



**SLOVAK NATIONAL  
CENTRE FOR  
HUMAN RIGHTS**

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# **WRITTEN SUBMISSION OF THE SLOVAK NATIONAL CENTRE FOR HUMAN RIGHTS**

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for consideration when compiling the List of Issues Prior to Reporting (LoIPR) for  
Slovakia at the 139<sup>th</sup> session of the Human Rights Committee

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## **INTRODUCTION**

The Slovak National Centre for Human Rights (the Centre) is a national human rights institution established in the Slovak Republic, accredited with status B by the Global Alliance of National Human Rights Institutions. The Centre was established by the Act of Slovak National Council No. 308/1993 Coll. on the Establishment of Slovak National Centre for Human Rights (the Act on the Centre). Pursuant to the Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection from Discrimination, as amended (the Anti-Discrimination Act), the Centre also acts as the only Slovak equality body.

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## A) NATIONAL HUMAN RIGHTS INSTITUTION (Art. 2 ICCPR)

1. The amendment of the Act No. 308/1993 on Establishment of the Slovak National Centre for Human Rights<sup>1</sup> (the Act on the Centre) was rejected in July 2019. Since then, there have been no legislative efforts to strengthen the mandate and independence of the Slovak National Centre for Human Rights (the Centre) fully in line with the Paris Principles. While a minor amendment from March 2023 specified that reports prepared and published by the Centre under Article 1 (2) (h) of the Act on the Centre are independent reports,<sup>2</sup> it did not have significant impact on implementation of the Paris Principles.<sup>3</sup>
2. In January 2023, the Centre provided its opinion on the proposals of EU directives on the standards for equality bodies<sup>4</sup> to the Ministry of Justice of the Slovak Republic. If adopted, the directives would have a significant impact on functioning of the Centre as an equality body. In terms of guarantees of independence and effectiveness, their transposition would inevitably be an opportunity to bring the legislation also fully in line with the Paris Principles, as also indicated by the Government.
3. In the monitoring period, the Centre has, however, been financially strengthened. Its budget has been gradually increased since 2018, which is demonstrated in the chart below. In 2022, in addition to operational budget (EUR 870 287) the Centre was also allocated EUR 74 000 for capital expenditures to modernize its ICT infrastructure. The unspent sum of the capital expenditures was transferred to 2023.

Financial Year	Budget in EUR
2018	565 356
2019	787 215
2020	797 822
2021	849 874
2022	870 287
2023	967 002

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<sup>1</sup> The draft law was reviewed by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe. See: OSCE/ODIHR: *Opinion on the Draft Amendments to the Act on Establishment of the Slovak National Centre for Human Rights*, 2019, available at <https://www.osce.org/files/f/documents/5/0/434804.pdf>.

<sup>2</sup> Act No. 110/2023 Coll. amending and supplementing the Act No. 564/2001 Coll. on Public Defender of Rights as amended and amending and supplementing certain other acts, available in Slovak at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2023/110/20230501>.

<sup>3</sup> The amendment was adopted in line with recommendations of the European Commission addressed to the Slovak Republic within the EU Pilot 4446/13/JUST procedure.

<sup>4</sup> Proposals on standards for equality bodies available at [https://commission.europa.eu/document/797a4729-bc57-4e91-b703-bbbd4bdea8b4\\_en](https://commission.europa.eu/document/797a4729-bc57-4e91-b703-bbbd4bdea8b4_en) and [https://commission.europa.eu/document/4e5f2ee4-7529-4153-8032-273f70857880\\_en](https://commission.europa.eu/document/4e5f2ee4-7529-4153-8032-273f70857880_en).



*Suggestions for questions:*

- **When will the Government propose the necessary legislative amendments to bring the Centre fully in line with the Paris Principles?**
- **Does the Government intend to further strengthen financial resources of the Centre in respect to the broaden powers as national equality body upon adoption of the new binding standards for equality bodies by the European Union and to ensure financial independence under the Paris Principles?**

**B) HATE CRIMES AND HATE SPEECH (Arts. 2, 3, 20 & 26 ICCPR)**

4. Under Article 140 of the Act No. 300/2005 Coll., Criminal Code (hereinafter as the “Criminal Code”), hate motive as one of the special motives constitutes a special qualifying characteristic for the application of a higher penalty.<sup>5</sup> In September 2022, a draft Government bill amending the Criminal Code<sup>6</sup> was submitted to the inter-departmental commentary procedure introducing a number of provisions relating to the current legal regulation of extremism offences and offences committed for a special hate motive pursuant to Article 140 (e) of the Criminal Code. The amendment suggested a significant change in relation to the definition of hate motive under Article 140 (e) of the Criminal Code. In the exhaustive list of grounds, it proposed to include *citizenship, absence of religion, disability, and gender identity* in accordance with the recommendations of the European Commission against Racism and Intolerance (ECRI)<sup>7</sup> and the Committee on the Elimination of Discrimination against Women,<sup>8</sup> which suggested, inter alia, that the Slovak legal order should clearly provide protection for transgender persons.<sup>9</sup> The draft amendment failed to be adopted in the current parliamentary term.
5. According to statistical data of the National Crime Agency on extremism offences, in the year 2021, 96 prosecutions were initiated for extremism offences. 20 prosecutions were initiated for offences committed for a special hate motive under Article 140(e) of the Criminal Code,<sup>10</sup> and 10 persons were charged.<sup>11</sup> In 2022, 107 prosecutions were initiated for extremism

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<sup>5</sup> According to Article 140 (e) of the Criminal Code, hate motive constitutes the commission of a crime out of hatred against a group of persons or an individual because of their actual or perceived belonging to a race, nation, nationality, ethnicity, because of their actual or perceived origin, skin colour, gender, sexual orientation, political opinion or religion.

<sup>6</sup> Act amending Act No. 300/2005 Coll., the Criminal Code, as amended, and amending and supplementing certain Acts, available in Slovak at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=527157>.

<sup>7</sup> European Commission against Racism and Intolerance: *ECRI Report on the Slovak Republic (Sixth Monitoring Cycle)*, 2020, para. 56-63, available at: <https://rm.coe.int/ecri-6th-report-on-the-slovak-republic/1680a0a088>.

<sup>8</sup> CEDAW/C/SVK/CO/5-6, paras. 39 – 40.

<sup>9</sup> Explanatory Memorandum to the Act amending the Criminal Code, p. 30, available in Slovak at <https://www.slov-lex.sk/legislativne-procesy/-/SK/dokumenty/LP-2022-511>.

<sup>10</sup> Ministry of the Interior of the Slovak Republic: *Status report on the investigation of extremism for 2021*, p. 5., available in Slovak at <https://shorturl.at/lmrS6>.

