

Opening words of the head of the delegation on the evaluation of the 2nd periodic report of the Slovak Republic to the International Covenant on Economic, Social and Cultural Rights

Dear Chairman,
Dear Committee Members,

Let me present to you, in the name of the Slovak Republic, the second periodic report to the International Covenant on Economic, Social and Cultural Rights covering the period from 2002 to 2008. The report was submitted to the UN Committee for Economic, Social and Cultural Rights as well as to the UN High Commissioner for Human Rights on 25 June 2009.

Since a certain time has passed since the submission of the report, in my opening presentation I would like to deal mainly with the current issues concerning the development of Slovak society in this area since 2008. I will try to speak briefly, and will only mention the most important ideas. Members of my delegation, whom I will introduce to you at the end of my presentation, will respond to your potential further questions.

We are pleased that the dialogue between the Slovak Republic and the UN Committee on Economic, Social and Cultural Rights continues to be mutually constructive and beneficial. A decade has passed since 2002 when the Committee evaluated and adopted final recommendations to the initial report of the Slovak Republic. The Slovak Republic has made significant progress since this time in terms of defining the protection of economic, social and cultural rights. Legislative, institutional and procedural mechanisms in the system of protecting these rights in the Slovak Republic now correspond with the highest European standards.

Dear Chairman,

I would like to inform the Committee, in several sentences, about the key legislative activities of the Slovak Republic over the past three years.

In 2010, the powers of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities were significantly strengthened. Though no ministry was created for this area, the powers of the Deputy Prime Minister were embedded in a law and a body responsible for the following and enforcing of human rights, including national minority rights, was established. The Deputy Prime Minister also received powers in the area of education, distribution of subsidies for the culture of national minorities, and for human-rights activities. According to the amended Competency Act, the Deputy Prime Minister also deals with the issues of gender equality.

In the area of the rights of members of a national minority, the Deputy Prime Minister of the Slovak Republic took several important measures between the middle of 2010 and the beginning of 2012 with the aim of achieving the effective equality of citizens of the Slovak Republic. In this context, legislative changes in the area of the language rights of members of

national minorities were made. During this process, the act on state language was amended and consequently the body of the Deputy Prime Minister developed a complex revision of the legislation related to the use of languages of national minorities.

The amendment of the act on the use of languages of national minorities was approved in June 2011. Apart from this act, a further 13 related acts were also amended. The key to this change was the expansion of the opportunity to use the languages of national minorities in certain areas of official and public conduct, and the elimination of certain limitations when using these languages. To ensure the enforceability of the language rights of members of minorities, the act on the use of languages of national minorities introduced sanctions.

Based on these legislative changes, the body of the Deputy Prime Minister started to enforce active policy in the area of supporting the use of languages of national minorities at the professional level. This activity consisted, for example, of initiating the origin of professional terminological dictionaries in the languages of national minorities for public administration bodies, of an information campaign as part of public administration, and of the complex coordination of support for the use of languages of national minorities at the level of central state administration bodies. The mentioned activities take place through the active participation of members of national minorities, significantly improving general cooperation between the public authorities and members of national minorities. Processes in this area have highlighted the need for stable and consequent mechanisms at the level of central state administration bodies that enforce active human-rights policies.

Among the initiatives supported by the Government of the Slovak Republic and embedded in law is also the provision of a new permanent advisory body of the Government - the Governmental Council for Human Rights, National Minorities and Gender Equality.

The statute was approved by the Government of the Slovak Republic in March 2011 with the aim to enforce a cross-departmental approach when implementing human-rights standards and when internalising human-rights principles in the work of public authorities, as well as to strengthen the application of human-rights principles in their activity and the activity of state authorities. The statute of the Council and its Committees was developed based on a broad open discussion among representatives of state administration, national minorities, representatives of civil society, the academic community, as well as representatives of further relevant entities that lasted several months. Negotiations concerned mainly the proposed jurisdiction and practical activity of the Council and its composition, aimed at reflecting the existing obligations and their harmonisation in a functioning system while considering the principles of representation, participation, functionality and professionalism.

The Council is a permanent professional, advisory, coordinating and consultative body of the Government of the Slovak Republic in the area of protecting basic human rights and the liberties, political and civil rights, rights of members of national minorities and ethnic groups, economic, social and cultural rights, rights to environmental protection and protection of cultural heritage, in the area of rights of the child and enforcing the best interests of the child,

while enforcing the principle of equal treatment and the principle of equality including gender equality.

Within the Council, the Committee for Research and Education in the Area of Human Rights and Developmental Education was established as a permanent advisory body of the Council for research and education in the area of human rights and human-rights awareness, with a special emphasis on the promotion of inclusion. When carrying out its activities, the Council takes into consideration the international obligations of the Slovak Republic in the area of education concerning human rights, human-rights awareness, and developmental education.

