department of Criminal Police of Regional Police Headquarters of the Police Force of the Fight against Extremism Division**, which was held at the Academy of the Police Force in Bratislava. In February 2015, the Centre provided a human rights training in Bratislava for the **newly hired members of police working in the area of extremism**.

Moreover, in October 2014 the Centre delivered training on human trafficking, asylum and migration policies at the **Secondary vocational school of the Police Force** in Košice.

In the end of 2012 and beginning of 2013, the Centre organized training activities for the **members of the Department of Extremism and Spectator Violence of the Regional Police Headquarters of the Police Force** in Košice and Trnava. The participants of the training were trained concerning the observance of human rights in cases of police intervention.

In 2009-2010, the Centre organized a series of educational activities **for members of police force, border police and foreign police service** within a project „Série aktivít SNSLP v oblasti predchádzania všetkým formám diskriminácie, rasizmu, xenofóbie, antisemitizmu, ostatným prejavom intolerancie a zvyšovania povedomia o ľudských právach“ (Series of activities of the Slovak National Centre for Human Rights in the Area of Preventing All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism, Other Forms of Intolerance and Human Rights Awareness-Raising). During three blocks lasting for five days, which took place in Bratislava, Banská Bystrica and Košice, the Centre trained 186 policemen and policewomen. The topics covered non-discrimination, human rights, asylum, rights of the child, elimination of manifestations of xenophobia, communication with problematic clients, code of ethics of a member of police force and xenophobia. All participants of the trainings received a publication prepared by the Centre „Sprievodca ľudskými právami, azylovou problematikou, právami dieťaťa a nediskrimináciou“ (Guide on Human Rights, Asylum Issues, Rights of the Child and Non-discrimination).

- **For vulnerable groups**

In the third quarter of 2014, the Centre has launched a training module "Naučme sa spolu viac" (Let's learn more together), which aims to raise awareness in the areas of the protection from discrimination, labour law and human trafficking- modern slavery of **Roma people** directly in Roma communities. First trainings were delivered in Košice (Lunik IX), Banská Bystrica, Rožňava. In 2015, the Centre continues with the module. In it organised trainings in January Dunajská Streda and in February in Pašková. The participants in the trainings are Roma people from the communities as well as people working in Roma communities such as field social workers, pedagogic workers and assistants of teachers in Roma communities. In terms of prevention of human rights abuses, the training module specifically addresses a topic of human trafficking and modern slavery, since Roma are often victims of this grave violation of human rights. In addressing the issue, the Centre delivers information concerning the protection provided by national legislation, international human rights instruments (e.g. the Palermo Protocol) and the most crucially practical information on how to protect oneself when migrating for work abroad, including the useful steps to do prior signing any contract, prior departure and after departure during the stay abroad as well as information on who to turn to in case any problems occurs. The Centre has designed a useful leaflet with these information and delivers it to participants of the trainings.

Among other awareness raising activities for vulnerable groups the Centre also delivers training for **students with disabilities** who are also more likely to face discrimination and other human rights abuses. For instance, the Centre has been for several years cooperating with the Joint school with organizational units- Secondary vocational school and Practical school (Švabinského street 7, Bratislava), which is attended by children and young people with mental disabilities. The Centre each year provides its educational activities on the following topics: discrimination, human rights and sexual violence (since these people are often victims of sexual violence in the past). Moreover, the Centre also cooperates with the Grammar school for people with hearing impairment in Kremnica. Within its educational activities in this school the Centre usually addresses the issues of human rights and rights of persons with disabilities both in terms of increasing awareness of their rights in order to prevent abuses and of protection in cases any violation occurs.

## **B. Reports and recommendations**

Furthermore, the Centre believes that in terms of prevention of human rights abuses it is particularly important to monitor national legislation in order to assess its compliance with human rights standards since the application of incompliant legislation may amount to serious human rights violations. With this respect, the Centre publishes relevant recommendations. The recommendations of the Centre in the legislative field are in practice presented by various

(even multiple) forms in order to call sufficient attention of expert and laic public, especially of the National Council of the Slovak Republic and the Government of the Slovak Republic. The forms include presentations at conferences, media outputs or written requests to members of the government or MPs, but mainly recommendations presented in the annual report on the observance of human rights including the observance of the principle of equal treatment in the Slovak Republic. The reasoning of recommendation is based on national legislation as well as on international standards in the area of human rights and key international recommendations. The Centre offers the addressees of its recommendations to provide them consultations related to the preparation of the recommended legislative change.

The Centre also issues recommendations in relation to general situation in human rights observance in Slovakia as well as with regards to specific cases it deals with. These are published as a part of the above mentioned annual report and/or in forms of expert opinions and other legal briefs communicated to the parties. The recommendations aim to prevent the re-occurrence of the similar violations in the future.

### **C. Interaction with media and other PR activities in order to outreach a wide public**

In order to outreach the wide public the Centre communicates with media on various occasions. The Centre both reacts to actual topics and current situation in human rights and protection from discrimination in Slovakia as well as answers to queries of media. The Centre also publishes its press-releases, reports, expert opinions, recommendations and other information at its website. By increasing awareness of the current situation and the means of protection against violations the Centre aims to contribute to human rights prevention.