<sup>11</sup> *Ibid.*, p. 8.



offences. 28 were initiated for offences committed for a special hate motive under Article 140 (e) of the Criminal Code<sup>12</sup> and 17 persons were charged.<sup>13</sup>

6. In 2021 and 2022, in cases in which it was possible to identify a specific victim, most attacks were directed against Roma (29 persons in 2021<sup>14</sup> and 13 in 2022<sup>15</sup>). In 2022, in cases with an identifiable specific victim, the impact of the Russian aggression against Ukraine and the terrorist attack on LGBTI+ people was strongly felt. In 2022, there were 7 attacks against Ukrainians and 9 against LGBTI+ people or for supporting LGBTI+ people (8 people were attacked after the terrorist attack in Bratislava in October 2022).<sup>16</sup>
7. In October 2022, two LGBTI+ people were killed and one person was injured in the terrorist attack<sup>17</sup> in front of the Tepláreň community space in Bratislava. In connection with the terrorist attack, the European Parliament has urged the Slovak authorities to “*effectively fight against the disinformation campaigns against LGBTIQ+ people, to encourage factual, objective and professional reporting by the media on LGBTIQ+ persons and issues related to sexual orientation, gender identity or expression and sex characteristics and to investigate hate crime and hate speech against the members of LGBTIQ+ community living in Slovakia.*”<sup>18</sup> According to the analysis of the Council for Media Services, digital platforms played a significant role in the dissemination of extremist material and hate speech before and after the terrorist attack as well as in the radicalization of the perpetrator.<sup>19</sup> In response to the terrorist attack, NGOs sent a public appeal to the Government of the Slovak Republic and the National Council of the Slovak Republic under the title *It's About Our Lives*, which the Centre joined as well. The initiative's demands include specific steps to improve the safety and human rights of LGBTI+ people, their families and children in a number of areas, including education, support services for LGBTI+ people, effective monitoring of extremist crimes, the spread of misinformation, or legislative recognition of LGBTI+ couples and their families.<sup>20</sup>
8. In their last Concluding Observations in 2022, the Committee on the Elimination of Racial Discrimination noted their serious concern over the “*persistent hate speech in the media and*

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<sup>12</sup> Ministry of the Interior of the Slovak Republic: *Status report on the investigation of extremism for 2022*, p. 5, available in Slovak at [https://www.minv.sk/swift\\_data/source/policia/naka\\_opr/ptc/Rocna\\_sprava\\_2022\\_web.pdf](https://www.minv.sk/swift_data/source/policia/naka_opr/ptc/Rocna_sprava_2022_web.pdf).

<sup>13</sup> *Ibid.*, p. 8.

<sup>14</sup> Ministry of the Interior of the Slovak Republic: *Status report on the investigation of extremism for 2021*, p. 14, available in Slovak at <https://shorturl.at/lmrS6>.

<sup>15</sup> Ministry of the Interior of the Slovak Republic: *Status report on the investigation of extremism for 2022*, p. 16, available in Slovak at [https://www.minv.sk/swift\\_data/source/policia/naka\\_opr/ptc/Rocna\\_sprava\\_2022\\_web.pdf](https://www.minv.sk/swift_data/source/policia/naka_opr/ptc/Rocna_sprava_2022_web.pdf).

<sup>16</sup> *Ibid.*

<sup>17</sup> On 17 October 2022, the offence investigated as a hate crime was reclassified as a particularly serious crime of terrorist attack under Article 419 of the Criminal Code.

<sup>18</sup> European Parliament resolution of 20 October 2022 on growing hate crimes against LGBTIQ+ people across Europe in light of the recent homophobic murder in Slovakia, point 5, available at [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0372\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0372_EN.html).

<sup>19</sup> Council for Media Services: *Terrorist attack on Zámocká Street in Bratislava: Immediate and preventive actions of the Council for Media Services for the prevention and spread of illegal and harmful content*, p. 61, available in Slovak at <https://shorturl.at/IJNS8>.

<sup>20</sup> The text of the appeal is available in Slovak at <https://idenamozivot.sk/vyzva/>.



*on the Internet and about the use of racist political discourse among politicians against ethnic minorities, particularly Roma, and non-citizens”<sup>21</sup> and urged Slovakia to ensure that all incidents of hate speech are investigated and prosecuted and that the perpetrators are punished, regardless of their official status, and to provide data on the cases.<sup>22</sup>*

9. The Centre is currently conducting research on the occurrence of hate speech on social media profiles (specifically Facebook) of the most popular Slovak political representatives, from March to June 2023 (i.e. the early stages of the ongoing parliamentary election campaign). According to the research, mainly homophobic, Islamophobic and anti-Roma hate speech was prevalent, while 5.7 % of the analysed comments were identified as the most serious manifestations of hate speech, including open calls for violence, extremely vulgar statements and statements containing elements of dehumanization.<sup>23</sup>

***Suggestions for questions:***

- **What measures is the Government aiming to adopt to effectively combat hate speech, including online hate speech and to ensure that all incidents of hate speech are investigated and prosecuted, and the perpetrators are punished, regardless of their official status?**
- **What means of protection do people in Slovakia have under the current legislation against incidents of hate speech and hate crimes, and what options are available for remedy?**
- **Does the Government plan to amend its legislation to explicitly prohibit hate speech against LGBTI+ people?**

### **C) DISCRIMINATION AGAINST LGBTI+ PEOPLE (Arts. 2, 17, 23 & 26 ICCPR)**

10. Slovakia remains one of the last six EU Member States that had not adopted any form of legal recognition of same-sex couples. Moreover, the Constitution of the Slovak Republic in Article 41 (1) defines marriage as a unique union between a man and a woman. Same-sex partners may currently be granted the status of a “close person” or “cohabitant in a shared household” under certain statutory provisions, but it is in many cases unclear and difficult to prove. Therefore, the rights, including social rights arising from the status of a close person or cohabiting person in a shared household are not guaranteed, unlike for different-sex married couples to whom the law grants a full range of social rights (e.g. mutual maintenance obligation, time off work to accompany a sick partner, injury benefits, tax benefits) and adequate legal status and protection. Two proposals for legal recognition of same-sex

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<sup>21</sup> CERD/C/SVK/CO/13, para. 18.

<sup>22</sup> CERD/C/SVK/CO/13, para. 19 (b).

<sup>23</sup> The research has not been published as of the date of submission of this report.



partnerships (partner cohabitation and life partnership) with different range of rights and duties were both rejected in the Parliament in 2022.<sup>24</sup> A proposal introducing a new possibility of appointing another person, including a partner, as a legal ‘confidant’, which was presented by the government as addressing certain life situations faced by same-sex couples, did not ensure appropriate legal recognition of a same-sex couple’s relationship, which was also criticised by the Council of Europe Commissioner for Human Rights.<sup>25</sup> The proposal was withdrawn by the current Minister of Justice.

