

**Introduction of the Head of Delegation of the Slovak Republic on the presentation of the  
Fourth Periodic Report of the Slovak Republic**

**the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or  
Punishment**

**(Geneva, 27 - 28th April 2023)**

Mr. Chairperson,

Distinguished Members of the Committee,

Ladies and gentlemen,

It is an honour for me today to lead the delegation of the Slovak Republic on the occasion of presenting **the Fourth Periodic Report on the Implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** by Slovakia.

The Slovak Republic highly values the constant and substantive work of the Committee. As a party to the Convention, we fully respect all processes and procedures related to the Committee's engagement, including the UN Treaty bodies. My country accepts the opinions of UN committees. Their outcomes are considered as an invaluable source when adopting measures and policies. Indeed, they guide us in improving human rights standards back home.

In this regard, I would therefore like to stress that the Slovak delegation is composed of qualified experts who will address pertinent issues during these two days. Namely: Government Plenipotentiary for Roma communities, senior experts from the Ministries of Justice, Interior, Foreign and European Affairs, Health, Labour and Social Affairs, as well as a representative of the Prison and Justice Guard Corps. The delegation looks forward to a constructive discussion with distinguished members of the Committee.

We admit that there are some partial issues related to the implementation of the Convention where more progress needs to be done. Some issues of the implementation of the Convention persist to these days, despite active efforts of many engaged stakeholders and NGOs involved. At the same time, however, we re-confirm our strong commitment and determination to work on advancing the conditions and lives of each individual, also in the line with the recommendations and monitoring findings of the Committee.

Mr. Chairperson,

Distinguished Members of the Committee,

Let me inform you about the main steps Slovakia has undertaken after submission of the 4th Periodic Report.

I. First, on the progress related to the ratification of the Optional Protocol to the Convention. It was signed by the Slovak Republic on December 14th, 2018. On the 27th March 2023, the Government of the Slovak Republic agreed with the ratification of the OP-CAT.

This proposal was subsequently submitted to the Parliament. It is scheduled for its meeting in May 2023. After an approval from the National Council, the OP-CAT will be ratified by the President of the Slovak Republic. According to the Constitution of the Slovak Republic, OP-CAT is a presidential international treaty. Hence, it takes precedence over laws.

Based on the OP-CAT, a two-component **system for the prevention of ill-treatment** is established: at international level – a Subcommittee on the Prevention of Torture or Punishment of the Commission against Torture. **At national level**, it gives an obligation to State Parties to introduce so-called **National Preventive Mechanism**.

In this context, it was necessary to adopt appropriate legislative measures to proceed with the implementation of the OP-CAT at the national level. **An amendment to the Act on the Public Defender of Rights**, which will enter into force from 1 May 2023, will establish a National Preventive Mechanism.

The tasks and competences of the National Preventive Mechanism will be given to the three already existing bodies for the protection of human rights – 1. Public Defender of Rights, 2. Commissioner for Children and 3. Commissioner for Persons with Disabilities. All institutions are guaranteed to receive adequate funding and personnel support to fulfil their mandate.

Once this amendment enters into force, the Public Defender will be appointed as a **coordinating body to perform the tasks of the National Preventive Mechanism under international treaties**. For that purpose, the Public Defender will be entitled to carry out the systematic visits of the places where persons restricted in freedom by public authorities are or may be located.

In these lines, Public Defender will be also allowed to access facilities where custody, imprisonment, detention are carried out; to asylum-seekers facilities and other places with persons restricted in liberty by public authorities, in particular police detention cells and alien detention facilities, are or may be present.

Public Defender, as a coordinating body, will also have the authority to issue conclusions, reports, recommendations, including a special report on the progress and results of the visits. It shall communicate its conclusions to the UN international treaty bodies. If the Public Defender during its visits will receive information that a disabled person or a child is located in the facility, he or she will be obliged to notify this fact to the relevant competent authorities.

II. Let me now turn to the topic related to several judgments of the European Court of Human Rights related to inhuman and degrading treatment. In short, they are linked to police violence. In this context, I wish to highlight that **Slovakia respects its membership in the international organisation** and the obligations and duties coming from it.

For us, **effective execution of judgments from the European Court of Human Rights** is one of the preconditions to protect the rule of law.

The Court in Strasbourg issued decisions against Slovakia **concerning inhuman and degrading treatment**. These judgments help us to improve domestic legislation in line with international obligation and findings.

Particularly, the decision in the case - ***R.R. and R.D. against Slovak Republic***, known as the police raid against Roma in Roma settlement in **Moldava nad Bodvou in 2013**. The Court concluded that police officers violated the prohibition of inhuman and degrading treatment and that their behaviour was racially oriented. As a consequence, the Court awarded a financial compensation to the victims with an amount of 20 000 EUR. Other victims implicated into the police raid claimed violations of their rights, too. In that case, the Slovak Government had reconciled with the victims of crimes, confirmed by the Court in Strasbourg in May 2022. Slovakia was obliged to compensate eight victims with 110 000,- EUR as non-pecuniary damage. By doing so, the **procedure before the European Court of Human Rights had been officially closed**.