For instance, in 2014 the Centre published 80 outputs on its website in the news site. These included general information on the activities of the Centre, short news concerning international days relating to human rights, statements of the Centre and the distribution of external press releases.

Table 1: Outputs at the website of the Centre (www.snslp.sk)

	<b>News published at the website of the Centre</b>	International and national days	News from abroad in the area of human rights and non-discrimination	News from Slovakia in the area of human rights and non-discrimination	Statements of the Centre	Reports of the Centre
<b>Together</b>	<b>80</b>	21	8	10	14	27

Table 2: Written media statements and reports of the Centre

<b>Written media statements of the Centre</b>	<b>Area</b>	Press releases of the Centre	Distribution of other press-releases
1	<b>Discrimination</b>	-	1
6	<b>Racism</b>	5	1
3	<b>Gender Equality</b>	2	1
2	<b>Extremism</b>	2	-
2	<b>Bullying, mobbing, bossing</b>	2	-



2	<b>LGBTI</b>	2	-
1	<b>Rights of the child</b>	-	1
3	<b>Various</b>	3	-
<b>20</b>	<b>Together</b>	<b>16</b>	<b>4</b>

**Re: Ministry of Interior of the Slovak Republic, question 2c:**

The Slovak Republic is not the State Party to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In relation to ensuring of the implementation of tasks and actions arising from the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Ministry of Interior of the Slovak Republic adopted internal rules on the implementation of tasks and measures of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment which appoint liaison officers from the Presidium of the Police Force and the Control and Inspection Service of the Ministry of Interior of the Slovak Republic. Liaison officers coordinate tasks, cooperate with the Committee for the *Prevention of Torture and Inhuman* or Degrading Treatment or Punishment, submit information and documents for reports and control the implementation of relevant measures.

The Control and Inspection Service of the Ministry of Interior of the Slovak Republic also investigates complaints of arrested, detained and accused persons claiming injuries caused by members of the Police Force, collects information, compares statistical data and proposes measures for the prevention of human rights violations in this regard.

**3.**

**a. Please describe what policies and processes are in place at the national level to collect, maintain and analyse statistical records on the situation of human rights in the country in order to monitor the human rights situation and inform the formulation of prevention strategies and programmes; and please describe any good practices and the main challenges in this regard.**

**b. Please describe how statistical collection ensures the inclusion of all persons and groups.**

**Re: Ministry of Justice of the Slovak Republic, questions 3a and 3b:**

The procedure is governed by Directive No. 31/2005 of the Ministry of Justice of the Slovak Republic of 20 December 2005 No. 665/2005-53 on **Court Statistics**, as amended. Under Section 2 of the aforementioned directive, the term “**court statistics**” means the systemic and planned set of activities aimed at gathering, processing, providing and evaluating statistical **data on the activities of courts.**

The system of court statistics comprises statistics on **enforceable court decisions and statistical reports on the status of casefiles being handled by and/or referred to between courts.**

The implementation of court statistics is **organised, methodologically managed and guided by the Ministry of Justice of the Slovak Republic** (through its Department of Sectoral Statistics under the IT and Project Management Section) which also ensures periodical and one-off processing and the provision of statistical data and information.

The coordination of statistics at regional level is performed by IT departments of Regional Courts, which also cover the statistics of District Courts within the Regional Courts' territorial jurisdiction.

In establishing the statistics on the outcome of court proceedings, **the source of statistical data** is based on **enforceable court decisions and on the court registers** from which the essential information on each and every finalised court case is entered into the input form, the so-called statistical sheet. The scope and content of statistical data is determined by the statistical sheet.

The **statistical sheets** mean:

- a) Statistical Sheet T (**ŠL-T**) used for cases adjudicated in criminal proceedings;
- b) Statistical Sheet C (**ŠL-C**) used for cases adjudicated in civil proceedings;
- c) Statistical Sheet S (**ŠL-S**) used for cases adjudicated in administrative proceedings;
- d) Statistical Sheet O (**ŠL-O**) used in matters concerning care for minors and guardianship;
- e) Divorce Report (**HR**) used in matters involving divorce or invalidation of marriage.

**The statistical data** on the status and movement of individual types of casefiles handled by courts are obtained from the primary register of docketed cases and other ancillary registers; the information obtained from these sources is presented in **statistical reports (monthly and semi-annual)** which are then further processed.

Statistical data from monthly sectoral statistical reports (e.g., monthly reports on placements in remand, and other reports) and semi-annual sectoral statistical reports (semi-annual report on the movement of criminal-law casefiles at district courts, semi-annual reports on the movement of civil-law casefiles at district courts, semi-annual report on the movement of civil-law casefiles at regional courts, semi-annual report on the movement of criminal-law casefiles at regional courts, semi-annual reports on releases on parole, semi-annual report on protective education, semi-annual report on institutional care) are annually processed, evaluated and published in the **Statistical Yearbook of the Ministry of Justice**, which is available on the Internet.

**Re: Ministry of Labour, Social Affairs and Family of the Slovak Republic, questions 3a, 3b**

Regarding violations of the human rights of women and gender-based violence, the Gender Equality and Equal Opportunities Department of the Ministry of Labour, Social Affairs and Family and the Institute for Labour and Family Research prepare an annual

**Report on Violence against Women** which evaluates the extent and effectiveness of interventions provided for the victims of violence against women.