In connection with the establishment of the Council, several additional professional advisory bodies directly linked with the issues of economic, social and cultural rights were established, for example the Committee for National Minorities and Ethnic Groups, the Committee for Persons with Disabilities, Committee for Gender Equality, etc.

The Council assigned the Deputy Prime Minister for Human Rights and National Minorities with developing a document that defines the complex system of protecting and supporting human rights in the Slovak Republic and harmonising the existing programmes, strategies, action plans and concepts directly linked to the issue of human rights, with the deadline for submitting such strategy to the meeting of the Government of the Slovak Republic being September 2012. The aim of the development of a National Strategy for Protecting and Supporting Human Rights, that would clearly define the basic terms and concepts, is to set the main long-term priorities of the country in this area and to mainstream human rights topics divided into many national and departmental strategies and the so-called action plans.

The strategy would be followed up by two further, so far non-existent, conceptual documents: The National Plan of Education in the Area of Human Rights, and the Concept of National Policy of the Country. All aims and measures to be defined and consequently implemented into praxis by the given strategy would mainly deal with the improvement of the situation in the broad area of enforcing and supporting human rights and non-discrimination. It should also introduce effective mechanisms for achieving this aim, mainly through preventive measures. All concerned departments should participate in such efforts so that the given issue becomes a horizontal priority. The amendment of the Anti-Discrimination Act in 2008 introduced the institute of the temporary equalising of measures defined in Article 8a of the Act.

This amendment of the Act enables the introduction of temporary equalising measures "focusing on the elimination of forms of social and economic disadvantage and disadvantage due to age or disability, the aim of which is to ensure equality in praxis." According to the Anti-Discrimination Act, such provisions can be passed if documentable inequality exists. Their aim is to reduce inequality and at the same time they are adequate and necessary in order to achieve the given aim. According to Article 8a Paragraph 4 of the Anti-Discrimination Act, the Slovak National Centre for Human Rights should be informed about

these measures in detail by the departments themselves. Another amendment of the Anti-Discrimination Act is expected, either due to the transposition of new EU Directives, or based on the evaluation of the application praxis so far.

The government of the Slovak Republic on 11 January 2012 approved the Strategy of the Slovak Republic for Roma Integration by 2020. The strategy responds to the need to deal with the challenges related to the social and societal integration of Roma communities also at the level of the European Union. The principles of the strategy should become the basis of policies with the aim to deal with the unfavourable situation of the target group for the period until 2020, as well as for the programme period for 2014-2020 in connection with the use of structural funds.

The implementation procedures have been created until 2015 by the Revised National Action Plans (NAP) of the Decade from August 2011. In this regard, the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities tries to complement the four basic areas (education, healthcare, employment, and housing) with three more action plans that should cover further areas. Specifically, it involves national action plans related to work with public and influencing public opinion, the area of financial inclusion, and the national action plan dealing with the security or safety of Roma communities *vis-a-vis* the majority population as well as inside communities. The development of these action plans is currently underway.

Several changes occurred in the past in the area of the protection and support for the cultures of national minorities. The Subsidy Programme "Culture of National Minorities" was taken over by the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities from the Ministry of Culture of the Slovak Republic, and compared to 2010 the financial resources for this programme were increased by one million euro in 2012. Last year, 2.2 million euro was awarded to projects that were part of the programme "Support and Protection of Human Rights and Liberties". This year, the same amount has been reserved in the state budget.

The culture of national minorities in the Slovak Republic is also supported in the area of audio-vision. On 1 January 2009 Act No. 516/2008 Coll. on Audiovisual Fund and on amending and supplementing of certain acts came into effect, establishing the Audiovisual Fund as a public legal institution supporting and developing the audiovisual culture and industry in the Slovak Republic. Supporting the development, creation and production of audiovisual pieces of work with content focusing on the issue of minorities and disadvantaged groups was among the priorities of the Audiovisual Fund's support activity in 2011.

Specialised national museums of the Slovak National Museum document the development of the life and culture of national minorities living in Slovakia, with the aim to support the mutual acceptance and development of cultural rights of national minorities living in the territory of the Slovak Republic.

The Ministry of Culture of the Slovak Republic has created a unique financial mechanism – the Subsidy Programme “Culture of Disadvantaged Groups of Population” – leading to the systemic spreading of the cultural rights of disadvantaged groups of the population. With this instrument it can successfully realise the agenda of human rights in the area of the culture of vulnerable groups, specifically through the setting of priorities and criteria for assessing applications. The Act on the Provision of Subsidies under the jurisdiction of the Ministry of Culture of the Slovak Republic, adopted in October 2010, is a significant step in creating stable elements in terms of nurturing the culture of vulnerable groups and providing access to cultural services.