Other case regarding ill-treatment is known as ***M. B. and others against Slovakia***. European Court of Human Rights had confirmed that police officers violated rights of six Roma (at that

time) boys at police station in Košice in 2009. Racial discrimination had not been, however proven. The Court in Strasbourg had awarded each of the boys with 20 000,- EUR as a compensation.

As a consequence of these cases **zero tolerance policy against ill-treatment and the use of force** by police officers limited to the necessary extent only is applied within the Police Forces. To prevent similar situations in the future, the Ministry of Interior has recently started to implement a **pilot project of police body cameras**, to be used during the performance of duty by police officers.

To conclude this part, we would like to refer to several cases of **the forced sterilization of Roma women**. Here the European Court of Human Rights concluded that this was not a targeted or systematic policy and the forced sterilization occurred as individual cases.

As a follow-up to these Court's decisions, the Government adopted two resolutions apologizing **for the violations against the law**.

The first one, dated June 23rd, 2021, **apologized for the way the police forces intervened against the Roma in Moldava nad Bodvou** in 2013.

The second one, dated November 24th, 2021, **apologized to the women who underwent forced sterilization in violation of the law**. In response, the Ministry of Justice and the Ministry of Health created a working group to examine the circumstances under which the sterilizations could have taken place in the affected periods. The working group has focused also on the possibility of financial compensation for the victims, as well as on investing in healthcare services to support their recovery and rehabilitation.

In March this year, the **legislative intent of the law** has been officially presented by the Ministry of Justice. Every state institution and public were free to comment on this proposal. In the line with this new legislation, sterilized women from the marginalized and vulnerable communities (in the period from 1966 – 2004) should be financially compensated based on their official request.

We would like to acknowledge, that the Slovak Government sees the apologies not only as a human gesture towards the injured victims, but also as a **State's commitment to avoid the**

**similar failure in the future.** This should also be seen as a signal that the law enforcement authorities have a sincere interest in regaining the trust of civil society.

III. My third point relates to the **legislative change in the Police Force Act**, effective from 1st November 2021. The protection of victims of domestic violence or persons at risk of domestic violence was significantly strengthened by **extending the period of expulsion** from the common dwelling **to 14 days** (originally 10 days). Also, **territorial scope** of the ban on approaching the expelled person to the person at risk was extended **to 50 meters** (before limited to 10 meters).

Furthermore, we would like to mention that as of 1st January 2021, **intervention centres for victims of domestic violence** began to operate in every region of the Slovak Republic. Intervention centres provide the victims of domestic violence with professional assistance, which includes, in particular, crisis intervention, psychological and legal assistance. The assistance of the intervention centre is linked to the expulsion of the violent person from the same household, thus creating a framework for multi-institutional cooperation between the Police Force and helping organisations (mostly NGOs), aimed at holistic assistance to victims of domestic violence.

In this context, there is an obligation for a member of the Police Force to inform the intervention centre after the perpetrator has been expelled from the household. Based on report from the police, the intervention centre then proactively contacts the person at risk or victim of domestic violence in order to provide professional assistance.

IV. Briefly on other relevant topics:

The Government of the Slovak Republic approved the **National Action Plan for the Prevention and Elimination of Violence against Women for 2022 – 2027**. The Action Plan is a key strategy for the implementation of the policy of prevention and elimination of violence against women.

Progress has also been made in the fight against trafficking of human beings. The Government approved already its fifth strategy policy known as the **National Programme to Combat Trafficking in Human Beings for 2019-2023**. Its aim is to reduce the scope for committing crimes of trafficking in human beings. It focuses on the perpetrator and potential victims and strengthens the existing instruments that have already proven their relevance.

In the area of Criminal Policy and Prisons, the Government of the Slovak Republic undertook steps to enhance **humanizing and alleviate restrictions on persons in custody** and serving sentences. Measures were adopted as part of the implementation of recommendations by national and international institutions. In particular, an emphasis was given on education and strengthening positive social ties by increasing the availability of forms of family contact between prisoners and between the child and his or her convicted parent.

Also, in May 2022, the **Concept of Prisons of the Slovak Republic for the years 2022 to 2030** was approved by the Government.

The concept seeks to create a socially respected, modern and transparent organization fulfilling the entire implementation procedure in accordance with European standards and the latest expertise, and **resocialization activities**.

It is also worth mentioning an amendment **to the Act on the Execution of Custody** and an amendment to the Decree of the Ministry of Justice of the Slovak Republic issuing the Order of Execution of Custody (effective from January, 1st 2023). These legislative brought, *inter alia*, better conditions on the **private and family life of persons in custody** and an increase in **the legally guaranteed minimum accommodation** area per prisoner, such as an extending the possibility of participation of the accused in the learning and educational, leisure and sports activities.

Mr. Chairperson, Distinguished Experts, Ladies and Gentlemen,

To conclude, I would like to come back to my first remark. Slovakia respects the opinions of UN committees and notifies subsequently UN committees of various adopted measures and policies. Given what has been said, we have **recently submitted our opinion on the decision adopted by Committee in the case L.Č. against Slovakia** (case No. 890/2018). We have provided the Committee with the analysis responding on the core of the matter, particularly with the agenda of using the **net beds in the social and health care institution**.

Thank you for your attention.