The National Action Plan for the Prevention and Elimination of Violence against Women 2009–2012 assigned the Office of the Criminal Police of the Presidium of the Police Force the task of preparing a Monitoring Report on Exclusion from Shared Dwellings in the period 15/12/2008 to 31/03/2010. The report relates to the amendment of the Act on the Police Force, which increased the scope of police officer's power to exclude a perpetrator of violence from a shared dwelling for 48 hours. Experience showed that in certain cases the 48-hour exclusion period for a perpetrator of violence fell on a weekend, public holiday or non-working day, as a result of which victims did not have a sufficient opportunities to make institutional arrangements for their situation. The act was then amended so that the exclusion period does not count down during Saturdays, Sundays and public holidays. The exclusion period now counts down only during working days and victims and responsible authorities have more time to deal with the situation. A monitoring report prepared by the Ministry of Interior gave positive feedback on the aforementioned amendment.

**A Report on the Observance of Human Rights in the Slovak Republic is published once a year by the Slovak National Centre for Human Rights.** Gender equality is one of the issues covered by the **Report on the Observance of Human Rights in the Slovak Republic**. As the national body for equality protection, the Slovak National Centre for Human Rights represents the Slovak Republic as a member of the European Network of Equality Bodies EQUINET.

The outputs of the state statistical survey carried out by the Statistical Office of the Slovak Republic and the outputs of ministerial statistical surveys are used in analyses of the situation and development trends in the implementation of people's social rights through the provision of social services (e.g. the level of provision of social services in a defined area, the availability of social services, an analysis of recipients of social services, demographic trends) and are also used in the design of state policies in this area.

Section 10 of the Social Services Act strictly stipulates that social service facilities must not use corporal or non-corporal restraint measures on recipients of social services. An exception is permitted only when the life or health of a recipient or other persons is at risk. Even in such cases, restraint measures can only be used for the time necessary to eliminate the direct threat and non-physical restraint measures (e.g. verbal communication) are to be preferred over physical restraint measures (e.g. the use of various grips, placing a recipient in a special room intended for safe movement or the use of medication).

Necessary physical restraint measures shall be ordered, approved or retroactively approved without delay by a doctor specialising in psychiatry and a written statement must be made by a social worker on the staff of the social service facility.

**Every social service provider must establish and keep a register** of physical and non-physical social service restraint measures and every use of a restraint measure must be reported in writing to the Ministry of Labour, Social Affairs and Family, which may, where there are any doubts, check that the use of restraint measures was reasonable in the course of supervision of the provision of social services.

The Social Services Act stipulates that the Ministry of Labour, Social Affairs and Family shall supervise compliance with the act and other legislation regulating social services and defines the way the ministry shall carry out supervision, in particular as regards respect for fundamental human rights and freedoms.

With effect from 01 January 2016 the Ministry of Labour, Social Affairs and Family will evaluate the quality of provided social services according to qualitative and quantitative criteria, standards and indicators of the quality of the provided social services which are defined in the annexes to the act on respect for fundamental human rights and freedoms, on procedural requirements, on personnel requirements and on operational requirements.

The information in the **Atlas of Roma Communities 2013** makes it possible to create a simplified index of segregation or underdevelopment that ranks municipalities from the most backward and segregated to the least backward and segregated. The collection of socio-economic data on the living conditions of marginalised Roma communities plays a very important role in directing measures under the Strategy of the Slovak Republic for the integration of Roma up to 2020 an integral part of which is the Revised national action plan for the Decade of Roma inclusion 2005 – 2015 for the years 2011 – 2015, which aims to provide strong support for the social and economic integration of Roma communities in Slovakia.

Baseline information and data provided by the Statistical Office of the Slovak Republic from statistical surveys plays an important part in the design of strategies and measures for the elimination of poverty and social exclusion.

Further information and data is obtained from analyses and research carried out under the Ministry of Labour, Social Affairs and Family and the impact of adopted legislation on specific sections of the population is analysed and evaluated when preparing specific legislative measures.

### **Re: General Prosecution of the Slovak Republic, questions 3a, 3b**

There are several institutes for collecting analyses and statistical records available to the Department of Penal Matters at the General Prosecutor's Office of the Slovak Republic.

While collecting and analyzing the situation of human rights, prosecutors of superior prosecution offices rely on information generated from criminal proceedings and transmitted pursuant to the **obligation to report** e.g. the General Prosecutor's Order of 1<sup>st</sup> February 2010. no. 2/2010, on reporting exceptional incidents and criminal matters. Pursuant to the Order, any regional and district prosecution office has the obligation to report precisely specified matters. Monitoring the course of criminal proceedings by superior prosecution office has two purposes: analysis of registered level of crime, developments and trend thereof and observation/respect for rights of individuals, suspect persons, accused, injured parties, witnesses and other participating persons.

In order to obtain an overview of procedures carried out by the law enforcement bodies in criminal proceedings in the field of human rights, there are different **assessments of prosecutor activities**. These assessments are elaborated systematically and regularly by regional prosecution offices and/or by the Department for Penal Matters at the General

Prosecutor's Office. E.g. in the year 2013 the assessment of efficiency of motions to proceed under Section 363, Code of Criminal Procedure challenging final decisions to accuse under Section 206, par. 1, Code of Criminal Procedure was elaborated for the past year 2012.

