SLOVAKIA
FOLLOW-UP TO THE CONCLUDING OBSERVATIONS

Extract from the Report of the Special Rapporteur on Follow-up to Concluding Observations as the 106th Session (October 2012) - CCPR/C/106/2:

Slovak Republic
COB: CCPR/C/SLV/CO/3, adopted on 28 March 2011

Follow-up paragraphs:
7, 8, 13

First reply:
Date information due and received: 28 March 2012.

Paragraph 7:
The State party is encouraged to ensure that such a bill is enacted into law to provide a remedy to persons who allege an infringement of their rights arising from the incompatibility of provisions of national law with international treaties that the State party has ratified.

Summary of State party’s reply:
The Ministry of Justice has abandoned work on the bill as its adoption would have necessitated a constitutional reform.

Evaluation:
[C1]: The decision adopted is contrary to the Committee’s recommendation. Information is needed on the remedies available to victims.

Paragraph 8:
The State party should strengthen its efforts to combat racist attacks committed by law enforcement personnel, particularly against Roma, by, inter alia, providing special training to law enforcement personnel aimed at promoting respect for human rights and tolerance for diversity. The State party should also strengthen its efforts to ensure that police officers suspected of committing such offences are thoroughly investigated and prosecuted, and, if convicted, punished with appropriate sanctions, and that the victims are adequately compensated.

Summary of State party’s reply:
Under the Act on compensation for the victims of crimes of violence, financial compensation is provided to victims without discrimination. The Ministry of the Interior has taken steps to implement the recommendations of United Nations and European Commission bodies, including the following:
Permanent control of the activities of the internal control department and inspection services of the Ministry of the Interior in cases of alleged injuries caused by police action, subject to an annual report.

Implementation of the “government strategy for dealing with problems of the national Roma minority”. This includes training for members of the police force.

The development of compulsory training programmes for the police on the prevention of racism and discrimination, including against the Roma minority (see inter alia the courses organized in the framework of the 2011–2014 plan to fight extremism).

The Ministry of the Interior taking part in the activities of the Committee on the Elimination of Racial Discrimination.

Implementation of a methodology of intervention in cases of criminal activity motivated by questions of extremism and racism.

Evaluation of the implementation of the recommendations of the Committee against Torture and the European Committee for the Prevention of Torture. Any shortcomings found will lead to sanctions being passed against the members of the police forces involved.

Adoption of a cooperation and information exchange agreement between the Ministry of the Interior and the Ministry of Justice on cases of acts of violence committed by police and prison staff in 2009, renewed in 2012. Sanctions and prevention measures must be adopted within five days of the acts of violence being identified.

Evaluation:

[B2]: Action and information is needed regarding compensation provided to victims of racist acts committed by law enforcement personnel and with regard to implementing mechanisms for investigating, prosecuting and punishing police officers suspected of having committed such offences.

Paragraph 13:

The State party should take the necessary measures to monitor the implementation of Act No. 576/2004 to ensure that all the necessary procedures are followed in obtaining the full and informed consent of women, particularly Roma women, who seek sterilization services at health facilities. In this regard, the State party should introduce special training for health personnel aimed at raising awareness about the harmful effects of forced sterilization.

Summary of State party’s reply:
• Existing legislation prohibits all forms of discrimination in the provision of health care. If these provisions are violated the affected person can complain to the Health Care Surveillance Authority. To ensure that full and informed consent is obtained prior to sterilization, a consent form in the Roma language is now available throughout the country. Campaigns have been conducted to inform all medical staff of the harmful effects of forced sterilization and of their criminal liability if sterilization is performed without prior consent.

• Access by women from socially disadvantaged communities, to which Roma women generally belong, to sexual and reproductive rights, and full and informed consent are among the priorities of the Ministry of Labour, Social Affairs and the Family and the Socially Excluded Communities Act.

• The Committee for Gender Equality participates in prevention, information and education activities to improve access to health care for all.

**Evaluation:**

[C1]: Positive steps have been taken. Nevertheless, **no information is provided on measures taken** to monitor implementation of the provisions of Act No. 576/2004. The recommendation has therefore not been implemented.

**Recommended action:** Letter reflecting the Committee’s analysis.

**Next periodic report:** 1 April 2015

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Extract from the Annex to the Report of the Special Rapporteur on Follow-up to Concluding Observations as the 106th Session (October 2012):

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