11. Attempts to restrict legal gender recognition in the past years in Slovakia have been concerning. In April 2022, an “*Expert guidance of the Ministry of Health of the Slovak Republic unifying processes of provision of health care in gender transition prior issuing medical assessment of gender transition of a person administratively registered in the Civil Registry*”<sup>26</sup> finally regulated crucial issues such as model informed consent for transition related healthcare or model medical assessment required under the Act No. 300/1993 Coll. on Name and Surname as a requirement for recognition of new name and surname of a person during or upon transition. Due to strong criticism and political pressure originating from conservative voices<sup>27</sup> its effectiveness and validity were ceased in May 2022<sup>28</sup> until March 2023 when the Ministry of Health of the Slovak Republic published “*Standard procedure for diagnosis and complex management of health care for an adult person with transsexualism (F64.0)*”<sup>29</sup> Despite that, uncertainty over conditions of medical and legal transitions remain as in certain cases civil registries keep refusing to register changes necessary for legal gender transition or requiring confirmation of surgical sterilization.
12. Moreover, there has been an alarming number of legislative attempts to limit legal gender recognition, including proposals to introduce constitutional definition of gender identity as an irreversible concept defined by sex assigned upon birth, to prohibit discussing issues related to gender identity in schools or to exclude the possibility to change the name and surname of a person during or upon transition.<sup>30</sup> In March 2023, the Parliament passed in the first reading a

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<sup>24</sup> For more information see Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment for the Year 2022*, pp. 61-64, available at <https://www.snslp.sk/wp-content/uploads/HR-Report-2022.pdf>.

<sup>25</sup> Council of Europe Commissioner for Human Rights, Letter to the National Council of the Slovak Republic of 19 April 2023, available at <https://rm.coe.int/letter-to-slovak-republic-national-council-by-dunja-mijatovic-council-1680aafccf>.

<sup>26</sup> Expert guidance of the Ministry of Health of the Slovak Republic No. 16/2022, available in Slovak at <https://www.health.gov.sk/?vestniky-mz-sr>.

<sup>27</sup> See e.g.: inPoradňa & Prizma: “Position of the consultancy centres on the attempts to repeatedly introduced forced castrations of transgender persons in Slovakia”, May 2022, available in Slovak at <https://inakost.sk/stanovisko-poradenskych-centier/>.

<sup>28</sup> Information published in the Journal of the Ministry of Health of the Slovak Republic No. 28-29 of 18 May 2022, available in Slovak at <https://www.health.gov.sk/?vestniky-mz-sr>.

<sup>29</sup> Standard procedure for diagnosis and complex management of health care for an adult person with transsexualism (F64.0), available in Slovak at <https://www.health.gov.sk/?Standardne-Postupy-V-Zdravotnictve>.

<sup>30</sup> E.g. Proposals of the Constitutional Act amending and supplementing the Constitution of the Slovak Republic No. 460/1992 Coll. as amended (Nos. 429 and 698), available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=429> and <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=698>; Proposal of the Act amending the Act No. 300/1993 Coll. on Name and Surname as amended and Act No. 301/1995 Coll. on Birth Identification Number (No.697), available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=697>; Proposals of the Act amending



proposal conditioning the change of a birth registration number (that includes a gender-specific marker) by submitting results of a genetical test confirming the gender of a person concerned.<sup>31</sup> Such condition would make the change of a birth identification number in line with the recognized gender identity upon transition *de facto* impossible.

13. Accessibility of complex health care in relation to transition remains also problematic due to lack of medical specialists in the area of sexology and psychiatry specializing on gender incongruence as well as the need for professional training to medical personnel to ensure non-discriminatory and non-pathologizing approach to transgender persons in the area of healthcare.<sup>32</sup> In relation to legal transition, transgender persons in Slovakia cannot change their certificates on completion of secondary education issued prior transition.<sup>33</sup> Changes of certificates/diplomas due to gender transition are only allowed in respect to university diploma under the Act No. 131/2002 Coll. on Universities. This creates different standards of protection of the right to private life of transgender persons based on the level of education achieved. Considering that these documents are required in hiring processes, it leads to forced disclosure of information about gender incongruence and can lead to discrimination on the ground of gender identity in the area of employment.
14. Furthermore, blood donation by gay and bisexual men is very restricted in Slovakia. The screening of donors prior blood donation includes a questionnaire developed by the National Transfusion Service of the Slovak Republic which includes a stigmatizing question linking risky sexual behavior directly to sexual orientation without further criteria. Male donors are asked to answer the question: “*Have you had a sexual intercourse with a man in the past twelve months?*”<sup>34</sup> Consequently, any man that has had a sexual intercourse with a man in the past year, irrespective of whether this has been within a monogamous long-term same-sex relationship, cannot donate blood. Instead of long deferral periods, a non-discriminatory approach to blood donations should apply same risk assessment criteria for all potential applicants, with deferral decisions based on risk behaviors without focus on sexual orientation.<sup>35</sup>

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and supplementing the Act No. 245/2008 Coll. on Education and Upbringing (the School Act) and amending and supplementing certain other acts as amended (Nos. 732 and 1249), available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=732> and <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=1249>.

<sup>31</sup> Proposal of the Act amending and supplementing the Act of the National Council of the Slovak Republic No. 301/1995 Coll. on Birth Identification Number as amended, available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=1486>.

<sup>32</sup> Vašečková, B., “Possibilities and limitations of transgender healthcare in the context of Slovak legislation” in Batka, L., Raková, K., Horvat, M. et al., *Status of transgender persons in Slovakia. Interdisciplinary aspects*, 2022, pp. 11-16, available in Slovak at [https://www.flaw.uniba.sk/uploads/media/Postavenie\\_transrodovych\\_ludi\\_na\\_Slovensku\\_Interdisciplinarne\\_pohlady.pdf](https://www.flaw.uniba.sk/uploads/media/Postavenie_transrodovych_ludi_na_Slovensku_Interdisciplinarne_pohlady.pdf).

<sup>33</sup> The Act No. 245/2008 Coll. on Education and Upbringing (the School Act) and amending and supplementing certain acts lacks the enabling regulation.

<sup>34</sup> National Transfusion Service of the Slovak Republic: “Questionnaire for Donors of Blood, Plasma and Blood Cells”, available at <https://shorturl.at/tuY01>.

<sup>35</sup> See also: ILGA Europe: “Which countries are pushing to end discrimination in blood donation?”, available at <https://ilga-europe.org/blog/countries-end-discrimination-blood-donation/>.