Annual Report of Public Prosecution Service of the Slovak Republic regularly submitted to the National Council of the Slovak Republic is the most extensive document dealing with analyses of any category, crime, causes of and conditions for committing crime as well as respect of human rights.

Enabling specialization (e.g. extremism, environment, juvenile crime, crime against children) of some practitioners in various fields of crime is also one of ways how to involve experts in the protection of human rights in the public prosecution service.

Furthermore the Department for Penal Matters at the General Prosecutor's Office participates in the protection of human rights within the scope of tasks imposed in the National Action Plan for Children for 2013-2017 (objectives under par. 7.17 – while dealing with children, to observe all rights of children accused of criminal activity) and the National Plan of Prevention and Elimination of Violence against Women for 2014 – 2019 (task no. 54 and 55 – monitoring and research regarding identified cases of violence against women by means of monitoring specific statistical category of violence against women within the statistical system).

Monitoring situation of guaranteeing of human rights within criminal proceedings is the objective of the above described internal procedures.

### **Re: Statistical Office of the Slovak Republic, questions 3a, 3b**

a.

The Statistical Office of the Slovak Republic collects statistical data relevant to monitoring human rights in particular for the following thematic areas: structure by age and sex, structure by nationality, religiosity, foreigners in the Slovak Republic and gender statistics.

b.

The source of these data is the exhaustive statistical survey (i. e. covering each inhabitant of the SR): The Population and Housing Census. Census data on the structure by sex, age, nationality and citizenship are updated annually by means of an exhaustive demographic survey.

Gender statistics data are supplemented by administrative data sources.

### **Re: Ministry of Interior of the Slovak Republic, questions 3a, 3b**

The Ministry of Interior of the Slovak Republic collects and processes statistical data on criminality in the Slovak Republic, specified and divided according to the type of criminality, specific crime or sections of the Criminal Code, also in the specific area of human trafficking. Further, detailed information on legal and illegal migration in the Slovak Republic is recorded, including information on residence, decisions on expulsion, etc.

#### 4.

**What measures have been taken to promote a human rights culture among the population and increase the level of human rights awareness in your country, including among public officials?**

#### **Re: Ministry of Foreign and European Affairs of the Slovak Republic**

The Nationwide Strategy on Promotion and Protection of Human Rights in the Slovak Republic as an unique human rights document, which is an outcome of over two-years process of its preparation, was being prepared in co-operation with civil society. Integral of the strategy is the parental materials focused on various human rights areas. One of these areas is devoted to position of persons belonging to national minorities or ethnic groups. This parental material was elaborated by the Committee for National Minorities and Ethnic Groups as an advisory body of the Governmental Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality. Besides, among priorities of the strategy is also included a strengthening of the area of education.

#### **Re: Ministry of Educations, Science, Research and Sport of the Slovak Republic**

Slovakia has joined the **No Hate Speech Campaign** - a youth campaign of the Council of Europe for human rights online, to reduce the levels of acceptance of hate speech and to develop online youth participation and citizenship, including in Internet governance processes. Objectives of the campaign are:

- To raise awareness about hate speech online and its risks for democracy and for individual young people, and promoting media and Internet literacy;
- To support young people in standing up for human rights, online and offline;
- To reduce the levels of acceptance of online hate speech;
- To mobilise, train and network online youth activists for human rights;
- To map hate speech online and develop tools for constructive responses;
- To support and show solidarity to people and groups targeted by hate speech online;
- To advocate for the development and consensus on European policy instruments combating hate speech;
- To develop youth participation and citizenship online;

However, although the Youth Department does not execute monitoring directly, we encourage youth institutions to participate actively in monitoring of the cyber hate and hate speech. An example of this are activities led by Youth Council of Zilina Region, which made a survey among youth (15 – 19 years old) dealing with the situation of hate speech in everyday life.<sup>2</sup>

Every year IUVENTA organizes a **Competition of Human Rights** which involves students dealing with human rights issues.

IUVENTA has also 2 national projects **KomPrax** – Competences for Practice and **Praktik** – Practical Education for Youth workers and Youth leader, which provide educational programs focused on discrimination, multiculturalism, global education.

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<sup>2</sup> Available here: <http://mbn.rmzk.sk/?cat=4>

5.

a. How have partnerships with civil society been strengthened to harness their experience and expertise to promote and protect human rights?

b. What roles and actions can and do civil society and NGOs take to prevent human rights violations?

**Re: Ministry of Foreign and European Affairs of the Slovak Republic, question 5a**

The Governmental Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality as an advisory body of the Government of the Slovak Republic consists of representatives of national authorities and civil society.

**Re: Ministry of Labour, Social Affairs and Family of the Slovak Republic, question 5a**

Institutional arrangements for protecting and promoting the human rights of persons with disabilities include a mechanism for cooperation between public administration bodies and organisations representing persons with disabilities. This is a result of the obligations defined in Article 4(3) of the UN Convention on the Rights of Persons with Disabilities ratified by the Slovak Republic in 2010, which require that in the development and implementation of legislation and policies to implement the Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

An important instrument for the implementation of the UN Convention on the Rights of Persons with Disabilities is established by measure 4.11.4 of the National Programme for the Development of Living Conditions for Persons with Disabilities 2014–2020: To consult closely with organisations representing persons with disabilities in the development and implementation of legislation policies to implement the Convention and in other decision-making processes concerning issues relating to persons with disabilities and to create conditions for the qualified participation of organisations of persons with disabilities in this process. This means that all ministries are obliged to invite organisations of persons with disabilities to take part in consultation on the preparation, design and implementation of legislation directly affecting persons with disabilities or that could potential have an effect on their participation in the life of society.