The right to information and freedom of expression embedded in the Constitution of the Slovak Republic are among the basic cultural rights in terms of the relationship to the media, under the conditions of the Slovak Republic. Print publication is not subject to approval, and publication is in no way limited regarding language. Conducting business in the field of radio and television can be linked to a state license, while conditions are set by law. In the area of education, the Government of the Slovak Republic approved the membership of the Slovak Republic in the European Agency for Development in Special Needs Education as of 2012. The key philosophy of the European Agency is cooperating on inclusion - integrating students with special education needs into schools of the educational mainstream.

The Government of the Slovak Republic pays special attention to the issue of the status, integration and development of Roma communities in cross-departmental terms. The approaches of the Government respond to the actual needs and priorities of townships, regions and Roma themselves. On one side, the Government of the Slovak Republic tries to deal with the social situation of the Roma and with the following of human rights in a complex and balanced way, while on the other it attempts to strengthen the principle of the personal responsibility of the Roma themselves. Measures aiming at social inclusion will be set so as to lead to the following of social standards and societal values. Though direct powers connected with the performance of the Deputy Prime Minister of the Slovak Republic for Human Rights and National Minorities were reduced in relationship to the Roma to only two areas – education and support of culture, he closely cooperated with the Plenipotentiary of the Government of the Slovak Republic for Roma Communities on the development of conceptual documents and on searching for solutions of effective help for Roma.

Practical experience from the past confirms that in an effort to integrate and develop marginalised Roma communities, it is necessary to take such measures that would impact several areas simultaneously (education, healthcare, housing, employment opportunities). In line with the mentioned direction, the Government of the Slovak Republic plans for a complex system legal solution of the social inclusion mainly concerning the marginalised Roma communities. The process of approval of the Draft of the Act on Socially Excluded Communities is currently underway. It will involve more complex legislation with an ambition to achieve more significant improvement of the situation of socially excluded communities and their populations in line with the principles of motivation, deserving, and individual responsibility of individuals for their living conditions by creating a broad spectrum of legal instruments impacting relevant fields.

With regards to the overall positive change of the situation in society and its democratisation, the status of women was also substantially raised as a result of emphasising and promoting set priority areas by the Government of the Slovak Republic, and new priorities had to be identified not focusing specifically only on the status of women, but generally on the fulfilment of gender equality through gender mainstreaming. Based on the above mentioned, thirty two adequate measures were adopted with a specific deadline for the fulfilment and specifically set responsibility of the relevant authorities in the document "Concept of Equal Opportunities of Women and Men". In a new more modern programme document containing the new terminology, the term 'gender mainstreaming' was used for the first time in an official document approved by the Government of the Slovak Republic.

The Government Office of the Slovak Republic successfully applied for a grant of the European Commission as part of the PROGRESS programme in June 2011. Activities of the Project "Equal treatment in the Slovak situation" were funded by the European Commission with EUR 196,376, and co-funded from the chapter of the Government Office of the Slovak Republic for 2012 with EUR 55,195. As part of the project realisation, works on amending the anti-discrimination act and on developing the methodology of data collection concerning the age, sex, affiliation to a national minority or an ethnic group or other characteristics will be underway.

Dear Chairman,

Dear Ladies and Gentlemen,

Let me conclude by thanking you for the opportunity to inform you prior to the evaluation of the 2nd periodic report of the Slovak Republic to the International Covenant on Economic, Social and Cultural Rights about the progress achieved by Slovakia in the past three years in terms of fulfilling obligations and protecting the mentioned rights. We will try to minimize in the future the negative aspects that unquestionably still exist as much as possible. We are prepared for an open and constructive dialogue, and we will make every effort to follow your recommendations.

At the end of my presentation, let me introduce you to the members of the Slovak delegation who are ready to answer specific questions from Committee members concerning the implementation of individual articles of the Covenant:

Miroslav Pollák, Plenipotentiary of the Government of the Slovak Republic for Roma Communities

Mário Mikloši, General Director of the Section of Health of the Ministry of Health of the Slovak Republic

Daniela Pivovarová, General Director of the Section of Labour of the Ministry of Labour, Social Affairs and Family of the Slovak Republic

Stanislav Vallo, General Director of the Section of International Cooperation of the Ministry of Culture of the Slovak Republic

Peter Procházka, Director of the Department for Human Rights of the Ministry of Foreign Affairs of the Slovak Republic

Sofia Daskalová from the Section for Human Rights and Equal Treatment of the Government Office of the Slovak Republic

Zoltán Szalay from the Section of National Minorities of the Government Office of the Slovak Republic

Katarína Ondrášová from the Department of Schools with the Language of Instruction of National Minorities and Education of Roma Communities of the Ministry of Education, Science and Sports of the Slovak Republic

Peter Klenovský from the Department for Human Rights of the Ministry of Foreign Affairs of the Slovak Republic