*Suggestions for questions:*

- Please report on measures taken to ensure respect for the rights of same-sex couples and address discrimination faced by same-sex couples and on any steps taken towards the legal recognition of same-sex couples. Does the Government intend to revisit its constitutional definition of marriage as union between a man and a woman or adopt specific legal framework for recognition of same-sex couples?
- Please provide information on the measures to improve accessibility of medical transition and legal gender recognition, including clear and transparent procedures applicable to civil registries in relation to changes of identification data and documents during and upon gender transition.
- Please provide information on whether the Government will propose legislative amendments to enable legal gender recognition in relation to certificates on completion of secondary education and ensure equal standards irrespective of the level of education achieved by the transgender person prior transition.
- What measures is the Government aiming to adopt in order to remove the restriction of blood donations by gay and bisexual men on the basis of sexual orientation alone?

**D) ACCESS TO HEALTHCARE WITHOUT DISCRIMINATION AND VIOLENCE AGAINST WOMEN IN HEALTHCARE SETTINGS (Arts. 2, 3, 7, 17 & 26 ICCPR)**

**Major health inequalities of Roma living in excluded communities<sup>36</sup>**

15. Health status of Roma living in excluded communities continues to be worse than that of the general population, with shorter life expectancies (by seven years less for women and ten years for men).<sup>37</sup> Infant mortality of Roma is twice the national average and almost four times higher than the EU average.<sup>38</sup> In 2019, only around 53% of Roma living in excluded communities had access within 2 km to a general practitioner and 44 % to a pediatric practitioner.<sup>39</sup>
16. Lack of access to and use of health care by Roma living in excluded communities stems from a number of contributing structural and material factors. These include poverty, environmental factors (exposure to toxic materials and waste, lack of access to sanitation and access to clean

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<sup>36</sup> For more information see also written submission of the Centre in relation to the thirteenth periodic report of Slovakia to the Committee on the Elimination of Racial Discrimination, July 2022, paras. 26-31, available at <https://shorturl.at/dlvT4>.

<sup>37</sup> OECD/European Observatory on Health Systems and Policies: *Slovak Republic: Country Health Profile 2019*, State of Health in the EU, 2019, p. 5, available at <https://shorturl.at/jpFV6>.

<sup>38</sup> Ibid.

<sup>39</sup> Government of the Slovak Republic: *Strategy of Equality, Inclusion and Participation of Roma until 2030*, p. 34, available in Slovak at [https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia\\_2030.pdf?csrt=10693107727240994688](https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia_2030.pdf?csrt=10693107727240994688).



water - 22% of Roma do not have access to clean water in their household, compared to 1% of the general population).<sup>40</sup> Structural factors include intersectional discrimination, lack of information and awareness<sup>41</sup> or language barriers.<sup>42</sup> Ethnic discrimination prevails also in attitudes and behaviors of healthcare workers, such as use of separate waiting rooms or outspoken hostility, which results in avoidance of healthcare settings by Roma.<sup>43</sup> Frontline professionals may also provide substandard practices, such as substandard communication and commitment to care.<sup>44</sup> Importantly, root causes of deteriorating health conditions are long history of structural racism, oppression, exclusion and various manifestations of direct and indirect discrimination and persisting racist prejudices and stereotypes, including Antigypsyism.<sup>45</sup>

### Discrimination and segregation in healthcare settings

17. Ensuring compliance with the principle of equal treatment in healthcare remains a significant challenge. In its last Concluding Observations, the Committee on the Elimination of Racial Discrimination recommended that Slovakia adopts “*all necessary measures to prevent and combat all forms of discrimination and segregation against Roma in the health-care system, including by investigating effectively all acts of discriminatory treatment against Roma, in particular women and girls, in the health-care system and prosecuting and sanctioning those responsible.*”<sup>46</sup>
18. Segregation of Roma women in healthcare was also highlighted by the Center for Reproductive Rights and the Centre for Civil and Human Rights in a report based on interviews with 38 Roma women.<sup>47</sup> Almost all respondents experienced segregation in maternity wards and some also described the existence of separate bathrooms for Roma women and segregation in canteens.<sup>48</sup> Roma women also reported disrespectful treatment, verbal and physical abuse and violence.<sup>49,50</sup>

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<sup>40</sup> People in Need: “Are Roma living in the settlements healthier than the majority?”, 12 October 2021, available in Slovak at <https://clovekvochrozeni.sk/su-romovia-v-osadach-zdravsi-nez-majorita/>.

<sup>41</sup> Belák A.: *Segregiated Roma and health policies: ethical and practical conflicts*, 2015, In Government of the Slovak Republic: *Strategy of Equality, Inclusion and Participation of Roma until 2030*, p. 33, available in Slovak at [https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia\\_2030.pdf?csrt=10693107727240994688](https://www.romovia.vlada.gov.sk/site/assets/files/1113/strategia_2030.pdf?csrt=10693107727240994688).

<sup>42</sup> People in Need: “Are Roma living in the settlements healthier than the majority?”, 12 October 2021, available in Slovak at <https://clovekvochrozeni.sk/su-romovia-v-osadach-zdravsi-nez-majorita/>.

<sup>43</sup> Ibid.

<sup>44</sup> Belák, A., et. al.: “Why don't health care frontline professionals do more for segregated Roma? Exploring mechanisms supporting unequal care practices”, *Social Science & Medicine*. 246:112739, p.1, available at <https://shorturl.at/dE235>.

<sup>45</sup> Belák, A.: *Levels of conditions for health and health needs in excluded Roma settlements in Slovakia*, 2020, p. 11, available in Slovak at [https://www.zdraveregionu.eu/wp-content/uploads/2018/04/ZK\\_potreby\\_e-verzia.pdf](https://www.zdraveregionu.eu/wp-content/uploads/2018/04/ZK_potreby_e-verzia.pdf). English summary on p. 19-27.

<sup>46</sup> CERD/C/SVK/CO/13, para. 29.

<sup>47</sup> Center for Reproductive Rights, Centre for Civil and Human Rights: *Vakeras Zorales, We Talk Loud. Experiences of Roma Women with Reproductive Healthcare in Slovakia*, 2017, available in Slovak at <https://shorturl.at/doxY2>. See also Office of the Public Defender of Rights: *Let's talk openly about births: A human rights approach in the provision of health care during childbirth*, 2021, p. 65-69, available in Slovak at: [https://vop.gov.sk/wp-content/uploads/2021/06/Sprava\\_porody\\_FINAL.pdf](https://vop.gov.sk/wp-content/uploads/2021/06/Sprava_porody_FINAL.pdf).

<sup>48</sup> Center for Reproductive Rights, Centre for Civil and Human Rights: *Vakeras Zorales, We Talk Loud. Experiences of Roma Women with Reproductive Healthcare in Slovakia*, 2017, p. 12, available in Slovak at <https://shorturl.at/doxY2>.