To implement an obligation to invite the representative organisations of persons with disabilities that declare fundamental objections to proposed legislation to take part in dispute resolution procedures in accordance with the legislative rules of the government of the Slovak Republic and the rules for submission of documents to the government.

The Committee for Children and Young People – a permanent specialist body of the Government Council for Human Rights, National Minorities and Gender Equality, one of the key advisory bodies to the government for the area of human rights, was closely involved in design and approval procedures for the National strategy for the protection of children against violence.

The Committee for Children and Young People includes representatives of civil society including non-governmental organisations that have long been actively involved in protecting children against violence and assist children who have been victims of violence. An active dialogue with the aforementioned representatives is continuing during the implementation of the National strategy for the protection of children against violence.

**Re: Ministry of Education, Science, Research and Sport of the Slovak Republic, question 5a**

Youth department and IUVENTA developed above mentioned key documents in the area of youth (Youth Report 2014 and Slovak Youth Strategy 2014-2020) in a participatory manner. In the preparation process there were involved experts from the state, public and non-governmental sector in order to use their experience and expertise as much as possible. Even youth workers and youth representatives and young people themselves have had an opportunity to influence a creation of the key documents via regional public consultations.

**Re: Ministry of Foreign and European Affairs of the Slovak Republic, question 5b:**

The Governmental Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality within its competence takes an attitude to national performance of international obligations of the Slovak Republic in the area of human rights protection as well as to actual society issues in order to eliminate eventual breach of human rights.

**Re: Ministry of Foreign and European Affairs of the Slovak Republic, question 5b:**

In the youth field there are several options how can youth organization participate on measures creation: preparation of educational training, research (supported by IUVENTA), joining expert groups, joining consultation processes (like for instant Structured dialogue), joining the No hate Speech Campaign, preparation of publication for youth and youth organisation.

**Regional schools**

In the system of regional schools implementing plans of education and human rights education in the education sector for the period 2005 - 2014 is ensured a systematic solution in the following areas:

1. generally binding legal regulations and departmental regulations
2. The curriculum
3. The continuous training through accredited programs Feedback:
4. Monitoring and evaluation of the scope and quality of human rights
5. State School Inspection

In 2015, preparing a report on the current state of education and human rights education in regional education, prepared on the basis of previous results of monitoring from 2005 to the discounting of the relevant entities that are concerned in the implementation of the Plan of education and human rights education in the education sector for the period 2005-2014.



6.

**What measures and procedures have been put in place to ensure effective follow-up to recommendations regarding your country issued by international or regional human rights mechanisms, and which may contribute to preventing human rights violations?**

**Re: Ministry of Labour, Social Affairs and Family of the Slovak Republic**

The recommendations made to the Slovak Republic by international or regional human rights mechanisms have a horizontal character – the need for timely provision of information and coordinated cooperation between competent institutions and authorities in the Slovak Republic in their evaluation and implementation is managed by the Ministry of Foreign and European Affairs in cooperation with relevant central state administration bodies within their areas of competence. These recommendations provide important guidance for improving the real implementation of human rights obligations on the national level.

As a rule, all action plans incorporate monitoring mechanisms such as the sending of regular reports by relevant authorities and organisations, research activities etc.

As regards the issue of violence against children, the Slovak Republic has developed a National strategy for the protection of children against violence and the establishment of a National Coordination Centre for addressing the issues related to violence against children. These steps are a response to the need to institutionalise policy coordination identified by the UN Committee on the Rights of the Child in its General Comment No 13 and the recommendation of the Council of Europe on integrated national strategies for the protection of children against violence.

7.

**a. What legislative, judicial, administrative and other measures are in place to provide victims of human rights violations by State actors and abuse by non-State actors with an effective remedy?**

**b. What measures are in place to ensure that all can access such remedies in practice?**

**Re: Ministry of Justice of the Slovak Republic, question 7a**

The liability for damages sustained as a consequence of unlawful decisions on remand, punishment or the imposition of a protective measure is governed by **Act No. 514/2003 Coll. on Liability for Damages Caused by Public Authorities, amending certain other acts**, which repealed Act No. 58/1969 Coll. on Liability for Damages Caused by Decisions or Incorrect Official Procedures by State Authorities.

Under this law, the **State is liable**, subject to the conditions stipulated in the Act and except for Part Three thereof, for **damages caused by public authorities which, in the performance of their public-authority functions**, issue an unlawful decision, rule on arrest or on another type of deprivation of personal liberty, rule on punishment or impose a protective measure, rule on remand or apply an incorrect official procedure. Public authorities may not be exonerated from this liability. For the purposes of the Act, the authorities acting on behalf of the State include – apart from the central bodies of state administration, local bodies of state administration, bodies of public administration

and law enforcement authorities – also the National Council of the Slovak Republic, Judicial Council of the Slovak Republic and the National Bank of the Slovak Republic if damages occur as a consequence of their unlawful decisions or incorrect official procedure, as well as public service institutions, self-governing professional chambers and associations or legal persons to which the law vests a power to decide on the legally protected interests and duties of natural persons and legal persons in the area of public administration, if damages occur as a consequence of unlawful decisions issued or incorrect official procedures applied by such entities.