<sup>49</sup> Ibid., p. 16.

<sup>50</sup> CEDAW/C/SVK/CO/7, paras. 42-43.



19. In July 2022, the Bratislava III District Court rejected the *actio popularis* filed by the Center for Civil and Human Rights contesting segregation of Roma women in the maternity ward in the Prešov hospital.<sup>51</sup> The Court rejected the lawsuit on the ground that discrimination has not been proven.<sup>52</sup> The NGO claimed that Roma women were placed in the so-called „Roma rooms“ and even when these were already fully occupied, Roma women were placed on already occupied beds. Roma women were also complaining about the lower quality of the provided healthcare.<sup>53</sup> For the purposes of the litigation, Slovak National Centre for Human Rights submitted an opinion stating that by separating Roma women in the maternity ward, the defendant has violated the principle of equal treatment. The judgment is under appeal.

### Access to reparation for victims of forced sterilizations<sup>54</sup>

20. Forced and coercive sterilizations of mainly Roma women in 1966-1989 and in 1990-2004 have been documented by a number of civil society organizations,<sup>55</sup> the Public Defender of Rights of the Slovak Republic,<sup>56</sup> international and regional human rights bodies,<sup>57</sup> Council of Europe Commissioner for Human Rights<sup>58</sup> and further highlighted by adjudication at the European Court of Human Rights<sup>59</sup> and through domestic case law.<sup>60</sup> Although not the only victims of involuntary sterilization, Roma women have been at a particular risk “*seemingly driven by discriminatory attitudes against this minority.*”<sup>61</sup>

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<sup>51</sup> Decision of the District court of Bratislava III, file no. 14C/288/2013-590, 29 July 2022, available in Slovak at: [https://poradna-prava.sk/wp-content/uploads/2022/08/rozsudok-OS-BA-III\\_romske-izby\\_anonym.pdf](https://poradna-prava.sk/wp-content/uploads/2022/08/rozsudok-OS-BA-III_romske-izby_anonym.pdf)

<sup>52</sup> Ibid., para 19.

<sup>53</sup> Ibid., para 7.2.

<sup>54</sup> For more information see also written submission of the Centre in relation to the fourth periodic report of Slovakia to the Committee against Torture, March 2023, p. 10-13, available at <https://shorturl.at/hzX36> and CAT/C/SVK/CO/4, paras. 23- 24, CERD/C/SVK/CO/13/, paras. 30- 31 and CEDAW/C/SVK/CO/7, paras. 42-43.

<sup>55</sup> Center for Reproductive Rights and Center for Civil and Human Rights: *Body and Soul – Forced Sterilization and Other Assaults on Roma Reproductive Freedom in Slovakia*, 2003, available at [https://reproductiverights.org/sites/crr.civicactions.net/files/documents/bo\\_slov\\_part1.pdf](https://reproductiverights.org/sites/crr.civicactions.net/files/documents/bo_slov_part1.pdf); Center for Reproductive Rights and Center for Civil and Human Rights: *Vakeras Zorales – Speaking Out, Roma women’s experience in reproductive health care in Slovakia*, 2017, available in Slovak at <https://shorturl.at/doxY2>.

<sup>56</sup> The Office of the Public Defender of Rights: *Report on the Activities of the Public Defender of Rights of the Slovak Republic for 2018, 2019*, pp. 43-44, available at [https://vop.gov.sk/wp-content/uploads/2021/10/KVOP\\_Vyrocná\\_správa\\_ENG\\_web.pdf](https://vop.gov.sk/wp-content/uploads/2021/10/KVOP_Vyrocná_správa_ENG_web.pdf)

<sup>57</sup> In addition to Concluding observations of different Treaty Bodies (CAT/C/SVK/CO/4; CEDAW/C/SVK/CO/7; CERD/C/SVK/CO/13/, CCPR/C/SVK/CO/4; E/C.12/SVK/CO/3), see for instance European Commission against Racism and Intolerance: *ECRI Report on the Slovak Republic (sixth monitoring cycle)*, 2020, para. 100-101, available at <https://shorturl.at/rzCS8>.

<sup>58</sup> Council of Europe Commissioner for Human Rights: Letter to the Prime Minister of the Slovak Republic and the Minister of Justice of the Slovak Republic, 12 July 2021, available at: <https://rm.coe.int/letter-to-mr-eduard-heger-prime-minister-of-the-slovak-republic-and-ms/1680a332a3>.

<sup>59</sup> See: Judgement of the ECtHR – case of *K. H. and Others v. Slovakia*, Ap. No. 32881/04 of 28 April 2009, available at: <https://hudoc.echr.coe.int/eng-press?i=003-2718812-2971322>; Judgement of the ECtHR – case of *V. C. v. Slovakia*, Ap No. 18968/07 of 8 November 2011, available at: <https://hudoc.echr.coe.int/fre?i=001-107364>; Judgement of the ECtHR – case of *N.B. v. Slovakia*, Ap. No. 29518/10 of 12 June 2012, available at: <https://hudoc.echr.coe.int/fre?i=001-111427>; Judgement of the ECtHR – case of *I.G. and Others v. Slovakia*, Ap. No. 15966/04 of 13 November 2012, available at: <https://hudoc.echr.coe.int/fre?i=001-114514>.

<sup>60</sup> In February 2020, Košice Regional Court awarded 16 000 € in damages and interest to a Roma woman who had been a victim of sterilization without prior consent. The judicial proceedings had gone on for over 15 years.

<sup>61</sup> Council of Europe Commissioner for Human Rights: Letter to the Prime Minister of the Slovak Republic and the Minister of Justice of the Slovak Republic, 12 July 2021, available at <https://rm.coe.int/letter-to-mr-eduard-heger-prime-minister-of-the-slovak-republic-and-ms/1680a332a3>.