According to the latest amendment to the Act, effective as of 1 January 2013, the **authorities acting on behalf of the State for the purpose of liability for damages** are:

Ministry of Justice of the Slovak Republic, if

1. damages occur as a consequence of a decision handed down by a court or as a consequence of an incorrect procedure applied by a court;
2. damages are caused by a notary in the performance of his/her public-authority functions;
3. damages are caused by a bailiff commissioned by court pursuant to a separate law to handle an enforcement order;

b) Ministry of the Interior of the Slovak Republic, if damages are caused in criminal proceedings by a police investigator or another authorised police officer and

1. the prosecutor did not dismiss a complaint against the decision of the investigator or another authorised police officer and has not filed criminal charges in the case at hand with the relevant court, or
2. the police investigator or another authorised police officer failed to act in line with the binding instruction issued by the prosecutor;

c) Ministry of Finance of the Slovak Republic if damages are caused in criminal proceedings by the investigator of financial administration or another authorised officer of financial administration, and

1. the prosecutor did not dismiss a complaint against the decision issued by the financial administration investigator or another authorised official of financial administration, or
2. the financial administration investigator or another authorised official of financial administration failed to act in line with the binding instruction issued by the prosecutor.

d) ministry or another central body of state administration if damages occur in the performance of the functions of state administration which fall under the remit of the respective ministry of central body of state administration, and also in the case of damages caused in the performance of the functions of state administration devolved to the bodies of territorial self-government pursuant to a separate law;

e) ministry or another central body of state administration if, as a consequence of incorrect transposition of an EU directive or as a consequence of a failure to observe the deadline for the transposition thereof damage has occurred in the performance of the functions of state administration falling under the remit of the respective ministry of central body of state administration;

f) Prosecutor General's Office of the Slovak Republic if damage are caused by a state authority pursuant to a separate law in civil-judicial proceedings, criminal proceedings or administrative proceedings;

g) Supreme Audit Office of the Slovak Republic if damages are caused as a consequence of its unlawful decision or incorrect official procedure;

h) National Bank of Slovakia if damages occur as a consequence of its unlawful decision or incorrect official procedure;

i) public service institutions, self-governing professional chambers and associations or legal persons to which the law vests the power to decide on the legally protected interests and duties of natural persons and legal persons in the area of public administration, if damages occur as a consequence of unlawful decisions issued or incorrect official procedures applied by such entities

j) National Council of the Slovak Republic if damages occur as a consequence of its unlawful decisions or incorrect official procedures;

k) Judicial Council of the Slovak Republic if damages occurs as a consequence of its unlawful decisions or incorrect official procedures;

l) Regulatory Office for Network Industries if damages occur as a consequence of its unlawful decisions or incorrect official procedures;

m) the competent authority referred to in sub-paragraphs a) to l) with which an application for the preliminary handling of a claim (Section 15) has been filed; if the damage occurred in the performance of those functions of public administration which fall under the remit of several public authorities and the claim has been filed with several competent authorities, the authority which seized of the case as the first shall handle the claim.

Under Section 8 of the Act, entitled to compensation for damages caused by a decision on punishment is anyone who has served their sentence fully or partly if, in subsequent proceedings such a decision has been repealed as unlawful, the person has been acquitted or the criminal prosecution has been discontinued in the light of the facts and evidence unavailable to the court before or if the case has been referred to another authority; this does not apply if it is proven that the timely establishment of the facts unknown at the time of sentencing was frustrated entirely or partly through the fault of the person who had served the sentence. Also entitled to compensation for damages are those who have been sentenced in subsequent proceedings to a sentence less severe than the original sentence imposed by the repealed judgment; for the purposes of this Act, conditional suspension of a sentence of imprisonment is not considered a less severe punishment than the unconditional sentence of imprisonment. Compensation for damages is due only for the differential between the sentence served based on the repealed judgment and the sentence imposed subsequently.

Entitled to compensation for damages caused by a decision on the imposition of a protective measure are those who have served such sentence either in full or in part and the original decision has been repealed as unlawful in subsequent proceedings.

Entitled to compensation for damages caused by a decision on remand are those who were placed in remand and in respect of whom the criminal proceedings have subsequently been discontinued, who have been subsequently acquitted or whose case has been referred to another authority.

No entitlement to compensation for damages arises:

- If someone is sentenced, subjected to a protective measure or placed in remand through the fault of his/her own;
- If a sentence is erased from the individual's criminal history, if a sentence is pardoned or alleviated based on an individual or collective clemency or amnesty granted by the President of the Republic;
- If the consent given by the aggrieved or by the relevant state authority, which was necessary for the commencement or continuation of criminal prosecution, has been withdrawn, although such consent is required pursuant to a separate regulation;
- If criminal prosecution is discontinued because the sentence to which such prosecution may lead is absolutely insignificant in relation to the sentence for another offence committed by the accused which has already been imposed or is expected to be handed down, or if the offence by the accused has already been adjudicated by another authority in disciplinary or reprimand proceedings or by a foreign court or authority and such adjudication can be considered sufficient;
- If criminal prosecution has been conditionally suspended pursuant to a separate regulation,
- If a friendly settlement has been approved by a special regulation,
- If a person has been acquitted or the prosecution stopped because he/she is not criminally responsible, or if after the decision become the final, the criminality of an act has ceased or international treaty promulgated by the law or presidential amnesty does not permit the prosecution, the offense has ceased to be a criminal offense due to the change of law or a lesser sentence was imposed because the law provides for a lighter sentence on the offense, or
- If the damage was caused by a decision of a foreign body recognized or taken over the execution to the Slovak Republic.