21. In November 2021, the Government issued a formal “*Apology of the Government of the Slovak Republic for sterilization of women in violation of the law.*”<sup>62</sup> In March 2023, the Ministry of Justice of the Slovak Republic introduced a legislative intent of the law on financial compensation for women sterilized in violation of the law to the inter-departmental commentary procedure.<sup>63</sup> It proposed a one-off compensation of EUR 5 000 to “*a physical persons who underwent sterilization in violation of the law in the period from 1 July 1966 to 31 December 2004 in a medical facility in the territory of the Slovak Republic.*”<sup>64</sup> A similar draft legislation<sup>65</sup> was introduced as an MP proposal in April 2023. Neither were adopted, including due to end of the regular meeting of the National Council of the Slovak Republic in June 2023. Although welcoming the legislative initiatives, the Centre raised several important issues and recommendations regarding compensation of victims of sterilizations.<sup>667</sup>

### Access to safe and legal abortion services<sup>68</sup>

22. Access to sexual and reproductive health and rights, including available safe and legal abortion services continues to be challenging, especially for disadvantaged groups. Continuous repeated legislative attempts were introduced by MPs to further restrict access to safe abortions through introducing further restricting conditions such as longer waiting periods, obligatory ultrasounds with heartbeats, confirmation of two medical professionals, obligatory information, compulsory burial of aborted fetuses or prohibiting advertising of abortion services.<sup>69</sup> The situation has been contested also by the Council of Europe Commissioner for Human Rights.<sup>70</sup> The Commissioner

<sup>62</sup> Resolution of the Government of the Slovak Republic No. 674 on *Apology of the Government of the Slovak Republic for sterilization of women in violation of the law*, 22 November 2021, available in Slovak at <https://rokovania.gov.sk/RVL/Material/26642/1>.

<sup>63</sup> Ministry of Justice of the Slovak Republic: *LP/2023/64 Legislative intent of the law on one-time financial compensation for women sterilized in violation of the law*, available in Slovak at: <https://www.slov-lex.sk/legislativne-procesy/SK/LP/2023/64>.

<sup>64</sup> *Ibid*, para 2.1.1.

<sup>65</sup> Proposal of the Act on one-time financial compensation for women sterilized in violation of the law and on supplementing Act of the Slovak National Council no. 71/1992 Coll. on court fees and the fee for an extract from the criminal record, as amended, available in Slovak at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=528090>.

<sup>66</sup> For more information on the specific recommendations of the Centre regarding the legislative proposals, see written submission of the Centre in relation to the fourth periodic report of Slovakia to the Committee against Torture, March 2023, para. 28, available at <https://shorturl.at/hzX36>.

<sup>67</sup> For the specific recommendations regarding the compensation mechanism, see also Council of Europe Commissioner for Human Rights: Letter to Members of the National Council of the Slovak Republic 6 June 2023, available at <https://shorturl.at/agBGL>.

<sup>68</sup> See also written submission of the Centre in relation to the seventh periodic report of Slovakia to the Committee on the Elimination of Discrimination against Women, paras. 12-16, available at <https://shorturl.at/cuBQS> and CEDAW/C/SVK/CO/7, paras. 36- 37.

<sup>69</sup> See e.g.: Proposal by a group of members of the National Council of the Slovak Republic of the Act amending Act No. 576/2004 Coll. on Health care, services related to the provision of health care, and on amendments and supplements to certain Acts (No. 154), of 20 October 2020, available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=154>; Proposal by a group of members of the National Council of the Slovak Republic for the issuance of an Act on assistance to pregnant women (No. 665), available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=665>; Proposal of MPs Anna Andrejiová and Eva Hudecová for the issuance of the Act amending and supplementing Act No. 131/2010 Coll. on Burial Services as amended and amending and supplementing certain acts (No. 1190), available in Slovak at <https://www.nrsr.sk/web/Default.aspx?sid=zakony/cpt&ZakZborID=13&CisObdobia=8&ID=1190>. The list of legislative proposals is not exhaustive.

<sup>70</sup> Council of Europe Commissioner for Human Rights: Letter to the Members of the National Council of the Slovak Republic, 22 November 2019, available at <https://rm.coe.int/letter-to-the-national-council-of-the-slovak-republic-by-dunja-mijatov/168098eed2>; Council of Europe Commissioner for Human Rights: Letter to the Speaker of the National Council of the Slovak Republic and Chairpersons of the Constitutional and Legal Affairs Committee, Health Care Committee and Social Affairs



drew attention to the negative impact of the proposed legislation on women's rights and also expressed concern that repeated legislative attempts to restrict access to abortion were creating an *“increasingly hostile environment for human rights defenders in Slovakia who focus on issues of women's sexual and reproductive rights and gender equality in general.”*<sup>71</sup>

23. Accessibility of reproductive health services and accessibility of information about such services is insufficient. Access to safe abortions is restricted by inadequate and inaccurate information regarding the provision of reproductive health services,<sup>72</sup> as well as by their geographic inaccessibility.<sup>73</sup> Contraception and abortion on request is not covered by the public health insurance and medical abortion is not available. In addition, accessibility of safe abortions to minors is restricted also by discrepancy of legal regulation.<sup>74</sup>
24. Non-governmental organizations also report on barriers in accessing healthcare for women and girls fleeing the war in Ukraine, including victims of sexual and gender-based violence. With regards to access to sexual and reproductive healthcare, including safe abortion, Center for Reproductive Rights highlighted multiple challenges, such as legal barriers (including lack of medical abortion), procedural barriers (mandatory waiting periods), financial barriers, lack of information or stigma and discrimination.<sup>75</sup> In addition, due to the possibility of a conscientious objection of medical staff or even whole hospitals, abortion care may be unavailable in the whole regions, especially in the East of Slovakia close to the Ukrainian borders.<sup>76</sup> As a result, some Ukrainian women return temporarily to Ukraine to access care or delay sexual and reproductive health care.<sup>77</sup> The report also underlined lack of access to menstrual health and hygiene for Ukrainian women and girls living in poverty.<sup>78</sup> In addition, Roma and LGBTI+ refugees are at particular risk of intersectional discrimination and prejudice when accessing healthcare in Slovakia.<sup>79</sup>

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Committee, 7 September 2020, available at <https://rm.coe.int/commdh-2020-18-letter-to-parliament-slovak-republic-en/16809f7d70>; Council of Europe Commissioner for Human Rights: Letter to the Speaker of the National Council of the Slovak Republic and Chairpersons of the Social Affairs Committee, Health Care Committee, Constitutional and Legal Affairs Committee and Budgetary Committee and Vice-Chairperson of the Human Rights and Ethnic Minorities Committee, 15 October 2021, available at <https://rm.coe.int/letter-to-the-slovak-national-council-by-dunja-mijatovic-council-of-eu/1680a43530>.

<sup>71</sup> Council of Europe Commissioner for Human Rights: Letter to the Members of the National Council of the Slovak Republic, 15 October 2021, available at: <https://bit.ly/3bS8qbo>.

<sup>72</sup> Holubová, B., Mesochoritsová, A. & Jojart, P.: *Accessibility of reproductive health services in Slovakia. Report on health-care providers*. 2021, p. 39-51, available in Slovak at <https://shorturl.at/kxPS0>.

<sup>73</sup> *Ibid.*, p. 61.

<sup>74</sup> Slovak National Centre for Human Rights: *Report on the Observance of Human Rights including the Principle of Equal Treatment in the Slovak Republic for the Year 2019*, pp. 166-168, available in Slovak at <https://www.snslp.sk/wp-content/uploads/Sprava-o-LP-v-SR-za-rok-2019.pdf>.

<sup>75</sup> Center for Reproductive Rights: *Care in Crisis. Failures to Guarantee the Sexual and Reproductive Health and Rights of Refugees from Ukraine in Hungary, Poland, Romania and Slovakia*, 2023, p. 7, available at <https://shorturl.at/lwGZ8>.

<sup>76</sup> *Ibid.*, p. 46.

<sup>77</sup> *Ibid.*, p. 9.

<sup>78</sup> *Ibid.*, p. 33.

<sup>79</sup> *Ibid.*, p. 49.



*Suggestions for questions:*

- **Please provide information on steps taken to ensure that all women, including Ukrainian and other refugee and migrant women have access to health services, including reproductive health care and access to safe forms of abortion. Please provide information on steps taken to remove legislative and non-legislative barriers to access to abortion, including financial barriers and medically unjustified waiting periods. When is the Government planning to enable access to medical abortion? Is the Government planning to initiate a development of a national sexual and reproductive health strategy and comprehensive education programme on sexual and reproductive health and rights, in line with international human rights standards?**
- **Please provide information on steps taken to guarantee access of Roma to healthcare and prevent their discrimination and segregatory practices in access to healthcare, particularly with regards to Roma women in relation to sexual and reproductive health and rights. What are the concrete steps that the Government has taken in order to guarantee the full enjoyment of right to health without discrimination to Roma children?**
- **Please provide information on adopted and planned measures and legislation for remedy and compensation of victims of forced sterilizations. Is the Government planning any information campaigns, including in language of national minorities to inform potential victims and survivors about possibilities to remedy the past violations?**

**F) SAFETY OF JOURNALISTS AND HUMAN RIGHTS DEFENDERS  
(Arts. 2, 17 & 19 ICCPR)**

**Safety of journalists**

25. On 21 February 2018, a 27-year-old investigative journalist, Ján Kuciak and his fiancé, Martina Kušnírová, were shot dead in their home, reportedly due to Ján's investigative work. The killing was followed by mass demonstrations across the country calling for the resignation of the Government and an independent investigation of the murders.<sup>80</sup>

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<sup>80</sup> For more information see OHCHR: "UN experts: Slovakia must deliver strong message on journalist killing", 05 March 2018, available at <https://www.ohchr.org/en/press-releases/2018/03/un-experts-slovakia-must-deliver-strong-message-journalist-killing> or Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: Letter to the Government of the Slovak Republic, 2 March 2018, UA SVK 1/2018, available at <https://shorturl.at/jsFJR>.



26. A survey conducted in November 2022 - January 2023 by the Investigative Centre of Ján Kuciak (ICJK) within the project Safe.Journalism.sk,<sup>81</sup> with participation of more than 400 journalists across Slovakia (44 % women and 56 % men), shows that more than two-thirds (66.2 %) of Slovak journalists have experienced an incident, in the form of an attack or threat, in the past 12 months and 47 % think the number of incidents has increased over 5 years. Besides attacks by the general public mostly in the online space, journalists also face verbal attacks by politicians. In particular, two former Prime Ministers have criticised<sup>82</sup> and made baseless accusations<sup>83</sup> against journalists encouraging public hostility.<sup>84</sup> According to the survey, 33,3 % of Slovak journalists think the intensity of verbal attacks by politicians has increased.
27. The offence of defamation is frequently being used to intimidate and bully journalists and the media.<sup>85</sup> As Reporters without Borders (hereinafter as the “RSF”) points out, the fact that defamation remains punishable in Slovakia by a prison sentence of two to eight years, one of the harshest punishments in the EU, is concerning. RSF also adds that although these sentences are mostly not applied by the Slovak courts, “*they allow politicians and businessmen to exercise pressure on journalists*”.<sup>86</sup> A draft amendment to the Criminal Code suggested to introduce a non-custodial sentence for the crime of defamation and to decrease the maximum prison sentence in case of significant damage to one year. It also sought to expand the categories of a special motive as a special qualifying characteristic for the application of a higher penalty by adding Article 140 (g) “*the exercise of his or her occupation, profession or function*.”<sup>87</sup>
28. Strategic Lawsuits Against Public Prosecutions (SLAPP) do not exist as a separate legal concept in the current Slovak legal framework; therefore, Slovakia does not have statistics regarding SLAPP cases. The prevention of SLAPPs in Slovakia can only be achieved to a certain degree by basic civil and criminal law tools.<sup>88</sup> The survey by the Investigative Centre

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<sup>81</sup> Investigative Centre of Ján Kuciak: “Research: do Slovak journalists feel safe?”, 20 February 2023, available in Slovak at <https://icjk.sk/229/Vyskum-Citia-sa-slovenski-novinari-bezpecne>.

<sup>82</sup> European Centre for Press and Media Freedom: Mapping Media freedom: “Slovak Finance Minister pledges to personally weed out journalists he views as corrupt”, 12 October 2022, available at <https://www.mapmf.org/alert/25313>, and “Deputy Slovak PM likens modern journalists to servants of Hitler”, 29 September 2022, available at <https://www.mapmf.org/alert/25252>.

<sup>83</sup> European Centre for Press and Media Freedom: Mapping Media freedom: “PM Robert Fico defames journalist following question on ruling coalition”, 12 September 2017 available at <https://www.mapmf.org/alert/21476>.

<sup>84</sup> Startitup.sk: “Another attack on the media. A group of protesters attacked a RTVS cameraman yesterday, police intervened”, 31 July 2021, available in Slovak at <https://shorturl.at/cqLY5>

<sup>85</sup> See f.e. Committee to Protect Journalists: “Slovak authorities file criminal defamation charges against columnist Michal Havran”, 10 February 2020, available at <https://cpj.org/2020/02/slovak-authorities-file-criminal-defamation-charge/>.

<sup>86</sup> Reporters without Borders: “Slovakia: Fifth anniversary of Kuciak and Kusnirova’s killing marked by fragile press freedom progress”, 21 February 2023, available at: <https://rsf.org/en/slovakia-fifth-anniversary-kuciak-and-kusnirova-s-killing-marked-fragile-press-freedom-progress>.

<sup>87</sup> Act amending Act No. 300/2005 Coll., the Criminal Code, as amended, and amending and supplementing certain Acts, available in Slovak at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=527157>.