Depending on the alleged violation **an action to maladministration** can be used (pursuant to cited Act No. 514/2003 Coll. as amended), which in comparison with the repealed Act No. 58/1969 Coll. also **allows compensation for non-pecuniary damage**).

Provisions on **State Liability for Damage caused by Maladministration** are governed mainly in § 9 of the Act No. 514/2003 Coll.

**Maladministration** shall mean a breach of the duty of a public authority to act or take a decision within a laid down period, omission of a public authority to act with the exercise of public power, unnecessary delays in proceedings or other unlawful interference with the rights, legally protected interests of individuals and legal persons; maladministration is not the process or the outcome of the process of the National Council of the Slovak Republic in the exercise of its competence under Article 86 letters a) and d) of the Constitution of the Slovak Republic and the process or the outcome of the process of the Government of the Slovak Republic in the exercise of its competence under Article 119 letter b) of the Constitution of the Slovak Republic.

The assessment of maladministration of a Court consisting in infringement of the obligation to take action or take a decision within a laid down period, non-acting in the exercise of public authority or in unnecessary delays in the proceedings may only be based on the outcome of complaints about delays, requests to investigate complaints of delays, the final decision given in disciplinary proceedings by which was decided that a judge has committed a disciplinary

offense which results in delays in court proceedings, the final decision of the European Court of Human Rights which held that there was a violation of the right to a fair trial without undue delay or from the final decision of the Constitutional Court of the Slovak Republic on the constitutional complaint by which the Constitutional Court of the Slovak Republic stated that there was a violation of the right to a fair trial without undue delay.

The assessment of maladministration of a Police investigator, a responsible member of the Police Force, an investigator of the financial bureau or an authorized official of the financial bureau alleging infringement of the obligation to take action or take a decision within a laid down period, non-acting in the exercise of public authority or in unnecessary delays in the proceedings one may only be based on the results of processing the application for examination of the procedure of the Police investigator, the responsible member of the Police Force, the investigator of the financial bureau or an authorized official of the financial bureau by the prosecutor.

The right to compensation for damage caused by maladministration belongs to any person who has such a procedure caused the damage.

**In case of failure of the complainant before the ordinary courts of the SR, he/she** can be lodge a constitutional complaint under Article 127 of the Constitution with the Constitutional Court of the Slovak Republic. This remedy is also available in respect of complainants who consider that their arguments (e.g. of mistreatment) have not been properly investigated. The Constitutional Court in these cases makes the grant of a constitutional complaint and incentive repeated complaints to the appropriate prosecution. This approach is evaluated by the European Court of Human Rights with regard to the particular circumstances of the case.

**Having exhausted all effective domestic remedies**, the complainant may within the prescribed time period lodge a **complaint with the European Court of Human Rights** (as an international judicial body) in accordance with Art. 35 par. 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms as amended by the Additional Protocols.

In the Slovak Republic, for such means **does not consider a complaint lodged with the Public Defender of Rights (Ombudsman)**.

**In the case of non-exhaustion of those remedies** will be his / her complaint **declared inadmissible by the European Court of Human Rights** (e. g. in the case Lampášová v. Slovakia, the complainant lodged a complaint with the ECtHR, that the police mistreated her, and that in this respect was not an effective remedy). The European Court of Human Rights has endorsed the opinion of the Government and the said complaint declared inadmissible given the fact that an action under Act No. 58/1969 Coll. on Liability for Damage caused by a Decision of a State Authority or Maladministration provided the complainant an opportunity to consider particular circumstances of the case by the court and to receive damages on the basis of the court decision.

**Re: Ministry of Labour, Social Affairs and Family of the Slovak Republic**

Under Section 13(1) of the Act No 311/2001 the Labour Code, as amended, an employer is obliged to treat all employees in labour-law relations in accordance with the principle of equal treatment established for the area of employment relations by the separate act on equal treatment in certain areas and on protection against discrimination and on the amendment of certain acts (the Anti-discrimination Act).

Section 13(2) of the Labour Code states that in labour-law relations, discrimination shall be prohibited on the grounds of sex, marital and family status, sexual orientation, race, colour of skin, language, age, unfavourable health state or health disability, genetic traits, belief or religion, political or other conviction, trade union activity, national or social origin, national or ethnic group affiliation, property, lineage or other status, or for the reporting of a crime or other anti-social activity.

Section 13(3) of the Labour Code states that the enforcement of rights and duties resulting from relations under labour law must be in accordance with good morals. No one may abuse these rights and duties to harm a counterparty in a relationship under labour law or co-employees. No one can be subject to harassment or otherwise sanctioned in a workplace in connection with the performance of employment for filing a complaint, suit or criminal complaint against another employee or their employer or for the reporting of a crime or other anti-social activity.