<sup>88</sup> Article 138 of the Act No. 160/2015 Coll. Code of Civil Procedure (Manifestly unfounded lawsuit) reads: “*If, after a preliminary legal assessment, it is clear from the facts alleged in the application that the lawsuit is manifestly unfounded, the court shall call*



of Ján Kuciak showed that 2,74 % of Slovak journalists have experienced legal harassment/SLAPP in the last twelve months, whereas 76 % of the journalists said personal or online verbal attack was the most common incident.<sup>89</sup>

### Safety of human rights defenders

29. In 2022 and 2023, the Centre conducted research on challenges to safe democratic space for women human rights defenders working on sexual and reproductive health and rights<sup>90</sup> and for LGBTI+ human rights defenders.<sup>91</sup> Although not a representative research, the information points to the personal or organizational risks women and LGBTI+ human rights defenders in Slovakia face. Participants in the research reported harassment, online threats, organized slander campaigns and hate speech (including from top politicians, religious and public figures), which often included attacks due to their real or alleged identity (e.g. gendered forms of harassment or homophobic and transphobic hate speech and harassment). Respondents encounter strong “anti-gender movements” standing in opposition to sexual and reproductive health and rights or advancement of human rights of LGBTI+ people. According to the human rights defenders, in Slovakia, various interconnected hateful and harmful myths, including the topics of so-called “juvenile justice”, “gender ideology” or “LGBT agenda”, have moved from fringe ultraconservative or religious forums into the mainstream and have been taken up by state administration employees, politicians, and policymakers.<sup>92</sup>
30. Regarding the involvement of civil society actors in law and policy making, challenges remain in terms of participatory processes and consultation when adopting important legislation and reforms. Human rights defenders in the Center’s research also reported lack of long-term and sustainable funding, including losing access to subsidy support from the Ministry of Labour, Social Affairs and Family of the Slovak Republic for organizations that support gender equality since 2021.<sup>93</sup> Lack of sustainable support, including funding from the state at the

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*upon the applicant to withdraw the lawsuit. For this purpose, the court may hear the plaintiff.”* In criminal law, Article 345 of the Act No. 300/2005 Coll. Criminal Code stipulates the crime of “false accusation” whereas “Whoever falsely accuses another of a criminal offense with the intent to bring about his prosecution shall be punished by imprisonment for one to five years.” See European Rule of Law Report 2022, Input of the Slovak Republic, p. 35., available at [https://commission.europa.eu/system/files/2022-07/sk\\_rule\\_of\\_law\\_report\\_2022\\_-\\_final.pdf](https://commission.europa.eu/system/files/2022-07/sk_rule_of_law_report_2022_-_final.pdf).

<sup>89</sup> Investigative Centre of Ján Kuciak: “Research: do Slovak journalists feel safe?”, 20 February 2023, available in Slovak at <https://icjk.sk/229/Vyskum-Citia-sa-slovenski-novinari-bezpecne>.

<sup>90</sup> Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the Year 2021*, pp. 87-96, available at [https://www.snslp.sk/wp-content/uploads/Human-rights-report\\_-for-the-year-2021.pdf](https://www.snslp.sk/wp-content/uploads/Human-rights-report_-for-the-year-2021.pdf), please also see Center for Reproductive Rights: *Care in Crisis. Failures to Guarantee the Sexual and Reproductive Health and Rights of Refugees from Ukraine in Hungary, Poland, Romania and Slovakia*, 2023, pp. 61-77, available at <https://shorturl.at/lwGZ8>.

<sup>91</sup> Slovak National Centre for Human Rights: *Report on the Observance of Human Rights Including the Principle of Equal Treatment in the Slovak Republic for the Year 2022*, pp. 71-79, available at <https://www.snslp.sk/wp-content/uploads/HR-Report-2022.pdf>.

<sup>92</sup> *Ibid.*, p. 74.

<sup>93</sup> Under the new scheme, only organizations promoting marriage and values of family are able to apply, benefitting only selected organizations. The scheme excludes organizations which are working on issues related to gender equality, including also protection and promotion of human rights of LGBTI+ people.





same time concerns civil society in Slovakia as a whole. In their 2023 Rule of Law Report on Slovakia, the European Commission noted that despite some planned measures to improve the civic space, the civil society space is reported as “narrowed”<sup>94</sup> with lack of systemic funding and fragmented regulation.<sup>95</sup> As mentioned in the Strategy of Civil Society Development in Slovakia for 2022–2030 (the Strategy), lack of funding is being reported as a barrier to achieve their goals for as much as 80 % of civil society organizations in Slovakia.<sup>96</sup> The Strategy’s Action plan for 2022-2026 aims to strengthen the institutional and legislative framework for civil society organizations and create new financial instruments and support mechanisms.<sup>97</sup>

31. In a separate research in 2021, the Centre also mapped experience of environmental human rights defenders with intimidation, bullying or other restriction of rights as a result of civic engagement in the field of the environment. Although not a representative research, human rights defenders reported cases of intimidation and bullying from business entities, public administration bodies, residents of location of their environmental activities or by unknown persons (e.g. anonymous profiles on social media).<sup>98</sup>

***Suggestions for questions:***

- **Please report on concrete data on sustainable long-term institutional, legislative, administrative and financial framework to support civil society organizations and human rights defenders. What steps has the Government already implemented regarding sustainable long-term institutional or strategic grants for civil society organizations, including as set forth in the Strategy of Civil Society Development in Slovakia for 2022–2030 and connected Action Plan?**
- **Please report on measures taken to ensure available and efficient protection provided to journalists and human rights defenders to prevent and investigate harassment and intimidation, threats, violence and other restrictions of rights, including from politicians, and to guarantee that they can carry out their activities in safe conditions. Is the Government planning to abolish the crime of defamation?**

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<sup>94</sup> European Commission: *2023 Rule of Law Report Country Chapter on the rule of law situation in Slovakia*, 5 July 2023, p. 27, available at [https://commission.europa.eu/system/files/2023-07/56\\_1\\_52633\\_coun\\_chap\\_slovakia\\_en.pdf](https://commission.europa.eu/system/files/2023-07/56_1_52633_coun_chap_slovakia_en.pdf). Rating given by Civicus, <https://monitor.civicus.org/explore/slovakia-overview/> with ratings on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

<sup>95</sup> Ibid.

<sup>96</sup> *Strategy of Civil Society Development in Slovakia for 2022–2030*, p. 16, available at <https://shorturl.at/BDOUZ>.

<sup>97</sup> *Strategy of Civil Society Development in Slovakia. Action Plan for 2022-2026*, p. 7-8, available at <https://shorturl.at/abosy>.

<sup>98</sup> Slovak National Centre for Human Rights: *Experience of intimidation, bullying or other restriction of rights as a result of civic involvement in the field of the environment. Report on consultations with NGOs*, 2022, available in Slovak at [https://www.snslp.sk/wp-content/uploads/Sprava-z-konzultacii-s-MVO\\_enviro.pdf](https://www.snslp.sk/wp-content/uploads/Sprava-z-konzultacii-s-MVO_enviro.pdf)