Section 13(4) of the Labour Code states that an employer shall not, except for grave reasons relating to the specific character of the employer's activities, intrude upon the privacy of an employee in the workplace and common areas of the employer by monitoring him/her, keeping records of telephone calls made using the employer's equipment and checking e-mail sent from a work e-mail address and delivered to such an address without giving notice in advance. If an employer implements a control mechanism, the employer shall consult with employees' representatives on the extent of control, its method of implementation and its duration and shall inform employees of the extent of control, its method of implementation and its duration.

Section 13(5) of the Labour Code states that an employee shall have the right to submit a complaint to the employer in connection with the infringement of rights and obligations stated in paragraphs (1) and (2) and failure to comply with the conditions according to paragraphs (3) and (4); the employer shall be obliged to respond to such a complaint without undue delay, take remedial action, cease and desist such activity and rectify the consequences thereof.

Under section 13(6) of the Labour Code, an employee who believes that his/her rights or legally protected interests have been infringed through a failure to abide by the principle of equal treatment or a failure to abide by the terms of the Constitution may have recourse to a court for a remedy in accordance with the separate Act on equal treatment in certain areas and on protection against discrimination and on the amendment of certain acts, as amended (the Anti-discrimination Act).

Section 13(7) of the Labour Code states that an employee who believes that his/her privacy has been intruded upon in the workplace or common areas as a result of a violation of paragraph (4) may apply to a court for a legal remedy.

## In general on the right to access to employment

People's access to employment is regulated by Act No 5/2004 on employment services and amending certain acts, as amended (hereinafter the Employment Services Act).

Section 14(1) of the Employment Services Act defines the right of access to employment as the right of citizens who want to work, who can work and who seek employment, to services under this Act providing assistance and support for their access to the labour market, including assistance and support for disadvantaged jobseekers in finding and retaining a job for at least six consecutive calendar months.

People have the right to access to employment in accordance with the principle of equal treatment in labour-law relations and similar legal relations as laid down in Act No 365/2004 on equal treatment in certain areas and on protection against discrimination and on the amendment of certain acts (the Anti-discrimination Act), as amended. In accordance with the principle of equal treatment, discrimination is prohibited on grounds of marital status and family status, skin colour, language, political or other views, trade union activity, national or social origin, disability, age, property, lineage or other status.

Under Section 13(3) of the Employment Services Act the implementation of rights and obligations resulting from the right of access to employment must be in accordance with accepted principles of morality. Nobody may abuse such rights and obligations to the detriment of another citizen. No one shall be persecuted or otherwise penalised for filing a complaint, law suit or criminal complaint in connection with the exercise of the right of access to employment against another citizen, an office or an employer. A citizen shall have the right to freely choose his/her employment and pursue it anywhere in the territory of the Slovak Republic or to obtain employment abroad (Section 14(7)).

Section 14(4) of the Employment Services Act states that a citizen shall have the right to file a complaint with an office concerning any violation of the rights and obligations laid down in subsections (1) to (3); the office shall respond to the citizen's complaint without undue delay, take remedial action, cease and desist such activity and rectify the consequences thereof.

An office shall not penalise or disadvantage a citizen because the citizen exercised his/her rights resulting from the right of access to employment (Section 14(5)).

Section 14(6) states that if people believe that their rights or legally protected interests have been impaired due to non-compliance with the rights under subsections (1) to (5), they may have recourse to a court for a remedy in accordance with the applicable legislation (Act No 365/2004 on equal treatment in certain areas and on protection against discrimination and on the amendment of certain acts (the Anti-discrimination Act), as amended).

## **Re: Ministry of Interior of the Slovak Republic**

Concerning the scope of the Aliens Act, the legislative protection of the status of victims of human trafficking and victims of illegal employment with particularly exploitative working conditions, including illegally employed minors is provided by granting a tolerated stay on the territory of the Slovak Republic.

For victims of human trafficking, assistance and protection is provided through the Program of support and protection of victims of human trafficking by which the victim is provided professional care, taking into account his or her individual needs. The program provides assistance and support to all the victims of human trafficking on the principle of non-discrimination, regardless of the nationality, gender, race or religion, etc.

**Re: Ministry of Justice of the Slovak Republic, question 7b**

**International treaties on human rights and fundamental freedoms** ratified by the Slovak Republic and promulgated as required by law take **priority over law of the Slovak Republic** (Art. 7 paragraph. 5 of the Constitution).

These international agreements directly oblige States to establish **effective national implementation, monitoring and participatory mechanisms for the prevention and protection violations and/or abuses of human rights**, and to take legislative, administrative or other effective **measures aimed at raising awareness and prevention of possible violations and/or abuse of human rights**. Therefore, there are not limited only to the definitions, but also place emphasis on prevention within the protection and respect of human rights, administration and enforcement of human rights, as well as the enforcement of human rights and control of their respecting. As a rule, they establish international control mechanism (respectively an international body), which monitors compliance with the relevant category of human rights.

Particular attention in them is given to the target groups which are sometimes referred to as minority, vulnerable, discriminated against, or lagging behind in equal opportunities.

In the context of ensuring access to justice to all persons without any distinction, the Slovak Republic adopted **Act No. 327/2005 Coll. on the Provision of Legal Aid to Persons in Material Need** which set up as of 1 January 2006 the so-called **Legal Aid Centre**.